

### CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St. PO Box 1995 | Vancouver, WA 98668-1995 www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor

Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

### **February 27, 2023**

### **WORKSHOPS**

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

Workshops were conducted in person in the Council Chambers of City Hall. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, or www.facebook.com/VancouverUS.

View the CVTV video recording, including presentations and discussion, for workshops at:

https://www.cvtv.org/vid\_link/35427?startStreamAt=0&stopStreamAt=2347

# 4:00-5:00 p.m. Fourth Plain Safety and Mobility Project Phase II Design

Kate Drennan, Principal Planner, 360-487-7959

#### Summary

Staff led Council through a discussion of the Fourth Plain Safety and Mobility Project Phase II Design.

Councilmember Harless and Mayor McEnerny Ogle were absent for the workshop.

# COUNCIL DINNER / EXECUTIVE SESSION RE: LABOR NEGOTIATIONS STRATEGY; POTENTIAL and PENDING LITIGATION (1 HOUR)

Mayor Pro Tem Stober announced the Council would be entering into executive session from 4:20-6:20 p.m. to discuss Labor Negotiations Strategy.

### COUNCIL REGULAR MEETING

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Community Forum were also facilitated in person and via the GoToMeeting conference call.

Vancouver City Council meeting minutes are a record of the action taken by Council. To view the CVTV video recording, including presentations, testimony and discussion, for this meeting please visit: https://www.cvtv.org/vid\_link/35429?startStreamAt=0&stopStreamAt=6847

Electronic audio recording of City Council meetings are kept on file in the office of the City Clerk for a period of six years.

### Pledge of Allegiance

### Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor Pro Tem Stober. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, and

Hansen

**Absent:** Mayor McEnerny Ogle

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

### **Proclamations: Black History Month**

Mayor Pro Tem Stober read and presented a proclamation to Yolanda Frazier, President of the NAACP Vancouver, WA, proclaiming February 2023, as Black History Month.

### **Community Communications**

Mayor Pro Tem Stober opened Community Communication and received testimony from the following community members regarding Items 1-12:

• Don Steinke, Vancouver

There being no further testimony, Mayor McEnerny-Ogle closed Community Communication.

### Consent Agenda (Items 1-12)

Council requested Items 3 and 9 be pulled for discussion.

Council discussed the Items with staff.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and carried unanimously to approve Items 1-2, 4-8, 10-12 on the Consent Agenda.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and carried unanimously to approve Item 3 on the Consent Agenda.

Motion by Councilmember Fox, seconded by Councilmember Harless, and carried unanimously to approve Item 9 on the Consent Agenda.

### Interlocal Agreement with Clark County Community Restitution Crew

Staff Report: 020-23

1: 020-23

The City of Vancouver (Public Works/Operations) has contracted with Clark County Corrections for offender labor maintenance services for more than twenty years. This alternative contract partnership has provided the City with an additional resource to complete non-skilled maintenance tasks within available budget.

The attached Interlocal Agreement provides five crews that can be used for up to 988 crew days over the term of the one-year agreement. Activities include, but are not limited to, general litter removal, landscape maintenance and weeding, road right-of-way and median maintenance, and general park and recreation area maintenance for four full-time crews. A fifth crew will be assigned to the Greenway Sensitive Lands program for removal of non-native plant species, assistance in plantings, and general shrub bed maintenance generally within the Burnt Bridge Creek Greenway and at other sensitive lands within the City of Vancouver.

The attached agreement is one year in duration.

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

Agreement with Clark County Correction Services for offender

restitution crew labor/maintenance services.

