

ORDINANCE NO. 2009-05-029

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON AMENDING SECTIONS OF THE BELLINGHAM MUNICIPAL CODE 2.90 WATERSHED ADVISORY BOARD TO INCREASE THE NUMBER OF MEMBERS AND REVISE THE AUTHORITIES AND DUTIES OF THE WATERSHED ADVISORY BOARD.

WHEREAS, the Watershed Advisory Board advises the City of Bellingham on the purchase and management of properties in the Lake Whatcom watershed for the purpose of protecting lake water quality, and

WHEREAS, there is a need to consider citizen input while developing and implementing water quality protection programs in the watershed, and

WHEREAS, an increase in the number of member of the Watershed Advisory Board will more accurately represent a diversity of watershed interests and perspectives;

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Bellingham Municipal Code 2.90 is amended as follows:

2.90.010 – Watershed Advisory Board Authorized

A. Pursuant to Section 7.01 of the City Charter there is established a Watershed Advisory Board (the “Board”) “which shall” provide citizen advice regarding the protection, clean-up, and restoration of the Lake Whatcom reservoir and the surrounding watershed, the City watershed land acquisition program, and shall provide citizen advice concerning proposed specific land acquisitions except when not feasible.

B. The Board shall consist of up to 11 members appointed and removed by the Mayor, and confirmed by City Council. Members shall serve terms as defined in Section 2.90.020. Each members shall be a citizen of the United States and a resident of the State of Washington for at least 3 years. Members shall be electors and residents in Whatcom County for at least 2 years prior to appointment as a member of the Board.

C. Selection of members of the Board shall be made with due regard for diversity in all its forms to ensure full community representation and perspectives from a broad range of backgrounds and interests. Knowledge of lake, stream and/or watershed processes is encouraged in prospective members.

2.90.020 - Terms Of Appointment

Each member shall serve for a period of 3 years, and the terms of appointment shall be staggered, by necessary means, so that three members' terms expire each year. A member may be reappointed. Any vacancy in the membership of the board shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired terms.

2.90.030 - Compensation - Conflicts Of Interest – No change

2.90.040 - Authority And Duties

A. The Board shall advise the City regarding the protection, clean-up, and restoration of the Lake Whatcom reservoir and the surrounding watershed, the watershed land acquisition program, and the future use and maintenance of acquired property. The Board shall provide citizen advice concerning proposed specific land acquisitions except when not feasible. The City Council, as required by law, shall make the final decision.

The specific responsibilities of the Board are more particularly described as follows:

1. To provide advice and input to the City staff regarding recommended land acquisitions in the Lake Whatcom Watershed.
2. To consult with and make recommendations to the City staff regarding policies for the use, maintenance and/or disposition of acquired property.
3. To encourage individuals and community/private groups or entities to donate funds and/or property to the Lake Whatcom Watershed Program.
4. To make recommendations to the City staff or the City Council regarding some or all of the issues that come before the Board, including the protection, clean-up, and restoration of the Lake Whatcom reservoir and its surrounding watershed. The City staff or City Council may adopt, modify, or reject such recommendation. The recommendation of the Board shall be transmitted to the City Council along with the staff recommendation.
5. In providing recommendations, the Board shall be guided first by the overriding goal of protecting the source drinking water quality in the Lake Whatcom

Reservoir. In providing these policy recommendations the Board shall be guided further by consideration of reducing development and development potential in the watershed.

B. The Board shall advise the City regarding protection, clean-up, and restoration of the Lake Whatcom reservoir that serves as the municipal drinking water source, with regard to known and potential threats to water quality, including but not limited to surface and ground water runoff, surface water source control, stormwater control, pesticide and fertilizer use, climate change, and recreational use, as well as potential remediation efforts. Such advice shall be advisory only.

C. The Board and City staff shall undertake their functions based upon consideration of the baseline criteria adopted by Joint Resolution of the City, Whatcom County, and Water District 10, (now known as Lake Whatcom Water and Sewer District), as well as upon consideration of the City of Bellingham Overlay Criteria, adopted by the City Council. The Board shall annually review the City of Bellingham Overlay Criteria and recommend amendments to the City Council as appropriate.

2.90.050 – Organization – No change.

PASSED by the Council this 18th day of May, 2009.



Council President

APPROVED by me this 26th day of May, 2009.

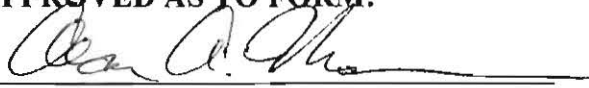


Mayor

ATTEST: 

Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

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