



City of Bellingham
City Council Regular Meeting Minutes
January 24, 2022, 7:00 PM

Mayor: Seth Fleetwood
Council Members: Hannah Stone, Hollie Huthman,
Daniel Hammill, Edwin H. "Skip" Williams, Lisa Anderson,
Michael Lilliquist and Kristina Michele Martens
Legislative Assistant: Nalini Margaitis

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<https://cob.org/council>

All meetings are held in the City Hall Council Chambers at
210 Lottie Street, Bellingham, WA, unless otherwise noted.
Please note the doors to City Hall unlock at 6:30 PM.

Call to Order

The meeting was called to order by Council President Stone at 7:00 p.m.

Announcements & Upcoming Meetings:

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

- 1. On February 7, 2022 at 7:00 PM, there will be a Public Hearing for the consideration of staff-initiated changes to BMC Title 20 and 21, revising the docketing process for proposals seeking to amend the Bellingham Compensation Plan**

Roll Call

Present:

Council President Hannah Stone, First Ward
Council Member Hollie Huthman, Second Ward
Council Member Daniel Hammill, Third Ward
Council Member Edwin H. "Skip" Williams, Fourth Ward
Council Member Lisa Anderson, Fifth Ward
Council Member Michael Lilliquist, Sixth Ward
Council Member Kristina Michele Martens, At Large

Presentation

- 23233 1. Staff Presentation Recognizing Ali Taysi for His Nine-Year Tenure on the Bellingham Planning Commission** **p. 7**

Information Only.

Mayor's Report

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

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|--------------|-----------|--|--------------|
| 23234 | 1. | Mayor's Appointment of Anna Sorich to the Mayor's Neighborhood Advisory Commission (Information) | p. 9 |
| | | Information Only. | |
| 23235 | 2. | Mayor's Appointments to the Community Development Advisory Board (Information) | p. 12 |
| | | Information Only. | |
| 23236 | 3. | Mayor's Reappointment of Katie Plewa Olvera to the Bellingham-Whatcom County Commission on Sexual and Domestic Violence (Information) | p. 26 |
| | | Information Only. | |
| 23237 | 4. | Mayor's Appointments to the Bellingham Arts Commission (Approval) | p. 27 |
| | | Lisa Anderson / Daniel Hammill moved to recommend approval of Garth Amundson, Katie Gray, and Jody Bento to the Bellingham Arts Commission.
MOTION CARRIED 7-0. | |

The following are heard in both Committee sessions and Regular Meeting in order below:

Council Standing Committee Meetings:

Public Works and Natural Resources 9:00 AM

- | | | | |
|--------------|-----------|---|--------------|
| 23238 | 1. | Bid Award for Mill Avenue Overlay Project ES556, Bid #52B-2021 | p. 34 |
| | | Michael Lilliquist / Hollie Huthman moved to reject all ten bids of the Mill Avenue Overlay Project.
MOTION CARRIED 7-0. | |
| 23239 | 2. | Post Point Resource Recovery Overview of Triple Bottom Line Plus (TBL+) Process | p. 39 |
| | | Information/Discussion only. | |
| 23240 | 3. | Pedestrian & Bicycle Master Plan Updates - Proposed Community Engagement & Outreach | p. 54 |

Information only.

23137 4. An Ordinance Regarding Public Parking; Amending Bellingham Municipal Code Chapters 2.44, 11.33 and 11.36 p. 71

Michael Lilliquist moved approval of the proposed ordinance with the following revisions recommended by the Public Works and Natural Resources Committee:

1. Committee recommended that the civil penalty for parking infractions contained in BMC 11.33.230 be increased to \$30.00 rather than \$41.00.
2. Committee recommended that the deadline to respond to a parking citation be increased to 30 days prior to incurring the late penalty described in BMC 11.33.230.
3. Committee recommended that the phrase "unless otherwise authorized by state law" be added to BMC 11.33.060(A)(41), which prohibits persons from parking a vehicle in an electric vehicle charging station parking stall while the vehicle is not connected to the charging equipment.

Michael Lilliquist / Lisa Anderson moved for first and second reading with the three outlined revisions recommended by the Public Works and Natural Resources Committee.

MOTION CARRIED 6-0-1.

Abstained: Daniel Hammill

23221 5. Resolution Amending City Parking Rates p. 89

Michael Lilliquist / Lisa Anderson moved to amend the proposed resolution to increase the flat parking meter rate to \$1.00 rather than \$1.50.

MOTION CARRIED 4-2-1.

Opposed: Hannah Stone, Edwin H. "Skip" Williams

Abstained: Daniel Hammill

Michael Lilliquist / Lisa Anderson moved final approval of Resolution #2022-01.

MOTION CARRIED 6-0-1.

Abstained: Daniel Hammill

Michael Lilliquist / Lisa Anderson moved to direct staff to reexamine the newly adopted monthly permit parking rates listed in section 3 of the resolution in light of the change to the flat metered parking rate prior to the May 1, 2022 effective date of the change.

