

February 3, 2020 - City Council Meeting Minutes

WORKSHOPS

Vancouver City Hall - 415 W 6th Street, Vancouver WA

4:00-6:00 p.m. A Stronger Vancouver: Finalize Capital Package; Programs and Services Package

This workshop was held in the Aspen Room (1st floor) at City Hall and will be available to view live on www.cvtv.org and CVTV cable channels 23 / 323.

Mayor McEnerny-Ogle was absent. Mayor Pro Tem Glover presided.

Summary

Council continued its discussion regarding capital investments and programs and services proposed to be included in the Stronger Vancouver package and provided feedback related to funding for economic development infrastructure, homelessness services and capital investments, funding sources to support additional EMS rescue units, problem-oriented policing, district plan implementation, and the Culture, Arts, and Heritage program. Council will continue this discussion at its February 10, 2020, work session.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6 PM)

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:32 p.m. by Mayor Pro Tem Glover in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen

Absent: Mayor McEnerny-Ogle

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to excuse Mayor McEnerny-Ogle.

Citizen Communication (Items 1-9)

Mayor Pro Tem Glover opened Citizen Communication and received the following testimony:

- Jill Friedman, Vancouver, spoke regarding items 2 and 7 of the Consent Agenda and urged the City to ensure only investments in green infrastructure are allowed for any capital projects the City is a part of, requested more information regarding how the Vancouver Police Department would be using the JAG grant funds under Item 5, and spoke in opposition to the use of offender work crews under Item 3.

There being no further testimony, Mayor Pro Tem Glover closed Citizen Communication.

Consent Agenda (Items 1-9)

Council requested Items 2 and 8 be pulled from the Consent Agenda for separate consideration, as discussed below.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve items 1, 3-7 and 9 of the Consent Agenda.

1. Bid Award for Tractor-Drawn Aerial Ladder Truck, Parts, Ladders, and Loose Equipment

Staff Report 012-20

Summary

Vancouver Fire Department's 1998 aerial ladder truck is due for replacement. This vehicle was previously refurbished in 2009.. In addition, to the need for a new aerial ladder truck Vancouver Fire has an ongoing need for associated parts, ladders, and loose equipment to maintain the existing fleet. To address both issues the City issued a request for proposal for the purchase of a new Tractor-Drawn Aerial Ladder Truck and the purchase of parts, ladders and loose equipment to be purchased on an as-needed basis.

On December 4, 2019, the City of Vancouver received one response to the

Request for Proposal for the purchase of a Tractor Drawn Aerial, associated parts, ladders, and loose equipment. After review of the proposal it was determined that Cascade Fire and Safety of Yakima, Washington, best met the requirements as outlined in the Request for Proposal. Because this was a request for proposal other factors beyond the price were factors in the selection.

<i>SUMMARY OF BIDS</i>		
<i>BIDDER</i>	<i>AMOUNT</i>	<i>PARTS DISCOUNT</i>
<i>Cascade Fire and Safety Equipment</i>	<i>\$1,513,138.26</i>	<i>20-25%</i>

Request: Award bid and authorize the City Manager or designee to execute a contract for the purchase of a tractor-drawn aerial ladder truck to the responsive bidder, Cascade Fire and Safety, at a cost not to exceed \$1,513,138.26 including Washington State sales tax for the tractor-drawn aerial ladder truck, and take any legal action necessary to enforce the terms of such contract; and authorize the City Manager or designee to approve purchases of associated parts, equipment and ladders on an as-needed basis to exceed \$300,000 as allowed by budget.

Doug Koellermeier, Deputy Fire Chief, 487-7218; Dan Zenger Equipment Services Superintendent, 487-8205

Motion approved the request.

2. Approval of an Interlocal Agreement, with Clark Public Utilities (CPU) for Overhead Electric Line Relocation associated with the Mill Plain Boulevard – 104th Avenue to Chkalov Drive project. (Project #PRJ071223)

Staff Report 013-20

Summary

The City and Clark Public Utilities (CPU) have been working cooperatively to complete the Mill Plain Boulevard – 104th Avenue to Chkalov Drive project. Relocation is required for CPU facilities. When CPU has facilities located within the right-of-way, CPU is responsible for the cost of relocation to accommodate roadway reconstruction. When the facilities are located in CPU easements, CPU can require reimbursement for the relocation of the facilities. An Interlocal Agreement must be executed to enable the City to reimburse CPU for these costs.

