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1 WHATCOM COUNTY COUNCIL  
2 **Finance and Administrative Services Committee**  
3

4 July 22, 2003  
5

6 The meeting was called to order at 11:00 a.m. by Committee Chair Sam  
7 Crawford in the Council Chambers, 311 Grand Avenue, Bellingham, Washington.  
8

9 Present:

10 L. Ward Nelson

11 Sharon Roy  
12

Absent:

None

13 Also Present:

14 None  
15

16 **COMMITTEE DISCUSSION AND RECOMMENDATION TO COUNCIL**  
17

18 **1. ORDINANCE AMENDING THE 2003 WHATCOM COUNTY BUDGET,**  
19 **EIGHTH REQUEST (AB2003-243)**  
20

21 Brad Bennett, Finance Director, read the list of the budget request items.  
22

23 John Ostlund, Public Defender, stated they've put in a supplemental budget  
24 request to retain a temporary attorney. The driving force is the continuing increase  
25 in felony caseloads. In March 2002, felony caseloads jumped up 25 percent. They  
26 continue to grow from there. In addition, they've had seven homicide cases in the  
27 office. To handle the felony caseloads, he's had to switch attorneys from juvenile  
28 court and district court to felony court. There is one full time attorney doing  
29 juvenile civil cases, and 2.5 doing the juvenile criminal cases, which are 896 new  
30 cases and 700 probation violations.  
31

32 In district court, he had to transfer a .5 attorney to felony court. That leaves  
33 too many cases for the remaining attorneys for district court. He hired a temporary  
34 attorney to work in district court. He doesn't have the money to continue that  
35 position past the end of July. This is not a temporary situation. It will carry on  
36 next year. He will have to ask for an extra attorney next year or work out  
37 contracts. This request only carries him through the end of 2003.  
38

39 Crawford stated they took the Public Defender funding level and increased it  
40 due to the issues with the Kinney case. Ostlund stated he'd hired temporary  
41 attorneys during the Kinney case. They have been let go. That was temporary  
42 funding.  
43

44 Crawford asked about office space. Ostlund stated they had space in the  
45 Olympic Building. However, without a cohesive unit, it was inefficient for managing  
46 staff. He has a small amount of space on the second floor where his investigators

1 are located. They are tight on space, but they are able to handle the space they  
2 have.  
3

4 Crawford stated there was some discussion earlier about the funding  
5 situation between the Public Defender and the Prosecutor's Office. Ostlund stated  
6 more funding to the Public Defender doesn't create more work for the Prosecutor.  
7 More funding for Prosecutor creates more work for him. Both offices are  
8 overworked. The problem with Whatcom County is that it is still low on the list of  
9 counties for handling caseloads. He is very efficient because they are handling the  
10 number of caseloads they have with the staff they have. A significant number of  
11 cases are not getting tried in a timely manner.  
12

13 Roy stated she appreciated Mr. Ostlund's memo. It was a clearly outlined  
14 piece of information. She appreciated the case count statistics comparing two  
15 years. They have to look across the system to see if they can move people from  
16 court to court. She was pleased to see that information and those adjustments  
17 were already made. There are convincing figures that show they are squeezing  
18 everything they can from these departments. She will support the request. She  
19 asked if they could refuse to accept district court cases for 60 to 90 days. Ostlund  
20 stated he has had to do that in the past temporarily, for no more than 60 days.  
21 The ethical guidelines as an attorney and supervisor require him to temporarily  
22 suspend taking cases. It's difficult to switch attorneys from the different courts  
23 because of the court calendars.  
24

25 Roy asked if this increase in felonies is related to population increases.  
26 Ostlund stated he told the Criminal Justice Commission they need to look into that  
27 question. Crime rates have gone down nationwide and statewide, but the statistics  
28 in Whatcom County are fuzzy. The issues are population and proximity to the  
29 border. There are a lot of drug cases attributable to the county's proximity to the  
30 border. Until a few months ago, heroin was the drug of choice. A lot of heroin  
31 addicts are long-term residents, not transients. Now, the problem is with  
32 methamphetamine. Those addicts are more transient. Another problem is with  
33 violent crimes. Whatcom County has had an interesting history of homicides from  
34 other counties.  
35

