

Regular Meeting of the Board of Library Trustees
Thursday, October 05, 2006 - Library Board Room
01:30 PM - 04:30 PM

Minutes of Actions and Decisions of the Board of Library Trustees of the Bellingham Public Library as Authorized by RCW 27.12.210 and SEC. 7.02 Charter of the City of Bellingham.

Board Members Present: Chairperson: Tim Douglas, Vice-Chairperson: Alan Kemble, Faye Hill, Vicky Marshall, David Edelstein

Board Members Absent:

Library Staff: Pam Kiesner; Lizz Roberts; Scott Blume; Sue Kenney; Gladys Fullford

Others: John Watts, City Council Liaison, Sam Taylor, Bellingham Herald, John Servais, Margaret Ziegler, Bob Schneider, Barbara Davenport, Becky Pillai, Stan Snapp, Jack Weiss and J. Gordon

Called to Order: Regular session was called to order at 1:30 p.m. by Chair Alan Kemble; the agenda was approved.

Strategic Planning: Alan introduced J. Gordon, principal engineer for GeoEngineers. David Edelstein asked about the need for driving piles at all the city-owned sites under consideration, and in particular the possibility of below grade parking. J. Gordon explained GeoEngineers' experience at the ReStore and Maritime Heritage Park sites. His company designed the abutment and stabilization to the bridge, Maritime Heritage Park building, Boss Tweed for Trillium, and the hillside stabilization behind the museum.

He doubts that much ground modification has occurred at the Municipal Court site. It would probably be the easiest site from a soils and development consideration. A 3 to 4 story masonry building would require piles.

From his previous study J. Gordon stated the ground water level at the Library Block is about 5 feet below ground level. A water-tight building would be required for anything under ground. It would be pile supported. Piles go to bedrock which supports as much building as is needed.

Both Maritime Heritage Park and ReStore are in an EPA designated Brownfield site. Anything that is built must comply with a restrictive covenant. The bedrock at Boss Tweed and Holly is at about 30 feet; the parking lot behind the museum is at 30 feet; along Holly bedrock goes to 50 feet; below ReStore at the bridge abutment the bedrock is 90 feet. The north side of the creek is the old municipal landfill. The south side is mostly inert construction debris. There is high methane on both sides. If you go below the grade through the cap, you would be exposed to methane and potentially hazardous conditions. Everything dug up must be carried away to suitable disposable facility like landfill. Maritime Heritage Park building had to do an impermeable membrane gas barrier underneath the building. It also has a passive venting system. It is possible to go below grade at the Maritime building site. If the building was tucked into the hill side it has been stabilized with mostly sand from the Bellwether site and probably no hazardous material. That might be fill that could be disposed of normally. Landfill that is below grade level would have to go to Seattle. Ground water is deep and not an issue there. There is a restriction from the State regarding cutting into the hillside. If land negotiated from the State is used, other land must be given back.

David asked about the difference in piling of a three-story public masonry building or if a couple of floors were added on these sites. J. answered that it is better to use bigger piles. The incremental sized piles for more stories would not be that much more expensive.

David asked about geotechnical information on the Municipal Court site. J. Gordon said the closest thing available would be the Bellingham Police Department. Since it is non-disturbed site, fill is not expected. J. Gordon explained that the soils are soft and clay. Any multi-story building will need piling for support. An alternate system for a mixed use building might be to use a less expensive sand aggregate pier. With a three to five story building, it should be pile supported.

David asked about building a parking garage into the ground of the current site with the ground water at 5 feet below the lawn. J. Gordon answered said the original 2005 report gives an explanation. The site would be dewatered during construction, and concrete additives would be used, making sure that all the penetrations are impenetrable. It is more expensive, but do-able. The ground water presence could be measured with a watering well in the parking lot, and checking it on a regular basis. A 1983 report on City Hall shows readings of 47 to 48"; it would be safe to say the elevation on the site would be 55" or 5' to 7' below grade range. This is the best time of year to measure before the ground water comes back up.

