



WHATCOM COUNTY CHARTER REVIEW COMMISSION

TO: Whatcom County Council
FROM: 2025 Whatcom County Charter Review Commission
DATE: July 10, 2025
RE: Charter Review Commission Recommended Amendments to Voters

The Whatcom County Charter Review Commission recommends twelve (12) Charter amendments to the voters for the November 4, 2025 General Election. Please forward these amendments to the Whatcom County Auditor per Charter Section 8.20. The full text of the amendments and explanatory statements follow.

A handwritten signature in black ink, appearing to be "Liz Darrow", is written above a horizontal line.

Liz Darrow, Chair

Approved via text 7.14.25/ks

Jennifer Wright, Vice-Chair

District 1: Liz Darrow, Joel Pitts-Jordan, Andrew Reding; **District 2:** Eamonn Collins, Colton Kaltenfeldt, Maya Morales; **District 3:** Doug Chadwick, Jessica Rienstra, Jennifer Wright; **District 4:** Joe Elenbaas, Brad Kelly Hannah Ordos; **District 5:** Lindsey Graham Elenbaas, Jon Mutchler, Rod Stump

2025 Whatcom County Charter Review Commission Approved Amendments

Proposition No. 1 - Authorizing Councilmembers to Hire Dedicated Aides

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to authorize County Councilmembers to hire aides. This measure would amend Section 2.22 of the Whatcom County Charter to allow each councilmember to hire a dedicated legislative aide. It also allows multiple councilmembers to hire one joint aide if they choose.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, the Whatcom County Charter contains no provision concerning legislative aides. If adopted, this amendment would authorize councilmembers to hire a dedicated legislative aide with county funds to report directly to that councilmember. Councilmembers are authorized to use a joint aide between multiple councilmembers if they so desire. This amendment would not require any Councilmember to have an aide.

Amending Language

Article 2 – The Legislative Branch

Section 2.22 Organization.

The County Council shall annually elect one of its members as chair and a vice-chair who shall act in the absence of the chair. It shall be responsible for its own organization, the rules of conduct of its business and for the employment and supervision of such persons as it deems necessary to assist it in the performance of its duties. Each councilmember shall be authorized to hire a dedicated legislative aide who reports directly to that councilmember. Councilmembers can elect to hire a joint aide if they choose. A majority of the Council shall constitute a quorum at all meetings. Council action shall require at least a majority of the entire Council except where two-thirds vote is required, in which case two-thirds of the entire Council shall be necessary

Proposition No. 2 - Establishing a Whatcom County Office of the Ombuds

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to create the office of the Whatcom County Ombuds. This measure would amend Article 2 of the Whatcom County Charter to require the County Council to establish an Office of the Ombuds. The Ombuds would receive and investigate complaints and inquiries about county government. The Council would be required to provide the office necessary funding and power to fulfill its duties. The office would start work no later than January 1st, 2027. In 2030, the Whatcom County Council would have the ability to eliminate this office.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, there is no office of the Whatcom County Ombuds. If adopted, this amendment would require the County Council to establish such an office for the purpose of receiving, investigating, and making recommendations in relation to complaints and inquiries from the public concerning the operation of county government. The office would be given authority and resources to complete these duties. The office shall begin work no later than 2027. In the year 2030, the Council will have the ability to abolish the office without requiring another charter amendment.

Amending Language

Article 2 – The Legislative Branch

New Section: 2.70 Office of the Ombuds

The County Council shall establish by ordinance the independent office of county ombuds for the purpose of receiving, investigating, and making recommendations to the Council and appropriate county agencies on complaints concerning the operation of county government and to respond to inquiries from the public concerning the operation of county government. The office shall be appointed by the Council.

The office shall be provided adequate funding to fulfill its duties, as determined by the Council. It shall have, subject to relevant laws, appropriate legal authority and unfettered access to information necessary for it to quickly and efficiently investigate and to make and publicize recommendations concerning its findings, including the power to subpoena witnesses, documents, and other evidence and to administer oaths. The office shall use generally accepted standards for similar offices.

In addition to other duties prescribed by ordinance, the office shall monitor and regularly report to the Council on the nature and disposition of whistleblower, ethics, and human rights complaints filed pursuant to other county ordinances or procedures.

