

# **RECORD OF PROCEEDING OF CITY COUNCIL**

## **CITY OF BELLINGHAM, WASHINGTON**

**COUNCIL CHAMBERS, CITY HALL**  
**Monday, February 24, 2014, 07:00 PM**  
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### **REGULAR MEETING**

**Called To Order** The meeting was called to order by Council President Cathy Lehman who led the Pledge of Allegiance.

#### **Roll Call**

##### ***Present:***

Jack Weiss, Council Member, First Ward  
Gene Knutson, Council Member, Second Ward  
Cathy Lehman, Council Member, Third Ward  
Pinky Vargas, Council Member, Fourth Ward  
Terry Bornemann, Council Member, Fifth Ward  
Michael Lilliquist, Council Member, Sixth Ward  
Roxanne Murphy, Council Member, At Large

##### ***Excused:***

#### **ANNOUNCEMENT(S)**

- On Monday, March 3 at 1:30 PM, in the Fireplace Room at 625 Halleck Street, there will be a Lake Whatcom Policy Group Meeting.
- On Saturday, March 15 the City Council will hold a retreat. Time and place to be determined.
- On Wednesday, March 26 at 6:30 PM, in City Council Chambers, there will be an Annual Lake Whatcom Joint Councils and Commission Meeting.

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

#### **APPROVAL OF MINUTES**

KNUTSON / BORNEMANN moved approval of the February 10, 2014 minutes of the regular City Council meeting as submitted. MOTION CARRIED 7-0.

#### **15 - MINUTE PUBLIC COMMENT PERIOD**

**Steve Crooks** shared his distress that the flags in the Flag Court at City Hall were not illuminated after dark.

**Marian Beddill** has concerns about the waterfront development plan. She also addressed the Lake Whatcom watershed and said that recent notices regarding proposed city actions were confusing, vague and missing information. She asked

that the city send out better notices to the public and not allow any more development in the watershed.

**Pat Britain** is upset with the waterfront development plan and said the most recent Request for Proposal (RFP) for a water study of marine nearshore habitat connectivity is a narrow study and a waste of taxpayer's money.

**Yoshé Revelle** shared his thoughts on climate change and ocean acidification and asked the city to reduce the affects of climate change.

**Wendy Harris** addressed the waterfront study RFP and said it is not enough and there should be a supplemental Environmental Impact Study.

**Luis Dominguez**, a member of CYOP (Choose Your Own Path) said their main goal is to help kids get off the streets and support them in their goals.

**Lindsay McDonald** addressed global warming and encouraged the council to push for a rational responses to this crisis. She would like the council to hold a forum on global warming.

## **REPORTS OF COMMITTEES**

### **Council Standing Committee Meetings**

#### **Public Works / Public Safety**

Terry Bornemann, Chair

Michael Lilliquist, Jack Weiss

**AB20316 1.** Resolution increasing the user fee for the Clean Green Transfer Facility and providing a slight decrease in the operating season

“A RESOLUTION OF THE CITY OF BELLINGHAM INCREASING THE USER FEE FOR THE CLEAN GREEN FACILITY AND PROVIDING A SLIGHT DECREASE IN THE OPERATING SEASON.”

Based on direction during committee, staff amended the resolution as follows to Section 1 - User Fee: At the end of the first sentence, add the word “minimum”. In the second sentence, remove “two(2) cubic yards or less of organic material” and replace it with “is one truck load or one trailer of comparable size”.

Council Members expressed concern that there is not enough cost recovery; that people may dump in open spaces and this may compete with the private sector. Council would like the administration to working with the county to reconsider their participation.

BORNEMANN / KNUTSON moved final approval of **Resolution #2014-05** as amended. MOTION CARRIED 4-3, LEHMAN, MURPHY, LILLIQUIST opposed

WEISS / KNUTSON moved to request that the administration work with the County and Solid Waste Committees to reconsider the Clean Green Grant from the Solid Waste Utility Tax. MOTION CARRIED 6-1, LEHMAN opposed.

**AB20317 2.** City Facility Condition Assessment

Assessment provided during committee. Information only.

**AB20322 3.** Request to authorize the Mayor to execute wholesale contract with the Lake Whatcom Water and Sewer District

BORNEMANN / KNUTSON moved to authorize the Mayor to enter into an Interlocal Agreement for Sewage Services with the Lake Whatcom Water & Sewer District. MOTION CARRIED 7-0.

**AB20300 4.** Public Works Engineering Division Update

Update provided during committee. Information only.