David asked if there was any chance it is perched instead of ground water. J. Gordon explained this site is an old estuary backwater to the creek. There is peat 8' down. Peat only lives in constant water. Perched water usually has a soil profile that prevents water from going down. Drains can be put all around such an area.

Tim asked about the soil that has been added to the hillside below the Museum. J. Gordon explained the hillside was unstable for a park environment, so sand was brought in to build the trail and stabilize hill. It can be easily excavated. The one wild card is what the fill contains. The hillside is outside the consent to decree. A building could be tucked into the hillside. A retaining wall would be a standard issue.

Alan mentioned the Department of Ecology Consent Decree has a map that shows the outline of the fill coming fairly close to the Museum. J. Gordon said the Consent Decree is based on the Remedial Investigation Feasibility Study document. That map shows the line at the toe of the slope. It does go into the Boss Tweed site, and the Boss Tweed site is captured under the Consent Decree. They would have the same provisions that a library would. You could not put a day care in your basement. When asked if children's programs could go on the ground floor, J. Gordon said it was a huge issue. The term "classroom" on the Park Department's Interpretative Center raised the Department of Ecology's hackles. Any project there must be reviewed by the Department of Ecology. The Department of Ecology determined that "classroom" meant children, and therefore decreed that both an impermeable gas membrane as well as a gas-venting system be used even though the building was planned to be two feet off the ground. A library would be in the 25 to 45% of the lower explosive limit. That is a pretty high number. With safety and public health being a huge issue, both an impermeable membrane and gas venting system would be required. If you have parking at that level, the requirement may be for only one or the other. There would be ventilation in that garage anyway.

Pam mentioned that David, Alan and she met with Jeff Capell, the City Attorney who handles real estate. Jeff has done research on these properties that will be reported to the Board.

The entire area on the south side of the creek including up into Boss Tweed is encapsulated in the land fill. The ground water is deep. One story below grade is fine. The Consent Decree is any development on the landfill. Any development is subject to four or five elements of the Consent Decree. Any excavated soil must go to a landfill. Methane must be investigated and responded to accordingly with gas venting and/or membrane, and requires long-term monitoring. Utility requirements include use of clean soil.

Tim asked about the methane capturing system. J. Gordon explained when you penetrate or put something over the top, a passive venting system with sand, gravel and pipes takes it to the air. If it is a higher explosive limit, it is collected, put into a stack and vented in an active system. How it is treated depends on what the levels are. When there is living space in the bottom, it may need a membrane.

J. Gordon explained why the ground water is higher here than the lower elevation at Maritime Heritage Park. There is a trough in the bedrock profile that runs from the library to the creek at Prospect Bridge. Water is captured from the creek in the basin.

Faye asked about the need for continued methane monitoring. J. Gordon said if there was a passive system, someone would take methane readings to make sure the system is working. He said his company is not doing the monitoring of the current system, and does not know how much is being collected. Methane is much higher on the north side of the creek towards ReStore. The source for the methane on the south side is sawdust that is decomposing.

To recap, the slope at Maritime Heritage area below the Museum was put in to stabilize. It could be dug back without prejudicing the rest of the slope. The slope would be retained with a structure. Anything removed would be replaced with buttressing such as a building. Bedrock is 30 feet high in the parking lot and very sloping. Piles of a range of depths could be sunk into the soft bedrock. A structure could be placed far into the slope. The issues would be cost and below grade landfill.

J. Gordon talked to the Ecology Program Manager about use of the Maritime Heritage site. Credit is given for public suitable use of a Brownfield site.

Strategic Planning: Alan reported on the meeting with Jeff Capell, who researched the title of Maritime Heritage Park. There are multiple properties that have been combined. Some are owned by City, and some are under private ownership. There is very incomplete information. Specifically the L-shaped piece of property down street on Holly by the Boss Tweed parking lot previously owned by the County is the only property that came up with any title search information. Jeff will go back and see if anything else has been archived. Jeff also talked about the Consent Decree.