Council may, as it sees fit, allow this office to enter interlocal agreements with any one or more governments, governmental agencies, or municipal corporations within county

boundaries. The office shall commence functioning no later than January 1, 2027 and shall have the duties and responsibilities expressed in this section as well as those established by ordinance. During the calendar year of 2030, the Council may eliminate the office of the ombuds by ordinance. Should the Council do so, this Charter Section shall be nullified and of no further effect. If the Council does not abolish the office in 2030, this Charter Section shall remain in effect until rescinded or altered by charter amendment.

Proposition No. 3 - Establishing Performance Audits

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to establish a process for performance audits. This measure would amend Article 2 of the Whatcom County Charter to require the County Council establish a county performance auditing process to review, evaluate, and report on various aspects of county government. This process would be conducted by an independent contractor. The process would begin by January 1, 2027 and be performed afterwards as needed. The County Executive would be required to make a report to Council about the implementation of recommendations from the performance audit.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, there is no provision in the County Charter for performance audits. If adopted, this Amendment would require the County Council to establish a performance auditing process for the purpose of reviewing the integrity of the county's financial management system, the accuracy of financial record keeping, compliance with applicable laws, and the efficiency of operations. This process will start by 2027, and will be performed by an independent contractor in accordance with accepted auditing standards. Starting in 2029, and every two years after that, the Executive must report to the Council on the implementation of recommendations from performance audits.

Amending Language

New Section: 2.70 Performance Audits

The County Council may conduct or cause to be conducted audits of financial operations of the county government or any portion thereof. The Council may conduct or cause to be conducted periodic performance and program audits to review the effectiveness and efficiency of the programs and operations of the county. Annual audits shall continue to be performed by the state in accordance with general law. Performance audits will be conducted with the goal of transparently, effectively, and responsibly stewarding public resources.

New Section: 2.80 Performance Auditing Process

The County Council shall establish by ordinance within the legislative branch an independent county performance auditing process for the purpose of reviewing, evaluating, and reporting on the integrity of the county's financial management system, the accuracy of financial record keeping, compliance with applicable laws, policies, guidelines, and procedures, and the efficiency and effectiveness of operations and programs. The process shall commence functioning no later than January 1, 2027 and shall contain the responsibilities expressed in this section as well as those established by ordinance. Performance auditing shall be conducted via open, competitive, and transparent service contracts in accordance with RCW 39.26. Selected contractors shall have appropriate professional credentials, legal authority for access to records, adequate funding, and shall use generally accepted accounting/auditing standards. Selected contractors shall adhere to Generally Accepted Government Auditing Standards, promulgated by the United States Government Accountability Office, in conducting

their work and shall be considered independent as defined by those standards. Performance audits shall be conducted on an as-needed basis. Beginning January 1, 2029 and biennially thereafter, the County Executive shall report back to the Council on the implementation of approved performance audit recommendations including achieved cost-savings and expected return on investment.

Proposition No. 4 - Clarifying the Power and Duties of Elected Officials

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to clarify the powers and duties of county elected officials. This measure would amend Article 3 of the Whatcom County Charter to clarify the independence of the County Elected Offices from the office of the County Executive and to make more consistent the terminology used to describe those offices. This amendment clarifies the powers and duties of each elected office without changing those powers or duties.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

The powers and duties of the County Executive, the County Assessor, the County Auditor, the County Treasurer, and the County Sheriff are prescribed in Article 3 of the Whatcom County Charter. In that Article, language describing the offices and their roles could be considered ambiguous or confusing. If adopted, this Amendment would update the language in Article 3 to clarify the powers and duties of each elected office and to reaffirm the independence of these elected county officials from the County Executive. This Amendment does not change the powers or duties of any elected office.

Amending Language

Article 3 – The Executive Branch

Section 3.22 Powers and Duties

As Chief Executive Officer, the County Executive shall have all the executive powers of the County which are not expressly vested in the County Assessor, the County Auditor, the County Treasurer, and the County Sheriff (hereafter referred to as Other Elected Officials) and other specific elective officers by this Charter. The County Executive shall have the power to:

- (a) Supervise all administrative offices and executive departments established by this Charter or created by the County Council.
- (b) Execute and enforce all ordinances and state statutes within the county.
- (c) Present to the County Council an annual statement of the governmental affairs of the County and any other report which may be deemed necessary.
- (d) Prepare and present to the County Council budgets and a budget message setting forth proposals for the County during the next fiscal year.
- (e) Prepare and present to the County Council comprehensive plans including capital improvement plans for the present and future development of the county.
- (f) Veto any ordinance adopted by the County Council except as otherwise provided in this Charter.
- (g) Assign duties to administrative offices and executive departments which are not specifically assigned by this Charter or by ordinance.
- (h) Sign or cause to be signed, on behalf of the County, all claims, deeds, contracts and other instruments.