### **Planning**

Jack Weiss, Chair

Roxanne Murphy, Gene Knutson

**AB20318 1.** Report on Community Solutions Work Group recommended action items for Countywide Housing Affordability Taskforce (CHAT) implementation

Report presented during committee. Information only.

### **Lake Whatcom and Natural Resources**

Pinky Vargas, Chair

Roxanne Murphy, Terry Bornemann

**AB20319 1.** Ordinance authorizing expenditure authority for 2014 Aquatic Invasive Species (AIS) Boat Inspection Program

“AN ORDINANCE AMENDING THE 2014 BUDGET APPROPRIATING AN ADDITIONAL \$228,000.00 IN UNANTICIPATED REVENUE AND \$80,000.00 FROM ESTIMATED ENDING UNRESERVED BALANCE IN THE WATER FUND TO PROVIDE FOR THE AQUATIC INVASIVE SPECIES (AIS) BOAT INSPECTION PROGRAM IN THE PUBLIC WORKS DEPARTMENT.”

Council Member Weiss explained his discomfort that this is not a full cost recovery program.

VARGAS / BORNEMANN moved approval for first and second reading. MOTION CARRIED 5-2, BORNEMANN, WEISS opposed.

**AB20320 2.** Interlocal Agreement between the City of Bellingham and Lake Whatcom Water and Sewer District to finance the 2014 Aquatic Invasive Species (AIS) Boat Inspection Program

VARGAS / KNUTSON moved to authorize the Mayor to enter into an Interlocal Agreement with Lake Whatcom Water and Sewer District for Lake Whatcom Aquatic Invasive Species Prevention Program. MOTION CARRIED 7-0.

**AB20321 3.** Interlocal Agreement between City of Bellingham and Whatcom County to finance the 2014 Aquatic Invasive Species (AIS) Boat Inspection Program

VARGAS / KNUTSON moved to authorize the Mayor to enter into an Interlocal Agreement with Whatcom County for Lake Whatcom Aquatic Invasive Species Prevention Program. MOTION CARRIED 5-2, BORNEMANN, WEISS opposed.

### **Parks and Recreation**

Roxanne Murphy, Chair

Pinky Vargas, Jack Weiss

**AB20323 1.** Resolution to Increase Fees and Charges at Bayview Cemetery

“A RESOLUTION ESTABLISHING FEES FOR BAYVIEW CEMETERY.”

MURPHY / LILLIQUIST moved final approval of **Resolution #2014-06**. MOTION CARRIED 7-0.

### **Committee Of The Whole**

Cathy Lehman, Chair

Jack Weiss, Gene Knutson, Pinky Vargas, Terry Bornemann, Michael Lilliquist, Roxanne Murphy

**AB20324 1.** Resolution urging the Congress of the United States to restore the presumption of a service connection for Agent Orange Exposure to United States Veterans who served in the waters and airspace of the Combat Zone

“A RESOLUTION URGING THE CONGRESS OF THE UNITED STATES TO RESTORE THE PRESUMPTION OF A SERVICE CONNECTION FOR AGENT ORANGE EXPOSURE TO THE UNITED STATES VETERANS WHO SERVED IN THE WATERS AND AIRSPACE OF THE COMBAT ZONE.”

KNUTSON / BORNEMANN moved final approval of **Resolution #2014-07**. MOTION CARRIED 7-0.

**AB20325 2.** Waterfront District Implementation Status Report

Report presented during committee. Reports will be presented quarterly. Information only.

WEISS / LILLIQUIST moved to refer habitat assessment scoping to the Lake Whatcom Natural Resources Committee and to determine whether or not the scope of work being planned by the Public Works Department will address the wildlife assessment needs of the waterfront subarea district. MOTION CARRIED 7-0.

**3.** Approval of City Council Committee and/or Special Meeting Minutes

None submitted at evening meeting.

**4.** Old/New Business

The Transportation Benefit District (TBD) meeting has been scheduled for March 24, 2014.

Ted Carlson, Public Works Director provided an update on the snow response.

Brian Heinrich, Executive Coordinator, Mayor's Office reported that the Aquatic Invasive Species Program is being well received at the State Legislature.

**MAYOR'S REPORT**

1. Standing time for briefings, updates and reports to Council by the Mayor, if needed. Information only.

**AB20326 2.** Mayor's Reappointment of David Christensen to the Historic Preservation Commission

WEISS / KNUTSON moved to approve the Mayor's reappointment of David Christensen to the Historic Preservation Commission, term ending March 1, 2017. MOTION CARRIED 7-0.

**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. A member of the Council may ask that an item be removed from the Consent Agenda and considered separately.

