

CITY COUNCIL AGENDA FOLLOW UP: September 16, 2013

Call to Order	
<p><u>Announcements & Upcoming Meetings:</u></p> <ul style="list-style-type: none"> • On Monday, September 23, 9:00 AM to 12:00 PM, and Monday, September 30, 10:30 AM to 12:00 PM, there will be a Waterfront/Downtown Development Committee worksession regarding the Waterfront District Sub-Area Plan and related documents. These worksessions will be aired live on BTV-10, streamed live on the internet, and posted on the city's website for on-demand viewing. • On Monday, September 30, at 7:00 PM, in City Council Chambers, there will be a public hearing regarding an Ordinance to amend limits for construction noise in residential areas. <p>Bellingham City Council meets all requirements of the State of Washington Open Meetings Act.</p>	
<p><u>Pledge Of Allegiance</u></p> <p>Led by Council President Fleetwood.</p>	
<p><u>Roll Call</u></p> <p>Terry Bornemann, excused.</p>	
<p><u>Approval Of Minutes</u></p> <p>KNUTSON / LEHMAN moved approval of the July 15, 2013 and August 5, 2013 minutes of the regular City Council meeting as submitted. MOTION CARRIED 6-0.</p> <p>SNAPP / KNUTSON moved approval of the August 12, 2013 minutes of the regular City Council meeting as submitted. MOTION CARRIED 5-0-1, WEISS abstained.</p>	APPROVED
<p><u>15-Minute Public Comment Period</u></p>	
<p><u>Public Hearing</u></p>	
<p>AB20092 1. Public Hearing and Ordinance regarding Padden Creek Daylighting - 20th Street Permanent Closure</p> <p>“AN ORDINANCE OF THE CITY OF BELLINGHAM RELATING TO THE PERMANENT CLOSURE OF 20TH STREET FROM WILSON AVENUE TO OLD FAIRHAVEN PARKWAY TO FACILITATE CONSTRUCTION OF THE PADDEN CREEK DAYLIGHTING PROJECT.”</p> <p>Public hearing held. KNUTSON / SNAPP moved approval for first and second reading. MOTION CARRIED 6-0.</p>	<p>Public hearing held. 1ST & 2ND APPROVED</p>
<p>AB20093 2. Public Hearing and Ordinance regarding amendments to incorporate traffic study requirements into BMC 13.70 Multimodal Transportation Concurrency</p> <p>“AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE SECTIONS 13.70.020, 13.70.030 AND 13.70.060 TO ADOPT STANDARDS FOR REQUIRING PROJECT-SPECIFIC TRANSPORTATION IMPACT ANALYSIS AT PRE-APPLICATION STAGE OF PROJECT REVIEW.”</p> <p>Public hearing held. KNUTSON / LEHMAN moved approval for first and second reading. MOTION CARRIED 6-0.</p>	<p>Public hearing held. 1st & 2nd APPROVED</p>
<p><u>Public Works / Public Safety</u></p>	