The specific statement of particular executive powers shall not be construed as limiting the executive powers of the County Executive

Section 3.40 The Executive Offices

The executive offices shall consist of the ~~departments~~ offices of the Other Elected Officials ~~County Assessor, the County Auditor, the County Treasurer, the County Sheriff~~ and those ~~agencies~~ departments and offices of the executive branch which are primarily engaged in the execution and enforcement of ordinances and statutes concerning the public peace, health and safety and which furnish or provide governmental services directly to or for the residents of Whatcom County

Section 3.52 Powers and Duties

The County Assessor, County Auditor, County Treasurer and County Sheriff created by adoption of this Charter shall have the powers and duties of their respective offices as provided by general law or as modified by this Charter, provided that these ~~offices and those of the Auditor and Treasurer~~ shall be subject to the personnel, budgeting and any other policies set by the County Council.

In lieu of the powers and duties provided by general law, the County Auditor shall have the powers and duties described in this section. The County Auditor shall be the recorder of deeds and other instruments which are required by law to be filed and recorded in the County; shall issue licenses and other records, as specified in County law and as an agent of the state; shall certify and administer all elections within the County, as part of these duties shall publish and distribute a local voters pamphlet for all primary and general elections, and maintain voter rolls and records; shall audit County financial systems, records, and management procedures for compliance with recognized accounting principles and conformance to federal, state, and County laws, policies, and procedures; shall insure the adequacy and standing of County finances through certification of an annual financial report; and shall perform other duties as specified by County law.

The County Treasurer shall be the official responsible for tax and assessment billing and receipt of money due the County; shall disburse funds for the County; shall be responsible for banking relationships, cash and debt management, and investment of funds; shall maintain necessary records and submit regular reports on treasury activities; and shall perform other duties as specified by County law.

Proposition No. 5 - Modifying the Redistricting Process

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to modify the process of adjusting the boundaries of each district in the county as is required once every ten years. This measure would amend Article 4 of the Whatcom County Charter to clarify the powers and appointment process for the chair of the Districting Committee, require the Committee to comply with state law on redistricting, and adjust timelines to align with the availability of census data. The measure would also require that the Districting Committee hold a public hearing before adopting a redistricting plan.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

The Charter requires that a Districting Committee be appointed every 10 years in order to adjust district boundaries based on population information from the federal census. The Charter does not currently indicate the powers and duties of the chair of that committee nor does it reference state law governing redistricting. If adopted, this amendment would set the powers and duties of the chair, explicitly require the Committee follow state law on redistricting, and correlate the timeframe for redistricting based on when the County receives census information.

Amending Language

Article 4 – Elections

Section 4.40 District Boundaries.

The boundaries of each district shall be consistent with the criteria set forth in RCW 29A.76.010. ~~correspond as nearly as practical with the boundaries of election precincts and shall be drawn to produce districts with compact and contiguous territory, composed of geographic units which are approximately equal in population.~~

Section 4.41 Districting Committee.

No later than November 30 of the year the decennial United States federal census is conducted ~~During the month of January, 1981, and by January 31 of each tenth year thereafter,~~ a five-member Districting Committee shall be appointed. The County Council shall appoint four persons to the committee, two from each major political party, the four to appoint the fifth who shall be the Chairman. ~~The chair shall serve as a nonvoting member of the districting committee. If a majority of the committee members cannot agree on a committee chair within 30 calendar days after the appointment of the committee members, the Council, no later than 60 calendar days after the appointment of the committee members, shall appoint a fifth person to serve as committee chair.~~ The Districting Committee shall within thirty (30) calendar days of its appointment meet and appoint a Districting Master who shall be qualified by education, training and experience to draw a districting plan. If the Districting Committee is unable to agree upon the appointment of a Districting Master within thirty (30) calendar days, the County Council shall appoint a Districting Master by March 31 of that year.

