

**RESOLUTION NO. 23-1077**

**A RESOLUTION IN SUPPORT OF PROPOSITION NO. [REDACTED],\* “PUBLIC HEALTH, SAFETY, AND JUSTICE SALES AND USE TAX”**

**WHEREAS**, The Lynden City Council recognizes that there are multiple deficiencies with Whatcom County’s existing public safety facility (“jail”), including life-safety issues; and

**WHEREAS**, on Tuesday, November 7, 2023, Whatcom County voters will vote on an initiative to fund a new jail and behavioral health services; and

**WHEREAS**, in August of 2019, the Whatcom County Council passed Resolution 2019-036, which identified the need to strive for conditions where the cycle of incarceration is broken rather than perpetuated, with continued support and focus on mental health and substance use disorder treatment and diversion rather than incarceration; and

**WHEREAS**, Resolution 2019-036 established a workplan to develop a public health, safety, and justice facility needs assessment (“Justice Project”) and prioritized community engagement to guide its development and established a Stakeholder Advisory Committee (“SAC”) to guide the development of the needs assessment; and

**WHEREAS**, Resolution 2019-036 concluded that “all parties believe there is a need for an improved County jail, and that voters will approve a proposal that addresses the communities’ full range of needs and values with a combined public health and public safety initiative that focuses on reducing our need for jail by funding treatments options first, and is built with community input”; and

**WHEREAS**, on July 14, 2022, the Whatcom County Council received a letter from the mayors of Whatcom County's seven cities requesting that the County “dramatically accelerate” plans to build a new jail facility; and,

**WHEREAS**, on February 21, 2023, the Whatcom County Council approved Resolution 2023-006, accepting the SAC's Justice Project Needs Assessment Report and identifying the next steps to create a Justice Project Implementation Plan; and

**WHEREAS**, on June 6, 2023, the Whatcom County Council received a letter from the mayors of Whatcom County's seven cities recognizing the role and responsibility of the cities in supporting this effort, and collectively calling on the County to place a sales tax measure to support the effort on the November 2023 ballot; and

**WHEREAS**, on July 11, 2023, the Whatcom County Council approved Ordinance No. 2023-039, providing for submission of a proposition to the qualified electors of Whatcom County, pursuant to the requirements of RCW 82.14.450, authorizing the collection of a local sales and use tax of two-tenths of one percent for the purpose of providing funds for costs associated with public health, safety, and justice facilities and services, including behavioral health, supportive housing, public safety, and criminal justice facilities and programs, and

**WHEREAS**, Ordinance No. 2023-039 adopts the Justice Project Implementation Plan, which was developed with extensive community input and participation; and

**WHEREAS**, Ordinance No. 2023-039 indicates that adequate funding should be provided to accomplish the goals established in the Justice Project Implementation Plan, such as

construction of a new jail, construction of new behavioral health facilities, and investment in behavioral health, re-entry, supportive housing, and diversion facilities and services; and,

**WHEREAS**, Ordinance No. 2023-039 acknowledges the cities' request to (1) eliminate booking restrictions through the construction of a new, appropriately-sized jail facility based on a fair analysis of jail use, bookings, and population growth (taking into consideration strategic investments to avoid unnecessary incarceration), and (2) identify and develop a mechanism to allow for additional bed capacity if the jail facility reaches 85% of operational capacity; and

**WHEREAS**, Ordinance No. 2023-039 establishes accountability, transparency, and oversight mechanisms that include the participation of a broad spectrum of local elected leaders, justice system officials, individuals who have direct experience in the criminal justice system and community-based behavioral health services, and other experts; and

**WHEREAS**, the Justice Project Implementation Plan strikes a balance between criminal justice facility needs and ongoing investments in incarceration prevention and community health; and

**WHEREAS**, the Whatcom County Council and Whatcom County Executive have agreed that voter approval of the proposed local sales and use tax of two-tenths of one percent for the purposes listed above will benefit the safety and welfare of the residents of Whatcom County; and

**WHEREAS**, the Lynden City Council agrees that the construction of a new jail facility and increased investment in community-based behavioral health services is in the best interest of Lynden and its citizens.

**NOW, THEREFORE, BE IT RESOLVED** by the Lynden City Council that it supports the passage of Proposition No. \_\_\_\_\_\* "PUBLIC HEALTH, SAFETY, AND JUSTICE SALES AND USE TAX," on the November 2023 general election ballot, which would authorize a sales and use tax of two-tenths of one percent (20 cents per \$100) for costs associated with a new Whatcom County jail and other behavioral health, supportive housing, public safety, and criminal justice services.

\*Proposition number to be determined once filed and accepted by Whatcom County Elections Office

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, \_\_\_\_ IN FAVOR \_\_\_\_ AGAINST AND SIGNED BY THE MAYOR THIS 21<sup>ST</sup> DAY OF AUGUST, 2023.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY ATTORNEY