Michael Cero, Operations Superintendent, 360-487-8245

### Motion approved the request.

# 2. Contract Amendment for a Cost Increase to Contract No. C-100075 ITB19-09 Landscape Maintenance Service

Staff Report: 021-23

- 1. On July 2, 2019, a five (5) year Contract C-100075 was awarded to Distinctive Landscape, LLC for Landscape Maintenance Services with a "not to exceed" cost of \$300,000.00 without Council approval.
- 2. Currently Facilities has utilized \$297,488.18 on City landscape maintenance and irrigation system support out of the \$300,000 approved for the Contract.
- 3. There has been increased usage of the contract due to added City buildings and property, as well as Vancouver Fire Stations utilizing the landscape services more than anticipated. Due to weather events over the last three (3) years, City Staff have been using this landscape company to provide snow and ice removal around City buildings and parking lots. This has increased the spend rate on the contract. Currently we have one (1) year and five (5) months left on this contract but are bumping against the dollar value of the contract.

### Request:

Approve contract Amendment #3 for an increase of \$300,000.00 for Contract No. C-100075 Landscape On-call Maintenance and Services and authorize the City Manager, or their designee, to increase the total contract Amount to \$600,000 for the balance of the term of the contract.

Michael Shrum, Facilities Contract Services Supervisor, 360-487-8260

### Motion approved the request.

### Approve ground lease with CW7 LLC for use of City Hall property for temporary construction parking

Staff Report: 022-23

Development activity on the Waterfront is limiting the availability of vacant parcels for temporary construction parking. Initial construction activity on the Waterfront benefited from the many vacant parcels to provide ready access to parking for both visitors and construction workers. As each new parcel begins development, that lot is no longer available as a surface parking lot. In addition, property owners on the Waterfront are prioritizing the remaining vacant parcels for public parking.

Once construction begins on the Block 7 public parking garage, the Waterfront will have at least five active construction projects and not enough temporary parking to serve the construction workers coming to those sites each day.

Because daily construction often starts before local business and restaurants

open, construction workers without off-street parking options will use available on-street parking, which reduces the availability of parking for other users. Supporting the development of the Block 7 garage, therefore, is particularly important because the 850-stall public parking structure, once constructed, will support the parking needs of the remaining construction projects, in addition to residents, businesses and visitors to the Waterfront.

The City regularly receives requests from Waterfront and downtown developers and construction firms to assist with parking for construction workers, and in the past has been able to assist with many of these requests. However, options for accommodating these requests are no longer available, leaving the vacant parcels next to City Hall as the last remaining parcels near the Waterfront as possible temporary parking sites. Given the use of the City's existing parking lot on the west side of Esther Street for City employees and fleet, as well as weekend use of that lot by the Farmers Market, the grass lot south of City Hall offers the best potential as temporary parking.

The lease with CW7 LLC is a fixed term lease ending on December 31, 2023, prior to the start of Waterfront Gateway construction, which scheduled for Spring 2024. The lease can also be terminated with 30 days notice in the event the parcel is needed prior to the end of 2023. CW7 LLC is responsible for constructing and removing all necessary improvements to the parcel to accommodate parking. The Lessee will pay a market rate for the use of the parcel and any related taxes and fees.

To make the City Hall parcel suitable for parking, a portion of the property will be covered in gravel and temporary lighting will be installed by the tenant. All existing trees on the lot will be outside of the designated parking area and protected from any damage from either the construction or use of the lot. The southern end of parcel will also be outside of the designated parking area due to the location of ground source wells that support the City Hall HVAC system.

Vehicles will access the lot from Columbia Street using a vacated right of way that is now part of a parcel owned by the Public Facilities District (PFD). An easement to use this portion of land was granted by PFD in December 2022, and PFD will be compensated for this easement.

Request: Approve ground lease with CW7 LLC for use of City Hall property for temporary construction parking.

Patrick Quinton, Economic Prosperity Director, 360-487-7845

Motion approved the request.

# 4. Ratification of the Collective Bargaining Agreement for Vancouver Fire Department Guild

Staff Report: 023-23

The collective bargaining agreement between the City and the VFDG expired on December 31, 2022. The parties were able to work through a collaborative

process and consensual decision making on many of the provisions for a new three-year agreement. The new labor agreement was recently ratified by the VFDG members and is now being brought to Council for approval.

Request:

Authorize the City Manager or their designee to sign the January 1, 2023 to December 31, 2025 Collective Bargaining Agreement with the Vancouver Fire Department Guild (VDFG), by executing the same.