Request: Authorize the City Manager or designee to sign an Interlocal

Agreement with Clark Public Utilities for reimbursement of expenses for Overhead Electric Line Relocation – E Mill Plain Boulevard Road Project, currently estimate to be \$71,658.38 which includes sales tax.

Jeff Schmidt, PE, Senior Civil Engineer, 487-7709

Councilmember Hansen recused himself, as he is employed by Clark Public Utilities.

Motion by Councilmember Stober, seconded by Councilmember Lebowksy, and carried unanimously to approve Item 2. Councilmember Hansen recused.

3. **Interagency Agreement between Washington State Department of Natural Resources (DNR) and City of Vancouver allowing for landscape maintenance services by the Larch Corrections Center offender work crews to be performed at the City's Westside and Marine Park Wastewater Treatment Plants**

Staff Report 014-20

Summary

Under the recently expired Interagency Agreement between the City and DNR, the wastewater treatment operations contractor, Jacobs, maintained coordination with DNR's project manager for ongoing landscaping services on the treatment plant grounds on an as-needed basis in order to maintain aesthetic quality, safe working areas, and vector control. The work typically included grass mowing, weed removal, tree / plant trimming, and pressure washing of sidewalks and parking lots.

The previously successful coordination effort and service provision will continue with the approval of this proposed agreement.

Request: Authorize the City Manager or his designee to execute Interagency Agreement No. 93-100254 with Department of Natural Resources.

Frank Dick, Wastewater Engineering Supervisor, 487-7179

Motion approved the request.

4. **Interlocal Agreement with the State of Washington, Office of Financial Management, for acceptance of Census 2020 outreach and engagement funds**

Summary

Census 2020 Complete Count Committee. In an effort to make sure that everyone in our region gets counted, the City of Vancouver and Clark County formed a Complete Count Committee. The Committee has been meeting bi-monthly since July 2019.

Serving on the committee are representatives from more than 70 local community organizations who are working together to spread awareness about the census to residents throughout the region with an emphasis on reaching undercounted communities. Committee members have developed outreach plans tailored to reach their target audiences, all with the overarching goal of:

- Increasing understanding about the importance of the census*
- Providing information on what to expect and how to participate*
- Motivating response to the census*

Funding Opportunity. Recognizing the need for a complete count of all Washingtonians during the 2020 Census, the Washington Legislature appropriated to the Office of Financial Management (OFM) money and a directive that it establish with nonprofit organizations and local and tribal governments deliverable-based outreach contracts to conduct outreach and census participation campaigns through community messengers, targeted especially at historically undercounted populations.

The City of Vancouver applied for, and was awarded, funding of up to \$40,650 from the state for implementation of its Census 2020 outreach plan. This funding will allow the City to expand its capacity to develop and distribute materials, including having materials translated, and to share these materials with Complete Count Census Committee members and other community groups. The state funding will be disbursed to the City in the form of reimbursement for eligible costs associated with the outreach campaign.

Overview of Census Outreach Plan. The scope of work in the City's outreach plan is detailed in Exhibit B of the attached Interlocal Agreement. The City's stakeholder audience includes all residents of the city of Vancouver with particular focus on and outreach dedicated to reaching residents in targeted historically undercounted census tracts in the city

The three census tracts identified by the Census Bureau as having the highest risk of an undercount are:

- 1. between Fourth Plain and SR-500/Stapleton and Andresen;*
- 2. Fruit Valley; and*
- 3. Between Fourth Plain and E 13th St/Grand Blvd and Falk Rd.*

Neighborhoods included in these three census tracts include: Fruit Valley, Bagley Downs, Mountain View, Hough, Esther Short, Fircrest, North Garrison Heights, Ogden, Kevanna Park, West Minnehaha, and Burnt Bridge Creek.

