

## **CITY COUNCIL MEETINGS AGENDA**

**Monday, September 30, 2013**

**CITY COUNCIL CHAMBERS, 210 LOTTIE STREET BELLINGHAM, WASHINGTON 98225**

**COMMITTEE MEETINGS: WATERFRONT COMMITTEE 9:00 AM - 12:00 PM**

**REGULAR MEETING, 7:00 PM**

### **THE FOLLOWING ITEMS ARE HEARD IN THE REGULAR MEETING ONLY:**

#### **CALL TO ORDER**

#### **ANNOUNCEMENTS & UPCOMING MEETINGS:**

On Monday, October 14th, at 7:00 PM, in City Council Chambers, there will be a public hearing regarding a 2013 Water System Plan update for Council approval.

Bellingham City Council meets all requirements of the State of Washington Open Meetings Act.

#### **PLEDGE OF ALLEGIANCE**

#### **ROLL CALL**

#### **APPROVAL OF MINUTES**

#### **PUBLIC COMMENT PERIOD**

During this period of time, citizens may speak informally to the Council on subjects not scheduled for public hearing. EACH SPEAKER IS ALLOWED A MAXIMUM OF THREE MINUTES. If the speaker has written comments for the Council, an additional copy should be handed to the Clerk, preferably before the meeting, for our office files.

Page No

#### **PRESENTATION**

##### **AB20126 (pdf 28k)**

1. PRESENTATION BY THE DEPARTMENT OF ECOLOGY TO THE CITY FOR THE WASTEWATER TREATMENT PLANT'S OUTSTANDING PERFORMANCE

#### **PUBLIC HEARING**

##### **AB20032 (pdf 36k)**

1. \*\*AN ORDINANCE TO AMEND BMC 10.24.120 (C)(4) RELATING TO CONSTRUCTION NOISE IN RESIDENTIAL AREAS

##### **AB20043 (pdf 232k)**

2. PUBLIC HEARING ON A RECENTLY ADOPTED EMERGENCY ORDINANCE CREATING INTERIM ZONING FOR THE ESTABLISHMENT OF FACILITIES PRODUCING, PROCESSING AND RETAILING RECREATIONAL MARIJUANA.

#### **WATERFRONT/DOWNTOWN DEVELOPMENT 09:00 AM - 12:00 PM**

TERRY BORNEMANN (CHAIR); CATHY LEHMAN; JACK WEISS

##### **AB20063 (pdf 22k)**

THE FOLLOWING ARE HEARD IN BOTH COMMITTEE SESSIONS AND REGULAR MEETING IN ORDER BELOW: COUNCIL STANDING COMMITTEE MEETINGS: OPEN TO THE PUBLIC TO ATTEND. NOTE: THERE IS GENERALLY NO PUBLIC COMMENT PERIOD FOR COMMITTEE SESSIONS. STANDING COMMITTEE MEMBERS RECEIVE REPORTS AND INFORMATION, ASK QUESTIONS AND, WHEN APPROPRIATE, VOTE ON A RECOMMENDED ACTION FOR CONSIDERATION BY THE FULL COUNCIL AT THE REGULAR MEETING. COMMITTEE CHAIRS GIVE A REPORT OF THE COMMITTEE MEETING AT THE REGULAR MEETING IN THE EVENING PRIOR TO DELIBERATION AND FORMAL VOTE IN THE ORDER SHOWN BELOW: 1. WATERFRONT DISTRICT SUBAREA PLAN AND RELATED DOCUMENTS

