

WHATCOM COUNTY COUNCIL AGENDA BILL

2017-199B

NO. _____

CLEARANCES	Initial	Date	Date Received in Council Office	Agenda Date	Assigned to:
Originator:	NDC	6/29/17	RECEIVED JUN 30 2017 WHATCOM COUNTY COUNCIL	7/11/17	Intro
Division Head:				7/25/17	Finance Comm.; Board of Supervisors
Dept. Head:					
Prosecutor:	KNF	6/29/17			
Purchasing/Budget:	NDC	6/29/17			
Executive:	<i>[Signature]</i>	6.29.17			

TITLE OF DOCUMENT: Flood Control Zone District and Subzones 2017 Supplemental Budget Request #3

ATTACHMENTS: Resolution, Memoranda and Budget Modification Requests

SEPA review required? () Yes (x) NO
 SEPA review completed? () Yes (x) NO

Should Clerk schedule a hearing? () Yes (x) NO
 Requested Date:

SUMMARY STATEMENT OR LEGAL NOTICE LANGUAGE: (If this item is an ordinance or requires a public hearing, you must provide the language for use in the required public notice. Be specific and cite RCW or WCC as appropriate. Be clear in explaining the intent of the action.)

Supplemental #3 requests funding from the Flood Control Zone District Fund:

- To appropriate \$15,000 in Natural Resources to fund legal support services in response to Hirst decision. Funding provided by a transfer from the General Fund.

COMMITTEE ACTION:

BOARD OF SUPERVISORS ACTION:

Related County Contract #:

Related File Numbers:

Ordinance or Resolution Number:

Please Note: Once adopted and signed, ordinances and resolutions are available for viewing and printing on the County's website at: www.co.whatcom.wa.us/council.

PROPOSED BY: Executive
INTRODUCTION DATE: 7/11/17

RESOLUTION NO. _____

(A resolution of the Whatcom County Flood Control Zone District Board of Supervisors)

AMENDMENT NO. 3 OF THE 2017 BUDGET

WHEREAS, the 2017 budget for the Whatcom County Flood Control Zone District and Subzones was adopted November 22, 2016; and,

WHEREAS, changing circumstances require modifications to the approved 2017 budget; and,

WHEREAS, the modifications to the budget have been assembled here for deliberation by the Board of Supervisors,

NOW, THEREFORE, BE IT RESOLVED by the Whatcom County Flood Control Zone District Board of Supervisors that the 2017 budget as approved in Resolution 2016-046 is hereby amended by adding the following additional amounts to the budgets included therein:

	Expenditures	Revenues	Net Effect
Flood Control Zone District Fund - Natural Resources	<u>15,000</u>	<u>(15,000)</u>	<u>-</u>
Total Supplemental	<u>15,000</u>	<u>(15,000)</u>	<u>-</u>

ADOPTED this ____ day of _____, 2017


ATTEST:

WHATCOM COUNTY FCZD
BOARD OF SUPERVISORS
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Council Clerk

Barry Buchanan, Chair of the Board of Supervisors

APPROVED AS TO FORM:


Civil Deputy Prosecutor

Supplemental Budget Request

Status: Pending

Public Works

Natural Resources

Suppl ID # 2275 Fund 169 Cost Center 169121 Originator: Gary Stoyka

Expenditure Type: One-Time Year 1 2017 Add'l FTE Add'l Space Priority 1

Name of Request: Hirst Legal Support

X  6/28/17
 Department Head Signature (Required on Hard Copy Submission) Date

Costs:	Object	Object Description	Amount Requested
	6630	Professional Services	\$15,000
	8301	Operating Transfer In	(\$15,000)
	Request Total		\$0

1a. Description of request:

Legal support services to the Prosecuting Attorney's office for County response to the Hirst Supreme Court Ruling.

1b. Primary customers:

Citizens of rural Whatcom County

2. Problem to be solved:

The Washington State Supreme Court issued a ruling in October 2016 in Whatcom County v. Western Washington Growth Management Hearings Board (WWGMHB)(Hirst) that places severe limits on the use of private domestic wells by development permit applicants as a potable water source. The case has been remanded back to the WWGMHB. Whatcom County is in the process of responding to the court's decision and needs specialized legal advice to do that.

3a. Options / Advantages:

In-house counsel was considered; however, this specialized expertise is not available in-house.

3b. Cost savings:

4a. Outcomes:

Whatcom County will make necessary changes to its comprehensive plan and development regulations that comply with the court's decision and any legislative changes to the applicable law. It is anticipated that these changes will be made by summer 2017.

4b. Measures:

The new development regulations will be accepted by the WWGMHB.

5a. Other Departments/Agencies:

The Prosecuting Attorney's office will manage the outside legal counsel.

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

Karen Frakes, PA Office will manage the contract with the law firm.

6. Funding Source:

Transfer in from the General Fund as per Council action of June 27, 2017

Flood Control Zone District and Subzones Budgets Amendment #3		Expenditures	Revenues	Fund Balance
Flood Control Zone District Fund - Natural Resources	To fund legal support services in response to Hirst decision. Funding provided by a transfer from the General Fund.	15,000	(15,000)	-
Total Supplemental		15,000	(15,000)	-