

Revised Substitute (Buchanan) as amended in committee
4.28.2026 = **yellow highlight**

Revised Substitute (Boyle, Rienstra, Scanlon) amendments
for 5.5.2026 = **red text**

Revised Substitute (Boyle, Rienstra, Scanlon) as amended
Special Council 5.5.2026 = **green highlight**

Revised Substitute (Boyle, Rienstra, Scanlon) for 5.12.2026
= **blue highlight**

PROPOSED BY: BUCHANAN
INTRODUCED: APRIL 28, 2026

RESOLUTION NO. _____

**ESTABLISHING A PRELIMINARY PLANNING BUDGET CAP, AFFIRMING
GOVERNING COMMITMENTS, AND PROVIDING DIRECTION
TO THE ADMINISTRATION FROM THE WHATCOM COUNTY COUNCIL FOR
THE CAPITAL CONSTRUCTION OF THE WHATCOM COUNTY JAIL AND
BEHAVIORAL CARE CENTER**

WHEREAS, voters of Whatcom County approved Proposition 2023-04 in November 2023, authorizing the 0.2% Public Health, Safety, and Justice Sales and Use Tax, **which was** the culmination of a decade of community planning, stakeholder engagement, and unsuccessful prior proposals before the voters of Whatcom County, reflecting a broad public commitment to both adequate facilities and meaningful investment across all fifteen project categories of the Justice Project Implementation Plan, including behavioral health, diversion, re-entry, supportive housing, and accountability; and

WHEREAS, The Whatcom County Official Local Voters' Pamphlet for the Tuesday, November 7, 2023 General Election describes the commitments presented to voters and contains materials regarding Proposition 2023-04 Public Health, Safety, and Justice Sales and Use Tax, including the Language on the Ballot, Explanatory Statement, Statement For, Statement Against, Rebuttal of Statement Against, Rebuttal of Statement For, and the full text of Ordinance 2023-039; and

WHEREAS, the July 2024 Interlocal Agreement (ILA) commits the County and cities to a minimum of 50% of ongoing countywide sales tax revenue being directed to qualifying investments **including those** enumerated in ILA Part II, Section 3(e), spanning behavioral health facilities, incarceration reduction programs, community-based treatment, re-entry, supportive housing, diversion, and accountability measures, with a goal of reaching that floor no later than 2030, reflecting what voters were told in Ordinance [2023-039](#) and what cities agreed to when they signed the ILA; and

WHEREAS, the ILA Part 1 (Section 7) commits the County to acknowledge the cities' request referenced in Ordinance 2023-039 to eliminate booking restrictions through the construction of an appropriately sized jail based on a fair analysis of jail use, bookings, and population growth, taking into consideration strategic investments to avoid unnecessary incarceration; and

WHEREAS, the financial realities of sales tax revenue and the jail and behavioral care center construction costs exceed what was contemplated in the ILA; and

WHEREAS, the cities are a critical funding partner in the Justice Project, including the capital projects and the ongoing provision of incarceration prevention services, and must concur with the County Council's project level decisions for a successful outcome; and

WHEREAS, the Whatcom County Council, the Incarceration Prevention and Reduction Task Force (IPRTF), and the community partners who shaped this plan over a decade affirm that individuals should receive care in the least restrictive setting possible, that behavioral health, substance use disorder treatment, housing, and diversion are not alternatives to public safety but are its foundation, and that the purpose of this revenue stream is to build not simply a larger facility, but a transformed system that produces better outcomes for everyone in Whatcom County; and

WHEREAS, the County and its partners have made substantial investments over the last decade in programs that demonstrate this commitment in action, including Mental Health Court, Drug and Recovery Court, Pre-Trial Services, Law Enforcement Assisted Diversion (LEAD), Ground-Level Response and Coordinated Engagement (GRACE), the Alternative Response Team, the Anne Deacon Center of Hope, re-entry specialists at the jail, the Way Station, Lifeline Connections youth diversion, the Medicaid Re-Entry Project, Trueblood-funded supportive housing, the Birchwood assisted living facility, and 24-hour nursing at the jail, while the County and City of Bellingham have additionally committed \$14 million in state and local funds to the Behavioral Care Center independent of the sales tax; and