#### **FINANCE AND PERSONNEL 1:00 PM - 1:10 PM**

MICHAEL LILLIQUIST (CHAIR); GENE KNUTSON; STAN SNAPP

**AB20127 (pdf 40k)**

1. \*\*ORDINANCE TO MODIFY THE BELLINGHAM MUNICIPAL CODE ESTABLISHING THE AUTHORITY AND USE OF ACCEPTING DONATIONS

**AB20128 (pdf 40k)**

2. \*\*BUDGET ORDINANCE ACCEPTING DONATION BEING GIVEN TO THE BELLINGHAM FIRE DEPARTMENT

**PLANNING AND COMMUNITY DEVELOPMENT** 1:10 PM - 1:20 PM

JACK WEISS (CHAIR); MICHAEL LILLIQUIST; GENE KNUTSON

**AB20129 (pdf 44k)**

1. \*\*RESOLUTION ESTABLISHING A SCHEDULE FOR JOINT CITY/COUNTY REVIEW OF URBAN GROWTH AREAS

**PUBLIC WORKS/PUBLIC SAFETY** 1:20 PM - 1:35 PM

STAN SNAPP (CHAIR); GENE KNUTSON; TERRY BORNEMANN

**AB20130 (pdf 40k)**

1. \*\*ORDINANCE AMENDING BMC 15.36.020 ALLOWING LIMITED SEWER MAIN EXTENSIONS IN THE LAKE WHATCOM WATER AND SEWER DISTRICT SERVICE AREA TO PROTECT BASIC PUBLIC HEALTH AND ENVIRONMENT

**COMMITTEE OF THE WHOLE** 1:35 PM - 1:40 PM

SETH FLEETWOOD (CHAIR); JACK WEISS; GENE KNUTSON; CATHY LEHMAN; STAN SNAPP; MICHAEL LILLIQUIST; TERRY BORNEMANN

1. APPROVAL OF CITY COUNCIL COMMITTEE AND/OR SPECIAL MEETING MINUTES
2. OLD/NEW BUSINESS

**EXECUTIVE SESSION** 1:40 PM - 1:45 PM

Closed to the public. Report in regular meeting only:

1. LITIGATION: LAURIE CARLSON V. CITY OF BELLINGHAM - (BRADY – APPROX. 5 MIN.)

**THE FOLLOWING ITEMS ARE HEARD IN THE REGULAR MEETING ONLY:**

**MAYOR'S REPORT**

1. STANDING TIME FOR BRIEFINGS, UPDATES AND REPORTS TO COUNCIL BY THE MAYOR, IF NEEDED. INFORMATION ONLY.

**CONSENT AGENDA**

All matters listed on the Consent Agenda are considered routine and/or non-controversial items and may be approved in a single motion. Committee review has taken place during the afternoon session on most of these items. A member of the Council may ask that an item be removed from the Consent Agenda and considered separately.

**AB20131 (pdf 116k)**

1. \*\*RESOLUTION SETTING THE DATE AND TIME FOR A PUBLIC HEARING BEFORE THE HEARING EXAMINER FOR CONSIDERATION OF A PETITION TO VACATE AN UNNAMED RIGHT-OF-WAY NORTH OF W. BAKERVIEW ROAD BETWEEN PACIFIC HIGHWAY AND DOVER STREET

**AB20132 (pdf 122k)**

2. \*\*RESOLUTION SETTING THE DATE AND TIME FOR A PUBLIC HEARING BEFORE THE HEARING EXAMINER FOR CONSIDERATION OF A PETITION TO VACATE CERTAIN RIGHT-OF-WAYS WITHIN THE WATERFRONT DISTRICT (PORTIONS OF ARMY STREET, CENTRAL AVENUE, OAK STREET AND PORTIONS OF C, D, E AND F STREET)

**AB20133 (pdf 107k)**

3. \*\*RESOLUTION SETTING THE DATE AND TIME FOR A PUBLIC HEARING BEFORE THE HEARING EXAMINER FOR CONSIDERATION OF A PETITION TO VACATE CERTAIN RIGHT-OF-WAYS WITHIN THE WATERFRONT DISTRICT (PORTION OF G STREET)

**AB20134 (pdf 157k)**

4. \*\*RESOLUTION SETTING THE DATE AND TIME FOR A PUBLIC HEARING BEFORE THE HEARING EXAMINER FOR CONSIDERATION OF A PETITION TO VACATE CERTAIN RIGHT-OF-WAYS WITHIN THE WATERFRONT DISTRICT (PORTIONS OF WEST IVY STREET, H STREET, CENTRAL AVENUE,

LAUREL STREET AND WEST MAPLE STREET)

**AB20135 (pdf 40k)**

5. \*\*BUDGET ORDINANCE FOR RECLASSIFICATION OF THE RESOURCE CONSERVATION MANAGEMENT SPECIALIST POSITION TO A FACILITIES PROJECT MANAGER IN THE PUBLIC WORKS OPERATIONS DIVISION

**AB20136 (pdf 31k)**

6. \*\*BUDGET ORDINANCE RELATING TO THE 2013 BUDGET APPROPRIATING \$228,828.00 OF EXPENDITURES IN THE GENERAL FUND RELATED TO THE STATE DEPARTMENT OF COMMERCE AND THE FEDERAL DEPARTMENT OF ENERGY FUNDS.