MOTION CARRIED 6-0-1.

Abstained: Daniel Hammill

Parks and Recreation 1:00 PM

- 23241 1. Proposed Revisions to BMC 7.04.030 and BMC 8.04.070 Restrictions on Animals in Parks – Leash Length p. 100**

The Parks and Recreation Committee provided staff direction to come back with a draft ordinance for Council consideration.

Climate Action 1:15 PM

- 23242 1. Proposed Climate Action Fund Discussion p. 104**

Staff will develop a property tax levy proposal to place a Climate Action Fund measure on the November 2022 ballot. The proposal will come forward in March of 2022.

Public Health, Safety, and Justice 2:00 PM

- 23250 1. Discussion of 2022 Priorities for Public Health Safety and Justice Committee p. 123**

Information only.

Committee Of The Whole 2:15 PM

- 23243 1. Update on GRACE and LEAD Programs p. 126**

Presentation during Committee.

Information Only.

- 23244 2. Bellingham Police Department Staffing Update p. 127**

Information Only.

- 23193 3. A Work Session to Consider Amendments to BMC Chapter 17.10 and the Washington State Energy Code - Commercial, Requiring Electrification and Efficiency Standards for Certain Multi-Family and Commercial Buildings p. 128**

Hannah Stone / Daniel Hammill moved for first and second reading.

MOTION CARRIED 7-0.

4. Approval of Minutes

Daniel Hammill / Michael Lilliquist moved approval of the January 3, 2022 Reorganization Meeting minutes as submitted.
MOTION CARRIED 7-0.

Edwin H. "Skip" Williams / Daniel Hammill moved approval of the January 3, 2022 Swearing-In Ceremony minutes as submitted.
MOTION CARRIED 7-0.

Lisa Anderson / Hollie Huthman moved approval of the January 10, 2022 minutes of the regular City Council meeting as submitted.
MOTION CARRIED 7-0.

5. Old/New Business

Lisa Anderson read aloud a letter to send to members of the Public Lands Commission, including Director Hilary Franz, to reconsider or possibly postpone the sale by DNR of over one hundred acres of timberland located in the Lake Whatcom Watershed.

January 25, 2022

Dear Board Members:

At the January 24, 2022 meeting of the Bellingham City Council, a motion was passed to oppose the "Bessie Sorts" timber sale by the Board of Natural Resources (BNR) through the Washington Department of Natural Resources (DNR) (Bessie Sorts Timber Sale (SEPA File No. 21-100901)). This proposed timber sale, by the DNR, lies within the Lake Whatcom Watershed; which is the source of drinking water for over 100,000 people.¹ In the 5 years between 2015 and 2019, multiple agencies had a total expenditure of funds of over \$43 million to manage Lake Whatcom.² In 2020, the single year expenditure was over \$10 million.³

As detailed in the Lake Whatcom Management Program annual progress reports, the City of Bellingham does monitor forestry practices within the Lake Whatcom Watershed.^{2,3}

While logging on DNR land is not under the control of the City of Bellingham, the City of Bellingham does have a vested interest in the forest health around Lake Whatcom because of the need for clean drinking water. In 1998, Lake Whatcom was placed on the Washington 303(d) list for polluted water bodies because of not meeting dissolved oxygen standards.¹ Since then the City of Bellingham has been working to manage Lake Whatcom to ensure drinking water standards are met.

The "Bessie Sorts" timber sale is problematic not only because of the continued decline in Lake Whatcom water quality⁵, but due to the significant age of the "Bessie 2" trees. Logging has been shown to have injurious effects on water quality.^{6,7,8} This impacts everything from in-stream temperatures⁶ to dissolved organic carbon (DOC) and nitrogen and phosphorus.⁷ The City of Bellingham monitors all of these aspects of Lake Whatcom and has seen increases that significantly contribute to a decline in water quality.⁵

Old-growth and near old-growth timber as found in the "Bessie 2" area; are well established in support of water quality and increased biodiversity.⁹ Thus, The City of Bellingham is adamantly opposed to the logging of the 100+ year old trees in the "Bessie 2" area. The City of Bellingham recognizes that if logging of trees greater than 100 years old occurs, then there will never be more old growth timber stands regenerated to increase biodiversity and act as carbon sinks. The City of Bellingham is committed to doing its part to combat climate change. Even logging with best practices has far more environmental impact than any natural occurrence such as rainstorms.

The City of Bellingham requests that the "Bessie 2" unit be removed from the timber sale being considered by the BNR and a pause be put on the entire "Bessie Sorts" timber sale until such time as a more thorough analysis of the impact of the entire "Bessie Sorts" timber sale can be considered in light of the current DNR evaluation of the proposed moratorium on logging legacy forests. The City of Bellingham would request the DNR to wait for a decision from the Washington State Supreme Court from the October 2021 hearing of Conservation NW, et al. v. Commissioner of Public Lands et al., No.; 99183-9. This decision might alter the DNR and BNR decision making in the future. The City of Bellingham and partners will eventually have spent over \$100 million of public money in protecting the Lake Whatcom Watershed. This is incompatible with logging that not only will reduce water quality through increased nutrient runoff but also decrease the valuable biodiversity that is necessary for an intact ecosystem.

