

RECORD OF PROCEEDING OF
CHUCKANUT COMMUNITY FOREST PARK DISTRICT
APPROVED MEETING MINUTES

Special Meeting and Public Hearing

Monday, December 16, 2013

Held at: City of Bellingham City Council Chambers, City Hall
210 Lottie St, Bellingham, WA
7:00 PM

Our Mailing Address: PO Box 4283, Bellingham, WA 98227

Official email addresses for the Commissioners, where the public may send comments (subject to public disclosure):

John Hymas	hymas@fidalgo.net
Vince Biciunas	vbici.ccfpd@gmail.com
Cathy McKenzie	cmckenz.ccfpd@gmail.com
Sue Kaun	skaun.ccfpd@gmail.com
John Brown	jbrown.ccfpd@gmail.com

Our Mission: The mission of the Chuckanut Community Forest Park District is to ensure the entirety of the property is protected in perpetuity in public ownership, with respect for its ecological, recreational, and educational functions and to serve as a fiscal mechanism through which the district, via a tax levy, will repay the City of Bellingham for the Greenways Endowment Fund loan.

This meeting was held in conjunction with the Bellingham City Council's Regular Meeting, Chaired by Seth Fleetwood.

Called To Order The CCFPD meeting was called to order by President John Hymas, at 8:10 pm.

Commissioners and Citizens, City Council, Mayor Linville, and Staff, were welcomed and thanked for attending, and informed that per Chapter 42.30 RCW (Open Public Meetings Act), all CCFPD board meetings are open to the public.

Roll Call:

John Hymas, President
John Brown
Vince Biciunas, Clerk
Cathy McKenzie
Susan Kaun

All Present

Motion to approve the Agenda for today's Special Meeting was made by Susan Kaun and seconded by Cathy McKenzie. It passed unanimously with no changes.

Joint Public Hearing was opened by City Council Chair Seth Fleetwood.

Public Hearing (AB20247) 1. Joint Public Hearing of the City Council and the Chuckanut Community Forest Park District Board to consider the City's proposed sale of a Conservation Easement to the Park District and related Interlocal Agreement.

Quoted from Record of Proceeding of City Council, City of Bellingham, Washington, Council Chambers, City Hall, Monday, December 16, 2013:

Alan Marriner, Assistant City Attorney, City of Bellingham, welcomed the Chuckanut Community Forest Park District Board and introduced the Park District negotiating team: Bob Carmichael, Simi Jain, Attorneys; and Park Board Members Cathy McKenzie and John Brown.

Mr. Marriner explained that when the city purchased the Chuckanut Community Forest property it did not, at that time, identify a source for repayment of the loan. This led to the initiative by the residents of South Bellingham to propose the Park District to make the Greenways Endowment Fund whole. He reviewed the direction by City Council to negotiate an agreement with the Park District. The tentative agreement provides for the city sale of a conservation easement to the Park District for repayment of the loan plus interest over a ten year period. After full payment, the Park District will dissolve, i.e., cease to exist or risk the city's termination of the conservation easement. The Easement allows a long list of nature oriented recreational, scientific and educational uses on the property. The agreement provides that the city will maintain ownership and control over the property and must go through it's park master planning process before developing the property. The master planning process will be subject to the conservation easement.

The Interlocal Agreement provides the terms for the city's sale of the conservation easement to the Park District.

James King Director, Parks & Recreation Department, City of Bellingham, reviewed the priorities of the Parks Department with regard to the negotiations and recognized that compromises were made by both parties. Parks priorities included:

- the loan be repaid to the Greenways Endowment;
- the interest that the Endowment would earn over the next ten years be paid, as the interest is used to do maintenance in the parks;
- the city retain ownership and management of the land;
- the Parks District stay true to its mission: and
- when the loan is repaid, the Park District be dissolved.

Mr. King affirmed that the Conservation Easement assures that the natural features, functions and values of the property are protected in perpetuity while

allowing nature oriented, non-motorized public recreation scientific and educational uses.

Bob Carmichael, Attorney for the Park District, described the park District formation and election of the Park District Commissioners who were approved and elected by the citizens of South Bellingham. The Park District has agreed to:

- the payment of \$3.32 million plus interest to the Greenways Endowment Fund
- to dissolve after repayment of the loan.

Mr. Carmichael noted that the easement has a section on a broadly expansive list of uses. And, there is a section on restrictions that specifically identifies things that will be prohibited in the course of using the property. He noted that there is good alignment in these sections. The Park District's mission of preservation of the ecological significance of the property was very important to the Park District in the negotiations and was the foundation upon which those negotiations were built. There will be a robust master planning process associated with this park as soon as the city has the funding to go forward with the master plan for this park.

