

RECORD OF PROCEEDING OF CITY COUNCIL

CITY OF BELLINGHAM, WASHINGTON

Monday, September 16, 2013, 09:00 AM

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Committee Meeting

Council Chambers

Called To Order

Roll Call

Present:

Jack Weiss, Council Member, First Ward
Gene Knutson, Council Member, Second Ward
Cathy Lehman, Council Member, Third Ward
Stan Snapp, Council Member, Fourth Ward
Michael Lilliquist, Council Member, Sixth Ward
Seth Fleetwood, Council Member, At Large

Excused:

Terry Bornemann, Council Member, Fifth Ward

PURPOSE

DISCUSSION

Public Works / Public Safety

Stan Snapp, Chair;

Terry Bornemann; Gene Knutson

Terry Bornemann excused

AB20066 1. Whatcom County Fire District 8 Interlocal Agreement concerning the Pacific Highway-Aldrich Road Annexation Mitigation

Presented by: Roger Christensen, Fire Chief

Ted Carlson, Public Works Director

GK/ MOVED TO RECOMMEND APPROVAL. SS concurred.

AB20094 2. Bid award for 2013 Crack Seal Program rebid, Bid #62B-2013

Presented by: Ted Carlson, Public Works Director

GK/ MOVED TO RECOMMEND APPROVAL. SS concurred.

AB20095 3. Bid Award for R.G. Haley Interim Action construction, organophillic clay, Bid#57B-2013, Project #EC-0018

Presented by: Craig Mueller, Public Works Project Engineer

GK/ MOVED TO RECOMMEND APPROVAL. SS concurred.

AB20096 4. Interlocal Agreement for offender work crew

Presented by: Eric Johnston, Assistant Director, Public Works Operations

INFORMATION ONLY

AB20097 5. Fairhaven Parking Task Force update

Presented by: Ted Carlson, Public Works Director
Eric Johnston, Assistant Director, Public Works Operations

INFORMATION ONLY

Waterfront/Downtown Development

Terry Bornemann, Chair
Cathy Lehman; Jack Weiss

Terry Bornemann excused; Gene Knutson appointed Chair; Seth Fleetwood appointed to the committee.

AB20063 1. Review of Waterfront District Sub-area Plan and related documents

Presented by: Greg Aucutt, Assistant Director of Planning and Community Development
Tara Sundin, Economic Development Director
Sylvia Goodwin, Port of Bellingham, Planning and Development Director
Freeman Anthony, Public Works Project Engineer
Mayor Kelli Linville
James King, Parks and Recreation Director
Kurt Nabbefeld, Senior Planner, Planning and Community Development
Ted Carlson, Public Works Director

INFORMATION ONLY. A worksession will be held on September 23.

Lake Whatcom Reservoir and Natural Resources

Cathy Lehman, Chair

Michael Lilliquist; Stan Snapp

AB20098 1. Washington Conservation Corps End-of-Year Presentation

Presented by: Renee LaCroix, Public Works, Ecology and Restoration Manger

INFORMATION ONLY

AB20099 2. Interagency Agreement with the Washington State Department of Ecology for funding marine shoreline habitat enhancements and assessment of juvenile salmon use of the marine nearshore

Presented by: Renee LaCroix, Public Works, Ecology and Restoration Manger

ML/SS MOVED TO RECOMMEND APPROVAL. CL concurred

AB20100 3. Appropriations of funds from the Department of Ecology for habitat enhancements and assessments into the 2013 budget

Presented by: Renee LaCroix, Public Works, Ecology and Restoration Manger

ML/SS MOVED TO RECOMMEND APPROVAL. CL concurred

Old/New Business

Chair Cathy Lehmann reported that the Lake Whatcom Policy Group [LWPG] met and received an overview from staff of the education efforts ongoing in the Lake Whatcom Watershed. There was also discussion related to the LWPG itself and how it operates and how it can move to become a tool for both the City and County Councils. Clarity is needed as to a mechanism for the LWPG to make recommendations to the Councils. This will inform the strategic plan for the LWPG for 2014.

In October, LWPG will provide an aquatic invasive species update. November's meeting will be cancelled due to holidays and December's meeting will be to plan for the work of the LWPG in 2014.

The work on aquatic invasive species provides a great example of how the two separate jurisdictions have to work together. The LWPG can work to facilitate the policy work of the legislative bodies so that work can be done more quickly in the future. This will be important as the work moves toward the TMDL response.

Finance and Personnel

Michael Lilliquist, Chair

Gene Knutson; Stan Snapp

AB20101 1. Ordinance increasing revenue and expenditures in the Wastewater Fund from the issuance of Revenue Bonds to pay for improvements to the wastewater system

Presented by: Brian Henshaw, Interim Finance Manager

GK/SS MOVED TO RECOMMEND APPROVAL. ML concurred.