David said any public building that is built at the Maritime Heritage Park or Boss Tweed or ReStore sites is going to have to deal with the Consent Decree.

Pam stated that Jeff talked about the severed estates rights to coal and minerals. The City has title to the surface. It is unclear who has title to the coal and minerals underneath. Jeff's opinion was that it was not of major significance, but we should be aware of it. More research would be needed if we wanted to advance with that site.

The question if the public built in the Maritime Heritage Park or the ReStore site, was there money put in from the State or Federal Government that would require the City to replace the land lost in the building with other designated park land has not been definitively answered. David said we are assuming that is very possible.

Alan said he had the impression there was a distinct lack of documentation for this site.

David said it is very possible that the Maritime Heritage site and the ReStore site were not purchased at the same time, were purchased with different funding, and with different constraints or lack of constraints.

Tim said he has restricted his thinking to what is available is south of the sidewalk in Maritime Heritage Park. The Parks was more comfortable with looking at property south of the hill climb, and not comfortable with anything north. A thorough title search would need to be commissioned.

Jeff also provided information about Municipal Court. The City purchased two blocks for the Municipal Court site from Calvary Temple Pentecostal Church in 1999. There were no restrictions at the time of the sale. There is an interlocal agreement with the County to provide a minimum of 15 parking stalls for the County Health Department on a portion of the parking lot or in another suitable location agreed to by both

parties. There was one statement of little significance having to do with the Pentecostal Church and the Assessor.

We did ask Jeff to proceed with a title report on this site.

Alan asked if the Board wishes to commission a title search to bring the Municipal Court site up to date and for any other area of Maritime Heritage Park. Jeff did not have the authorization to order these title searches. The cost would be about \$500. David suggested the purchaser should have the title readily accessible. If the City doesn't have it, they should fund the research. David said he did not hear from Jeff that he has a current title policy on the library block. If we go with this site, we should order a title search. If we go with Maritime Heritage Park, the City should have the title policy.

Alan asked if the Board was prepared to make any decisions to narrow the selection down or to go forward with one particular site. Do they want to go forward with volumetric studies? Who within the City is going to participate with parking costs? Alan would like to start a discussion with the Parking Commission. Pam has a list of the Parking Commissioners and a copy of John Watts' letter saying the City needs to discuss parking more. Pam would like the Board to have a meeting with the Parking Commission. There may be a resolution coming to the Board from some of the folks in the downtown area proposing that we select this site. We may want to include them in the parking discussion.

John Watts arrived at this point in the meeting. John has heard from Dick McKinley that Public Works would be interested in working with the situation, particularly if it is going to be paid parking. John suggested it would be good to talk to Public Works and the Parking Commission. When they are ready to present the ideas, come before the City Council Parking and Capital Projects Committees.

Tim commented that he was still withholding his judgment on the best site because there are pros and cons with all of them. He believes it would be wise to get rid of Lottie Street, especially if replaced with parking. He does not favor pushing up to the other end of the current site. The historical integrity of City Hall should be respected. He does favor if we do something on this site, looking at this side of the site. It is important to retain and have as much open space as we now have. He suggests a building that looks into green open space on the north and a plaza connecting to a passageway to the south. This building would not have to remain for any architectural reason. Although the public is vested in the building, Tim would not want to waste money to update the current building.

Pam reviewed the Geiger Report before the meeting. To get the building up to code seismically it would cost \$880,000, close to \$1,000,000 for any use.

David said no one site has it all. Municipal Court site would be the easiest to build on. A three story building with one story parking could be built. We would not be compelled to build more than two stories as much as on the library block where we would need a more substantial building because of the location. It would not be prudent to build a two-story building in the same location without parking. If we are going to build on the current site, David would like to enjoin the City and the County to share in the parking. If we need to pile the building, added parking does not require much more incremental cost for foundation. If we built a new building with two floors of parking underneath on this site, and if we vacated Lottie Street and Grand Street, it would change the whole atmosphere of the Civic Center. The parking could be taken off Commercial Street and possibly widen it for maneuverability for emergency vehicles. There are many possibilities such as a planting strip down Commercial Street.