Council President Fleetwood opened the public hearing.

End Quoted City of Bellingham Record of Proceedings.

Robyn Dupre spoke in support of the Conservation Easement and Interlocal Agreement. As one of the originators of the Ballot Initiative that created the District following a vote of the citizens of the south side, she congratulates us on the loan repayment while protecting the forest. A robust master planning process will be welcome, now that we have paid for the parcel.

Delaine Clizbe spoke in opposition to the Conservation Easement and Interlocal Agreement. She wishes to affirm she is a tax-payer who is 'too mad to cry' regarding infill going to existing neighborhoods rather than this parcel, and the lack of city planning.

Bob Dillman spoke in support from the viewpoint of a voter who voted to create this District and sees the fairness of these agreements.

Dudley Evanson spoke in support. She has been interested in this since 1990, and is happy that it has brought neighbors together. This last bit is being funded by the south side, though used by everyone, even those from out of town. Reviews the history of Interurban Neighbors and the Greenways programs.

Stacy Neal spoke in support of the Hundred Acre Wood. Celebrates the foresight of keeping this property in its wild state, and thanks RD for leading.

Kim Feringer spoke in support. He grew up on Chuckanut Drive and sees how degraded the bay and hillsides are in the last 50 years and is happy at least this section will be protected. Urges passage of these agreements.

Christopher Grannis spoke in support. He reviewed the Wildlife and Habitat Assessment of 20 years ago supporting protection of this property. He expressed appreciation for so many who have made this happen, beginning with the Greenways Levy programs. Partnership for Puget Sound was instrumental, with Mayor Kelli's input. Dudley Evenson was one of the first who put time and effort and money into saving this property. Thanks the commissioners and the citizens who voted for the district. He is full of gratitude.

Brooks Anderson spoke in support. She has a grandson Seth who wanted a 'good deal on a small forest'. She wants us all to share in the good deal. She is proud of us all. The people have made it happen, to come to it's rightful conclusion.

Hue Beattie spoke in support, also referring to his progeny, appreciating the forest and the preservation of it.

Dominique Zervas spoke in opposition to the Conservation Easement and Interlocal Agreement, asking the city to remove the restrictions to future park use. She spoke on behalf of the Park Board, complaining of the internal inconsistencies. Sees only the singular purpose of raising money to repay loan. Park Board supports acquisition of this property by the city. Asks for the master planning process.

Frank James spoke in support. Dr. James reaffirmed that tonight has been a long time coming. It's a special place. Agreement represents a pragmatic clear path forward, for future generations. Is grateful for the long service of many in this room. Dr Gibb called to pass on his greetings. Joe Yaver spent countless hours trying to build this pragmatic compromise. Appreciates the donations on dollars of many for this 'investment' of preservation. Thanks everyone for efforts and many points of view. Despite conflict, it's brought people together, a forest, a treasure for our future.

Public Comments Concluded and Public Hearing was closed.

Quoted from Record of Proceeding of City Council, City of Bellingham, Washington, Council Chambers, City Hall, Monday, December 16, 2013:

CITY COUNCIL ACTION:

BOURNEMANN / LEHMAN moved to authorize the Mayor to enter into an Interlocal Agreement with the Chuckanut Community Forest Park District for

repayment of the Greenways Endowment Fund Loan and to execute the Chuckanut Community Forest Conservation Easement.

WEISS / LILLIQUIST moved to amend Section VIII, 7. Of the Conservation Easement to insert, "except as provided in the Park Master Plan". MOTION CARRIED 7-0.

WEISS / LILLIQUIST moved to amend Section IV. 1. Of the Conservation Easement to insert, "except as provided in the Park Master Plan"; and to delete items 1.a -1.t.

Concerns were expressed by both City Council members and Park District commissioners with regard to eliminating all of the uses as described in Section IV.1.a -1.t. WEISS withdrew the motion.

SNAPP / LILLIQUIST (sic LILLIQUIST / SNAPP) moved to amend Section IV, #1 and delete item 1.o "Forest Zip Lines". MOTION CARRIED 7-0

MAIN MOTION CARRIED 7-0

John Hymas, President, Chuckanut Community Forest Park District Board, called their meeting back to order. (sic.)

CHUCKANUT COMMUNITY FOREST PARK DISTRICT BOARD ACTION:

SUE KAUN / CATHY MCKENZIE moved to approve the Interlocal Agreement with the City of Bellingham and execute the Chuckanut Community Forest Conservation Easement as amended by Bellingham City Council. MOTION CARRIED 5-0.

John Hymas adjourned the special meeting at 9:25 p.m.

End Quoted City of Bellingham Record of Proceedings.