

RECORD OF PROCEEDING OF CITY COUNCIL

CITY OF BELLINGHAM, WASHINGTON

Monday, October 28, 2013, 09:00 AM

Book: 67, Page: 1

Committee Meeting

Council Chambers

Called To Order

Roll Call

Present:

Jack Weiss, Council Member, First Ward
Stan Snapp, Council Member, Fourth Ward
Terry Bornemann, Council Member, Fifth Ward
Michael Lilliquist, Council Member, Sixth Ward
Seth Fleetwood, Council Member, At Large

Excused:

Gene Knutson, Council Member, Second Ward
Cathy Lehman, Council Member, Third Ward

PURPOSE

DISCUSSION

Committee Of The Whole

Seth Fleetwood, Chair

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

AB20063 1. Continuation of Review of the Waterfront District Sub-Area Plan and related documents

ML/TB MOVED TO APPROVE THE WATERFRONT COMMITTEE'S RECOMMENDED AMENDMENTS AS IDENTIFIED ON PAGE 2 OF "WATERFRONT DISTRICT SUBAREA PLAN AND ASSOCIATED DOCUMENTS; COUNCIL WATERFRONT AND DOWNTOWN DEVELOPMENT COMMITTEE RECOMMENDATIONS, SEPTEMBER 30, 2013" EXCEPT 1(d). The motion carried 5-0-0. CL, GK excused.

ML/TB MOVED TO ADOPT THE FOLLOWING REVISIONS SUPPORTED BY STAFF IDENTIFIED IN THE "STAFF RESPONSES TO SEPT 30 JACK WEISS MOTIONS #12, #16 AND #17": WEISS MOTION #12, WEISS

SUGGESTED EDITS TO SUBAREA PLAN: 2; 7; 9; 12; 13; 27; 28; 30; 31; 32; 33; 34; & 35; WEISS MOTION #17, THE BLUEGREEN COALITION (BGC) SUBAREA PLAN RECOMMENDATIONS: 38; 39; 44; 51; 63; 65; 66; 67; & 69; STAFF RESPONSES TO COUNCILMEMBER MICHAEL LILLQUIST QUESTIONS AND SUGGESTED REVISIONS FROM OCTOBER 14: 2; SMALL(ER) REQUESTED CHANGES: 1; 2; 4 & 5.

SUB AREA PLAN

Page 10. Insert WFG Guiding Principles 3-5 through 3-11 that are missing from draft.

Page 26; revision of paragraph 3: "Interim uses are proposed to make use of vacant properties until the development market and infrastructure investment can support more intensive uses. These interim uses include but are not limited to: manufacturing and assembly, repair of large equipment such as vessels, vehicles and floor based tools, warehousing, wholesaling and freight operations, water-related and water-dependent industrial uses, marine-related light industrial and transportation, construction staging, environmental remediation, alternative energy research and production, food production and surface parking."

Page 29; Addition of new bullet: "Re-use the existing Aerated Stabilization Basin breakwater materials for environmental capping, shoreline restoration and fill for parks and roadways to lower the carbon footprint of the project and reduce impacts on local sand and gravel quarries."

Page 29 "Emphasize the adaptive reuse of existing buildings if an assessment of financial, environmental and social factors show positive benefits of keeping the building. Initially design new buildings utilizing methods that will allow easy adaptive reuse in the future if the building use changes over time."

Page 29. Addition of new bullet: "Require all structures to build on-site infrastructure improvements to readily connect with utility district opportunities as recommended in the City's Utility Master Plan for the subarea. Emphasize stubbing utility connections in new buildings that have site opportunities to install future renewable energy systems."

Pg. 49. Addition of new bullet: "Parking throughout the Downtown Waterfront Area should primarily be located under buildings or within parking structures located on the upland side of the development."

Pg. 53. Revision to last bullet to say "support safe access to the Waterfront District by all users."