Parks and Recreation

Gene Knutson, Chair

Stan Snapp; Terry Bornemann

Terry Bornemann excused. Michael Lilliquist appointed to committee.

AB20102 1. Lease between Whatcom Rowing Association and the City of Bellingham for the Bloedel Donovan Park Boathouse

Presented by: James King, Parks and Recreation Director

Gina Austin, Parks Project Manager, Parks and Recreation Department

Peter Ruffatto, City Attorney

SS/GK MOVED TO RECOMMEND APPROVAL. ML abstained.

AB19904 2. Direction on replacement of Whatcom Creek Trail Railroad Avenue Bridge

Presented by: James King, Parks and Recreation Director

Ted Carlson, Public Works Director

ML/GK MOVED TO RECOMMEND APPROVAL WITH THE FUNDING PLAN AS PROPOSED. SS concurred.

AB20103 3. Council Direction to fund safety improvements at the South Bay Trail/BNSF Main Line intersection at Boulevard Park

NO RECOMMENDATION

Committee Of The Whole

Seth Fleetwood, Chair

Jack Weiss, Gene Knutson, Cathy Lehman, Stan Snapp, Michael Lilliquist, Terry Bornemann

AB20083 1. Memorandum of Agreement with Public Utility District #1 of Whatcom County regarding use of Water Diversion/Intake Facility

POSTPONED

AB20084 2. Memorandum of Agreement with City of Lynden regarding use of Water Diversion/Intake Facility

POSTPONED

AB20104 3. Army Street Project Draft Concept Development Phase Plan and Project update

Presented by: James Long, Bellingham Public Development Authority, Executive Director
Terry Brown, Principal, Zervas/GBD Architects

INFORMATION ONLY

AB20105 4. City Council appointment to Committee for Four-year Review of Whatcom Transportation Authority Board composition

Presented by: Seth Fleetwood, Council President

CL/SS MOVED TO APPOINT STAN SNAPP. The motion carried 6-0. Terry Bornemann excused.

5. Approval of City Council Committee and/or Special Meeting minutes

None submitted.

6. Old/New business

Noise Variance request for work at R.G. Haley site.

Stan Snapp announced that there will be an additional agenda item before the Council this evening. Public Works requires a noise variance in order to do work at the R.G. Haley site at night during low tide in November and December.

Birchwood area loitering concerns

Jack Weiss pointed out there is a law in the BMC which prohibits persons from loitering, lying down or sitting in sidewalks in the downtown area or Fairhaven. He noted is a significant problem of the same nature in the Birchwood area. He asked if there would be support among the Members for reviewing this and strengthening the ability of police to respond to that type of activity. It is harming some of the commercial businesses in that area. He suggested adding Birchwood to the list of areas the law applies to.

Mayor Kelli Linville noted that there would need to be discussion to ensure any changes can be enforced, that it may not be effective to simply add a word to the current law. Mr. Weiss explained that the police expressed they could not address these issues because no law is being broken in Birchwood. Mayor Linville stated her support for the idea following full discussion.

Seth Fleetwood reviewed the process for adding an item to a workplan and called for a motion to refer the matter to a Council committee.

ML/SS MOVED TO REFER THE ISSUE TO THE PUBLIC WORKS/PUBLIC SAFETY COMMITTEE FOR FURTHER DISCUSSION. The motion carried 6-0. TB excused.

Public Access, Education and Government [PEG] Television

Jack Weiss requested a report from the Mayor regarding the status of RFP development. Mayor Linville replied that it would be done by the end of September.

Mr. Weiss asked about a decision to have BTV-10 cover the City Club meetings and asked what the costs are. Mayor Linville stated it was within the BTV-10 budget. She noted that the City films the League of Women Voters [LWV] candidate forum each year which are usually held at the Municipal Court. The LVW Port Commissioner candidate forum was held at City Club instead and City Club came forward and asked if BTV-10 could film it there to air at a later date. Michael Lilliquist expressed concern that the city would pick and choose one non-profit to do this for when there are many others that would also like to use BTV-10 this way. Mayor Linville stated she would have Janice Keller and Marty Mulholland come to Council to present the policy for Council's review.

At 3:06 PM, Council President Fleetwood, adjourned the meeting to Executive Session to hear the following:

Executive Session

Closed to the public. Report and action in the Regular Meeting only:

1. Potential Litigation - (Ruffatto – Approx 10 min.)
2. Potential Litigation - (Stamps – Approx. 15 min.)
3. Litigation: Carlson v. City of Bellingham - (Brady – Approx. 20 min.)

ADJOURNMENT

At 3:51 PM the meeting was called back to order and adjourned.

Seth Fleetwood, Council President

ATTEST: J. Lynne Walker, Executive Assistant to the Bellingham City Council

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