Section 4.42 Districting Plan

~~The Districting Master shall draw a districting plan for the county which shall be submitted by May 1 of the same year to the Districting Committee for adoption with or without amendment. The Districting Committee shall adopt the districting plan within fifteen (15) days. Upon adoption, the districting plan shall be filed with the County Auditor by the Districting Committee. The plan shall become effective upon filing.~~

Within 60 days after the later of (a) appointment of the Districting Master or (b) the availability of Public Law 94-171 data as adjusted pursuant to RCW 44.05.140, the Districting Master shall draw a redistricting plan for the county that is consistent with the requirements of RCW 29A.76.010 and submit the plan to the committee for adoption.

The committee shall conduct a public hearing at least one week before proposed adoption. The committee shall adopt or amend the redistricting plan within 30 days of submission to the committee. The redistricting plan shall be adopted as submitted by the Districting Master or as amended by a vote of three of the four voting members of the districting committee. Upon adoption, the plan shall be filed by the Districting Committee with the Council and the County Auditor. The plan shall become effective upon filing.

Proposition No. 6 - Adjusting the Calculation of Signatures Required for a Referendum

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to adjust the number of signatures required for the public to place a referendum on the ballot. This measure would amend Charter Section 5.60 to require a proponent of a referendum to collect the signatures of registered voters in the county in an amount equal to fourteen percent of the most recent county executive election. The current requirement is eight percent of the last gubernatorial election. Currently, based on the 2024 gubernatorial election and the 2023 county executive election, this would increase the required number of signatures from 10,917 to 11,187.

Should this proposal be:

Approved ____ Rejected ____

Explanatory Statement

Currently, the number of signatures of registered voters required to be gathered before a member of the public can place a referendum on the ballot is set at 8% of the votes cast in the county in the last gubernatorial election. If adopted, this Amendment would change that requirement to 14% of the most recent county executive election. This would make referendums consistent with citizen's initiatives in basing the number of signatures off of the county executive election rather than the gubernatorial election.

Amending Language

Article 5 – The Public Interest

Section 5.60 Referendum - Procedures

Any legal voter, or organization of legal voters of Whatcom County may file a referendum proposal, against any enacted ordinance or portion thereof, with the County Auditor. The proposal shall be presented to the Auditor within forty-five (45) days after the ordinance is passed by the County Council.

Within five (5) days, excluding Saturday, Sunday and holidays, the Auditor shall confer with the petitioner to review the proposal as to form and style. The Auditor shall give the referendum proposal a number, which shall thereafter be the identifying number for the measure. The Auditor shall then transmit a copy of the proposal to the County Prosecuting Attorney, who within ten (10) days after receipt thereof, shall formulate the ballot title which shall consist of: (a) a statement of the subject of the measure; (b) a concise description of the measure; and (c) a question: "Shall this be enacted into law?" The statement of the subject of the measure must be proposed as a positive statement, be sufficiently broad to reflect the subject, and be sufficiently precise to give notice of the measure's subject matter, and not exceed ten words. The concise description must contain no more than thirty words, be a true and impartial description of the measure's essential contents, clearly identify the proposition to be voted on, and not, to the extent reasonably possible, create prejudice either for or against the measure. Such concise statement will be the ballot title.

The petitioner then has one hundred and twenty (120) days to collect the signatures of registered voters of the county equal in number to not less than ~~eight (8)~~ fourteen (14) percent of the vote cast in the county in the last regular ~~gubernatorial~~ county executive election. The one hundred and twenty (120) day period shall begin upon receipt of official notification to petitioner(s) by the Prosecuting Attorney's Office either by certified mail or messenger. If the last day for collecting signatures falls on a weekend or legal holiday, then the one hundred and twenty (120) day period shall extend to the end of the next business day. Each petition shall contain the full text of the measure being referred and the ballot title. The Auditor shall verify the sufficiency of the signatures on the petition and, if it is validated, submit the measure to the people at the next general election that is not less than one hundred and twenty (120) days after the registering of the petitions.