WHEREAS, in March 2025 IPRTF formed a Behavioral Care Center Workgroup, the Whatcom County Council spent several months in late 2025 and early 2026 studying operational models and locations for the Behavioral Care Center, and at the January 27, 2026 Council meeting voted to support the construction of a Behavioral Care Center as a new building located at the County's Division Street campus in Bellingham's Irongate neighborhood with an out of custody model to serve broad community health needs and provide an alternative to incarceration; and

WHEREAS, in Spring 2026 the County received the Pasquo Planners Jail Population Forecast Analysis, which projects a primary 2030 population of 359 individuals, producing an adjusted bed need of 458 when peaking and classification factors are applied (not the 480-bed figure that has anchored prior planning scenarios), with the report further finding that by 2050, if average length of stay (ALOS) is actively managed to 19 days, the projected bed need is 458, compared to 604 under the primary forecast and 699 if ALOS is 29 days; this is a range of 241 beds depending on whether the County invests in system interventions that reduce length of stay; while the Prosecutorial Diversion Addendum, which will quantify the average daily population (ADP) impact of prosecutorial diversion investments, has not yet been published; and ADP and ALOS, not booking volume, are the primary determinants of jail bed need; and

WHEREAS, PFM Financial Advisors modeled a financing scenario as of March 26, 2026, using a borrowing rate of 4.9% and conservative growth assumptions of 1.5% in 2026-2027 and 3.0% thereafter, that establishes a capital construction ceiling of approximately \$214 million, a scenario explicitly titled "Cities Pay 75% Through 2034, Suspend 50% Behavioral Health Requirement," representing a stress test of maximum debt capacity under current market conditions, not a plan that satisfies the ILA's behavioral health and diversion investment commitment; and

WHEREAS, the Finance and Facility Advisory Board on April 9, 2026 recommended a planning budget cap of \$225 million, comprising \$205 million for the jail and \$20 million for the Behavioral Care Center from the sales tax, as a scenario for the design-build team to use in completing the programming exercise; and

WHEREAS, the Council sees the construction of these facilities as inextricably linked to the broader transformation of Whatcom County's justice and behavioral health system and affirms that the decisions made in this Resolution reflect not only financial constraints but the values, commitments, and community expectations established over a decade of planning; and

WHEREAS, the Whatcom County Jail operated predominantly at Green Level throughout 2025, meaning below 300 inmates with all offense levels fully eligible for booking, and reported crimes in Whatcom County declined in 2024 even as bookings increased, indicating that booking volume is not a reliable proxy for community safety need; and

WHEREAS, the weekly Whatcom County Jail Snapshot shows that between 4/13/26 and 4/19/26 an average of 187 people were in the main jail, 88 in the work center, 20 on electronic home detention and monitoring (EHD) and 32 out of custody, and the facility should provide a lower security housing element for the work center population, therefore reducing construction costs; and

WHEREAS, the Council recognizes and appreciates the administration's dedication to constructing the Behavioral Care Center concurrently with the new correctional facility; and

WHEREAS, the Council also appreciates the administration's successful effort to reduce costs and increase efficiency by the acquisition of an acceptable alternate site for the jail that provides cost savings in the permitting and land preparation phases.

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Council that, acknowledging the history of the project as outlined in Exhibit A, the Council ~~shall~~ establishes the following design principles as priorities for the jail and Behavioral Care Center capital project:

- The Behavioral Care Center, comprising the Crisis Receiving Center and Co-Occurring Disorders treatment facility, shall be planned and constructed concurrently with the jail and is not deferrable,
- Council priorities for jail design include~~The jail shall be designed from the outset with~~

adequate capacity, dedicated behavioral health treatment and programming space, detoxification and medication-assisted treatment capacity, trauma-informed design principles, and space for programming, education, family services, vocational training, and reentry navigation, with the understanding that these are critical design requirements, not items subject to value engineering,

