

**ORDINANCE NO.  
AMENDMENT NO. 9 OF THE 2019 BUDGET**

**WHEREAS**, the 2019-2020 budget was adopted November 20, 2018; and,  
**WHEREAS**, changing circumstances require modifications to the approved 2019-2020 budget; and,

**WHEREAS**, the modifications to the budget have been assembled here for deliberation by the Whatcom County Council,

**NOW, THEREFORE, BE IT ORDAINED** by the Whatcom County Council that the 2019-2020 Whatcom County Budget Ordinance #2018-064 is hereby amended by adding the following additional amounts to the 2019 budget included therein:

Fund	Expenditures	Revenues	Net Effect
<b>General Fund</b>			
District Court Probation	120,000	-	120,000
Non-Departmental	129,122	(129,122)	-
Sheriff	5,000	(5,000)	-
<b>Total General Fund</b>	<b>254,122</b>	<b>(134,122)</b>	<b>120,000</b>
Storm Water Fund	28,000	(28,000)	-
<b>Total Supplemental</b>	<b>282,122</b>	<b>(162,122)</b>	<b>120,000</b>

In addition, Exhibit C – Position Control Changes should be amended to add 1 FTE Pretrial Services Officer in Superior Court Administration.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2019.

ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

\_\_\_\_\_  
Dana Brown-Davis, Council Clerk

\_\_\_\_\_  
Rud Browne, Chair of Council

APPROVED AS TO FORM:

( ) Approved      ( ) Denied

  
\_\_\_\_\_  
Civil Deputy Prosecutor

\_\_\_\_\_  
Jack Louws, County Executive

Date: \_\_\_\_\_

<b>WHATCOM COUNTY</b>				
<b>Summary of the 2019 Supplemental Budget Ordinance No. 9</b>				
Department/Fund	Description	Increased (Decreased) Expenditure	(Increased) Decreased Revenue	Net Effect to Fund Balance (Increase) Decrease
<b>General Fund</b>				
District Court Probation	To provide additional funding for the electronic equipment program.	120,000	-	120,000
Non-Departmental	To fund 2019-2020 Opportunity Council Public Services CDBG program from grant proceeds.	129,122	(129,122)	-
Sheriff	To fund additional recreational boating safety patrols from grant proceeds.	5,000	(5,000)	-
<b>Total General Fund</b>		<b>254,122</b>	<b>(134,122)</b>	<b>120,000</b>
<b>Storm Water Fund</b>	To provide additional funding to develop the fee roll for the Lake Whatcom Storm Water Utility.	<b>28,000</b>	<b>(28,000)</b>	-
<b>Total Supplemental</b>		<b>282,122</b>	<b>(162,122)</b>	<b>120,000</b>

# Supplemental Budget Request

Status: Pending

## District Court Probation

Suppl ID # 2748

Fund 1

Cost Center 1310

Originator: Bruce Van Glubt

Year 1 2019

Add'l FTE

Priority 1

Name of Request: *Electronic Equipment Program*

X

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6610	Contractual Services	\$120,000
	<b>Request Total</b>		<b>\$120,000</b>

### 1a. Description of request:

This money has been used to pay for electronic alcohol monitoring equipment. Those with a pending pretrial case may be ordered by a Judicial Officer to use the equipment when they are deemed to be at high risk of failure to comply with court ordered alcohol abstinence conditions, or who failed to follow the conditions without the equipment and consumed alcohol. Post-conviction probation violation defendants ordered to use the equipment are most commonly individuals, who have failed to comply with alcohol abstinence conditions, failed to comply with treatment or support group requirements, refused to provide urine and breath test samples, or who had positive substance test results.

New technology has expanded the court's range of supervision options for those who are ordered by a Judicial Officer to abstain from the use of alcohol. The three types of equipment used are a portable hand held breath test machine (Soberlink), a transdermal device attached to the ankle that measures alcohol use through an individual's sweat, and a GPS device, also attached at the ankle, that tracks the geographic movements of an individual when they have been ordered to avoid specific areas as a court ordered condition in no contact order.

### 1b. Primary customers:

The primary customer of the program are the defendants who are able to be released from jail on their own personal recognizance or with a reduced bail amount, along with those defendants who are placed on the program for probation violations rather than serving a jail sanction.

Judges and Commissioners, Prosecutors, Probation Officers, and defendants being supervised by District Court Probation.