Communication and outreach activities will take place from January – June 2020. Planned communications include: in-person outreach at targeted locations throughout the city, insert in City utility bills, bookmarks, postcards, factsheets, stickers, a social media campaign, articles/ads in the Messenger, video PSAs and two billboards along Fourth Plain.

Request: Authorize the City Manager, or his designee, to executive the Interlocal Agreement with the state of Washington, Office of Financial Management, for acceptance of Census 2020 outreach funds.

Carol Bua, Communications Director, 487-8614

Motion approved the request.

5. Approve Justice Assistance Grant for the Vancouver Police Department

Staff Report 016-20

Summary

The United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance will award Justice Assistance Grant (JAG) Fiscal Year 2018 funds totaling \$97,531. Federal changes resulted in award delays for many agencies across the nation. JAG funds are intended to support a wide range of activities to reduce and prevent crime based on the needs and conditions of local jurisdictions. Funding may be used for equipment, supplies, technology and training to enhance local criminal justice operations. The Vancouver Police Department proposes to use this funding to enhance police training and leadership development.

Request: Authorize the City Manager or his designee to sign and accept this grant award from the United States Department of Justice.

*James McElvain, Vancouver Police Chief, 487-7473;
Brenda Tryon, Management Analyst, 487-7497*

Motion approved the request.

6. **Hearing Examiner Reappointments**

Staff Report 017-20

Summary

The City of Vancouver currently has contracts with Sharon Rice as Hearing Examiner and Joe Turner as Hearing Examiner Pro Tem to conduct land use hearings as well as code compliance appeals. Both were appointed to one-year terms in February 2019. VMC 2.51 authorizes City Council to appoint hearings examiners to one-year terms. The appointments for Sharon Rice, Hearing Examiner, and Joe Turner, Hearing Examiner Pro Tem, are about to expire.

Planning and Code Compliance staff have been satisfied with the performance of Ms. Rice over the last year. Ms. Rice conducted 11 hearings in 2019 consisting of 24 land use cases, one pre-hearing conference with law and code enforcement regarding an appeal/settlement and one code enforcement appeal. Mr. Turner conducted one hearing in 2019 consisting of two land use cases.

Ms. Rice is currently compensated at the rate of \$165.00 per hour and has requested an increase to a rate of \$175.00 per hour. Additionally, Ms. Rice is requesting the addition of subcontractors to the agreement who would provide some document preparation and drafting of findings and conclusions. Based upon the performance of Ms. Rice as hearing examiner over the past year and based upon the expectation that the addition of subcontractors would pay for the rate increase and the City's costs would remain even or be reduced, staff recommends approval of the requested changes to this year's professional services agreement. Mr. Turner is compensated at a rate of \$160.00 per hour and is not requesting an increase. Mr. Turner's current hourly rate to be used for this year's professional services agreements.

Request: Authorize the City Manager to sign the amendments to the City of Vancouver's Professional Service Agreements with Sharon Rice (Hearing Examiner), and Joe Turner (Hearing Examiner Pro Tem) and approve any subsequent legal action necessary to enforce the terms of the same.

Greg Turner, Land Use Manager, 487-7883

Motion approved the request.

7. **The Ellwood - Affordable Housing Funding**

Staff Report 018-20

Summary

City Council approved Affordable Housing Funding for the construction of the Elwood on February 4, 2019. Since that time the City has completed the underwriting and approved the language in the note, deed and covenant. The Housing Initiative has been in negotiations with tax credit investors and completing the architectural designs and needs assessments as well as applying for permits. The property closing (required for tax credits) is anticipated this February.

Request: Authorize the City Manager or his designee to execute the Affordable Housing Funding contract with Housing Initiatives to construct the Ellwood and approve any subsequent legal action necessary to enforce the terms of the same.

Peggy Sheehan, Community Development Programs Manager, 487-7952

Motion approved the request.

8. Appointment to the Vancouver Housing Authority Board

The Vancouver Housing Authority Board is appointed by the Mayor to provide opportunities to people who experience barriers to housing because of income, disability or special needs in an environment which preserves personal dignity, and in a manner which maintains the public trust.