- ~~Programming and design for the jail and Behavioral Care Center shall consultation with victim advocates and survivors of crime, formerly incarcerated individuals, affected family members, tribes, behavioral health and substance use disorder providers, reentry and housing providers, disability advocates, employees of the future facilities, and other individuals with relevant lived experience, and that the needs, safety, privacy, accessibility, and dignity of all facility users be considered,~~
- Jail capacity shall be informed, but not rigidly fixed, by the Pasquo Planners Jail Population primary fForecast Analysis of 422 adjusted beds for 2030, recognizing that the Prosecutorial Diversion Addendum has not been published and that reductions in average daily population and average length of stay can meaningfully reduce required capacity,
- The design-build team shall provide Council review and public input opportunities at the conclusion of programming before any final scope or debt authorization decision is made,
- ~~During programming Tthe Council expects more frequent FFAB meetings, meaningful Justice Project Oversight and Planning (JPOP) Committee review of programming outputs, and a dedicated Council workshop on the final programming plan before debt authorization design begins;~~ and

BE IT FURTHER RESOLVED ~~that by~~ the Whatcom County Council affirms the motion approved at the April 28, 2026 Council meeting stating that "the Whatcom County Council preliminary expresses support for a preliminary planning budget ceiling of \$205 million for the jail and \$34 million for the Behavioral Care Center (\$20 million from the sales tax and \$14 million from grants and state sources) as a framework for completing the programming exercise and not authorizing debt;", that, with these principles in mind, we establish a preliminary planning budget ceiling of \$205 million for the jail and \$34 million for the Behavioral Care Center (\$20 million from the sales tax and \$14 million from grants and state sources) should be set as a framework for completing the programming exercise, that this ceiling amount is to be used as a planning input tool only and does not authorize debt, and it should not be interpreted as a target to be maximized, and that the Council additionally requests the Executive direct STV (Owner's Representative) and the design build team to present multiple options within this budget ceiling, modeling the cost, capacity, and operational implications of configurations that may cost meaningfully less; and

BE IT FURTHER RESOLVED ~~that by~~ the Whatcom County Council ~~that we~~ affirms the minimum 50% investment commitment to the qualifying projects in the Implementation Plan and does not endorse its suspension, and further, that in recognition of changed market conditions since the ILA was executed, we:

- ~~Request the Finance and Facility Advisory Board to convene special meetings or~~

~~establish a subgroup, in coordination with the IPRTF/Law and Justice Council (LJC) and including community members with subject matter expertise in behavioral health, housing, and public finance as well as individuals with lived experience of incarceration, charged with developing to develop a minimum of two financially viable pathways to achieve the 50% floor under current and projected market conditions (considering city contribution terms, revenue growth assumptions, project phasing, bond timing, and the role of excess revenue above conservative baselines), and to report those pathways to the County Council no later than October 2026; and~~

- ~~• If the 50% floor cannot be met under current market conditions with a \$205 million facility, we request that the County Executive present to the County Council an option that includes a model of a proportionally reduced jail footprint to balance the financial equation without cutting community services; and~~
- Request the IPRTF/Law and Justice Council (LJC) to develop additional recommendations to fund the Justice Project Implementation Plan services, projects, and programs enumerated in the interlocal agreement (ILA) Part II, Section 3(e), including but not limited to the use of proceeds from any future sale of the LaBounty Road property, if such option is feasible, as well as grants, reimbursements, and excess revenue above conservative baselines; and
- Request the executive to coordinate state budget lobbying efforts and federal appropriations lobbying efforts between the cities and the county to supplement local funding available for the services, projects, and programs in the Justice Project Implementation Plan, as permitted by law~~Coordinating state budget lobbying efforts between the cities and the county; and~~
- ~~• Request that the County Executive present options to the County Council to expand the Alternative Response Team (ART) from a 10 hour a day, 5 day a week model to a 12 hour a day 7 day a week model, to close the gap in response, with the understanding that as funds become available, this will further expand to 24 hour a day, 7 day a week model; and~~
- Direct Request the IPRTF/LJC to convene an Average Daily Population and Length of Stay Reduction Workgroup, engaging the Sheriff, Prosecutor, Public Defender, Presiding Judge, ~~DHCS~~the Health and Community Services Department, community-based service providers with subject matter expertise in behavioral health and diversion, and individuals with lived experience of incarceration, charged with identifying the policies, programs, and processes that most effectively reduce ADP and ALOS, and to report a prioritized set of recommendations for funding and sustaining those interventions to the County Council by end of summer 2026; and
- Continue to support investing in Implementation Plan Project 3 to support the collection of data to measure progress toward desired outcomes and develop a data dashboard; and
- Request that the Sheriff present to the County Council, County Executive, and the cities definitions regarding booking restrictions.