36 Crawford stated that the Whatcom County law and justice budget has gone  
37 up over the past several years because they are adding more money to the criminal  
38 justice system. Therefore, the County is out in the community doing more law  
39 enforcement. An outcome of that is that they produce a broader record of crime  
40 because they've dedicated the resources to deal with that crime. He asked if a  
41 portion of the increased crime rate is due to Whatcom County dedicating more  
42 money throughout the entire criminal justice system. Ostlund stated that to a large  
43 extent, the personal behavior of people would be the same whether or not there is  
44 law enforcement. A police presence does deter a certain amount of crime. Certain  
45 crimes are being prosecuted in Whatcom County that are matters of the  
46 Prosecutor's policy, such as border cases. There are policy matters on property

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1 crimes and suspended driving license crimes. Generally, they are not safer if they  
2 cut or double the amount of money in law enforcement.  
3

4 Crawford stated the statistical nature of how they look at crime is affected by  
5 what resources they put into fighting crime. He is not advocating that they cut the  
6 funding by half or at all. Ostlund stated it is a bureaucracy that builds upon itself.  
7

8 **Roy moved** to recommend approval of the ordinance to the full Council.  
9

10 Nelson stated he made suggestions to Mr. Ostlund for changes to the final  
11 proposal that will come forward during the budget process.  
12

13 Neil Clement, Deputy Director, stated there is a tremendous amount of  
14 things going on with homeland security. Some of the timelines are rather short.  
15 He will be back several times over the next few months. Five counties have just  
16 been awarded \$3.2 million collectively for homeland defense. There are some  
17 items he will bring back in the near future.  
18

19 Crawford asked about communications. Clement stated the communications  
20 project is on hold pending other priorities at this point. They don't know what  
21 might be coming down the road regarding national communications. They just  
22 received equipment for northern tier law enforcement agencies to be dispatched by  
23 the Border Patrol, which will be going to an encrypted system. The biggest  
24 problem for first responders is inoperable communications. They will have to  
25 address it seriously in the next few years.  
26

27 Roy asked about northern tier communities. Clement explained that the  
28 northern tier law enforcement communities include Blaine, Lynden, and Sumas.  
29 The Border Patrol has dispatched them. The Border Patrol, now under Homeland  
30 Security, is going to an encrypted system.  
31

32 Roy asked if this would affect the communication between that northern part  
33 of the county and the rest of the county. Clement stated they are looking for  
34 additional funds to add that equipment into the emergency operations center  
35 (EOC), Everson Police Department, and the Sheriff's Office. It doesn't solve the  
36 problem of having the entire first response community communicate, which is much  
37 bigger.  
38

39 **Motion carried unanimously.**  
40

#### 41 **COUNCIL "CONSENT AGENDA" ITEM**

- 42  
43 **1. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
44 **RECREATIONAL TRAIL EASEMENT AGREEMENT BETWEEN WHATCOM**  
45 **COUNTY PARKS AND RECREATION AND CRYPTICAL ENVELOPMENT,**  
46 **MARK WEINBERG, PRESIDENT, TO GRANT A NON-EXCLUSIVE**  
47 **RECREATIONAL TRAIL EASEMENT FOR PUBLIC RECREATIONAL**

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1                   **PURPOSES FOR A SECTION THAT LIES WITHIN WHATCOM COUNTY'S**  
2                   **PORTION OF THE INTERURBAN TRAIL (AB2003-261)**  
3

4                   Lynne Givler, Parks Operations Manager, stated this is an easement  
5 previously held by Puget Sound Energy. The easement was sold to Cryptical  
6 Envelopment that was not recorded. In the meantime, Cryptical Envelopment sold  
7 interest to Mark Weinberg as an individual. This updates the ownership interest in  
8 that easement. The total length is approximately 750 feet, and is mostly seven  
9 feet wide. It is adjacent to another easement they already have. The remaining is  
10 about 57 feet wide. There is no financial impact.

11  
12                   ***Nelson moved*** to recommend approval to the full Council.

13  
14                   ***Motion carried unanimously.***  
15

16                   **2. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
17                   **PROFESSIONAL SERVICES AGREEMENT BETWEEN WHATCOM COUNTY**  
18                   **HEALTH DEPARTMENT AND WESTCOAST COUNSELING & TREATMENT**  
19                   **CENTER FOR CONDUCTING SUBSTANCE ABUSE ASSESSMENTS FOR**  
20                   **CLIENTS WHO ARE ELIGIBLE FOR ADATSA FUNDING FROM DSHS, IN**  
21                   **THE AMOUNT OF \$139,874 (AB2003-262)**  
22

23                   Andy Byrne, Human Services Manager, addressed items two through four.  
24 These items are professional services contracts resulting from requests for  
25 proposals (RFP's) or requests for qualifications (RFQ's) and all come from the  
26 substance abuse program, using State money. The first is a treatment program to  
27 do substance abuse assessments. The other two are prevention programs.

