

CITY OF BELLINGHAM  
OFFICE OF THE MAYOR  
SETH FLEETWOOD

June 6, 2023

Barry Buchanan, Chairman of the Whatcom County Council  
Tyler Byrd, Councilor  
Todd Donovan, Councilor  
Ben Elenbaas, Councilor  
Carol Frazey, Councilor  
Kaylee Galloway, Councilor  
Kathy Kershner, Councilor

Greetings Honorable Councilmembers,

In August 2022, the mayors of Whatcom County's seven Cities transmitted a letter to you expressing support for a new corrections facility. Today, we collectively call on Whatcom County to approve a sales tax measure for the November ballot for the funding of this new facility.

We now have some ideas concerning this proposed tax related to the new corrections facility and other services.

- The estimate for a 440-bed facility at I5 and Slater Road came in at \$137 million. We would like to first discuss the size of the new facility. The current situation in the county is untenable. We have been under booking restrictions for years now and petty crime is on the rise. We think the new corrections facility should be sized for current use if booking restrictions were removed. We feel this number is higher than 440 beds. We are willing to fund virtually any new correction facility, but one thing we need as cities is capacity. We feel it would not be wise to specify the size of the facility in the ordinance, rather to size the facility based on demand and need.

Related to this, we would like an instrument in the ordinance that would automatically generate expansion of beds if the facility reaches capacity and booking restrictions are imminent. We

would like a clause that states that if the facility is at 85% capacity (defined as full by national standards) for 6 of the past 12 months, then two new pods will be added to the existing correction facility increasing the beds by approximately 80. If we size our initial build correctly, we do not see the need for more capacity for at least 10 years. We know that Skagit County has a similar policy. Their correction facility is not at capacity and will likely not be at capacity for years, but the foresight of having an automatic capacity increase would make the sales tax proposal more palatable to the cities.

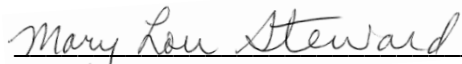
- We must plan now for the funding of the new correction facility. The cities expect the estimates to increase before the construction begins. We know that a bond of \$150 million cannot be covered by the current county share of the proposed 0.2% public safety tax. We also know that the cities will receive 40% of the new tax for internal public safety needs. We, as cities, will commit a portion or nearly all of our sales tax proceeds for 4-6 years to drive the bond amount to something under \$100 million. For this contribution, the cities expect no booking restrictions and no capital fee associated with the per diem.
- We support the need for increased behavioral health spending. However, we urge the council to prioritize spending on the new correction facility over new behavioral health system programs in the first few years. If we, the cities, contribute to fund the correction facility for 4-6 years as outlined above, then in a few years, between \$3-5 million per year or more than 20% of the county's public safety tax revenue, can be used for behavioral health services. We thus ensure the maximize funds over time for both necessary needs.

The Cities are prepared to play an active role in supporting the County's efforts, and we recognize that we each have a responsibility as well. The Cities thus propose that the following occur:

1. Include a specific reference in the ballot measure ordinance recognizing the city's request to eliminate booking restrictions with the construction of a new correction facility and to include expansion language that will ensure additional bed capacity in the correction facility if it is at 85% operational capacity.
2. The Cities request, and we believe that our citizens demand, that the Whatcom County Council take deliberate action by adopting an ordinance describing its intent to ask for a public safety tax of 0.2% to fund a new correction facility. Once the facility is properly funded, the monies in excess of the bond payment can go to other services related to the correction facility.
3. That Whatcom County engage with the seven cities to identify potential cost-sharing mechanisms for both correction facility construction and design.
4. That Whatcom County develop an overall funding strategy that includes opportunities for federal or state appropriations and grants, for behavioral health programs to offset the direct tax burden placed on Whatcom County residents and businesses.

The Cities recognize that Whatcom County is experiencing the triple burden of supporting its own law enforcement, courts, and the correction facility itself – Sheriff Elfo has been a strong advocate for all three of these institutions, as has Executive Sidhu and each of you. You understand our pain, and we understand that these are not easy, or rapid, decisions. They are, however, decisions that will need to be made now, and the Cities stand ready to help. This community cannot wait for significant progress to be made. We all agree that the time to act is now, before the significant risks posed to our community by the current situation become insurmountable.

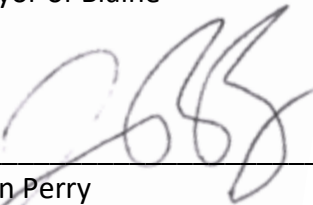
Sincerely, the mayors of Whatcom County,



Mary Lou Steward  
Mayor of Blaine



Seth Fleetwood  
Mayor of Bellingham



John Perry  
Mayor of Everson



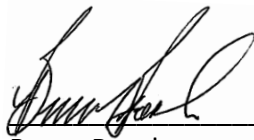
Greg Hanson  
Mayor of Ferndale



Scott Korthuis  
Mayor of Lynden



Kevin Hester  
Mayor of Nooksack



Bruce Bosch  
Mayor of Sumas