BE IT ~~FINALLY FURTHER~~ RESOLVED by the Whatcom County Council that we

request the County Executive to negotiate an updated Interlocal Agreement with the cities, consistent with the policy direction set forth in this resolution, that maximizes public safety and health outcomes for the community, distributes risk equitably across the county and its cities, keeps intact the original commitments made to voters, and acknowledges requests from the cities; and

BE IT FINALLY RESOLVED by the Whatcom County Council that we request ~~and~~ that the Council's consideration of any debt authorization ordinance shall not commence until the following have been transmitted: (a) final programming plans with Council and public review; (b) the Prosecutorial Diversion Addendum and the design-build team's response to its findings; (c) the biennial Spending Plan required by Ordinance 2023-039 Section 8(1); ~~and~~ (d) a written analysis demonstrating how the proposed capital structure works to address the minimum 50% investment commitment to the qualifying projects in the Implementation Plan; (e) a jail utilization management plan consistent with the County's commitments to diversion, behavioral health treatment, reentry, and incarceration prevention and reduction; (f) a report outlining the projected operational costs of the new jail and the Behavioral Care Center, including identified and reasonably available revenue sources to support operational costs; (g) up-to-date information on the financial status of the Project Budget Fund: New Health, Safety & Justice Facility (Fund 3502) and any other relevant county funds related to the debt authorization; and (h) an updated financing analysis identifying the smallest bond size necessary for each major programming option under consideration.

APPROVED this _____ day of _____, 2026

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Kaylee Galloway, Council Chair

APPROVED AS TO FORM:

Kimberly Thulin 4.28.2026 (by email/ks)

Civil Deputy Prosecutor

EXHIBIT A

HISTORY, DATA, CONTEXT, AND FORTHCOMING DOCUMENTS

Whatcom County Council | April 28, 2026

This Exhibit provides the historical record, data foundation, and governing commitments that inform the accompanying resolution. It is adopted as part of the record but is not operative. References to documents promised by the Executive's Office, FFAB, STV, or other parties are consolidated in Part III.

PART I: PLANNING HISTORY AND GOVERNING COMMITMENTS

Twenty Years of Planning

Whatcom County's jail planning process began over twenty years ago with the recognition that the existing facility was insufficient to meet the needs of those in custody, county employees, and contractors. Over successive years, multiple consultant studies, community engagement efforts, and failed ballot measures shaped an evolving understanding that the county's justice needs cannot be addressed through facility construction alone, and that investment in behavioral health, diversion, and upstream prevention must occur concurrently with any capital project.

IPRTF and the Vera Institute (2016-2017)

In 2016, the County Council established the Incarceration Prevention and Reduction Task Force (IPRTF). In 2017, the Vera Institute of Justice published a comprehensive analysis documenting that the primary drivers of Whatcom County's jail population were behavioral health needs, substance use disorder, warrant accumulation, and poverty. These findings have been reaffirmed by every subsequent study, including the 2023 WSU Progress Report and the 2026 Pasquo Planners Jail Population Forecast Analysis.

Planning Process (2018-2023)

In 2018, the County conducted a county-wide listening tour. In 2019, the Council adopted Resolution 2019-036 establishing facility planning principles. The Stakeholder Advisory Committee convened throughout 2022 and published the Whatcom County Justice Project Needs Assessment in January 2023. In 2023, a Vera Institute update and Implementation Plan were completed.

Ordinance 2023-039 and Voter Approval

In 2023, the County Council adopted Ordinance 2023-039, placing the 0.2% Public Health, Safety, and Justice Sales and Use Tax on the ballot with an accompanying Justice Project Implementation Plan. Voters approved Proposition 2023-04 in November 2023. Key provisions of the ordinance include:

- Section 4: Eligible expenditures consistent with the Implementation Plan; cities under 20,000 population may use proceeds for any public safety purpose without IP constraints.
- Section 5.1(c): The ILA shall identify a mechanism for additional bed capacity if the facility reaches 85% of operational capacity for eight of the past twelve months.
- Section 5.3: An independent third-party evaluation shall occur ten years after tax approval (~2033).