28  
29                   Crawford asked if the Substance Abuse Advisory Committee reviewed these  
30 items. Byrne stated it has.

31  
32                   ***Roy moved*** to recommend approval of items two through four.

33  
34                   Roy asked about how they are going to do long-term evaluation.

35  
36                   Crawford stated this was a point of discussion on the Substance Abuse  
37 Advisory Board.

38  
39                   Nelson stated they couldn't evaluate the long-term benefits of a single  
40 program. They have to look at cause and effects in the community. See that there  
41 is not a growth rate in the substance abuse problems in the community.

42  
43                   Byrne stated it's very difficult to say that one particular project has long-  
44 term impacts.  
45

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1 Crawford stated most of the Substance Abuse Advisory Board members feel  
2 they put too much emphasis on treatment and not enough emphasis on prevention.  
3 It's less expensive if kids don't start.  
4

5 Roy stated she would like to take that money and work with families in  
6 giving them support. The mentoring program approaches that concept. Byrne  
7 stated there is another contract for strengthening families.  
8

9 ***Motion carried unanimously.***

10  
11 **3. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
12 **PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY**  
13 **HEALTH DEPARTMENT AND BOYS AND GIRLS CLUBS OF WHATCOM**  
14 **COUNTY TO CONDUCT THE "SMART MOVES" PROGRAM FOR**  
15 **SUBSTANCE ABUSE PREVENTION, IN THE AMOUNT OF \$20,000**  
16 **(AB2003-263)**  
17

18 See Consent Agenda item two.  
19

20 **4. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
21 **PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY**  
22 **HEALTH DEPARTMENT AND BIG BROTHERS BIG SISTERS OF**  
23 **NORTHWEST WASHINGTON TO CONDUCT THE "SCHOOL BUDDIES"**  
24 **PROGRAM FOR SUBSTANCE ABUSE PREVENTION, IN THE AMOUNT OF**  
25 **\$20,000 (AB2003-264)**  
26

27 See Consent Agenda item two.  
28

29 **6. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
30 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND THE CITY**  
31 **OF BELLINGHAM TO PROVIDE FINANCIAL ASSISTANCE FOR THE**  
32 **OUTREACH TO HOMELESS PEOPLE WITH CO-OCCURRING DISORDERS**  
33 **PROGRAM, IN THE AMOUNT OF \$29,607 (AB2003-266)**  
34

35 Andy Byrne, Human Services Manager, addressed Consent Agenda items six  
36 and seven. Item six is a contract with the City of Bellingham, through a community  
37 development block grant. He's known since January that the County will have that  
38 money, but the money just came in from the federal government. Those dollars  
39 come to the County from the City. The money is bundled with other money. The  
40 County has already contracted with an organization to do outreach for co-occurring  
41 disorders. This is the money he was counting on to co-fund the professional  
42 services contract. These dollars may be available again next year.  
43

44 Crawford asked if this is a housing issue. Byrne stated it provides partial  
45 funding for outreach to homeless people with co-occurring disorders to get them  
46 into treatment.  
47

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1 Nelson asked what it means when it references the outcomes being  
2 according to program records. Byrne stated they could see if the person was  
3 enrolled in a system or program previously. This is a contract with Whatcom  
4 Counseling. It's easy to identify the client. If they succeed with the clients, it  
5 needs to be documented. He gets reports on the numbers of people. His division  
6 monitors that program.  
7

8 Nelson stated the mission is becoming overloaded with these people. He's  
9 glad to see the City of Bellingham addressing these needs. Byrne stated this  
10 program will help those people get into treatment faster.  
11

12 Roy asked if the numbers of these kinds of folks are going up. Byrne stated  
13 they are. The chronic homelessness numbers are going up. There is a ten-year  
14 plan to eliminate chronic homelessness.  
15

16 Nelson stated they don't see as many on the street as they did in the past,  
17 due to the success of places such as the Rainbow Center. Byrne stated many of  
18 those folks are homeless, but are getting involved. If someone were having  
19 trouble, this contract would address it. He is not asking to do more work for people  
20 already in treatment.  
21

22 ***Nelson moved*** to recommend approval to the full Council.  
23

24 ***Motion carried unanimously.***  
25

26 **7. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
27 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND THE**  
28 **DEPARTMENT OF SOCIAL & HEALTH SERVICES, DIVISION OF**  
29 **ALCOHOL AND SUBSTANCE ABUSE, TO PROVIDE REVENUE FOR**  
30 **OUTPATIENT SUBSTANCE ABUSE TREATMENT AND PREVENTION**  
31 **SERVICES TO INDIGENT AND LOW-INCOME CLIENTS, IN THE**  
32 **AMOUNT OF \$2,443,456 (AB2003-267)**  
33