Lisa Takach, Human Resources Director, 360-487-8611

Motion approved the request.

### 5. Visit Vancouver Washington 2023 Lodging Tax Contract

Staff Report: 024-23

**A RESOLUTION** relating to the award of lodging tax grant funds to Visit Vancouver Washington for 2023 as recommend by the City Council appointed Lodging Tax Advisory Committee.

RCW 67.28.180 and 67.28.181 allow municipalities to impose a lodging tax of up to 4% on overnight stays in a lodging establishment such as a hotel, motel, bed and breakfast facility, or campground; and these funds can be used by municipalities and community organizations and for the purpose of supporting tourism-related events, activities, and facilities. Of the 4%, 2% goes to pay the debt service on the Convention Center with the other 2% available for tourism activities. RCW 67.28.1816 and 67.28.1817 require that to expend lodging tax funds, municipalities must appoint a Lodging Tax Advisory Committee comprised of equal numbers of lodging tax generators and potential lodging tax recipients who will make recommendations on proposed expenditures to the City Council.

The Lodging Tax Advisory Committee reviewed Visit Vancouver Washington's proposal to provide tourism activities and recommends that \$700,000 of Lodging Tax revenue be allocated to Visit Vancouver Washington. Per state regulations, the City Council only may approve awards recommended by the Lodging Tax Advisory Committee and only at the amount recommended unless Council submits its change in the amount to the LTAC for comment.

Request:

Adopt a resolution approving the recommendation of the Lodging Tax Advisory Committee and authorizing the City Manager or their designee to execute a professional service agreement for \$700,000 in Lodging Tax grant funds to Visit Vancouver, Washington.

Teresa Brum, Deputy Economic Development Director, 360-487-7949

Motion adopted Resolution M-4208 to approve the request.

6.

## Resolution Approving the Transportation System Plan Big Ideas, Policies and Programs

Staff Report: 025-23

**A RESOLUTION** approving the Transportation System Plan (TSP) framework of "Big Ideas" and its supporting policies and programs for inclusion in the Transportation System Plan Update

The City began updating the Transportation System Plan (TSP) in 2020 and project staff have met with Council on several occasions to present information, review outreach, discuss values and goals, review policies, projects, and programs, and to discuss how the TSP can use its policies, programs, and design standards to advance the Council's priorities of advancing safety, equity, and climate action.

The TSP Update chartering process dictates that Council affirm the Transportation System Plan Big Ideas, Programs and Policies via resolution.

### Big Ideas, Policies and Programs

The 'Big Ideas' within the TSP act as an organizing tool to group policies and programs in a way that meets City goals and priorities. They are presented in a non-ranked list as:

- Support Thriving Neighborhoods
- Create Complete Corridors
- Connect People to Transit
- Build Low-Stress Networks
- Make Growth a Benefit for All
- Embrace the Future

Nested within each 'Big Idea' are key policies that act either as a single, significant-organizing policy, or as a major policy under which several other supporting policies and programs live. For example, within Thriving Neighborhoods, there is a key policy of creating 15-Minute Neighborhoods. This policy is described as "Make walking and small mobility convenient through mixed-use zoning and investment in complete corridors to serve all travel modes. Foster redevelopment within strategic development nodes to support 15-minute neighborhoods." While this policy will largely be implemented through zoning and the Comprehensive Plan Update, there are two transportation-focused programs that support creating 15-minute neighborhoods. They include the existing Neighborhood Traffic Calming Program, and a newly proposed Safe Routes to Schools Program.

The attached TSP Policies and Programs table presents each policy and program as it relates to the Big Ideas framework and provides a description and high-level assessment of resource needs, lead implementing workgroup, and key partners.

### Community and Stakeholder Feedback

The Transportation System Plan Big Ideas are derived from the goals previously endorsed by the City Council (10/03/22). These are created from feedback from the Transportation and Mobility Commission and values and needs shared by the community through engagement activities. The goals are Safety, Equity, Climate, Transportation Choice, Regional Connectivity, and Maintain our Assets.