David commented on the constraints at Maritime Heritage Park. He said if the Boss Tweed site was part of Maritime Heritage Park, it would be easier to envision parking, ingress and egress from the building. We cannot build higher than the ground floor of the Museum. The view of and from the Museum should be maintained. The site has a lot to offer. People could go from the Museum to the Library, parking garage or park using an elevator. There is a different weather pattern, a little colder and breezier. The ReStore site is a little removed from the City Center and Arts District as is the Municipal Court site.

Public Comment: John Servais' concern is making the public able to participate fully. He suggested that it was difficult for citizens to attend afternoon meetings. The start time should be posted on the website. Since unapproved minutes are mailed to the Board, media and some Friends, John would like to see the draft minutes posted on the website. John also suggested there should be email contacts for the Board on the website. The website needs to be updated to enhance public involvement.

John's second issue is that he prefers branch libraries instead of a main building. He said a branch library would relieve pressure on the main library.

John was asked by former Mayor Ken Hertz to help found the Maritime Heritage Foundation in 1980. Their job was to help get funding and public participation in the building of the Maritime Heritage Park. John was Master of Ceremonies at the ground breaking of phase one of three phases. Concerning the title searches, the park was put together in pieces. He said Steve Price was the keeper of all the knowledge on putting the park together. Twenty-six years ago a lot of money was put into the park; John is quizzical about covering it with a library and parking.

Alan commented that these were all valid points. He clarified that when the discussion of Maritime Heritage Park began, the point was made that maybe the Library would attract more people to use the park. It was to think in the long term a complimentary usage of the park. Alan would not be in favor of paving over a significant portion of the park. John Servais agreed that a library could enhance the park.

John Watts clarified that the Maritime Heritage Park is a relatively new idea the Board agreed to look at. The reason it seemed feasible is that it is close to the waterfront, which will be redeveloped over the next 20 – 25 years. It was already City-owned property.

Strategic Planning: Alan mentioned the Board should not lose the link that Tim has filled with the people of Barkley Village. Vicky Marshall volunteered. She said she works at Roosevelt School and has a real interest in that neighborhood. Tim will introduce Vicky to Jeff Kochman.

Public Comment: Bob Schneider said his vision of the town is that this is a chance to bring the City together at Maritime Heritage Park. It is a beautiful spot. A sacrifice of some of the land will not take away from what is available in park land. Without all the complexities of engineering and costs, this is a lovely place that would blend downtown with the waterfront. This is an ideal space for a partnership parking scenario with the County. Bellingham is a place to enjoy not by driving around, but by walking and bicycling.

Becky Pillai enjoyed the tour with the Board. She agrees how complex this decision is. She is a champion of public libraries. On weekends the whole area from the Municipal Court site to the current site is deserted except the library. There is no life or energy. The bluff would link the library to an already established lovely park. It would be articulated with the new waterfront development and retail shops on Holly Street.

Communications: There are two letters in the packet. One is the letter from John Watts to Malcolm Fleming concerning the City's parking responsibilities. A letter from Michael McAuley is written on behalf of the Lettered Streets Neighborhood. He endorses the ReStore site.

Pam explained the sites that Michael McAuley made reference to in his letter were the Maritime Heritage site and Municipal Court site.

Pam made copies of the most recent public comments that had come into the Bellingham Herald as a result of a recent news article. There were four comments in favor of the current site and four comments in favor of looking at branch libraries.

Pam said it would be good for us to have these kinds of surveys and questions on our own website. We will work on answering John Servais comments.

Minutes approved: September 19, 2006 regular meeting minutes approved as read.

Claims: September, 2006 claims were not available in time for the Board Packet mailing.