Stan Snapp, Chair Terry Bornemann; Gene Knutson	
AB20066 1. Whatcom County Fire District 8 Interlocal Agreement concerning the Pacific Highway-Aldrich Road Annexation Mitigation	APPROVED
SNAPP / KNUTSON moved to authorize the Mayor to enter into an Interlocal Agreement with Whatcom County Fire District 8 concerning the Pacific Highway-Aldrich Road Annexation Mitigation. MOTION CARRIED 5-1, WEISS opposed.	
AB20094 2. Bid Award for 2013 Crack Seal Program rebid, Bid #62B-2013	APPROVED
SNAPP / WEISS moved to award Bid No. 62B-2013 for 2013 Crack Seal Program to Doolittle Construction LLC of Bellevue, Washington as the lowest responsive, responsible bidder and to authorize the Mayor to enter into a contract with them for the amount of their bid which is \$161,800.00. MOTION CARRIED 6-0.	
AB20095 3. Bid Award for R.G. Haley Interim Action construction, organophillic clay, Bid#57B-2013, Project #EC-0018	APPROVED
SNAPP / LEHMAN moved to award Bid No.57B-2013 for Project #EC-0018 R.G. Haley Interim Action Construction Project to Interwest Construction of Burlington, Washington as the lowest responsive, responsible bidder and to authorize the Mayor to enter into a contract with them for the amount of their bid which is \$81,430.00. MOTION CARRIED 6-0.	
AB20125 4. Noise Variance for R.G. Haley Interim Action Construction, Project #EC-0018	
SNAPP / KNUTSON moved to approve the noise variance for Project #EC-0018. MOTION CARRIED 6-0.	
AB20096 4. Interlocal Agreement with Whatcom County for offender work crew	APPROVED
SNAPP / LEHMAN moved to authorize the Mayor to enter into an Interlocal Agreement with Whatcom County for Work Crew Services. MOTION CARRIED 6-0.	
AB20097 5. Fairhaven Parking Task Force update	Information only.
Presentation made during committee. Information only.	
<u>Waterfront/Downtown Development</u>	
Terry Bornemann, Chair Cathy Lehman; Jack Weiss	
AB20063 1. Review of Waterfront District Sub-area Plan and related documents	Information only.
Presentation made during committee. An all-day worksession is scheduled for Monday, September 23, 2013 starting at 9:00 a.m.	
<u>Lake Whatcom Reservoir and Natural Resources</u>	
Cathy Lehman, Chair Michael Lilliquist; Stan Snapp	
AB20098 1. Washington Conservation Corps End-of-Year Presentation	Information only.
Presentation made during committee. 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	APPROVED
LEHMAN / KNUTSON moved to authorize the Mayor to enter into an Interagency Agreement with Washington State Department of Ecology for habitat restoration activities in Bellingham Bay. MOTION CARRIED 6-0.	
AB20100 3. Appropriations of funds from the Department of Ecology for habitat enhancements and assessments into the 2013 budget	1st & 2nd APPROVED
"AN ORDINANCE RELATING TO THE 2013 BUDGET INCREASING REVENUE IN	

<p>THE STREET FUND BY \$610,000.00 AS A RESULT OF AN INTERAGENCY AGREEMENT WITH THE WASHINGTON STATE DEPARTMENT OF ECOLOGY AND APPROPRIATING RELATED EXPENDITURES FOR THREE BELLINGHAM BAY HABITAT RESTORATION PROJECTS IN THE PUBLIC WORKS DEPARTMENT.”</p> <p>LEHMAN / LILLIQUIST moved approval for first and second reading. MOTION CARRIED 6-0.</p>	
<p><u>Finance and Personnel</u> Michael Lilliquist, Chair Gene Knutson; Stan Snapp</p>	
<p>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</p> <p>“AN ORDINANCE RELATING TO THE 2013 BUDGET INCREASING REVENUE IN THE WASTEWATER FUND FROM THE ISSUANCE OF REVENUE BONDS TO PAY FOR THE EXPANSION OF IMPROVEMENTS TO THE WASTEWATER SYSTEM AND APPROPRIATING \$16,039,500.45 IN RELATED EXPENDITURES.”</p> <p>LILLIQUIST / KNUTSON moved approval for first and second reading. MOTION CARRIED 5-1, WEISS opposed.</p>	<p>1st & 2nd APPROVED</p>
<p><u>Parks and Recreation</u> Gene Knutson, Chair Stan Snapp; Terry Bornemann</p>	
<p>AB20102 1. Lease between Whatcom Rowing Association and the City of Bellingham for the Bloedel Donovan Park Boathouse</p> <p>KNUTSON / SNAPP moved to authorize the Mayor to approve a lease with the Whatcom Rowing Association for the Bloedel Donovan Park Boathouse. LILLIQUIST moved to amend the motion to add an additional requirement to the terms to the lease: to implement cleaning and inspection measures to prevent introduction of aquatic invasive species. MOTION CARRIED 4-1-1, SNAPP opposed, LEHMAN abstained. MAIN MOTION CARRIED 6-0.</p>	<p>APPROVED AS AMENDED</p>
<p>AB19904 2. Direction on replacement of Whatcom Creek Trail Railroad Avenue Bridge</p> <p>KNUTSON / LEHMAN moved to direct staff to proceed with funding mechanism as proposed by staff (agenda packet, page 119 except for Transportation Funds, which must be approved by the Transportation Benefit District (TBD). MOTION FAILED 3-3, LILLIQUIST, SNAPP, WEISS opposed.</p>	<p>FAILED</p>
<p>AB20103 3. Council Direction to fund safety improvements at the South Bay Trail/BNSF Main Line intersection at Boulevard Park</p> <p>KNUTSON / LEHMAN moved to direct staff to proceed with funding mechanism as proposed by staff (agenda packet, page 123). MOTION CARRIED 6-0.</p>	<p>DIRECTION TO STAFF</p>
<p><u>Committee Of The Whole</u> Seth Fleetwood, Chair Jack Weiss, Gene Knutson, Cathy Lehman, Stan Snapp, Michael Lilliquist, Terry Bornemann</p>	
<p>AB20083 1. Memorandum of Agreement with Public Utility District #1 of Whatcom County regarding use of Water Diversion/Intake Facility</p> <p>Postponed; date to be determined.</p>	<p>POSTPONED, DATE TBD</p>
<p>AB20084 2. Memorandum of Agreement with City of Lynden regarding use of Water Diversion/Intake Facility</p> <p>Postponed; date to be determined.</p>	<p>POSTPONED, DATE TBD</p>
<p>AB20104 3. Army Street Project Draft Concept Development Phase Plan and Project</p>	<p>Information only.</p>