**AB20137 (pdf 240k)**

7. \*\*BUDGET ORDINANCE TO AMEND THE 2013 BUDGET TO ACCEPT A GRANT FROM THE DEPARTMENT OF JUSTICE

**AB20138 (pdf 15k)**

8. COUNCIL MEMBER MEDICAL LEAVE OF ABSENCE

**AB20139 (pdf 17k)**

9. AUTHORIZATION OF CHECKS ISSUED FOR PAY PERIOD SEPTEMBER 6, 2013 THROUGH SEPTEMBER 12, 2013

**AB20140 (pdf 25k)**

10. AUTHORIZATION OF CHECKS ISSUED FOR PAY PERIOD SEPTEMBER 13, 2013 THROUGH SEPTEMBER 19, 2013

**AB20141 (pdf 18k)**

11. AUTHORIZATION OF CHECKS ISSUED FOR PAYROLL SEPTEMBER 11, 2013 THROUGH SEPTEMBER 25, 2013

**FINAL CONSIDERATION OF ORDINANCES**

**AB20092 (pdf 35k)**

1. 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

**AB20093 (pdf 157k)**

2. 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

**AB20100 (pdf 46k)**

3. AN ORDINANCE RELATING TO THE 2013 BUDGET INCREASING REVENUE IN 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

**AB20101 (pdf 44k)**

4. 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

**AB20107 (pdf 24k)**

5. 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

**AB20114 (pdf 27k)**

6. 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

**AB20115 (pdf 85k)**

7. 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

**AB20116 (pdf 160k)**

8. 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

## **ADJOURNMENT**

\*\* INDICATES THE INTRODUCTION OF ORDINANCE/RESOLUTION

## **AGENDA INFORMATION**

The agenda packet, which contains the supporting documentation for agenda items, is available at the Public Library or can be purchased in the Finance office for \$4.00.

## **BROADCAST INFORMATION**

The Bellingham City Council Committee Meetings are broadcast live on BTV10 starting at 1:00 p.m. Bellingham City Council Regular Meetings are broadcast live on BTV10 beginning at 7:00 p.m.

The meetings are also streamed live on the internet as they occur and are available at <http://www.cob.org/services/education/btv10/live-stream.aspx>. BTV10 programming is available 24/7 to anyone with a computer and high-speed internet access. On-line viewers will see exactly what the Comcast cable customers would see on Channel 10, without the need for cable television service.

The Bellingham Public Library also has DVD's available for checkout. Video and audio files are available on the Internet at <http://www.cob.org> within 5 business days following each meeting.

## **COUNCIL MEETING VIEWING SCHEDULE: BTV10 AND WEBSITE**

Mon. 1 p.m.	Live broadcast of Committee meetings as they occur.
Mon. 7 p.m.	Live broadcast of Regular meeting as it occurs.
Tues. noon	Repeat broadcast of Monday afternoon Committee meetings.
Tues. 7 p.m.	Repeat broadcast of Monday night regular meeting.
Wed. 8 a.m.	Repeat broadcast of Monday night regular meeting.
Fri. 5 p.m.	Council Committee and Regular meetings posted on city website no later than this day/time (though usually posted much sooner.)
Sat. 7 p.m.	Repeat broadcast of Monday night regular meeting.

## **ACCESSIBILITY**

**FOR OUR CITIZENS WITH SPECIAL NEEDS**, the Council Chambers is fully accessible. Hearing assistance is available and a receiver may be checked out through the clerk prior to the evening session. For additional accommodations, persons are asked to contact the Legislative Assistant at 778-8200 at least 3 working days in advance of the meeting. Thank you.

### **NEXT CITY COUNCIL MEETING Monday, October 14, 2013**

DEADLINE TO SUBMIT MATERIAL FOR THE PUBLIC HEARINGS FOR INCLUSION IN THE PUBLISHED AGENDA PACKET:  
**10/09/2013 10:00 AM**