34 ***Nelson moved*** to recommend approval to the full Council.  
35

36 Andy Byrne, Human Services Manager, stated this is a biennial contract with  
37 the Division of Alcohol and Substance Abuse (DASA).  
38

39 ***Motion carried unanimously.***  
40

41 **10. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
42 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND**  
43 **WASHINGTON STATE DEPARTMENT OF HEALTH TO PROVIDE**  
44 **ADDITIONAL FUNDING FOR PUBLIC HEALTH SERVICES TO SUPPORT**  
45 **TOBACCO AND YOUTH TOBACCO PROGRAMS, IN THE AMENDED**  
46 **AMOUNT OF \$111,800, FOR A TOTAL AMENDED CONTRACT AMOUNT**  
47 **OF \$1,493,264 (AB2003-270)**

1  
2 **Nelson moved** to recommend approval to the full Council.

3  
4 **Motion carried unanimously.**

- 5  
6 **5. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
7 **PROFESSIONAL SERVICES CONTRACT BETWEEN WHATCOM COUNTY**  
8 **AND SHEARER DESIGN L.L.C. FOR THE STRUCTURAL DESIGN OF**  
9 **SUNRISE ROAD BRIDGES #87 AND #88, IN THE AMOUNT OF \$44,675**  
10 **(AB2003-265)**

11  
12 **Nelson moved** to recommend approval to the full Council.

13  
14 *(Clerk's Note: End of tape one, side A.)*

15  
16 **Motion carried unanimously.**

- 17  
18 **8. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
19 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND THE**  
20 **DEPARTMENT OF SOCIAL & HEALTH SERVICES TO PROVIDE**  
21 **ADDITIONAL FUNDING TO EXTEND THE TERM OF AGREEMENT FOR**  
22 **AN ADDITIONAL THREE MONTHS, TO PROVIDE FOR PUBLIC HEALTH**  
23 **NURSING HOME VISIT SERVICES FOR FAMILIES WITH BABIES AND**  
24 **YOUNG CHILDREN AT RISK FOR CHILD ABUSE AND NEGLECT THAT**  
25 **ARE REFERRED BY CHILD PROTECTIVE SERVICES, IN THE AMENDED**  
26 **AMOUNT OF \$11,717, FOR A TOTAL AMENDED CONTRACT AMOUNT**  
27 **OF \$204,645 (AB2003-268)**

28  
29 **Nelson moved** to recommend approval to the full Council.

30  
31 Janet Davis, Community Health Manager, stated the contract is only for  
32 three months. The funds are pass-through dollars.

33  
34 **Motion carried unanimously.**

- 35  
36 **9. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
37 **CONTRACT AMENDMENT BETWEEN WHATCOM COUNTY AND THE**  
38 **DEPARTMENT OF SOCIAL AND HEALTH SERVICES TO PROVIDE**  
39 **ADDITIONAL FUNDING TO EXTEND THE TERM OF THE AGREEMENT**  
40 **FOR AN ADDITIONAL THREE MONTHS, TO PROVIDE FOR PUBLIC**  
41 **HEALTH SERVICES TO ASSESS HEALTH INFORMATION ON CHILDREN**  
42 **IN FOSTER CARE TO ENSURE THEY RECEIVE REQUIRED HEALTH**  
43 **CARE, IN THE AMENDED AMOUNT OF \$12,699, FOR A TOTAL**  
44 **AMENDED CONTRACT AMOUNT OF \$211,947 (AB2003-269)**

45  
46 **Nelson moved** to recommend approval to the full Council.

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1           ***Motion carried unanimously.***  
2

3   **11. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
4   **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**  
5   **NOOKSACK INDIAN TRIBE TO DEVELOP A DRAFT WRIA 1 SALMON**  
6   **RECOVERY PLAN, IN THE AMOUNT OF \$67,500 (AB2003-271)**  
7

8           ***Nelson moved*** to recommend approval to the full Council.  
9

10           John Thompson, Resources Planner/Endangered Species Act, stated the  
11 County received a grant from the Department of Fish and Wildlife to develop a draft  
12 of the salmon recovery plan for this area and doing increased stakeholder  
13 involvement. The contract with the Nooksack Tribe would be to develop the  
14 technical elements of habitat component of the recovery plan.  
15