- Section 7(1): The County commits to concurrent investments in behavioral health, SUD treatment, re-entry, supportive housing, and diversion beginning in 2023.
- Section 8(1): A biennial Spending Plan update is required.
- Section 9.4: The jail utilization management plan and expansion trigger framework.
- [The Whatcom County Official Local Voters' Pamphlet for the Tuesday, November 7, 2023 General Election contains the materials presented to voters regarding Proposition 2023- 04 Public Health, Safety, and Justice Sales and Use Tax, including the Language on the Ballot, Explanatory Statement, Statement For, Statement Against, Rebuttal of Statement Against, Rebuttal of Statement For, and the full text of Ordinance 2023-039.](#)

The Interlocal Agreement (July 2024)

In July 2024, the County and Whatcom County cities executed an Interlocal Agreement governing the collection, distribution, and use of the sales tax. ILA Part II, Section 3(e) establishes as a binding commitment that "a minimum of 50% of the ongoing county-wide Sales Tax revenue will be used for projects as prioritized in the Justice Project Implementation Plan," including:

- The construction and operation of behavioral health facilities serving populations outside of the Justice Facility
- 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
- Accountability measures that monitor progress and inform future planning

The ILA states this floor should be reached "with a goal of no later than 2030."

A Decade of Upstream Investment

The County, in coordination with municipal and community-based partners, has supported the following programs consistent with the Implementation Plan:

- Francis Place and 22 North permanent supportive housing (2015, 2018)
- Mental Health Court (2016); Drug and Recovery Court expanded (2019, 2024)
- Pre-Trial Services Program (2019)
- LEAD, GRACE, and Alternative Response Team, with City of Bellingham (2020-2022)
- Friendship Diversion through bench probation (2021)
- Anne Deacon Center of Hope, Pioneer Human Services/Compass Health (2021)
- Re-entry specialists and expanded mental health services at the jail (2023-2025)
- Lifeline Connections youth diversion (2024)
- Way Station respite shelter and hygiene center (2024)
- Opioid response pilot program (2024)
- Re-entry support for juveniles (2025)
- Medicaid Re-Entry Project through WCSO and Juvenile Detention (anticipated July 2026)

- \$3.6M Trueblood funds for 27-bed Lake Whatcom Treatment Center supportive housing (2026)
- Birchwood 86-bed assisted living facility for adults with serious behavioral health needs (2026)
- 24-hour nursing at the Whatcom County Jail (2026)

The County and City of Bellingham have additionally committed \$14 million in state and local funds for BCC construction, separate from the sales tax.

The Fifteen Projects of the Justice Project Implementation Plan

The Implementation Plan organizes 15 projects across five strategies. The Council expects the design-build team, STV, and all workgroups to be familiar with all 15 projects, not only the facility projects. The full scope of the plan is what voters approved funding for.

Strategy 1: Ensure Oversight, Accountability, and Transparency

- Project 1: Justice Project Oversight and Planning (JPOP) Committee
- Project 2: Finance and Facility Advisory Board
- Project 3: Criminal Justice Informatics and Data Dashboard

Strategy 2: Strengthen and Expand Behavioral Health Services

- Project 4: Behavioral Health Workforce Development
- Project 5: Communication and Coordination Systems
- Project 6: Mental Health Sentencing Alternatives and Diversion Programs (including Mental Health Court, Drug and Recovery Court, LEAD, GRACE, ART)

Strategy 3: Build and Expand Facilities

- Project 7: 23-Hour Crisis Receiving Center (CRC) / Behavioral Health Urgent Care
- Project 8: New Jail and Behavioral Health Treatment Center~~Co-Occurring Disorders (COD) Inpatient Treatment Facility~~
- Project 9: Additional Behavioral Health and Substance Use Disorder Treatment Facilities
- ~~Project 10: Transportation Services for People Leaving Jail or Treatment~~
- ~~Project 11: New Jail and Behavioral Health Treatment Center~~

Strategy 4: Strengthen Re-entry and Reduce Recidivism

- Project 10: Transportation Services for People Leaving Jail or Treatment
- Project ~~12~~11: Re-entry Services (including re-entry specialists, navigation, and peer support)
- Project ~~13~~12: Supportive Housing (including recovery housing, transitional housing, and housing assistance)