Proposition No. 7 - Prohibiting County Government from Interfering with Initiatives and Charter Amendments

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to prohibit the county government from taking official action in relation to an initiative or a charter amendment. This measure would amend Articles 5 and 8 of the Whatcom County Charter to prohibit the County Council from acting to impede, alter, or prevent an initiative or charter amendment from being placed on the ballot and prohibit any county official from expending county resources in support of or opposition to an initiative or charter amendment. It would also prohibit the Council from delaying implementation of an initiative or charter amendment approved by voters.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, the charter does not explicitly prohibit government officials from taking official action in relation to an initiative or a charter amendment proposed by a member of the public. If adopted, this amendment would prohibit the Council from acting to prevent such an initiative or charter amendment from being placed on the ballot once the Auditor has certified it. County officials would also be prohibited from using government resources in support or opposition to an initiative or charter amendment. Councilmembers would not be prohibited from acting as private citizens in opposition to such measures.

Amending Language

Article 5 – The Public Interest

Article 8 – Charter Review and Amendments

New Section: 5.61 Council Role and Use of Public Resources

(1) Once an initiative petition has been certified by the Auditor as sufficient, the County Council shall take no action to impede, alter, or prevent the measure from being placed on the ballot.

(2) The Council, its individual members in their official capacity, and any County department or office shall not expend County funds, use County resources, or initiate litigation to advocate for or against, or to legally challenge the validity of, any citizen initiative prior to the measure being voted on by the electorate, unless compelled to do so by a court of competent jurisdiction.

(3) Nothing in this section shall prevent individual councilmembers, acting solely in their capacity as private citizens, from expressing personal opinions regarding any initiative, provided that no County resources are used in doing so.

(4) If an initiative is approved by the electorate, the Council shall enact the measure into county code within ninety (90) days of certification of the election results. The Council shall take no action to delay or refuse the implementation of the initiative as approved by the voters.

Section 8.20 Charter Amendment – General Provisions

Charter amendments may be proposed by the Commission, the County Council or by the public. Any proposed Charter amendment shall be filed and registered with the Auditor and submitted to the voters at the next November general election occurring at least ninety (90) days after registration of the proposed amendment with the Auditor. If more than one amendment is submitted on the same ballot, they shall be submitted in such a manner that the people may vote for or against the amendments separately; provided, an amendment which embraces a single or inter-related subject may be submitted as a single proposition even though it is composed of changes to one or more articles.

If a proposed amendment is approved by a majority of the voters voting on the issues, it shall be effective ten (10) days after the results of the election are certified, unless a later date is specified in the petition or ordinance proposing the amendment. Any implementing ordinance required by any Charter amendment shall be enacted by the Council within ~~one hundred and eighty (180)~~ ninety (90) days after the amendment is effective, unless the amendment provides otherwise. The Council shall take no action to delay or refuse the implementation of the amendment as approved by the voters.

New Section: 8.25

(1) Once a charter amendment petition under Section 8.22 has been certified by the Auditor as sufficient, the County Council shall take no action to impede, alter, or prevent the measure from being placed on the ballot.

(2) The Council, its individual members in their official capacity, and any County department or office shall not expend County funds, use County resources, or initiate litigation to advocate for or against, or to legally challenge the validity of, any public initiated charter amendment prior to the measure being voted on by the electorate, unless compelled to do so by a court of competent jurisdiction.

(3) Nothing in this section shall prevent individual councilmembers, acting solely in their capacity as private citizens, from expressing personal opinions regarding any charter amendment, provided that no County resources are used in doing so.

Proposition No. 8 - Modifying the Budget Process

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to modify the budget amendment process. This measure would amend Article 6 of the Whatcom County Charter to require the County Executive to publish budget preparation instructions via website 180 days before the end of the budget cycle, would require county departments and the county executive to submit budget related information earlier in the budget cycle, would require the Executive to provide budget information to the Council, and would require the executive to post other budget related information to a public website.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

The Whatcom County Charter sets deadlines for when County agencies must provide budget information to the executive and when the executive must provide a complete budget and budget message to the Council. If adopted, this amendment would modify those deadlines, requiring that information to be provided earlier in the budget cycle and require compliance with a deadline set by state law. This amendment would also require the Executive to publish budget preparation instructions, the budget and the budget message, and a required report on incomes and expenses on a public facing website.