Statistics: September statistics were not available for the Board Packet mailing. They were passed out for approval at the next meeting.

Trustee Education: Library Programming: Lizz Roberts told the Board the Library plans to continue and expand on its good history of programming in the Children's areas. Adult programming aims to reaches tweens, teens and adults, and feature library community services and resources. A committee of interested staff is working on this. They want to support the vision of the library, and be the resource for the community and civic information for the public. The library will support programming that already exists in the community and other City departments through cross publicizing. We want to support programs that are free and open to everyone. We want to build on existing community partnerships and form new partnerships. We have reserved meeting space for next year for weekly brown bag programs at the Central Library and at Fairhaven. We are looking at a stop, look and listen program that would feature people like a weaver, who could answer questions. The Jazz Grant program, "Looking at Jazz: An American Art Form," is coming up. We have partnered with Jud Sherwood's Jazz Project and WCLS to put on a series of programs. The grant provides us with publicity, programming handbook and six DVD films that will be shown on six different dates. They will be shown on the third Friday January through June. Jud is arranging for jazz group performances and discussions on the Saturday following the films. Other ideas being worked on are book clubs, gardening, fairs, and civic engagement. Staff could also do programs at community group meetings. We have Street Law. Why not, Street Library? Lizz will make available an article, "Where Democracy Happens," about the Library of the Year, the Salt Lake City Library, talks about these ideas and about a brand new library. Lizz passed out a copy of a web page from National Issues Forums on the types of things the library is planning.

The design of the Salt Lake City Library has open spaces and spaces for people to meet within the library, encouraging people to come in the library. Tim mentioned the Vancouver Public Library has spaces that are dedicated to making programming engaging.

John Watts commented that KCTS has three words, "inform, inspire, and involve." That summarizes what Lizz is talking about.

Faye mentioned that she is excited about the process of having public forums. The public has been invited to our meetings and the tour, but she feels we need to do more of that. Faye stressed her appreciation, and hope to see it develop fairly soon.

Lizz said we are trying to pull together a website that will explicate the process, tell people the news, give people a chance to contribute information and tell us their thoughts.

Faye asked Sam Taylor if a lot of people respond to the Bellingham Herald polls. Sam replied they had 758 responses to a poll on WWU students return. They are getting a new platform and website this month that will be more functional and enjoyable.

Library Board of Trustees Transitions: Pam said we have five applications for membership on the Board. Alan Marriner said it would be appropriate to let the Board know who had applied. A qualification is a two year residency in Bellingham. Alan did not want to discuss names in a public forum unless these applicants had been contacted. Alan delegated authority to Pam and Vicky to meet and discuss the applications, and make recommendations to the Mayor, who will bring a name to the City Council.

Reports: Vicky went to the Every Child Learns to Read conference here at the library. It was put on by Washington State Library. It was made available through a Gates Foundation Grant. It was a great service for teachers, City and County librarians involved with early childhood.

Tim will be going to a meeting of the downtown group who is looking at the pedestrians walk way plan design. It touches on all three of the sites the Board is discussing.

Alan, Pam and David met with City Attorney, Jeff Capell.

John mentioned the City Council main agenda items include the waterfront redevelopment and infrastructure. They hope to attract Port and County support for the financing tools. They will have action on the resolution for bring the troops home.

Pam talked about the draft Fairhaven Condition Assessment report. Lizz passed the reports to the Board. Projected costs are in the report.

Lizz said part of the effort to continue to work on all our Library services is to maintain the Fairhaven Branch. The BOLA Architecture and Planning Group would like comments and considerations on how the final report should take form. It will be presented at the November regular meeting. Myron Carlson, from Public Works, will also come to the November meeting.