Strategy 5: Pursue Systemic Change

- Project 14~~13~~: Court System Improvements (case processing timelines, pretrial reforms, and reduced unnecessary detention)
- Project 14: Access to Competency Restoration Services
- Project 15: State Advocacy and Medicaid Waiver for Jail-Based Health Services

Note: The Behavioral Care Center (BCC) being planned concurrently with the jail comprises one aspect of Projects 7 and 8. The jail itself is the other aspect. Project 11 Projects 7 and 8, ~~plus~~ The BCC and the other 142 projects represent the community health and diversion investment portfolio that the minimum 50% floor in the Interlocal Agreement is designed to fund. [EB4][JS5]

PART II: KEY DATA AND ANALYTICAL FINDINGS

Jail Capacity, Pasquo Planners (2026)

The Pasquo Planners Jail Population Forecast Analysis (Spring 2026) is the county's primary jail population forecast. Key findings:

- Primary 2030 population forecast: 359 people; adjusted 2030 bed need (peaking and classification applied): 422 (not the 480-bed figure that has anchored prior planning scenarios)
- Primary 2050 adjusted bed need: 604, but the report presents a range of outcomes based on ALOS management
- ALOS impact analysis (Figure 25): if ALOS is managed to 19 days by 2050, projected bed need falls to 458; if ALOS grows to 29 days, bed need reaches 699, a 241-bed range depending on system investment
- Median length of stay in 2025: 2 days (for short-stay bookings); overall ALOS driving ADP is substantially longer and is the primary sizing variable
- 70% diversion of eligible misdemeanor/MH population: estimated ADP reduction of approximately 22-38
- Prosecutorial Diversion Addendum, quantifying prosecutorial diversion impacts on ADP and bed need, has not yet been published as of the date of this resolution
- The primary forecast assumes no changes in incarceration practices; it does not credit diversion investments already underway or planned
- The Pasquo report explicitly recommends development of a jail utilization management plan as a companion to any capacity decision
- Whatcom County's 2025 booking rate remains approximately 44% below pre-pandemic norms on a per-capita basis

Financial Modeling

PFM Financial Advisors has modeled several financing scenarios. Key parameters and findings:

- February 2025 model (4% interest, 4% growth): \$170M project supportable; 50% BH floor achievable at \$205M jail-only on 30-year cumulative basis
- March 26, 2026 model (4.9% interest + 0.50% cushion; 1.5% growth 2026-2027, 3.0% thereafter): \$214M capital ceiling; explicitly titled 'Cities Pay 75% Through 2034, Suspend 50% Behavioral Health Requirement'
- Under March 26 model: BH share reaches only 16.79% in 2030; first year reaching 50% annually is 2046 (year 23); cumulative lifetime BH share is 44.34%
- Total countywide revenue 2024-2058: \$719.9M (March 26 model) vs. \$924.6M (February model), a \$205M difference driven by lower growth assumptions and higher interest rates
- Current (April 2026) county debt service under March 26 model: approximately \$9.4M/year vs. \$6.6M/year in February model

- If 190,000 sq ft jail at \$895/sq ft: approximately \$170M hard construction cost, \$35M delta to the \$205M ceiling, representing soft costs, contingency, and escalation
- Historical Whatcom County sales tax CAGR (1996-2025): 5.01%; 10-year trailing average as of 2025: approximately 7.4%; 5-year trailing average: approximately 8.8%

PART III: FORTHCOMING DOCUMENTS AND REPORTS

The following documents have been committed by various parties in the documents listed below. The County Council expects to receive each prior to or concurrent with the corresponding decision point.

Document / Report	Set Forth In	Due / Decision Gate	Recipient
Prosecutorial Diversion Addendum (Attachment B), quantifying prosecutorial diversion impacts on ADP and bed need	Jail Capacity Analysis Cover Memo (March 31, 2026); April 2 FFAB Agenda	Before final programming and debt authorization	Council, FFAB, IPRTF
Final programming plan from STV and design-build team, with Council review and public input opportunity	STV Memo (March 25, 2026); Resolution 2019-036; FFAB April 9 recommendation	August 2026	Council (for review and direction)
Biennial Spending Plan update, detailed allocation of sales tax revenue per Ordinance 2023-039 Section 8(1)	Ordinance 2023-039 Section 8(1)	Before debt authorization; overdue	County Council and Bellingham City Council (for adoption)
50% compliance analysis, written demonstration from County Executive of how the proposed capital structure honors the minimum 50% investment commitment to the qualifying projects in the Implementation Plan, and what adjustments to city contributions, scope, phasing, or bond timing are required	This resolution; ILA Part II Section 3(e)	Before debt authorization	County Council
50% Recovery Working Group report, at least two financially viable pathways to achieve the 50% floor under current and projected market conditions	This resolution	October 2026	County Council, FFAB, IPRTF
ADP/ALOS Reduction Workgroup report, prioritized policies, programs, and processes to reduce average daily population and average length of stay	This resolution	End of summer 2026	County Council, FFAB, IPRTF