Pg. 54. Reinstate note to figure that declares; "Location of Type 1, Arterials, Type II Streets and Alleys is conceptual and subject to change upon final design."

Pg. 66. Revise Shipping Terminal Area from (0-acres) to (25-acres)

Pg. 67. Revise the next to last sentence "via a pedestrian bridge" to "via pedestrian bridge"

DEVELOPMENT REGULATIONS

Pg. 6. Table .420-A Permitted Uses: Delete Industrial category E.4 "Hazardous Waste Treatment and Storage Facility per BMC 20.16.020.H.1."

Pg. 6-7/ Create a Miscellaneous Use category for Agricultural. Permitted in Industrial Mixed-Use only for greenhouse and field crops. Conditional in Industrial Mixed-Use for all other agricultural production

Pg. 7. Table 420-1 Miscellaneous Uses. 9: Revise to "Recycling and Refuse Collection Center" Permitted in all three areas.

Pg. 6-7. Table 420-1 Miscellaneous Uses. New Use. "Recycling and Refuse Collection and Processing" Conditional in Industrial Mixed-Use with Note 7.

Pg. 12. Section 20.37.430 H.4.c.1.(a) Revise to "The transferred floor area will result in the provision of a public plaza or open-space to remain open to the public in accordance with park hours established in BMC 8.04.040 during daytime hours."

SUB AREA PLAN

Change policies from bullet points to numbers throughout the plan.

Addition to the plan, "Cleanup levels will be developed pursuant to state law to be protective of land uses in the Waterfront District."

Pg. 13, Revise bullet 2: "Identify opportunities to restore and create habitat along the waterfront environment. ~~within the context of creating an economically-viable redevelopment.~~ creating an economically-viable redevelopment."

Pg. 24, Chapter Three; Revise first bullet: "Build public promenades ~~set back from along the waterfront with viewing platforms and overlooks~~ to provide users with recreational opportunities and vistas of key estuary and habitat areas in coordination with upland redevelopment activities."

Pg. 69, Chapter Seven, Revise first bullet: "Shoreline parks should include restored shoreline buffers and incorporate habitat enhancement projects consistent with the Bellingham Shoreline Master Program and Restoration Plan. Shoreline buffers may include trails and designated water access points, where no net loss of shoreline ecological function occurs to critical saltwater habitats."

Pg. 26 - 39; Chapter Four, Add a policy to "Encourage uses in the Waterfront District that are not currently occupying the adjacent downtown district".

Add a policy, "Encourage industrial land uses that provide jobs for light manufacturing and assembly, high technology, research and development and industrial uses which depend upon or relate to the waterfront."

Pg. 31, Amend bullet 4; "Recognize the need for larger industrial buildings and less stringent design standards to accommodate marine industrial uses, upland boat storage and other light industrial uses within Industrial Mixed-use areas. Provide lighting standards, setbacks, screening or landscaping to reduce impacts on and separate Industrial Mixed-use areas from other mixed-use development areas. "

Pg. 73-75; Chapter Eight; Include a statement that clarifies and references where project information is available including the inter-local agreement as well as the most recently adopted Transportation Improvement Program and Capital Improvement Plan

Revise BMC 20.37.430(C)(2)(b): A separate general binding site plan contract (as required in BMC 18.24) is not required. The Waterfront District Subarea Plan, Development Regulations (BMC 20.37), Development Agreement between Port of Bellingham and City of Bellingham, and the Interlocal Agreement for Facilities within the Waterfront District and ~~this Section~~ shall be considered the contract.

Revise BMC 20.37.430(G)(4)(d): "Exempt Structures. Structures of iconic art and historic waterfront structures that may be preserved and/or moved are exempt from view corridor height limits."

Revise BMC 20.37.430(H)(4)(c)(1)(a): "The transferred floor area will result in the provision of any public plaza or open space to remain open to the public ~~during the day time hours.~~"

Planned Action Ordinance, Revise Exhibit B, Section II.1.B, item 1-7 to: "As part of construction of onsite infrastructure, site grades shall be raised to accommodate potential long-term sea level rise and tsunami conditions, appropriate to the design lifetime of the project, as determined using the higher end of the range predicted by best available science."