update	
Information only.	
AB20105 4. City Council appointment to a Committee for Four-year Review of Whatcom Transportation Authority Board composition	APPROVED
FLEETWOOD / LILLIQUIST moved to approve the appointment of Council Member Stan Snapp to the Four-Year Review of the Whatcom Transportation Authority Board's Composition. MOTION CARRIED 6-0.	
5. Approval of City Council Committee and/or Special Meeting minutes	
None submitted at evening meeting.	
6. Old/New business	
Council Member Weiss updated the council on the activities of the working group regarding growth/population projects and representing all jurisdictions in the county. Next scheduled meeting will be in December. Cities will review population and employment figures in the fall; there will be a public hearing at the Planning Commission on November 14 th ; a multi-jurisdictional resolution for 2014 and a county-wide town hall meeting on September 26 th .	
<u>Executive Session – Report and action only.</u>	
1. Potential Litigation: Staff provided information on a potential litigation matter. Information only. No action taken.	No action
2. Potential Litigation: Staff provided information on a potential litigation matter. Information only. No action taken.	No action
3. Litigation: <i>Carlson v. City of Bellingham</i> : Staff provided an update on a litigation matter. Direction given. No action taken.	No action
<u>Mayor's Report</u>	
1. Standing time for briefings, updates and reports to Council by the Mayor, if needed. Information only. <ul style="list-style-type: none"> • Mayor thanked council for their input on the legislative agenda and she recommends adoption of a joint legislative agenda. • Facilities update has been completed including an assessment of the cost for investment in our facilities maintenance and to look at potential reorganization of service delivery. • Funds are being allocated in the 2014 budget for tenanting the Federal Building with city offices. 	
AB20106 1. Mayor's appointment of Bill Hasenjaeger and Colin Morris to the Parks and Recreation Advisory Board for Council's information	Information only.
Information only.	
<u>Consent Agenda</u>	
All matters listed on the Consent Agenda are considered routine and/or non-controversial items and may be approved in a single motion. A member of the Council may ask that an item be removed from the Consent Agenda and considered separately.	
AB20107 1. 2013 Budget Ordinance reclassifying the Evidence and ID Supervisor to a Sergeant	1ST & 2ND (Consent Agenda)
“AN ORDINANCE RELATING TO THE 2013 BUDGET RECLASSIFYING ONE POSITION IN THE POLICE DEPARTMENT, GENERAL FUND, WHERE NO ADDITIONAL APPROPRIATION OR REALLOCATION OF EXPENDITURES IS REQUIRED.”	