Document / Report	Set Forth In	Due / Decision Gate	Recipient
Updated Interlocal Agreement, renegotiated with cities; reaffirms 50% floor with credible path; fixed city contributions; Revenue Stabilization Account	FFAB Risk Memo (April 9, 2026); this resolution	Before debt authorization	County Council and all city parties
Annual aligned investment report, County and Bellingham investments from sales tax, BH Fund, Bellingham's share, and leveraged state and federal sources; totals by jurisdiction, programs funded, populations served, and progress toward Implementation Plan goals	ILA Part II Section 3(e) accountability requirement; expected as part of biennial Spending Plan implementation	Annually beginning 2027 (expected)	FFAB, IPRTF/LJC, Council
Annual booking and diversion evaluation framework report, booking patterns by charge type, diversion referral rates and outcomes, LEAD/ART utilization, book-and-release recidivism, and relationship to reported crime rates	ADP/ALOS Reduction Workgroup (directed by this resolution), framework to be developed as part of workgroup's recommendations	Annually beginning 2027 (expected, pending workgroup framework)	IPRTF/LJC
Jail utilization management plan, operational targets for ALOS, pretrial release utilization, diversion thresholds, and classification practices	Pasquo Planners Jail Population Forecast Analysis (Spring 2026); this resolution	Before or concurrent with final programming review (August 2026)	IPRTF/LJC, Council
Risk mitigation plan update, updated interest rate assumptions and revenue stabilization projections, once spring 2027 borrowing conditions are clearer	FFAB Risk Memo (April 9, 2026)	Spring 2027, before GMP	FFAB, Council
Guaranteed Maximum Price (GMP), from design-builder, requiring separate Council authorization	STV Memo (March 25, 2026); FFAB Risk Memo	Fall 2027	Council (authorization required)
Ten-year independent evaluation of sales tax implementation, including 50% floor compliance, diversion impact, facility sizing, and booking framework outcomes	Ordinance 2023-039 Section 5.3	~2033	County Council and public

Note: This appendix reflects the Council's understanding of documents promised or required as of April 28, 2026. The Council reserves the right to request additional analysis or documentation at any time prior to debt authorization.

PART IV: KEY STUDIES AND DOCUMENTS TO INFORM FACILITY DESIGN

The design-build team and STV are directed to engage with the full body of community planning work that produced the Justice Project Implementation Plan and Behavioral Care Center analysis. The two Spring 2026 technical reports are important inputs, but they are the culmination of a decade of community research, not a replacement for it. The following documents represent the evidentiary foundation the Council expects the design-builder to have reviewed and engaged with in translating the programming brief into facility design.

Community Needs and Values

- Whatcom County Justice Project Needs Assessment Report (January 2023), 38-member Stakeholder Advisory Committee; 1,704-respondent community survey; six listening sessions with immigrant, tribal, and formerly incarcerated communities; one town hall with ~120 participants. Establishes community Vision, Values, and Goals for any new facility.
- Justice Project Implementation Plan (June 2023), Operationalizes the Needs Assessment into 14 project categories. Establishes the community-defined design requirements for the jail (Section C1) and behavioral health facilities (Section C2), including spaces and services identified by the community as non-negotiable: dedicated confidential behavioral health treatment space; visitation spaces; medical and dental care; education and vocational training; outdoor spaces; and a physical environment that contributes to improved mental health.
- County Council Resolution 2019-036, 2019 statement of planning principles; the founding document for this planning process; commits the county to community-based preventative services, successful re-entry, and reducing incarceration.
- Whatcom County Public Engagement Workshop Reports (2025-2026), Two community workshops conducted during the STV validation phase with hundreds of participants; documented preferences for facility design, programming priorities, and operational values.

