

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELLINGHAM, WASHINGTON ESTABLISHING A WATER RESOURCES ADVISORY BOARD; ADDING A NEW CHAPTER 2.91 TO THE BELLINGHAM MUNICIPAL CODE

WHEREAS, the City of Bellingham (the “City”) owns and operates municipal water, sewer, and surface and stormwater utilities under Title 15 of the Bellingham Municipal Code; and

WHEREAS, the City operates its municipal water utility in compliance with local, state and federal regulations intended to protect the public health by ensuring safe and reliable drinking water now and in the future; and

WHEREAS, the City has authority to participate in and expend revenue on cooperative watershed management actions for purposes of water supply, water quality, and water resource and habitat protection and management; and,

WHEREAS, the City protects water quality in the Salish Sea by providing quality sewer treatment at the city of Bellingham Post Point Resource Recovery facility, pollution prevention activities, industrial pretreatment requirements, combined sewer reductions, and overflow prevention; and

WHEREAS, as stated in Title 15 of the Bellingham Municipal Code, the intent of the surface and stormwater utility is to protect the city’s aquatic resources, provide a response to reduce flooding and erosion damages, reduce the discharge of pollutants and improve fish habitat within the city; and

WHEREAS, the City’s Public Works Department is assigned responsibility in Title 2 of the Bellingham Municipal Code for the maintenance and operation of the water, sewer and surface and stormwater utilities; and

WHEREAS, the City recognizes the importance of a comprehensive view of the interconnectivity of all water resources and the importance of proactively protecting and restoring the community’s water resources including lakes, streams, and the bay to ensure the availability of safe natural spaces and clean affordable drinking water in perpetuity; and

WHEREAS, the City periodically updates utility system plans to plan for future needs, including the Water System Plan, Surface and Stormwater Comprehensive Plan, Comprehensive Sewer Plan, and the Lake Whatcom Five-Year Work Plan; and

WHEREAS, since its creation in 2002 the Lake Whatcom Watershed Advisory Board had contributed greatly to development of effective tools and policies protecting the Lake

Whatcom Watershed and that an advisory board with a broad view of all water resources in Bellingham will be similarly beneficial to the community; and

WHEREAS, the City desires to form a Water Resources Advisory Board of Bellingham residents whose purpose is to help inform and guide the City's planning and policy regarding the protection and management of water resources, including municipal water, sewer, and surface and stormwater systems, controls and rates, including drinking water source protection.

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. A new Chapter 2.91 is added to the Bellingham Municipal Code as follows:

**Chapter 2.91
WATER RESOURCES ADVISORY BOARD**

2.91.010 Established.

Pursuant to Section 7.01 of the City Charter, there is hereby established a water resources advisory board.

2.91.020 Responsibilities.

The board shall advise the city council, mayor, public works director, and other city departments on the formulation and implementation of plans, programs and projects concerning the city's municipal water, sanitary sewer, wastewater treatment and disposal, and surface and stormwater utilities, including the protection and preservation of Lake Whatcom through, in part, the watershed acquisition program, as the city's primary source of drinking water. Such plans include but are not limited to the water system plan, surface and stormwater comprehensive plan, comprehensive sewer plan, and the Lake Whatcom five-year work plan.

2.91.030 Membership.

- A. The board shall consist of up to nine members. Members shall be appointed and removed by the mayor and confirmed by city council. Members shall serve without compensation. No member of the board shall be employed by the City.
- B. Members shall serve three-year terms. At the outset, appointments may be for shorter terms to allow for staggered terms of service. Members may be reappointed without limitation. 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 term.

A. Members shall be residents of the City of Bellingham. To the extent possible, members shall be selected so that the board collectively possesses knowledge and/or experience on the following municipal matters:

1. Drinking water source preservation and protection;
2. Drinking water utility systems;
3. Sanitary sewer utility systems, including wastewater treatment and disposal;
4. Surface and stormwater utility systems; and
5. Utility finances and rates.

2.91.040 Organization and meetings.

- A. Upon the initial appointment of the board, the board shall elect a chairperson and vice chairperson from among its members to preside at its meetings, and thereafter such officers shall be elected at the first meeting in January of each year.
- B. The board shall appoint a secretary who shall have charge of all board records and shall keep accurate and complete minutes of all meetings. The secretary need not be a member of the board. All records of the board shall be public records, maintained in accordance with the Washington Public Records Act, Chapter 42.56 RCW.
- C. A majority of the members of the board shall constitute a quorum for the transaction of business and a majority of board members present shall be required to approve any action; provided, however, that the adoption or amendment of board bylaws shall require approval by majority vote of the entire board (not just a majority of those present at the meeting where the vote occurs).
- D. Regular meetings of the board shall be held at least six times per year. Additional special meetings may be held as the board deems necessary. All meetings of the board shall be open to the public and in accordance with the Washington Open Public Meetings Act, Chapter 42.30 RCW.
- E. The board is authorized to make bylaws for the conduct of its business, consistent with this chapter.
- F. The public works department shall support the board in the fulfillment of its responsibilities.

PASSED by the Council this _____ day of _____, 2023.

Council President

APPROVED by me this _____ day of _____, 2023

Mayor

ATTEST:

Finance Director

APPROVED AS TO FORM:

Office of the City Attorney