I recently interviewed six candidates for one upcoming vacancy on the VHA Board and recommend the appointment of Carol Collier. Her appointment would begin immediately and expire February 11, 2025.

If there are no objections, I would like to make this appointment at the Monday, February 3, 2020 Council meeting.

Request: Appoint Carol Collier to the Vancouver Housing Authority Board of Commissioners, term beginning immediately and expiring February 11, 2025. (Mayor McEnemy-Ogle)

Councilmember Fox noted that she had had the opportunity to work with Ms. Collier on a number of occasions through her work for the City of Camas, stated Ms. Collier would provide great experience and knowledge to this position, and she thanked Ms. Collier for stepping forward to serve on the VHA board.

Motion by Councilmember Lebowsky, seconded by Councilmember Fox, and carried unanimously to approve Item 8.

9. **Approval of Claim Vouchers**

Request: Approve claim vouchers for February 3, 2020.

Motion approved Claim Vouchers for February 3, 2020, in the amount of \$8,564,026.00.

Public Hearings (Item 10)

10. **Block 10 Disposition and Development Agreement Second Amendment**

Staff Report 019-20

A RESOLUTION relating to the approval of a second amendment to the disposition and development agreement entered into pursuant to RCW Chapter 36.70B between the City of Vancouver (City) and Holland Acquisitions Co., LLC (Holland); and authorizing the City Manager to execute a second amended disposition and development agreement.

Summary

On January 10, 2020, Holland notified City staff that during the due diligence period, a minor deposit of hydrocarbon-based material was found in the soil on Block 10, which will require further investigation and potentially remediation. Nonetheless, Holland has indicated that they will assume full responsibility for the cost of any clean-up, and have accordingly submitted a Waiver of Feasibility dated January 27, 2020, along with a statement that they have authorized the escrow agent to release the \$250,000 earnest money deposit to the City.

The uncertainty created by this finding has resulted in a need to postpone the closing date on the ground lease.

There will be no changes to the target dates for submitting permit applications or commencing and completing construction, therefore City staff is in support of the request to extend the closing date to May 31, 2020.

Request: On Monday, February 3, 2020, subject to public hearing, adopt the resolution authorizing the City Manager or designee to sign the proposed Second Amendment to the Block 10 Disposition and Development Agreement.

Jonathan Young, City Attorney, provided an overview of the proposed amendment to the Block 10 DDA. He noted extension of the closing date would not change any of the target dates for Holland to secure permitting or start construction on the project.

Councilmember Fox noted that the resolution and amendment are straightforward and reflect the information summarized by Mr. Young, however the draft letter from Holland regarding waiver of feasibility suggests that Holland's commitment to the downtown development would in part rely on a commitment by the City to not raise City taxes. Councilmember Fox asked for clarification about this provision and whether Council action on this amendment would constitute approval for the City Manager to sign the letter.

Mr. Holmes stated that the binding portion of the action before Council is what is put forth in the resolution and he is not proposing to Council that the City accept that provision of the letter.

Mr. Young explained that the letter that had been provided was an early correspondence between Holland and the City, and an updated version of the letter does not include that provision.

Mayor Pro Tem Glover opened the public hearing and received the following testimony:

- Monica Zazueta, Vancouver, representing the Task Force Beyond Fossil Fuels, spoke regarding items on the Consent Agenda, urging the City to prohibit any construction or development that does not include green infrastructure, speaking in opposition to the use of offender work crews, and requesting that any census outreach include engagement with people of color and immigrant populations.

There being no further testimony, Mayor Pro Tem Glover closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and carried unanimously to adopt Resolution M-4058 approving the request.

Communications

A. From the Council

- a. Recommendation for Appointment to the Task Force on Council Representation (Councilmember Stober)

Councilmember Stober noted that the person she had nominated to serve on the Task Force for Council Representation had to step down due to personal circumstances. He is nominating Aemri Marks to be appointed to that now vacant position.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and carried unanimously to appoint Aemri Marks to the Task Force on Council Representation.

B. From the Mayor

C. From the City Manager

Adjournment

6:59 p.m.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Meetings of the Vancouver City Council are electronically recorded on audio and video. The audio files are kept on file in the office of the City Clerk for a period of six years.