### 2. Problem to be solved:

For pending pretrial cases, the court and Judicial Officers have had few options available monitor a defendant's compliance with court ordered alcohol abstinence requirements. As a result, those that were deemed high risk by a Judge for compliance due to the alleged elements of the crime for which they were charged, past criminal history, or past failure to comply with pre and post-trial abstinence conditions, may have been held on a higher bail amount. According to the District Court Judges, Prosecutors, and Public defenders, this program has allowed for more defendants to be released at a lower bail amount, or on their own personal recognizance.

For post-conviction probation violation cases, this program has provided for a non-jail sanction, when ordered by a Judicial Officer, when a defendant fails to comply with court ordered treatment, substance abstinence, criminal activity, or other condition of the probation. The use of this equipment for these cases is usually in the range of 5-30 days. Probation Officers report that they have been able to use the equipment option when in the past a jail sanction was the only alternative.

**District Court Probation**

Suppl ID # 2748

Fund 1

Cost Center 1310

Originator: Bruce Van Glubt

The electronic alcohol monitoring equipment provides for more consistent and continuous monitoring of a defendant's compliance with alcohol abstinence requirements. Detection of alcohol use is determined much more quickly with the electronic equipment than with other options.

**3a. Options / Advantages:**

For pending pretrial cases, imposing a high bail amount and placing the defendant on pretrial monitoring continues to be an option used by the courts. For offenses that are alleged to be alcohol involved the court most often will order the defendant to submit to breath and urine tests to assure that the alcohol abstinence. Probation Officers meet regularly with these defendants to encourage compliance with the court ordered conditions, monitor state criminal and driving records databases, remind them of future court hearings, and to assess the need for substance testing.

For post-conviction cases, the Judicial Officers continue to place many of those convicted of alcohol driving and domestic violence cases, as well as other types of cases, on monitored supervision. In these cases the Probation Officer continues to monitor compliance with court ordered evaluation and treatment, substance abstinence requirements, monitor state criminal and driving record databases, assess the need for substance testing, remind them of future court hearings, as well as other requirements ordered by the court.

**3b. Cost savings:**

A strong case can be made for the increase quality of life that this program offers defendants and their families. An electronic alcohol monitoring device allows the defendant to remain in their home, with their family, and to keep their job. A strong case can be made that nearly all of the post conviction probation violation defendants placed on the program would otherwise have been required to serve a jail sanction.

Although those recommending and requiring the use of the equipment strongly believe the program has reduced jail incarceration for those defendants, it is very difficult to find a way to quantify the financial results.

**4a. Outcomes:**

Since February, 2018, there have been 114 individual court ordered to use the electronic alcohol monitoring equipment.

\*67% have been pretrial defendants.

\*33% have been post-conviction defendants.

\*4% of those placed on the program have had a warrant issued for their arrest for the charge for which they were placed on the program.

\*Charges:

---20% of the charges were for assault, most of which were domestic violence related.

---78% were for charges that were alcohol driving offenses.

---2% were other charges including stalking and theft.

---Companion charges to those noted above include communication with a minor for immoral purposes, violations of no contact orders, harassment, malicious mischief, operating a vehicle with no ignition interlock device, and reckless endangerment.

\*Device Use

\*\*\*83% transdermal devices that measure alcohol use through sweat (TAD).

\*\*\*15% portable hand held breath testing equipment (Soberlink).

\*\*2% GPS monitoring devices.

**4b. Measures:**

Records have been kept and a report issued regarding the effectiveness of this pilot program in impacting compliance with court orders.

**5a. Other Departments/Agencies:**

Whatcom County Sheriff's Department.

**5b. Name the person in charge of implementation and what they are responsible for:**

# Supplemental Budget Request

Status: Pending

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## District Court Probation

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Suppl ID # 2748

Fund 1

Cost Center 1310

Originator: Bruce Van Glubt

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**6. Funding Source:**

General Fund

District Court Probation  
 Electronic Equipment Program  
 Budget Supplemental ID #2748  
 June 24, 2019

