

**Whatcom County
Council Criminal Justice and Public Safety Committee**

**COUNTY COURTHOUSE
311 Grand Avenue, Ste #105
Bellingham, WA 98225-4038
(360) 778-5010**



Committee Minutes - Draft Minutes

Tuesday, April 14, 2026

9:50 AM

Hybrid Meeting - Council Chambers

**HYBRID MEETING - MAY BEGIN EARLY/LATE - ADJOURNS BY 12:00 P.M.
(PARTICIPATE IN-PERSON, SEE REMOTE JOIN INSTRUCTIONS AT
www.whatcomcounty.us/joinvirtualcouncil, OR CALL 360.778.5010); AGENDA
REVISION 4.13.2026**

COUNCILMEMBERS

Elizabeth Boyle
Barry Buchanan
Ben Elenbaas
Kaylee Galloway
Jessica Rienstra
Jon Scanlon
Mark Stremmler

CLERK OF THE COUNCIL

Cathy Halka, AICP, CMC

Call To Order

Committee Chair Barry Buchanan called the meeting to order at 10:02 a.m. in a hybrid meeting.

Roll Call

Present: 6 - Elizabeth Boyle, Barry Buchanan, Ben Elenbaas, Jessica Rienstra, Jon Scanlon, and Mark Stremler

Absent: 1 - Kaylee Galloway

Announcements

Committee Discussion

Buchanan stated the first three agenda items have been consolidated into one agenda item (**AB2026-322**) as per the agenda revision notice for this date.

1. [AB2026-305](#) Discussion with STV on Justice Project validation process

This agenda item was WITHDRAWN.

See AB2026-322 under Items Added by Revision

2. [AB2026-306](#) Discussion with the Executive's Office on Justice Project financial framework, risks, mitigation measures, and Finance and Facility Advisory Board deliberations; presentation of draft resolution on project financial framework and interlocal

This agenda item was WITHDRAWN.

See AB2026-322 under Items Added by Revision

3. [AB2026-307](#) Presentation and discussion with consultants and staff on jail population forecast analysis and behavioral health analysis

This agenda item was WITHDRAWN.

See AB2026-322 under Items Added by Revision

4. [AB2026-308](#) Discussion of an ordinance amending Whatcom County Code section 5.04.080 Emergency Medical Services (EMS) Oversight Board and Section 5.04.085 EMS Technical Advisory Board to change the membership of the EMS Oversight Board and the EMS Technical Advisory Board

Galloway briefed the councilmembers on her substitute versions of the ordinance. She stated her substitute provides a different take on a few things which she would like to discuss. The first is how they structure the

membership, and she is proposing an alternative structure where they focus more on having community member representation with varying discipline or expertise. A second is the concept of self-governance for the EMS Oversight Board (EOB) which has been pretty prescriptive in the past around having an executive chair. A third is adding language for the EMS levy process that would memorialize what we have already been doing in a lot of our local funding, which is around both an internal and external evaluation process as a regular part of the EMS levy update.

Elenbaas asked whether Whatcom County Code (WCC) 5.04.080 B (7) (in Exhibit A of the revised substitute), saying that “The board shall designate a chair and vice chair at the first meeting of each year” is in conflict with WCC 5.04.085 B (1) which talks about those positions being jointly appointed by the County executive and Mayor of Bellingham.

Galloway stated the latter is referring to the Technical Advisory Board which is separate from the EOB.

Elenbaas moved to forward the Revised Substitute Ordinance (for introduction).

The motion was seconded by Scanlon.

Kristen Smith, Council Office Staff, stated there is a choice that needs to be made on the language of WCC 5.04.080 A (10) in Exhibit A in committee today. Councilmember Galloway has offered the alternative language in yellow for consideration. The original change that came from the EOB is shown in the red line right above it. Council should make a decision about what the language should be and then staff can prepare it for introduction tonight.

Galloway spoke about the difference between the two proposals for that section, and stated that the intention was for the alternative subsection 10 to replace subsections 9 and 10.

Councilmembers discussed that the community member at large position (in subsection 9) is meant to be broad, whether they should keep the community role separate, and that if you combine 9 and 10 and have three community members, one may not fit the definition of a community member who reflects diverse perspectives and community representation.

Scanlon moved to strike the language beginning with "Alternative" (for

5.04.080 A (10)) and retain the language as presented for nine and ten, including the edits.

The motion was seconded by Stremler.

Elenbaas stated with the way it would read, there could still be three people that have EMS or fire personnel experience, so the risk is the same either way.

Satpal Sidhu, County Executive, stated that defining the positions and not combining them is better for future appointments.

Rienstra stated that keeping subsection 9 but including the alternative for subsection 10 (except changing from three community members to two in that section), might be a way to still protect that community member at large position, at least in spirit.

Smith stated there was an error in subsection 10 that the EOB inadvertently took out (“appointed jointly by the county executive and mayor of Bellingham”) and Councilmember Galloway put back in the yellow. Whatever final language they settle on, she requested they add that back in. The change was also approved by Debbie Arthur (EMS).

Scanlon amended his motion to add a comma after "community representation" and then “appointed jointly by the county executive and mayor of Bellingham” so that subsection 10 would read:

10. Two EMS/Fire personnel or community members who reflect diverse perspectives and community representation, appointed jointly by the county executive and mayor of Bellingham.

Councilmembers and Sidhu discussed the motion, whether there has been an issue with subsection 9, and a preference to go with Rienstra’s suggestion to keep subsections 8 and 9 and use and revise the alternative subsection 10 to have two members.

