

Redline = changes made in committee

PROPOSED BY: BUCHANAN
INTRODUCTION DATE: DECEMBER 3, 2024

RESOLUTION NO. _____

RESOLUTION TO ESTABLISH COUNCIL GOALS FOR FULL, TIMELY AWARDING OF HEALTHY CHILDREN'S FUND CONTRACTS

WHEREAS, the Whatcom County Council approved Ordinance [2022-045](#) to provide for the submission of a proposition to the qualified electors of Whatcom County, authorizing the County to lift the limit of regular property taxes under Chapter 84.55 RCW for the purpose of funding for childcare, early learning programs, and increased support for vulnerable children; and

WHEREAS, in November 2022, Proposition 5, the Healthy Children's Fund, was approved by voters in Whatcom County, consistent with Ordinance 2022-045, to establish a dedicated fund to improve the health and well-being of children and youth, as well as the families and communities in which they live; and

WHEREAS, since the Healthy Children's Fund was officially established in January 2023, the need for more affordable, high-quality, and culturally responsive childcare and early learning across Whatcom County has increased; and

WHEREAS, Ordinance 2022-045 required the Department of Health and Community Services to serve as the Healthy Children's Fund administrator and to develop and oversee an implementation plan that identifies the specific strategies and projects to be funded and the outcomes to be achieved with the use of levy proceeds; and

WHEREAS, Ordinance 2022-045 was passed to establish a fund for childcare and early childhood programs to improve kindergarten readiness and to support homeless and otherwise vulnerable children, and the Ordinance stipulated that all programs funded under the measure must be designed to advance the goal that children of all backgrounds in Whatcom County should enter kindergarten prepared and ready to learn; and

WHEREAS, Ordinance 2022-45 required the initial 2-year Implementation Plan to allocate no less than 55% and no more than 68% of levy revenue and proceeds to improving early learning and care; and

WHEREAS, Ordinance 2022-45 required the initial 2-year Implementation Plan to allocate no less than 20% and no more than 36% of levy revenue and proceeds to supporting vulnerable children; and

WHEREAS, Whatcom County's Healthy Children's Fund Implementation Plan for Years 1 and 2, adopted by Whatcom County Council by Ordinance [2023-007](#) in March 2023, identified an estimated allocation of \$12,800,000 or 64% of 2023-2024 Healthy Children's Fund revenues to be spent on early learning and care; and

WHEREAS, Ordinance 2022-45 allows for up to 9% of the Healthy Children’s Fund levied funds to be used towards the administration, evaluation, and overhead, and meeting the Implementation Plan and deadlines set forth in this Resolution may require adding administrative capacity by hiring additional employees; and

WHEREAS, the Healthy Children’s Fund Implementation Plan is behind schedule, with more than \$13M awarded for childcare capital projects using ARPA funds and \$385,722 awarded for early learning and care programs as of July-November 1, 2024, according to a Health and Community Services Department written report to the ~~Child and Family Well-Being Task Force on fund implementation~~Council; and

WHEREAS, the current Healthy Children’s Fund balance as of November 4, 2024 is \$19,508,305 (fund balance plus cash), and, according to Whatcom County’s 2025-2026 biennial budget, expected revenues into the Healthy Children’s Fund are estimated to be \$20,218,429.

NOW THEREFORE BE IT RESOLVED that, to support the prompt and effective disbursement of funds from the Healthy Children’s Fund, the Whatcom County Council requests the following:

A. Timeline for execution of contracts: ~~the County should prioritize finalizing Healthy Children’s Fund contracts should be finalized under the Healthy Children’s Fund~~ within ninety (90) days after the issuance of a contract award letter, unless ~~final approval is delayed by the Council approves an extension requested by staff. Staff requests for extensions should:~~

1. Be requested at least 20 days prior to the approval deadline.
2. Extension shall be for no more than 30 days beyond the current deadline, but an additional extension may be requested.
3. Include the reason for delay along with a proposed solution to ensure completion by the new deadline.
4. Include a letter from the contractee acknowledging the extension request, agreeing with the proposed solution, and providing any additional information.

A.B. Distribution timeline for early learning spending: unless decided otherwise by Council resolution, the Council requests that the County meet the following deadline for executing contracts to expand early learning and care under the Healthy Children’s Fund:

1. By June 30, 2025, execute all contracts for the spending set forth in Ordinance 2022-45 for early learning and care projects, for a total of 55% to 68% of 2023-2024 levy revenue and proceeds.
2. By June 30, 2025, execute all contracts for the spending set forth in Ordinance 2022-45 for supporting vulnerable children, for a total of 20% to 36% of 2023-2024 levy revenue and proceeds.

B.C. Reporting on contracting progress: Whatcom County Health and Community Services is asked to provide the County Council and the Child and Family Wellbeing Task Force with a monthly progress report on the County’s

compliance with the directions and timelines set for this this Resolution, including the following information: the funding recipient, budgeted amount of HCF funding, RFP close date, award letter sent date, date first contract sent to lead staff, date when contract development was finished and sent for final approvals, and date contract was approved by the Council.

D. Audit timing: By the end of 2025, the County is contracted with an independent, outside auditor and has completed an independent audit of the County's ability to timely disburse funds pursuant to the implementation plan and to carry out the intent of this Resolution; and

E. Reporting and audits: programs, contracts, results, or metrics related to programs not directly funded with HCF funds (for example ARPA funds) are excluded from reporting and audit requirements

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F. Independent audit and audit schedule: timeframes for contracting an independent auditor and the audit schedule are as follows:

1. An RFP for independent audits should be posted immediately upon approval of the resolution.
2. Contract with independent auditor should be finalized no later than January 31st, 2025.
3. Complete initial audit and review of 2023-2024 HCF performance to the Council and the Child and Family Wellbeing Task Force no later than April 30th, 2025.
4. Complete subsequent bi-annual review to the Council and the Child and Family Wellbeing Task Force by the following dates:
 - a. March 31st 2027
 - b. March 31st 2029
 - c. March 31st 2031
 - d. March 31st 2033

BE IT FINALLY RESOLVED that items A-D above are intended to carry out the Council's budgetary authority, and, should any portion be deemed invalid and/or

unenforceable, it shall not impact the validity of the remainder of the Council's requests herein.

APPROVED this ____ day of _____, 2024.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Cathy Halka, Clerk of the Council

Barry Buchanan, Council Chair

APPROVED AS TO FORM:

George Roche (by email 11/8/2024/ks)

Civil Deputy Prosecutor