Amending Language

Article 6 – Financial Administration

Section 6.10 Presentation and Adoption of Budgets

~~At least seventy-five (75) days prior to the end of each budget cycle~~In accordance with RCW 36.40.050, the County Executive shall present to the County Council a complete budget and budget message, proposed current expense and capital budget appropriation ordinances, and proposed tax and revenue ordinances necessary to raise sufficient revenues to balance the budget; and at least thirty (30) days prior to the end of the budget cycle, the Council shall adopt appropriation, tax and revenue ordinances for the next budget cycle.

Section 6.20 Budget Information

~~(1) On or before the earlier of one hundred eighty (180) days prior to the end of the budget cycle or the date set forth under RCW 36.40.010, the County Executive shall notify in writing each county official, elected or appointed, in charge of an office, department, service, or institution of the county, to file with them detailed and itemized estimates, both of the probable revenues from sources other than taxation, and of all expenditures required by such office, department, service, or institution for the ensuing budget cycle. The notification submitted under this subsection as well as any other instructions for preparing the budget shall be made available on a public facing website.~~

~~(2) At least one hundred thirty-five (135)~~On or before the earlier of one hundred fifty (150) days prior to the end of the budget cycle or the date set forth under RCW 36.40.010, all

agencies of County government shall submit to the County Executive information necessary to prepare the budget. The County Council may request and the Executive shall make available any information submitted pursuant to this subsection within seven days of request of the Council.

(3) At least one hundred twenty (120) days prior to the end of the budget cycle, the Executive shall transmit to the Council and make available on a public facing website available information submitted pursuant to Subsection 2 of this section.

Section 6.41 Budget Control

Within six weeks following the end of each quarterly period during the budget cycle, and more often if required, the County Executive shall submit to the County Council and publish on the Executive's public facing website a written report showing the relation between the estimated income and expenses and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest and other fixed charges, to such a degree as may be necessary to keep expenditures within the cash income.

Section 6.50 Copies of the Budget

Copies of the budget and budget message shall be delivered to the County Auditor and each councilmember. The budget message and supporting tables shall be published on the Executive's public facing website and furnished to any interested person upon request for a reasonable fee as established by ordinance and shall be available for public inspection from the time the budget message is delivered.

Proposition No. 9 - Adding Accountability to Financial Reporting Requirements

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to modify the financial reporting requirements of the County Executive. This measure would amend Section 6.41 of the Whatcom County Charter to prohibit supplemental appropriations if the Executive has not complied with mandatory financial reporting requirements. Currently, the County Executive is required to submit a quarterly report to Council showing the relation between estimated income and expenses and actual income and expenses. This amendment would prohibit the Council from approving supplemental appropriations, with certain exceptions, if that report is not made.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

The Whatcom County Charter requires the Executive to submit to the County Council a written report showing the relation between estimated income and expenses and actual income and expenses periodically during the budget cycle. If adopted, this Amendment would prohibit the County Council from approving any supplemental budget appropriations unless such a report has been submitted within the last 90 days, unless the supplemental appropriations are for emergencies, mandatory or legally unavoidable costs, or are cost neutral. If the Executive requests supplemental appropriations under these exceptions, the Executive must certify that any funds used maintain a positive balance.

Amending Language

Article 6 – Financial Administration

Section 6.41 Budget Control

(1) Within six weeks following the end of each quarterly period during the budget cycle, and more often if required, the County Executive shall submit to the County Council a written report showing the relation between the estimated income and expenses and actual income and expenses to date; and if it shall appear that the income is less than anticipated, the Council may reduce appropriations, except amounts required to meet contractual obligations and for debt, interest and other fixed charges, to such a degree as may be necessary to keep expenditures within ~~the cash income~~ available resources.

(2) If a report under subsection 1 of this section is late, no supplemental appropriations may be approved by the Council. The Council may resume making supplemental appropriations once a report for the relevant quarterly period is submitted.

(3) Subsection 2 of this section does not apply to:

(a) Emergency appropriations subject to hearing under RCW 36.40.140 through RCW 36.40.170;

(b) Emergency appropriations not subject to debate under RCW 36.40.180;

(c) Appropriations which constitute mandatory caseload, enrollment, inflation, or other legally unavoidable costs not contemplated in the current budget and which must be expended prior to the beginning of the next budget cycle; or

(d) Appropriations which are cost neutral and do not result in a reduced ending balance for any fund.

(4) For any appropriation request to be considered under subsection 3 of this section, the Executive shall submit a signed statement certifying that all funds utilized for the sum of requested appropriations will maintain a positive fund balance.

