

February 21, 2020

Tim Woolett  
City of Sequim  
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Dear Mr. Woolett:

I wish to file this opposition to the Jamestown S’Klallam Tribe application CDR20-001 during this public comment period. I oppose granting the application for the following reasons:

1. The application should have been classified as a Type C-2 Process rather than as a Type A-2 Process.
2. The Jamestown S’Klallam Tribe possesses the attributes of “sovereign immunity” and no provision has been made in the application to subject the Tribe to the jurisdiction of Washington State Courts for corrective action in the event of future violations if the application is granted. The Tribe is truly “above the law.”
3. The Application for State of Washington grants or funding of this project was made jointly by a “consortium” composed of the Jamestown S’Klallam Tribe, Jefferson Healthcare, and Olympic Medical Center, yet the terms of that “consortium document” has not been made public.
4. The Session Law (C 413 L 19) which appropriated \$7,200,000 for “Jamestown S’Klallam Behavioral Health” stated that the appropriation was **specifically conditioned** on the following actions: “The department of commerce must consult an advisory group consisting of representatives from the department of social and health services, the health care authority, one representative from a managed health care organization, one representative from an accountable care organization, and one representative from the association of county human services...”, yet the applicant for CDR20-001 has not submitted any evidence whatsoever that those specified preconditions have been fulfilled;
  - (a) When and where did this **required** meeting between the department of commerce and the advisory group occur?
  - (b) Who were the representatives from the Department of Commerce and the named entities in the advisory group?
  - (c) Has the Jamestown S’Klallam Tribe filed any application with the Department of Commerce asking for the appropriated \$7,200,000?
  - (d) If an application has been filed, when was it filed and what has been the response from the Department of Commerce?

5. Excess capacity currently exists within the City of Sequim to provide the “medication assisted treatment” which is intended to be provided by application CDR20-001.
6. Due to the percentage of Sequim citizens over the ages of 55 and 65 respectively, the City of Sequim is particularly vulnerable to adverse local conditions which have occurred in other Washington cities which have authorized clinics similar to that described in application CDR20-001, Anacortes, WA being but one example.
7. I believe that the Sequim City Council has been misled by the Sequim City Attorney, acting in concert with representatives of the City’s “risk pool insurer”, the Washington Cities Insurance Authority, in evaluating the appropriate procedures to be followed in receiving and processing application CDR20-001.
8. The Sequim City Attorney inappropriately invited an attorney representing the Washington Cities Insurance Authority to attend an Executive Session of the Sequim City Council on January 23, 2020 at which meeting CDR20-001 was discussed; this transgression also eliminated the otherwise attorney-client privilege protection of the City Council discussions with the City Attorney.
9. The River Road Economic Opportunity Area, as one of Sequim’s three business zones, is intended to support the City’s economic base. Sequim Municipal Code 18.33.010 states: “All three districts are intended to expand and diversify the city’s economic base and increase the number and range of living-wage jobs.” One major element of the City’s “economic base” is the amount of real estate available for property taxation. There is no element within CDR20-001 which suggests that the Tribe will not remove the subject property from the City’s tax base. And this is not speculative, since I understand that the Jamestown Medical Clinic is currently paying no real property taxes to the City.
10. Based on the experience of the Anacortes MAT clinic, I also suggest that it is quite possible that adjacent major Sequim business entities such as Costco may decide to move out of the River Road Economic Opportunity Area if CDR20-001 is approved and transients become commonplace. I submit this is not speculative, and the “possibility” of this happening simply goes to the “weight of the evidence” allowed by the hearing examiner to this possibility.
11. The City of Sequim is a city of retired, aging, and vulnerable people. The median age of Sequim residents is 58; 39% of those residents are “seniors” age 65 plus, and 37% of those seniors live alone . Sequim thus represents a city very vulnerable to assorted assaults on its older citizens, particularly if a business such as the MAT clinic is built and attracts primarily single males from outside the city who have some chemical dependency.
12. Application CDR20-001 violates the Sequim Comprehensive Plan in that it does

not conform to the objective stated when the Plan was adopted, which states:

*“Sequim should be developed...to the greatest extent possible, in its present character of a small, relaxed, friendly community and to enhance its potential beauty. The municipality’s highest and best destiny is to be a center for the accommodation of retired persons, tourism, and recreational activities. In view of the fact that the municipality has no visible characteristics to distinguish it from many other cities in Washington, the municipality and business leaders should develop plans to lend a distinctive character to the community and to encourage harmonious development.”*

Thank you for considering my comments,

Robert L Bilow