Sincerely,

Hannah Stone

President

Bellingham City Council

- 1) www.lakewhatcom.whatcomcounty.org/about-the-lake*
- 2) www.lakewhatcom.whatcomcounty.org/resources
drive.google.com/file/d/1IvHM_EbVkJWRhp2hsh3ku_xvddvsKxjdG*
- 3) www.lakewhatcom.whatcomcounty.org/resources
drive.google.com/file/d/1OiN_XGenb8hskvetbOG_UZaQWGFiNhiF*
- 4) www.lakewhatcom.whatcomcounty.org/about-the-lake/water-quality*
- 5) cedar.wvu.edu/lakewhat_annualreps/29/
cedar.wvu.edu/cgi/viewcontent.cgi?article=1028&context=lakewhat_annualreps*
- 6) Kreutzweiser, David P., Hazlett, Paul W., and Gunn, John M. (1988). Effects of Logging on Stream Temperatures in Carnation Creek British Columbia, and Associated Impacts on the Coho Salmon (*Oncorhynchus kisutch*). Canadian Journal of Fisheries and Aquatic Sciences, 45(3) March 1988.
<https://doi.org/10.1139/f88-060>*

- 7) Kreutzweiser, David P., Hazlett, Paul W., and Gunn, John M. (2008). Logging impacts on the biogeochemistry of boreal forest soils and nutrient export to aquatic systems: A review. *Environmental Reviews*, Vol. 16 December 2008. <https://doi.org/10.1139/A08-006>
- 8) Karlsson, Daniel. (2014) Logging impacts on catchment biogeochemistry: A review with emphasis on northern boreal ecosystems. Unpublished Master's Thesis. Umeå University, Faculty of Science and Technology, Department of Ecology and Environmental Sciences. <https://www.diva-portal.org/smash/record.jsf?pid=diva2%3A726263&dswid=9788>
- 9) Franklin, J. F., & Spies, T. A. (1986). The ecology of old-growth Douglas-fir forests. *Oregon Birds*, 12(2), 80.

Michael Lilliquist moved to revise the letter, to include a new third paragraph, between the current second and third paragraphs, to read as follows:

Previously this timber sale was reviewed by the Interjurisdictional Committee of Local Governments with stewardship over Lake Whatcom Watershed in a letter dated August 2, 2021 IJC members concluded the design of the best t-sort proposal meets the intent of the Lake Whatcom Landscape Plan and no objection was raised at that time. The concerns of the Bellingham City Council in this letter, in contrast, go beyond the question of whether or not the proposed harvest is compliant with the landscape plan.

Michael Lilliquist moved to revise the letter, to include a new third paragraph, between the current second and third paragraphs.

Michael Lilliquist / Lisa Anderson moved to include the new paragraph into the letter.
MOTION CARRIED 4-3-0.

Opposed: Daniel Hammill, Hollie Huthman, Hannah Stone

Lisa Anderson / Michael Lilliquist moved that the City Council support the revised letter to be sent on behalf of the City Council by the City Council President.

MOTION FAILED 3-4-0.

Opposed: Hollie Huthman, Daniel Hammill, Edwin H. "Skip" Williams, Hannah Stone

Executive Session 3:30 PM

1. Potential Property Acquisition (Erb, approx. 15 mins)

Staff provided information on a potential property acquisition. For information and discussion. No action taken.

**2. Labor Relations: Discuss Collective Bargaining Strategy
(Monahan, approx. 30 mins)**

Staff provided information on a labor relations matter. For information and discussion. No action taken.

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.

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|--------------|-----------|--|---------------|
| 23245 | 1. | Authorization of A/P Transactions Issued December 31, 2021 through January 06, 2022 | p. 462 |
| 23246 | 2. | Authorization of A/P Transactions Issued January 07, 2022 through January 13, 2022 | p. 463 |
| 23247 | 3. | Authorization of Payroll Labor Cost Payments Dated November 16, 2021 to November 30, 2021 | p. 464 |
| 23248 | 4. | Authorization of Payroll Labor Cost Payments Dated December 01, 2021 to December 15, 2021 | p. 465 |
| 23249 | 5. | Authorization of Payroll Labor Cost Payments Dated December 16, 2021 to December 31, 2021 | p. 466 |

Daniel Hammill /Michael Lilliquist moved approval of the Consent Agenda in its entirety.
MOTION CARRIED 7-0.

Adjournment

There being no further business, the meeting adjourned at 9:06 p.m.

Hannah Stone, Council President

ATTEST: Nalini Margaitis, Legislative Assistant
APPROVED: 2/7/2022