Population and System Analysis

- Vera Institute of Justice, Report to Whatcom County Stakeholders on Jail Reduction Strategies (November 2017), Foundational analysis of jail population drivers; five recommendations and twenty strategies for safe reduction. Impact analysis demonstrates that even modest diversion implementation could have substantially reduced the 2016 jail population. Establishes the evidence base for LEAD, pre-trial services, and other programs now operating.
- WSU Washington Rural Jails Research Team, Progress Report and Report Card on Vera Institute Recommendations (2023), Independent analysis of jail data 2015 through mid-2023; assesses progress on Vera recommendations. Key findings: pretrial ALOS increased for many charge types; case resolution timeframes worsened post-pandemic; one in ten booked individuals experienced homelessness.
- Pasquo Planners, Jail Population Forecast Analysis (Spring 2026), Primary jail population forecast; 422 adjusted bed need for 2030; ALOS sensitivity range of 458-699 beds by 2050 depending on system management. Establishes specialized housing classification needs across 13 categories for both male and female populations.

- DLZ, Jail Capacity Needs Report and Rated Bed Projections (2025 draft), Capacity study providing rated bed projections through 2050 and analysis of classification and special housing needs. Note: projections assume no changes in incarceration practices.
- WCSO Annual Booking Data (2018-2025), Publicly available; documents composition of jail population by charge type, length of stay, and origin jurisdiction. Key reference for understanding what categories of cases actually drive ADP.
- Whatcom County Jail Use Reports (2021-2025), Annual WCSO reports documenting ADP, booking volume, length of stay trends, classification data, and booking restriction levels throughout the existing facility's operation.
- [Whatcom Racial Equity Commission's Incarceration Data Analysis Project Report: Racial Disparities and Offense Types \(December 2025\), providing analysis of incarceration patterns, and racial disparities in Whatcom County, including data limitations and implications for policy, accountability, and future system planning.](#)

Incarcerated People's Voices

- Whatcom County Incarcerated People Survey (2022), Survey of 109 incarcerated individuals and 28 jail staff during the SAC Needs Assessment process. Documents unmet needs for behavioral health services and reentry support; identifies facility design features people in custody identified as most important.
- Whatcom County Final Jail Inmate Report (June 2025), 99-respondent survey and two focus groups at the jail and Work Center. Documents the current population's needs and preferences for services and facility design; directly informs specialized housing and programming space requirements.

Behavioral Health and BCC Design

- Whatcom County BCC Final Report, Behavioral Health Analysis and Service Model Recommendations (April 2026), Recommends a 22-bed Crisis Receiving Center and 32-bed Co-Occurring Disorders facility (two 16-bed units); operational model, staffing, reimbursement framework, and site considerations.
- STV/EP&A Behavioral Health Campus Report, 2000 Division Street Site Analysis, Earlier analysis of a standalone behavioral health campus; relevant for understanding the range of BCC siting and operational models considered and the reasoning behind co-location.
- IPRTF Review and Recommendations (October 2024), Task Force's formal recommendations to the County Council on the justice facility project, reflecting synthesis of the planning record and community priorities.

Financial and Contractual Framework

- PFM Financial Advisors, Financing Scenarios 1-3 (February 2025) and Alternative Scenario (March 26, 2026), Full modeling of revenue, city contributions, debt capacity, and behavioral health investment shares. The February scenarios show what is achievable while honoring the 50% commitment; the March 26 scenario shows maximum debt capacity if that commitment is suspended.

- Interlocal Agreement (July 2024), Governing document for the multi-jurisdictional financing structure; establishes the 50% behavioral health investment floor, city contribution framework, expansion trigger (Section 5.1(c)), and qualifying investment definitions (Part II, Section 3(e)).
- Ordinance 2023-039 (November 2023), Authorizing ordinance; establishes the Implementation Plan, spending plan requirements (Section 8(1)), and the concurrent investment commitment (Section 7(1)).

The Council expects that STV's programming report delivered in August 2026 will demonstrate engagement with this full body of work, not simply the two most recent technical reports, and will explain how community-identified design priorities, population data, and the direct input of incarcerated individuals were incorporated into the recommended facility program.