16           Crawford asked about Consent Agenda Item twelve. Thompson stated that  
17 item is to help facilitate meetings. They are starting with previous versions of the  
18 draft plan that were developed by staff from the County, Tribe, City of Bellingham,  
19 and Department of Fish and Wildlife. There wasn't a lot of stakeholder or  
20 community input. This time, they need to involve stakeholders and get feedback as  
21 they develop the new version of the recovery plan. The Nooksack Salmon  
22 Enhancement Agency (NSEA) role is to help facilitate the meetings, develop the  
23 strategy, and implement the strategy for getting stakeholder feedback.  
24

25           Roy asked if this dovetails with the discussions in today's Natural Resources  
26 Committee meetings. Thompson stated it would. The grant from the Department  
27 of Fish and Wildlife will go to this and a contract with the Agricultural Preservation  
28 Committee for Vern Vandegarde's project at Bertrand Creek. That is something  
29 they've stressed in developing this with NSEA and the Tribe. For the stakeholder  
30 involvement, they have to go with what they've already learned at Bertrand Creek  
31 and use that structure. They have to deal with involving stakeholders at a  
32 watershed scale. The more they can identify frameworks that work on the smaller  
33 scale, they can identify how to engage a community to get a plan that meets the  
34 test of the Endangered Species Act and also the community's needs. The end of  
35 the year isn't the end of the contract. They have additional phases to do. The  
36 Shared Strategy for Puget Sound program desires a description of the  
37 commitments and actions within the different watersheds in Puget Sound by the  
38 end of the year. By June of 2004, they would like to see a draft of the Nooksack  
39 chapter.  
40

41           Nelson asked if this is the draft proposed by the water resources inventory  
42 area (WRIA) work groups. He asked if it is going to the Nooksack Tribe. Thompson  
43 stated this is just the salmon recovery portion.  
44

45           Nelson stated it looks like it includes proposals on all the issues. Thompson  
46 stated it is separate from the watershed management plan.  
47

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1 Nelson asked if it works with the tribes on salmon enhancement. Thompson  
2 stated this is the Endangered Species Act (ESA) plan. It identifies the actions and  
3 commitments in WRIA 1 to specifically deal with Chinook and bull trout, and also  
4 look at other species of salmon. That ties into the watershed management plan  
5 overall goals. The Nooksack Tribe will provide the technical power to draft the  
6 sections. The Lummi Nation will review the drafts and provide feedback. Hopefully  
7 the County, Department of Fish and Wildlife, and City of Bellingham will provide  
8 staff resources also. The Nooksack Tribe will do the bulk of the work. Other folks  
9 will work closely with NSEA and Nooksack Tribe to make sure there is a good  
10 product at the end of the year.

11  
12 ***Motion carried unanimously.***

13  
14 **12. REQUEST AUTHORIZATION FOR THE EXECUTIVE TO ENTER INTO A**  
15 **CONTRACT AGREEMENT BETWEEN WHATCOM COUNTY AND**  
16 **NOOKSACK SALMON ENHANCEMENT ASSOCIATION TO PROVIDE**  
17 **STAKEHOLDER INVOLVEMENT AND PROCESS ASSISTANCE WITH THE**  
18 **DEVELOPMENT OF A DRAFT WRIA 1 SALMON RECOVERY PLAN, IN**  
19 **THE AMOUNT OF \$22,500 (AB2003-272)**

20  
21 *(Clerk's Note: See Consent Agenda item eleven for discussion of this item.)*  
22

23 ***Nelson moved*** to recommend approval to the full Council.

24  
25 ***Motion carried unanimously.***

26  
27 **13. RESOLUTION AUTHORIZATION APPLICATION FOR A COMMUNITY**  
28 **DEVELOPMENT BLOCK GRANT, AND AUTHORIZING THE COUNTY**  
29 **EXECUTIVE TO ENTER INTO A GRANT AWARD CONTRACT IN THE**  
30 **AMOUNT OF \$27,850 FROM WASHINGTON STATE DEPARTMENT OF**  
31 **COMMUNITY, TRADE AND ECONOMIC DEVELOPMENT (AB2003-273)**  
32

33 ***Nelson moved*** to recommend approval to the full Council.

34  
35 ***Motion carried unanimously.***

36  
37 **OTHER BUSINESS**

38  
39 There was no other business.

40  
41 **ADJOURN**

42  
43 The meeting adjourned at 12:01 p.m.

44  
45  
46 \_\_\_\_\_  
47 Jill Nixon, Minutes Transcription

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ATTEST:

WHATCOM COUNTY COUNCIL  
WHATCOM COUNTY, WASHINGTON

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

\_\_\_\_\_  
Sam Crawford, Committee Chair