**AB20327 1.** Authorization of Checks issued for Pay Period January 31, 2014 through February 6, 2014

**AB20328 2.** Authorization of Checks issued for Pay Period February 7, 2014 through February 13, 2014

**AB20329 3.** Authorization of Checks issued for Payroll January 25, 2014 through February 10, 2014

KNUTSON / LILLIQUIST moved approval of the Consent Agenda in its entirety. MOTION CARRIED 7-0.

**FINAL CONSIDERATION OF ORDINANCES**

**AB20294 1.** AN ORDINANCE AMENDING THE 2014 BUDGET APPROPRIATING \$335,000.00 IN UNANTICIPATED GRANT AND INTERGOVERNMENTAL REVENUE IN THE STREET FUND, AND \$15,000.00 FROM STREET FUND ESTIMATED ENDING UNDESIGNATED RESERVES, FOR THE LINCOLN STREET/MAPLE-BYRON PROJECT IN PUBLIC WORKS ENGINEERING

WEISS / 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:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-004**

**AB20295 2.** AN ORDINANCE AMENDING THE 2014 BUDGET RECOGNIZING \$650,000.00 ADDITIONAL GRANT REVENUE IN THE STREET FUND FOR THE JAMES/WOODSTOCK INTERSECTION IMPROVEMENTS PROJECT IN PUBLIC WORKS ENGINEERING, AND PLACING THESE FUNDS IN ESTIMATED ENDING UNDESIGNATED RESERVES

BORNEMANN / WEISS moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-005**

**AB20296 3.** AN ORDINANCE AMENDING THE 2014 BUDGET APPROPRIATING \$2,250,000.00 IN UNANTICIPATED GRANT REVENUE IN THE STREET FUND FOR THE MAHOGANY AVENUE/ARCTIC AVENUE PROJECT IN PUBLIC WORKS ENGINEERING

KNUTSON / BORNEMANN moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-006**

**AB20297 4.** AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING BELLINGHAM MUNICIPAL CODE 15.36.20 RELATING TO WHOLESALE SEWER SERVICES OUTSIDE CITY LIMITS

BORNEMANN / WEISS moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-007**

**AB20302 5.** AN ORDINANCE AMENDING THE 2014 BUDGET APPROPRIATING AN ADDITIONAL \$48,172.00 IN THE

FACILITIES ADMINISTRATION FUND AND ADDING ONE NEW POSITION IN THE PUBLIC WORKS DEPARTMENT, FACILITIES GROUP, FROM ESTIMATED ENDING UNRESERVED BALANCE

LILLIQUIST / BORNEMANN moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-008**

**AB20303 6.** AN ORDINANCE AMENDING THE 2014 BUDGET RECLASSIFYING ONE PART-TIME POSITION IN THE PUBLIC WORKS DEPARTMENT, NATURAL RESOURCES GROUP, AND REALLOCATING EXPENDITURES IN THE STREET, WATER, AND STORMWATER FUNDS TO PROVIDE FOR THE ADDITIONAL COST

KNUTSON / LILLIQUIST moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-009**

**AB20304 7.** AN ORDINANCE AMENDING THE 2014 BUDGET ADDING ONE NEW POSITION IN THE PUBLIC WORKS DEPARTMENT, ENGINEERING SERVICES GROUP, WHERE NO ADDITIONAL APPROPRIATION OR REALLOCATION OF FUNDS IS REQUIRED

LILLIQUIST / WEISS moved approval for third and final reading. Upon motion, said bill was placed on final passage and approved by the following roll call vote:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-010**

**AB20305 8.** AN ORDINANCE AMENDING THE 2014 BUDGET RECLASSIFYING POSITIONS IN THE LEGAL DEPARTMENT WHERE NO ADDITIONAL APPROPRIATION OR REALLOCATION OF FUNDS IS REQUIRED

BORNEMANN / 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:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-011**

**AB20308 9.** AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING BELLINGHAM MUNICIPAL CODE 12.12.280 REGARDING AQUATIC INVASIVE SPECIES

LEHMAN / 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:

AYES: BORNEMANN, KNUTSON, LEHMAN, LILLIQUIST, MURPHY, VARGAS, WEISS

NAYS:

EXCUSED:

MOTION CARRIED 7-0 and was thereafter named **Ordinance #2014-02-012**

**ADJOURNMENT**

There being no further business, the meeting adjourned at 8:52 p.m.

**Cathy Lehman, Council President**

**ATTEST: Linda D. Anderson City Clerk Representative**

**APPROVED: 03/24/2014**

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