

CLEARANCES	Initial	Date	Date Received in Council Office:	Agenda date	Assigned to:
Originator: Executive			<b>RECEIVED</b>  <b>JUL 14 1994</b>  <b>WHATCOM COUNTY COUNCIL</b>	7/12/94	Council Introduction
Division Head:				7/26/94	Finance/Council
Dept. Head:					
Prosecutor:	Row	7-13-94			
Purchasing/Budget:					
Executive:	h	7-14-94			

**SUBJECT:**

1994 Supplemental Budget Request #6

**ATTACHMENTS:**

Ordinance

Backup documentation

**SUMMARY STATEMENT:**

*Please complete sections of box as appropriate & explain the item below.*

Related County contract #:	Should Clerk schedule a hearing? NO / X / YES / / Requested date:
Amount budgeted for this item/project: \$	Is it (or will it be) within budget? YES / / NO / / (Please explain below)
Budget line item number(s):	

Supplemental Budget Ordinance No. 6 adds appropriation to the following budgets:

- The supplemental request for the Executive Office appropriates \$8,955 from Current Expense fund balance to reinstate the County Executive's salary to the amount set forth in Resolution 93-069: Adopting a Salary Schedule for the Unrepresented Whatcom County employees for the year 1994.
- The supplemental request for the District Court appropriates \$21,639 from Current Expense fund balance to increase a District Court Commissioner from half-time to full-time.
- The supplemental request for Non-Departmental appropriates \$9,000 from Current Expense fund balance for arbitrator and labor negotiator costs to arbitrate a union grievance and \$25,000 from Current Expense fund balance for support of detoxication and alcohol protective custody programs in the Substance Abuse program.

**ORIGINATOR'S RECOMMENDED ACTION:**

Pass

**COMMITTEE ACTION TAKEN:**

**COUNCIL ACTION TAKEN:**

7/12/94: Introduction

7/26/94: Council adopted the ordinance, with amendments. 6-1, Brenner opposed

**File Numbers:**

**Ordinance or Resolution Number (this item only):**

*R 94-012*

SPONSORED BY: Consent

PROPOSED BY: Executive

INTRODUCTION DATE: 7/12/94

ORDINANCE NO. 94-042

AMENDMENT NO. 6 TO THE 1994 BUDGET

WHEREAS, the 1994 budget was approved February 8, 1994; and,

WHEREAS, changing circumstances require modifications to the approved 1994 budget; and,

WHEREAS, those modifications have been assembled here for deliberation by the Whatcom County Council.

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the 1994 Whatcom County budget ordinance 94-009 is hereby amended by adding the following amounts to the departments included therein:

<u>Current Expense Fund:</u>	
Executive	8,955
District Court	18,033
Non Departmental	<u>9,000</u>
Total Current Expense	<u>35,988</u>
 <u>Other Funds:</u>	
Total Other Funds	<u>0</u>
 Total Supplemental	 <u>35,988</u>

BE IT FURTHER ORDAINED that the 1994 budget ordinance 94-009, exhibit C, is amended to reflect the additional authorized positions as set forth in Attachment A to this ordinance.

ADOPTED this 26th day of July, 1994.

ATTEST:

[Signature]  
Council Clerk

APPROVED as to form:

[Signature]  
Civil Deputy Prosecutor

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

[Signature]  
Robert A. Imhof, Chair  
 Approved     Denied

[Signature]  
Shirley Van Zanten, Executive  
Date: 7-28-94

**ATTACHMENT A**

To ordinance titled: Amendment No. 6 to the 1994 Budget

The 1994 budget ordinance 94-009, exhibit C, is amended to reflect the additional authorized positions as set forth below:

<b>Department Requesting FTE:</b>	<b>Additional Authorized Positions:</b>	<b>FTE Amendment</b>
District Court	Commissioner	+0.50 FTE

**WHATCOM COUNTY**

Summary of the Supplemental Budget Ordinance No. 6

Department/ Fund	Description	Amount	Source of Funds
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CURRENT EXPENSE FUND

Executive	Salary and Benefits	8,955	CE Fund Balance
District Ct	Salary and Benefits	18,033	CE Fund Balance
Non-Departmental	ProfSvcs& Sub Abuse Tnsf	9,000	CE Fund Balance

TOTAL CURRENT EXPENSE \$35,988

OTHER FUNDS

TOTAL OTHER FUNDS \$0

TOTAL SUPPLEMENTAL \$35,988

**WHATCOM COUNTY  
BUDGET MODIFICATION REQUEST**

Department: Executive  
Requested By: Linda Irvin

The following budget modification is requested:

   Budget Transfer \*    X Budget Supplemental \*\*

**SOURCE:** (Accounts to transfer from or funding source for supplemental)

1.2910.1000                      Current Expense Fund Balance (\$8,955)

**ACCOUNTS TO INCREASE:**

1200	County Executive	
6110	Salary & Wages	\$8,045
6230	Social Security	<u>  910</u>
	Total	\$8,955

**PURPOSE OF TRANSFER OR SUPPLEMENTAL:** (If more room is necessary attach additional sheet.)

This budget modification request appropriates \$8,955 in salary and benefit lines to reinstate the County Executive's salary to the amount set forth in Resolution 93-069: Adopting a Salary Schedule for the Unrepresented Whatcom County Employees for the Year 1994.

Authorized By:

Department Head: \_\_\_\_\_ Date: \_\_\_\_\_

Executive's Office: Linda Irvin Date: 8/2/94

Date Posted: \_\_\_\_\_ By: \_\_\_\_\_



**Memo To:** Shirley VanZanten  
County Executive

**From:** Judge Edward B. Ross  
Judge David E. Rhea

**Date:** June 21, 1994

**Subject:** Amended Supplemental Budget Request  
Increase Commissioner's hours to full-time

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*Please consider this supplemental budget request to increase the District Court Commissioner's hours from half-time to full-time.*

*The request is for \$21,639, salary and benefits (excluding medical/dental) from Current Expense.*

*Last year at budget time we requested that our Court Commissioner's hours be increased from twenty to twenty-eight hours per week. The enclosed copy of the letter submitted to support that request covered what we considered to be good cause for the request; however, it was not granted. (Instead, we were given something much lower in priority, a full-time, shared jury administrator.)*

*Now we are in such a situation so soon in 1994 with regard to the inability to handle our caseload that we cannot even wait for the normal budget time to resubmit our request; we must do so now as a supplemental budget request. Also, we must ask that we increase the Commissioner's hours sufficient to make it a full-time position.*

*Whatcom County District Court has the highest number of DWI filings per judge in the state according to the Office of the Administrator for the Courts statistics. Even without the 1994 change in the law, our caseload has been nearly unmanageable. When the new DWI law goes into effect in July, the number of trials, length of trials, and probation hearings will increase geometrically. We are prohibited from hiring pro-tems if we are all here. Thus, the cases will be logjammed so badly that many will be dismissed because of failure to try them within the required 60 - 90 days. We submit that this instance of justice delayed being justice denied will victimize not the charged defendants but rather the good citizens of our community.*

*We should really have three full-time District Court Judges as recommended a few years ago by the OAC and legislature. Even with that, we still have a caseload which would warrant an additional half-time Commissioner. However, at present, we're willing to settle for having our Commissioner made full-time.*

*Please consider this plea as a serious one which should not be viewed as the usual mid-year department request. We don't make such requests lightly and do not do so now.*

## REQUEST FOR ADDITIONAL SERVICE-PERSONNEL

The District Court is requesting approval and funding for additional hours for our Court Commissioner. Our Commissioner is currently half-time (20 hours per week). Our request is that he be increased to twenty eight hours per week and be paid 70% of a Superior Court Commissioner's salary.

According to the State Office of the Administrator for the Courts' weighted caseload study, we should have 3.6 judicial positions (we currently have 2.5).

In deference to county budget constraints, we are not requesting such an increase. In essence, our request would increase judicial positions from 2.5 to 2.7.

It is essential to an orderly and efficient court calendar that the Commissioner's hours be increased. His current duties involve hearing contested traffic infractions, traffic/vehicle impound hearings, domestic violence protection orders, anti-harassment protection orders, in-custody (jail) arraignments, and hearing non-jury calendars (bench trials, guilty pleas, deferred prosecutions and dismissals) when the District Court Judges are tied up in jury trials.

Our Commissioner is not currently available enough hours to complete all of his responsibilities. The domestic violence hearings, and particularly anti-harassment hearings, have increased steadily and dramatically. (Anti-harassment petitions use to be heard in Superior Court. However, the legislature decided to remove this burden from Superior Court and place the responsibility with the District Court).

We also wish to schedule probation hearings in front of our Commissioner on cases where he handled the original sentencing. Currently the District Court Judges have been hearing the Commissioner's probation cases which has been creating unmanageable calendars for all parties involved. In order for the Commissioner to do his own probation cases we will need to increase his hours.

Based on the foregoing, we wish to increase the Commissioner's hours as set forth previously. We feel that our request is very reasonable.

Thank you for your consideration. We will be happy to meet with you to discuss this further.