Revise BMC 20.37.430(G)(2)(a): " Waterfront topography ~~is expected to~~ will be raised during construction in conformance with requirements of the Waterfront District Planned Action Ordinance (Exhibit B, Section II.1.B) to account for sea level rise and installation of public infrastructure. Existing grade shall be that which is established with such fill activities when height is not measured from an abutting city sidewalk."

The motion carried 5-0-0. CL, GK excused.

ML/SS MOVED TO DIRECT THE PROCESS BE TO REVIEW EACH PROPOSED REVISION TO DETERMINE IF THE WORD "ENCOURAGE" SHOULD BE REPLACED WITH "EMPHASIZE".

SS withdrew his second.

TB/ML MOVED TO RECOMMEND REMOVAL THE LAST LINE OF BULLET 6, ON PAGE 13 OF THE SUB AREA PLAN, AND REPLACE IT WITH "USE OF NON-MOTORIZED TRANSPORTATION MODES WILL BE A PRIORITY."

The motion carried 5-0-0. CL, GK excused.

ML/ MOVE TO STRIKE THE BULLET #2 ON PAGE 25 OF THE SUB AREA PLAN. There was no second.

ML/SS MOVED TO RECOMMEND AMENDING BULLET #2 ON PAGE 25 OF THE SUB AREA PLAN TO CHANGE "SHOULD" IN THE FIRST SENTENCE TO "MAY" AND TO ADD "IN THE EVENT IT IS BUILT" TO THE BEGINNING OF THE SECOND SENTENCE.

The motion carried 4-0-1. TB opposed. CL, GK excused.

JW/ MOVED TO RECOMMEND ELIMINATION OF LEED SILVER AS THE MINIMUM STANDARD. There was no second.

JW/ML MOVED TO RECOMMEND DENIAL OF PROPOSED STAFF ADDED FOR PARAGRAPH 3 ON PAGE 26 OF THE SUB-AREA PLAN DESCRIBING INDUSTRIAL USES.

The motion carried 5-0-0. CL, GK excused.

JW/ML MOVED TO RECOMMEND REVISION OF THE STAFF PROPOSAL FOR WORDING FOR THE SUSTAINABILITY SECTION ON PAGE 29, AND THE HISTORIC SECTION ON PAGE 36 OF THE SUB AREA PLAN TO "ENCOURAGE THE ADAPTIVE REUSE OF EXISTING BUILDINGS IF AN ASSESSMENT OF FINANCIAL, ENVIRONMENTAL AND SOCIAL FACTORS SHOW POSITIVE BENEFITS OF KEEPING THE BUILDING. NEW BUILDINGS SHOULD BE BUILT UTILIZING METHODS THAT WILL ALLOW EASY ADAPTIVE REUSE IN THE FUTURE IF THE BUILDING USES CHANGE OVER TIME."

The vote on the motion was postponed to a future worksession.

Parks and Recreation

Gene Knutson, Chair
Stan Snapp; Terry Bornemann

Gene Knutson excused. Terry Bornemann appointed to Chair. Michael Lilliquist appointed.

AB20159 1. Status report of the 6-year update of the Parks, Recreation and Open Space Plan

Presented by: James King, Parks and Recreation Director
Leslie Bryson, Parks and Recreation Design Development Manager

INFORMATION ONLY.

Public Works / Public Safety

Stan Snapp, Chair
Terry Bornemann; Gene Knutson

Gene Knutson excused. Jack Weiss appointed.

AB20160 1. Grant Award for 2013 Port Security Grant Program

Presented by: Roger Christensen, Fire Chief
Bill Newbold, Assistant Fire Chief
Mayor Kelli Linville

TB/JW MOVED TO RECOMMEND APPROVAL. SS concurred.