	<u>Monthly Invoice</u>	<u>Month to Month \$ Increase</u>	<u>Month to Month % Increase</u>	<u># New Devices Each Month</u>	<u># of Devices Ended Each Month</u>	<u>Total Defendants On Devices Each Month</u>	<u># of "Device Days" Each Month</u>
Feb-18	\$ 451.50			2	0	2	42
Mar-18	\$ 1,282.13	\$ 830.63	184.0%	5	2	6	110
Apr-18	\$ 2,972.95	\$ 1,690.82	131.9%	7	1	11	244
May-18	\$ 4,469.75	\$ 1,496.80	50.3%	7	4	17	370
Jun-18	\$ 4,701.83	\$ 232.08	5.2%	10	5	20	388
Jul-18	\$ 6,188.84	\$ 1,487.01	31.6%	7	1	19	499
Aug-18	\$ 6,550.54	\$ 361.70	5.8%	9	5	24	599
Sep-18	\$ 6,509.90	\$ (40.64)	-0.6%	9	4	27	601
Oct-18	\$ 8,316.76	\$ 1,806.86	27.8%	20	10	36	761
Nov-18	\$ 8,487.97	\$ 171.21	2.1%	12	7	32	774
Dec-18	\$ 10,172.83	\$ 1,684.86	19.8%	21	1	36	926
Jan-19	\$ 13,404.24	\$ 3,231.41	31.8%	14	5	49	1230
Feb-19	\$ 13,765.22	\$ 360.98	2.7%	14	11	58	1308
Mar-19	\$ 16,245.29	\$ 2,480.07	18.0%	20	13	66	1531
Apr-19	\$ 17,100.00	\$ 854.71	5.3%	18	16	65	1526
May-19	\$ 20,600.00	\$ 3,500.00	20.5%	10	17	63	1559

# Supplemental Budget Request

Status: Pending

## Executive

Suppl ID # 2746

Fund 1

Cost Center 4288

Originator: Suzanne Mildner

Year 1 2019

Add'l FTE

Priority 1

Name of Request: **OppCo Public Services CDBG Grant 2019-20**

X

Department Head Signature (Required on Hard Copy Submission)

Date

6.24.19

Costs:	Object	Object Description	Amount Requested
	4333.1422	HUD-CDBG	(\$129,122)
	6610	Contractual Services	\$129,122
	<b>Request Total</b>		<b>\$0</b>

### 1a. Description of request:

This request is for grant revenue from the Washington State Department of Commerce, for pass through to Opportunity Council as subrecipient. This is an annual formula grant for direct public services, delivering housing services to low- and moderate-income residents in Whatcom, Island and San Juan Counties.

### 1b. Primary customers:

Low- and moderate-income residents of Whatcom, Island and San Juan Counties

### 2. Problem to be solved:

This grant must be accessed through the local government, in partnership with our local community action agency, Opportunity Council. It provides support for the following public services: community outreach, resource referral, client housing education, energy conservation education and other housing services.

### 3a. Options / Advantages:

N/A

### 3b. Cost savings:

N/A

### 4a. Outcomes:

Accomplish HUD's objective of increasing the availability and accessibility of housing public services. The grant contract period is July 1, 2019 to June 30, 2020.

### 4b. Measures:

Opportunity Council submits ongoing reports regarding service delivery and numbers of persons served. A final report will be issued at grant closeout.

### 5a. Other Departments/Agencies:

Opportunity Council and 3 community resource centers in San Juan County.

### 5b. Name the person in charge of implementation and what they are responsible for:

Sheri Emerson, Associate Director of Opportunity Council is responsible for overseeing program services.

### 6. Funding Source:

Federal grant from HUD through the Washington State Dept. of Commerce's CDBG Program.

# Supplemental Budget Request

Status: Pending

Sheriff

Operations

Suppl ID # 2745

Fund 1

Cost Center 1003512006

Originator: Jacque Korn

Year 1 2019

Add'l FTE

Priority 1

Name of Request: Recreational Boating Safety Grant Increase 2019

X

Department Head Signature (Required on Hard Copy Submission)

Date

6/18/19

Costs:	Object	Object Description	Amount Requested
	4333.8701	Boating Safety	(\$5,000)
	6140	Overtime	\$4,318
	6210	Retirement	\$235
	6230	Social Security	\$330
	6259	Worker's Comp-Interfund	\$111
	6269	Unemployment-Interfund	\$6
	<b>Request Total</b>		<b>\$0</b>

**1a. Description of request:**

The Sheriff's Office received a Recreational Boating Safety (RBS) Grant from Washington State Parks and Recreation Commission. The Sheriff's Office will conduct additional on-the-water patrols to increase education and enforcement activities encouraging greater compliance with boating safety laws in an effort to reduce boating-related loss of life, personal injury, and property damage.

**1b. Primary customers:**

Whatcom County citizens and visitors.

**2. Problem to be solved:**

The Sheriff's Office is currently the only law enforcement agency in Whatcom County that operates a state approved boating safety program under WAC 352-65. The Sheriff's Office provides recreational boating safety patrols and enforcement of both county code and state law.