In the Fall of 2022, the TSP project team gathered feedback on the Big Ideas, draft transportation networks, and potential improvements to include in the draft TSP. This round of engagement included an online open house and survey, community roundtables, and in-person events. Key themes from in-person conversations included a concern for growth-related congestion, a desire to prioritize transit within the transportation system, and a desire for more transportation options to move around town. Safety was also a popular topic and described as needing to be a "leading consideration," along with desires for ways to improve existing streetscapes through beautification via artwork, street-trees or other tools. For more details on themes and findings from Round 1 and Round 2 of public engagement, see Attachments "Public Outreach Participation Summary Milestone 1 (April 2022)" and "TSP Public Outreach Participation Summary Milestone 2 (January 2023)".

In addition to public engagement, staff collected feedback on the list of policies and programs from agency partners and area stakeholders. The Big Ideas, policies and programs were vetted and improved by feedback from the TSP Technical Advisory Committee, which includes partners like C-TRAN, RTC, WSDOT, Vancouver and Evergreen Public Schools, Clark County Planning and Public Health staff, Port of Vancouver, Vancouver Police and Fire Departments, as well as representatives from other divisions within the City. In addition, project staff held more than a dozen small group work sessions with staff across the City who will be charged with implementing policies and administering programs to ensure that the recommendations were effective, actionable, and to understand the resources needed to implement them.

Request: Approve the resolution confirming the transportation

system plan big ideas, policies, and programs.

Kate Drennan, Principal Planner, 360-487-7959

Motion adopted Resolution M-4209 to approve the request.

### 7. Comprehensive Plan Charter Resolution

Staff Report: 026-23

A RESOLUTION confirming the chartering process and Council decision making framework for the Comprehensive Plan Update, as described below in Exhibit A

attached herein.

The City of Vancouver's comprehensive plan provides the overall long-term vision and policy direction for managing the built and natural environment in Vancouver and providing necessary public facilities to achieve that vision. The City adopted its first comprehensive plan under Washington's Growth Management Act in 1994 (Chapter 36.70A RCW), with a major re-write occurring in 2004, and a less substantive update occurring most recently in 2011.

Since the last time the plan was updated, significant changes have occurred in the community, including increased population growth, greater diversity in the demographic and socio-economic characteristics of the community, expanded private sector investment and development activity, rising awareness of the impacts of climate change and need for immediate climate action, emergent technologies that have transformed how people move around the region and engage with each other, and, not least, the impacts of a global pandemic and associated public health and economic crises that affected all community members. In addition, Council policy priorities have evolved to prioritize climate action, community safety, and equitable access to opportunities and resources. These trends and priorities require a re-imagining of the City's 20year growth and development plan and new policies and programs to meet the needs of the Vancouver community now and into the future, reflective of a target year of 2045 for fully achieving the vision outlined in the plan. The Comprehensive Plan update will establish a new community vision and a set of goals, policies, and implementation strategies to achieve it, and will ensure that Vancouver continues to meet and exceed the requirements of the State's Growth Management Act. This effort is broken down into the following five tasks:

- Co-Creation: Establish a process to develop and create the plan with members of the community, conduct community engagement activities in a method consistent with state law, and place an emphasis on elevating the perspectives of communities that have been historically underrepresented, excluded or negatively impacted from public decisionmaking processes.
- Comprehensive Plan: Perform a holistic re-write of the existing Comprehensive Plan that includes defining a new set of goals, objectives, policies, and overall strategy that is responsive to issues and needs identified during the process of co-creation with plan stakeholders and the public, while also accounting for long term trends that will affect the community in the future. The plan strategy will establish an overall land use framework that specifies where and how the City will grow and the infrastructure needs necessary to achieve that vision, as well as overall strategies related to housing, climate, environment, resiliency, community health, public facilities and services, economic development and opportunity, and achieving equitable outcomes.
- Implementation Strategy: Develop a detailed strategy for implementing the goals, objectives, policies, and overall strategy outlined within the revised plan, including recommendations for future programs and policy work, and a