The motion to amend carried by the following vote:

Aye: 5 - Scanlon, Stremler, Boyle, Buchanan, and Elenbaas

Nay: 1 - Rienstra

Out of the Meeting: 1 - Galloway

The motion to recommend the revised substitute as amended carried by the

following vote:

Aye: 5 - Elenbaas, Scanlon, Stremmler, Boyle, and Buchanan

Nay: 1 - Rienstra

Out of the Meeting: 1 - Galloway

This agenda item was DISCUSSED AND MOTION(S) APPROVED.

MOTION 1

Motion approved to recommend the Revised Substitute Ordinance as amended.

MOTION 2

Motion approved to strike the language beginning with "alternative" (under section A, number 10 of Exhibit A) and retain the language as presented for nine and ten with an amendment to the original number 10 so that Section A, subsections 9 and 10 would read:

9. A community member at large, appointed jointly by the county executive and mayor of Bellingham; and
10. Two EMS/Fire personnel or community members who reflect diverse perspectives and community representation, appointed jointly by the county executive and mayor of Bellingham

Items Added by Revision

1. [AB2026-322](#) Discussion on Justice Project priorities, validation process, financial framework, behavioral health analysis, jail population forecast analysis and draft Council resolution

Buchanan stated he is writing a resolution that will consider the budget cap, all of the analysis that they are going to discuss today, and input from the Incarceration Prevention and Reduction Task Force (IPRTF) from their meeting on Monday, April 20.

Several people spoke in turn about the different sub-topics of the presentation (on file).

Justice Project Values and Priorities Guiding the Capital Projects

Kayla Schott-Bresler, Executive's Office, stated project commitments include building the Behavioral Care Center at the same time as the new jail, ensuring the new jail provides improved access to an array of services, and working to analyze and plan for the operational costs. She spoke about project values, and wins and accomplishments from 2026 on the non-carceral side.

Validation Process

Adam Johnson, STV, spoke about the facilities scenario development timeline, that it is behind, and that they are proposing a different path forward to get the project where it needs to be, which starts with

establishing a clear budget cap. He spoke about how they have been getting input to inform the project, and the proposed timeline moving forward.

Johnson discussed this portion of the presentation with the councilmembers and the additional people also answered questions:

- Kayla Schott-Bresler
- Ashley McClaran, STV

They discussed Buchanan's upcoming resolution setting a budget cap and when they would vote on that, at what point they could come back to that budget decision to see if they want to raise or lower the cap, that one of the purposes of the jail population analysis is to help them right-size the facility for what is needed for our community and that the designers recommend building and programming in such a way to maximize flexibility, when the cities would consider the interlocal agreement and possibly extending their contributions to 2035, that those discussions are happening now but will start in earnest once the Council sets a budget cap, getting more information on how a stated number of beds will put the county in a position to not have booking restrictions for the long term, and the necessity of the programs referenced in Ordinance 2023-039 (section 5(1)(D)) to move forward with reduced crime rates while also providing an updated and safe facility.

Financial Framework and Finance and Facility Advisory Board (FFAB) Recommendation

Jed Holmes, Executive's Office, stated when initial scenarios showed that the vision of the Implementation Plan did not look like it was going to fit within the amount of money this sales tax is generating, the Administration was asked to provide an analysis for a potential budget cap. He then spoke about the ensuing discussions and recommendations of the FFAB regarding what the county can afford. They recommended a budget cap of \$225 million for construction, with \$205 million of that for the jail and \$20 million for the behavioral care center, and the Administration is waiting for Council direction so they can enter the next phase of negotiations with the cities.

He and councilmembers discussed that a lot of things have changed since the 2023 ordinance (2023-039) and the interlocals with the cities, so they are thinking about doing an entirely new interlocal, how they can get as close as possible to the original commitment (which may mean a lower

budget cap than what the FFAB recommended), a desire to get to the 50/50 (after the first four to six years) use of the tax revenue for projects as prioritized in the Justice Project Implementation Plan sooner, and the idea of focusing more on the outcome that they want instead of just a black and white percentage of the revenue.

Behavioral Health Analysis

Erin Persky, Erin Persky and Associates, spoke about the behavioral health analysis which her team conducted for Whatcom County, and their service model recommendations for a proposed behavioral care center.

Persky, Johnson, Schott-Bresler, and councilmembers discussed the opinion that the cost per bed per day is high, that the 22 spaces for a crisis relief center (CRC) are in addition to the recommended 32-bed co-occurring disorders (COD) facility and that it is best to consider them as two separate facilities with different missions, that they will be looking at whether there is potential of adding 16 beds to the COD by 2045, how a sobering component might be used, what the back-up plan is if they do not get the State and Federal funding that they need, and whether these facilities could function at full capacity if there was no force of law compelling people to go there.

Updated Jail Capacity Analysis

Patrick Jablonski, statistician, spoke about the jail forecast analysis pertaining to the jail's population, understanding the jail's population dynamics as well as the impact of the average length of stay, and developing a sophisticated statistical forecast of the future population.

He and the other speakers discussed with councilmembers having the ability for the councilmembers to use the back end of the modeling system to see what would happen with significant changes and other factors (such as changes to bail considered by the Supreme Court, policy changes, or dollar investments), if the average daily population forecast assumes that the people currently on electronic home detention are going into the jail going forward, seeing forecasts that factor in the deflection and diversion programs the county is investing in and the impact that those will have on the jail population, that each jail stay was treated in the analysis as a distinct jail stay regardless of whether it was the same person coming back two or more times during the year, and that just lowering the length of stay may not be the answer since it can have severe impacts on public safety and the judicial system.

This agenda item was **PRESENTED AND DISCUSSED**.

Other Business

There was no other business.

Adjournment

The meeting adjourned at 12:02 p.m.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WA

Cathy Halka, Council Clerk

Barry Buchanan, Committee Chair

Meeting Minutes prepared by Kristi Felbinger