Alan asked if some items can be removed or modified. Since Fairhaven Branch is maintained by Public Works, David would like a clear understanding of the responsibilities as far as funding for projects of this magnitude. Where does Public Works responsibility end and the Library's start? Some items are absolutely necessary, some discretionary, and some in the middle. John Watts said this is a question for Myron, Dick McKinley and Finance Committee. Tim added that the money comes from the General Fund. Preservation of historic buildings can qualify for grants. Pam added that Fairhaven improvements could come through a bond as part of the greater bond measure.

Alan said the Board will be looking for guidance from Myron and Public Works about which items have to be done to prevent deterioration. Lizz can ask Rhoda to suggest a phasing program. She could assign priorities and focusing attention on the crucial items first.

Vicky added that she sees this as a golden opportunity to let the public know the cost of maintaining a branch. This is in addition to the costs of operating a branch.

Alan mentioned the library has a book about Carnegie Libraries. Fairhaven Branch is a gem in that it is still functioning as a library and a multi-story building.

David said with the number of responses that the Board has heard about branches, the case needs to be made as was done with the facilities study. There has to be a threshold where it makes sense to build a branch. He would be surprised if there is a city in Washington of 75,000 people that has a central library and two branches. It wouldn't be efficient, logical or affordable. A library presence would serve a much better function. David does not see the library being compelled to build centers in 22 neighborhoods.

Pam mentioned a study will be ready by the end of the year on just these kind of questions. Information can be provided prior to that. There was information in the last board packet with a listing of libraries in Washington and populations. We know that the Fairhaven Branch costs \$170,000 a year to operate including staff and facilities. David added we also know from the report that we need to spend \$1,900,000 on Fairhaven Branch. Maybe some of our maintenance has been deferred.

Pam said the reality of access for big delivery vehicles is that we have a big semi truck delivering furniture or shelving a couple times a year. UPS, DHL, US mail, and FedEx come on a daily basis. There

are a couple of small delivery trucks per day. The City mail comes twice a day. The Library truck for Outreach and delivery goes out 2 to 3 times a day. There are also weekly delivery vehicles. Volunteers unload small pick-up trucks or personal vehicles. The new building will be designed to be safer and more accessible. We expect deliveries to increase and there may be a need for more vehicles. WE have 1 to 10 school buses per month.

Pam is working with Joan Airoidi, Lizz, and Joan's new communications person on talking points on how we work together with the Whatcom County Library System. This is a point that John Servais brought up. Alan and Pam met with John to answer the questions in his letter.

Tim and Pam intend to attend the Arts District Streetscapes Schematic Design Committee meeting tonight. They have included the Library Block in their conceptual design.

Pam received a phone call from someone who would like to donate a memorial between \$10,000 and \$12,000 for the new library. Pam suggested that she meet with Calene LeBeau at the Whatcom Community Foundation (WCF) to set up a fund to receive such donations separate from our endowment fund.

David asked about having this on the next agenda to have a conversation about a foundation or a fund, where it will be, whether it will be hooked into the existing foundation, and what the administrative cost will be. Tim said his inclination would be to stay with WCF if we can maintain flexibility of accessing the money. Calene could be invited to a Board meeting to talk about setting up a mechanism to receive donations.

The Board decided to have a Special Strategic Planning Meeting November 7th at 1:00 p.m. to discuss sites.

Alan thanked Tim for his leadership of the group, and keeping them focused. The Board will really miss Tim's contacts in the community and insights into the processes. Alan wished Tim the best of luck in his next endeavor for the next year or so. Tim said his only frustration is to learn that there is no perfect site. He thanked the Board for being methodical in a thoughtful process. Nothing is without its pros and cons.

Executive Session 4:05 p.m. to consider acquisition of real property by lease or by purchase.

Regular Session: Reconvened at 4:30 p.m. No action taken.

Next Special Board Meeting – November 7, 2006 will begin at 1:00 p.m.

Next Regular Library Board Meeting – November 21, 2006 will begin at 2:30 p.m.

Meeting adjourned at 4:30 p.m.

Chair, Library Board of Trustees

ATTEST

Secretary, Library Board of Trustees