AB20108 2. Bid Award 52B-2013 for ductile iron fittings, couplings, pipe restraints and grip rings	(Consent Agenda)
AB20109 3. Bid Award 53B-2013 for various water distribution valves and tapping sleeves	(Consent Agenda)
AB20110 4. Bid Award 54B-2013 for Municipal Court Renovations	(Consent Agenda)
AB20111 5. <i>Removed from Consent Agenda</i>	Removed for separate consideration (below)
AB20112 6. Interlocal Agreement between City of Bellingham, and Whatcom County regarding emergency repair for Sun House	(Consent Agenda)
AB20113 7. Interlocal Purchasing Agreement with Snohomish County	(Consent Agenda)
AB20114 8. Ordinance for a Budget Amendment to allow for receipt and spending of a grant from Washington State Traffic Safety Commission in the amount of \$8,450.00 “AN ORDINANCE RELATING TO THE 2013 BUDGET APPROPRIATING AN ADDITIONAL \$8,450.00 IN THE POLICE DEPARTMENT, GENERAL FUND, AS A RESULT OF A GRANT AWARD FROM THE WASHINGTON STATE TRAFFIC SAFETY COMMISSION.”	1ST & 2ND (Consent Agenda)
AB20115 9. Ordinance amending several sections of Title 3 - Personnel “AN ORDINANCE AMENDING TERMS TO MAKE THEM GENDER NEUTRAL, CORRECTING INTERNAL INCONSISTENCIES WITHIN THE CODE, AND REPEALING OBSOLETE PROVISIONS, AMENDING AND REPEALING NUMEROUS SECTIONS WITHIN TITLE 3 - PERSONNEL.”	1ST & 2ND (Consent Agenda)
AB20116 10. Ordinance amending various sections of the Bellingham Municipal Code to classify, clarify and standardize penalties and to make civil infraction the default penalty “AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING VARIOUS SECTIONS OF THE BELLINGHAM MUNICIPAL CODE IN ORDER TO CLASSIFY PENALTIES, MAKE CIVIL INFRACTION THE DEFAULT PENALTY, CLARIFY PENALTY PROVISIONS, AND STANDARDIZE PENALTY PROVISIONS.”	1ST & 2ND (Consent Agenda)
AB20117 11. Authorization of checks issued for pay period August 2, 2013 through August 8, 2013	(Consent Agenda)
AB20118 12. Authorization of checks issued for pay period August 9, 2013 through August 15, 2013	(Consent Agenda)
AB20119 13. Authorization of checks issued for pay period August 16, 2013 through August 22, 2013	(Consent Agenda)
AB20120 14. Authorization of checks issued for pay period August 23, 2013 through August 29, 2013	(Consent Agenda)
AB20121 15. Authorization of checks issued for pay period August 30, 2013 through September 5, 2013	(Consent Agenda)
AB20122 16. Authorization of checks issued for payroll July 26, 2013 through August 9, 2013	(Consent Agenda)
AB20123 17. Authorization of checks issued for payroll August 10, 2013 through August 23, 2013	(Consent Agenda)
AB20124 18. Authorization of checks issued for payroll August 24, 2013 through September 10, 2013 KNUTSON / LEHMAN moved approval of the Consent Agenda in its entirety. MOTION CARRIED 6-0.	CONSENT AGENDA APPROVED IN ITS ENTIRETY.
AB20111 removed from the Consent Agenda for separate consideration.	
AB20111 5. Interlocal Agreement between City of Bellingham and Whatcom Council of Governments to help fund the Whatcom Smart Trips Program	Returned to Public Works Committee

<p>KNUTSON / SNAPP moved to refer to the Public Works Committee for additional discussion, at a time to be determined. MOTION CARRIED 6-0.</p>	
<p>Final Consideration of Ordinances</p>	
<p>AB20089 1. AN ORDINANCE RELATING TO THE 2013 BUDGET RECLASSIFYING TWO POSITIONS IN THE POLICE DEPARTMENT, GENERAL FUND, WHERE NO ADDITIONAL APPROPRIATION OR REALLOCATION OF EXPENDITURES IS REQUESTED</p> <p>SNAPP / KNUTSON moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:</p> <p>AYES: FLEETWOOD, LEHMAN, KNUTSON, LILLIQUIST, SNAPP, WEISS NAYS: ABSTENTIONS: EXCUSED: BORNEMANN</p> <p>MOTION CARRIED 6-0 and was thereafter named Ordinance #2013-09-065</p>	<p>Ord. 2013-09-065 APPROVED</p>
<p>Adjournment</p>	
<p>There being no further business, the meeting adjourned at 9:25 p.m.</p>	
<p>Next City Council Meeting: Monday September 30, 2013</p>	