- public facing tool to help staff and members of the public understand how implementation of the plan is progressing over the long term;
- Land Use Code: Modify the existing zoning code (Title 20 of the Vancouver Municipal Code) to reflect the goals and policies identified in the revised plan and achieve the community's vision;
- **SEPA**: Complete the Environmental Impact Statement (EIS) process in compliance with the State Environmental Policy Act (SEPA);

Given the number of discrete collective policy decisions that need to be made within each one of these categories over the life of the project, and the level of complexity and interdependency of the various elements included in it, the following steps will be necessary to ensure the final plan is reflective of its identified goals:

- Establishing an overall decision-making framework to ensure shared understanding and collective ownership of cumulative decisions made during the policy development process;
- 2. The development of a robust visioning and goal setting process (in partnership with the City's in-process update to the Strategic Plan), to ensure policies, regulations, and implementation methods are rooted in an articulated purpose;
- 3. Collective formation and buy-in of the established vision and related goals between co-creative partners designing the plan;
- 4. Divide a highly complex and inter-related process with a wide variety of interested stakeholders into manageable and logically organized phases where each policy decision builds off decisions made earlier in the process and informs those that will come after.

The development of the below decision-making framework and chartering process with City Council is designed to ensure the four steps above are achieved during the plan update process. Based on the project scope of work and consultation with Council at a Feb. 6, 2022, workshop, the project team recommends the following process and structure for Council review and formal action at key points:

Endorse <b>E</b> ilentents		Review/Action	Time Window
Equity Framework	<ul> <li>Structure to ensure disproportionately impacted and historically marginalized populations drive policy design process</li> <li>Other key process design goals from Council and Planning Commission</li> </ul>	• Joint PC / Council Workshop • Council Resolution	1 <sup>st</sup> / 2 <sup>nd</sup> quarter of 2023
Community Partnership	<ul> <li>The details on how we Inform, Consult, Involve, Collaborate, and Empower Co-Creative</li> </ul>	<ul><li>PC</li><li>Workshops</li><li>Council</li></ul>	1 <sup>st</sup> / 2 <sup>nd</sup>

Framework	Partners • The who, how, and when this occurs	Workshops • Council Resolution	quarter of 2023
Goals Framework	<ul> <li>Input from Scenario Planning and Community Partnership efforts</li> <li>Identification of Plan Chapters &amp; Elements</li> <li>Prioritization of goals against each other</li> </ul>	<ul> <li>PC</li> <li>Workshops</li> <li>Council</li> <li>Workshops</li> <li>Council</li> <li>Resolution</li> </ul>	2 <sup>nd</sup> / 3 <sup>rd</sup> quarter of 2023
Land Use Framework	<ul> <li>Input from Scenario Planning and Community Partnership efforts</li> <li>Consideration of Capital Facility and Infrastructure needs to support vision</li> <li>Minimum of 3 alternatives established for EIS process</li> </ul>	<ul> <li>TMC</li> <li>Workshops</li> <li>Joint PC /</li> <li>Council</li> <li>Workshop</li> <li>Additional</li> <li>PC &amp; Council</li> <li>Workshops as needed</li> <li>Council</li> <li>Resolution</li> </ul>	4 <sup>th</sup> quarter of 2023 / 1 <sup>st</sup> quarter of 2024
Policies	Tangible policies to mobilize objectives of Goals + Land Use Framework	<ul> <li>PC</li> <li>Workshops</li> <li>Council</li> <li>Workshops</li> <li>Council</li> <li>Resolution</li> </ul>	1 <sup>st</sup> quarter of 2024
Code Concepts	<ul> <li>High level concepts for mobilizing the established policy framework through the Land Use Code</li> <li>Identification of potential early action items, structure, arrangement, and content of code.</li> </ul>	<ul> <li>Joint PC / Council</li> <li>Workshop</li> <li>Additional</li> <li>PC &amp; Council</li> <li>Workshops as needed</li> <li>Council</li> <li>Resolution</li> </ul>	2 <sup>nd</sup> / 3 <sup>rd</sup> quarter of 2024
Implementati Methods	Framework for mobilizing policy items not covered under the Land Use Code (dashboards, program development, incentive structures, future sub-area planning)     Framework for measuring success and outcomes of the plan effort     Final review of accountability matrix structure for incorporation	<ul> <li>PC</li> <li>Workshops</li> <li>Council</li> <li>Workshops</li> <li>Council</li> <li>Resolution</li> </ul>	3 <sup>rd</sup> / 4 <sup>th</sup> quarter of 2024