SS/TB MOVED TO APPROVE THE 2013 POST SECURITY GRANT PROGRAM. The motion carried 4-0-1, ML abstained.

AB20111 2. Interlocal Agreement between City of Bellingham and Whatcom Council of Governments to help fund the Whatcom Smart Trips Program

Presented by: Ted Carlson, Public Works Director
Mayor Kelli Linville

TB/JW MOVED TO RECOMMEND APPROVAL. SS concurred.

SS/TB MOVED TO AUTHORIZE THE MAYOR TO ENTER INTO AN INTERLOCAL AGREEMENT FOR 2013 BETWEEN THE CITY OF BELLINGHAM AND WHATCOM COUNCIL OF GOVERNMENTS FOR THE WHATCOM SMART TRIPS PROGRAM. The motion carried 3-0.

AB20161 3. Post Point Construction Update

Presented by: Freeman Anthony, Public Works Project Engineer
Ted Carlson, Public Works Director

INFORMATION ONLY

AB20143 4. 2013 Water System Plan Update approval

Presented by: Eric Johnston, Public Works Assistant Director

TB/JW MOVED TO RECOMMEND APPROVAL. SS concurred.

SS/TB MOVED FINAL APPROVAL OF RESOLUTION #2013-21. The motion carried 5-0.

Finance and Personnel

Michael Lilliquist, Chair
Gene Knutson; Stan Snapp

Gene Knutson excused. Jack Weiss appointed.

AB20162 1. Resolution to authorize an Interlocal Agreement with participants in Association of Washington Cities Employee Benefit Trust

Presented by: Allysa Bronson, Human Resources Benefits and Payroll Manager

JW/SS MOVED TO RECOMMEND APPROVAL. ML concurred.

SS/TB MOVED FINAL APPROVAL OF RESOLUTION #2013-22. The motion carried 3-0.

AB20163 2. Financial Report - 3rd Quarter

Presented by: Brian Henshaw, Finance Director

INFORMATION ONLY.

Committee Of The Whole

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

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

The Committee Meeting minutes for September 16, were submitted for approval.
JW/TB MOVED APPROVAL. The motion carried 4-0-1. CL excused. TB abstained.

The Committee Meeting minutes for September 30, were submitted for approval.
JW/TB MOVED APPROVAL. The motion carried 5-0-0. CL excused.

The Committee Meeting minutes for October 14, were submitted for approval.
JW/SS MOVED APPROVAL. The motion carried 4-0-2. CL excused. TB, GK abstained.

The Special Meeting of the Waterfront/Downtown Development Committee minutes for September 23, were submitted for approval.
JW/TB MOVED APPROVAL. The motion carried 2-0-0. CL excused.

The Special Meeting of the Waterfront/Downtown Development Committee minutes for September 26, were submitted for approval.
JW/TB MOVED APPROVAL. The motion carried 2-0-0. CL excused.

The Special Meeting of the Committee of the Whole minutes for October 7, were submitted for approval.
ML/SS MOVED APPROVAL. The motion carried 4-0-1. CL excused. TB abstained.

The Special Meeting of the Committee of the Whole minutes for October 14, were submitted for approval.
JW/SS MOVED APPROVAL. The motion carried 4-0-2. CL excused. TB, GK abstained.

3. Old/New business

None.

At 2:32 PM Council President Fleetwood adjourned the meeting to Executive Session to hear the following:

Executive Session

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

1. Potential Property Sale - (Marriner – Approx. 10 min.)
2. Potential Property Acquisition - (Stamps – Approx. 10 min.)

At 3:18 PM, President Fleetwood called the meeting back to order and adjourned to the Mayor's Boardroom.

Committee Of The Whole

Seth Fleetwood, Chair

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

AB20142 4. Worksession regarding the 2014 Preliminary Budget

INFORMATION ONLY

ADJOURNMENT

_There being no further business the meeting was adjourned at 5:00 PM

Seth Fleetwood, Council President

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

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