Proposition No. 10 - Determining Initial Rules for the Charter Review Commission Meetings

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to set the rules of procedure for the first Charter Review Commission Meeting. This measure would amend Charter Section 8.11 to require the commissioner who received the greatest number of votes in the Charter Review Commission election to set the procedural rules that will govern the first meeting of the commission until a permanent set of rules is adopted by the commission.

Should this proposal be:

Approved ____ Rejected ____

Explanatory Statement

Currently, the Whatcom County Charter directs the Charter Review Commissioner who received the most votes in the election to convene the Commission but does not indicate what procedural rules should govern the first meeting. If adopted, this Charter Amendment would authorize the convener of the Commission to also determine the procedural rules that will govern the first meeting of the Commission until a permanent set of rules is adopted.

Amending Language

Article 8 – Charter Review and Amendments

Section 8.11 Election and Period of Office

At least every ten (10) years after the adoption of this Charter, the County Council shall cause an election of a Charter Review Commission, hereinafter referred to as the Commission. The Commission shall consist of fifteen (15) persons, an equal number from each Council district. There shall be no filing fee nor shall there be a primary. The qualified voters of the respective districts shall vote only for candidates from their district at the general election. Candidates' names shall appear on all ballots as drawn by lot. The member of the Commission who receives the greatest number of votes shall convene the Commission.

This commissioner shall determine the rules that will govern the first meeting of the commission until a permanent set of rules is adopted by the commission

Proposition No. 11 - Adjusting the Calculation of Signatures Required for a Charter Amendment

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to adjust the number of signatures required for the public to place a charter amendment on the ballot. This measure would amend Charter Section 8.22 to require a proponent of a charter amendment to register with the Auditor an initiative bearing the signatures of registered voters equal to twenty percent of the most recent county executive election. The current requirement is fifteen percent of the last gubernatorial election. Currently, based on the 2024 gubernatorial election and the 2023 county executive election, this would reduce the required number of signatures from 20,468 to 15,981.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, the number of signatures of registered voters required to be gathered before a member of the public can place a charter amendment on the ballot is set at 15% of the votes cast in the county in the last gubernatorial election. If adopted, this Amendment would change that requirement to 20% of the most recent county executive election. This would make charter amendments consistent with citizen's initiatives in basing the number of signatures off of the county executive election rather than the gubernatorial election.

Amending Language

Article 8 – Charter Review and Amendments

Section 8.22 Amendments by the Public

The public may propose amendments to the Charter by registering with the Auditor an initiative petition bearing the signatures of registered voters of the county equal in number to, but not less than, ~~fifteen (15)~~ twenty (20) percent of the number of votes cast in the county in the last ~~gubernatorial~~ executive election. Signatures shall be registered not more than one hundred twenty (120) days following filing of the petition with the Auditor, who shall submit the amendments to the voters. The one hundred and twenty (120) day period shall begin upon receipt of official notification to petitioner(s) by the Prosecuting Attorney's Office either by certified mail or messenger. If the last day for collecting signatures falls on a weekend or legal holiday, then the one hundred and twenty (120) day period shall extend to the end of the next business day.

Proposition No. 12 - Requiring Land Supply and Construction Cost Analysis

Ballot Title

The Whatcom County Charter Review Commission has proposed an amendment to the Whatcom County Charter to require the Executive to publish an analysis of how land supply and construction costs could be affected by new legislation. This measure would amend Article 9 of the Charter to require the Executive to publish a credible analysis of how land supply and construction costs could be affected before the County amends any land use or construction section of the county code.

Should this proposal be:

Approved _____ Rejected _____

Explanatory Statement

Currently, there is no requirement for the County to study how new or amended legislation would affect land supply and construction costs. If adopted, this Charter Amendment would require the Executive to conduct and publish such a study before any change to land use or construction sections of the county code could be adopted. This amendment does not prohibit the County Council from adopting any particular change to land use or construction law.

Amending Language

Article 9 – General Provisions

New Section: 9.70 Reducing Compliance and Construction Costs

To reduce compliance and construction costs related to land use and development for housing not specifically authorized by the county code, the Executive shall publish a credible analysis of how land supply and construction costs could be affected before amending any land use or construction section of the county code.