**3a. Options / Advantages:**

Grant funds are awarded specifically for boating safety education, assistance, and enforcement activities.

**3b. Cost savings:**

\$5,000.00

**4a. Outcomes:**

Marine patrols will be conducted during the peak boating period from May to September 2019.

**4b. Measures:**

Written vessel inspections will be conducted and submitted to State Parks.

**5a. Other Departments/Agencies:**

**5b. Name the person in charge of implementation and what they are responsible for:**

**6. Funding Source:**

Washington State Parks and Recreation Commission, RBS Federal Financial Assistant Grant. Funds originate from Department of Homeland Security, CFDA No. 97.012.



# Supplemental Budget Request

Status: Pending

Public Works

Stormwater

Suppl ID # 2747

Fund 123

Cost Center 123201

Originator: Kraig Olason

Year 1 2019

Add'l FTE

Priority 1

Name of Request: Developing 2020 Fee Roll Lk Whatcom SW Utility

X



6/24/19

Department Head Signature (Required on Hard Copy Submission)

Date

Costs:	Object	Object Description	Amount Requested
	6630	Professional Services	\$28,000
	8301.169	Operating Transfer In	(\$28,000)
	<b>Request Total</b>		<b>\$0</b>

### 1a. Description of request:

Additional funds are required to develop the fee roll for the Lake Whatcom Stormwater Utility and to prepare the fee roll for 2020. The fee roll is required to implement the fee adopting ordinance and resolution establishing rates adopted by Whatcom County Council. The work entails coordinating fee roll data, developing methodology to determine individual parcel fees based on fee adopting ordinance and resolution establishing rates, creating the fee roll and providing on call fee roll support once fee roll has been sent to Treasurer's Office. The collected fees provide the funds required to supplement the Lake Whatcom Watershed Program.

### 1b. Primary customers:

Whatcom County government is utilizing the expertise of a consulting service that specializes in this type of work. The ultimate customers are residents of Lake Whatcom and others who rely on the lake for drinking water and or recreation.

### 2. Problem to be solved:

Whatcom County Council authorized the creation of a stormwater utility in the Lake Whatcom watershed to provide supplemental revenues to make up for the additional costs associated with implementing the Lake Whatcom TMDL and to make up for shortfalls in grant revenues. The Stormwater Utility is intended to collect approximately \$820,000 annually from rate payers in the Stormwater Utility Service Area.

### 3a. Options / Advantages:

One option considered was to conduct the development and running of the fee roll in house. This option was rejected due to the lack of staffing with the expertise required to develop a computer based fee roll system which combines Assessor parcel layer, tabular data and Geographical Information system software to semi-automate the process of fee roll development and processing.

The Birch Bay Watershed and Aquatic Resources Management District (BBWARM) has been successfully using this type process for several years now. The Lake Whatcom Stormwater Utility is similar in design to BBWARM and will also benefit from this cost effective approach.

Experienced consulting services are available in the region to provide this service.

### 3b. Cost savings:

Establishing an efficient, cost effective computer based fee roll system greatly reduces staff time and can be predictably produced for a modest fee while leaving existing staff free to carryout their regular duties.

### 4a. Outcomes:

A draft fee model will be developed and dry run by October of this year with the final fee roll for 2020 completed near the first of November

Monday, June 24, 2019

Rpt: Rpt Suppl Regular

# Supplemental Budget Request

Status: Pending

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## Public Works

## Stormwater

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Suppl ID # 2747

Fund 123

Cost Center 123201

Originator: Kraig Olason

### **4b. Measures:**

Stormwater staff will be working with the consultant to review and monitor their progress toward completing the draft fee model through late summer/early fall 2019. Results of the dry run will also be reviewed to evaluate quality of the fee roll. Any glitches will be addressed prior to running the final run in November of 2019. The most obvious measure of success is incorrect bills reported by property owners. In past years these have been minimal with the BBWARM program.

### **5a. Other Departments/Agencies:**

This process will be managed through the Stormwater Division of Public Works. It is not anticipated that any other departments will be extensively involved. However, Information Technology will be included in the review process and will assist with coordination of the Assessor data and parcel layer.

### **5b. Name the person in charge of implementation and what they are responsible for:**

Mike Pelela of Information Technology will assist the consultant with accessing current Assessor data.

### **6. Funding Source:**

Flood Fund 169 through a companion SBR.