	of feedback into plan outcomes, and long term follow up on implementation		
Code Framew	<ul> <li>Input from Co-Creative partners on Code Concepts</li> <li>Relevant inputs from Draft EIS</li> <li>More detailed framework for mobilizing the established policy framework through the Land Use Code</li> </ul>	<ul><li>PC</li><li>Workshops</li><li>Council</li><li>Workshops</li><li>Council</li><li>Resolution</li></ul>	4 <sup>th</sup> quarter of 2024 / 1 <sup>st</sup> quarter of 2025
Plan Adoption	<ul> <li>Final EIS completed at least 60 days prior to adoption</li> <li>Final Comp Plan Document, Appendices, and Land Use Framework</li> <li>Final Code Language</li> <li>Final Implementation Matrix</li> </ul>	<ul> <li>PC         Recommendation         <ul> <li>Adopted by</li> <li>Ordinance</li> <li>(Council)</li> </ul> </li> </ul>	on June 2025

Request:

Approve a resolution formally endorsing the proposed chartering

framework.

Domenic Martinelli, Senior Planner, 360-487-7943; Rebecca Kennedy, Deputy Community Development Director, 360-487-

7896

Motion adopted Resolution M-4210 to approve the request.

### 8. Community Roots Affordable Housing Fund Award Amendment

Staff Report: 027-23

A RESOLUTION relating to low-income housing; providing for adoption of an updated funding award for the Community Roots Collaborative (CRC) O-Street project through the Affordable Housing Fund and authorizing the City Manager to execute agreements and other related documents on behalf of the City of Vancouver consistent with this Council approved funding award; providing for Severability and an Effective Date.

On November 1, 2021, City Council approved an award of \$2,000,000 from the Affordable Housing Fund (AHF) to support Community Roots Collaborative (CRC) St. Johns Village tiny home project. It was noted in the award recommendations that the St. Johns location was under consideration, and CRC did not end up developing homes at that location.

In early 2022, CRC began negotiations on a property at 3600 O-Street that consists of 6 parcels. Three parcels contain a large church, which is under

construction to become an Oxford-style group home managed by a partner agency. This space will consist of 13- individual bedrooms, as well as a shared kitchen, a laundry room, and community space. All residents will be people exiting homelessness.

In addition to the group home, the three adjacent parcels will be developed into 7 two-bedroom tiny homes to support low-income people earning 50% AMI or less. This project will support up to 27 individuals experiencing homelessness and low-income.

The AHF award will support acquisition of the six parcels of land for the project. CRC has received two awards from the Washington State Department of Commerce to support this development: an award for Cottage Home Developments (\$2,555,295) and a Connecting Housing to Infrastructure Program (CHIP) award (\$108,207). The State awards will support the development of the 7 two-bedroom tiny homes.

City staff has reviewed this request and recommends approval of this award amendment in order to move forward with an AHF contract for this project.

Request:

Approve the attached resolution amending the AHF award to Community Roots Collaborative and authorize the City Manager or designee to execute any corresponding contract documents.

Samantha Whitley, Housing Programs Manager, 360-487-7952

Motion adopted Resolution M-4211 to approve the request.

### 9. Kevanna Park Meadows Planned Development

Staff Report: 028-23

**AN ORDINANCE** approving the concept development plan for the Kevanna Park Meadows Planned Development; and providing for severability and an effective date.

The applicant requests approval of a proposed planned development consisting of a 33-lot single-family subdivision totaling 6.08 acres in the R-6 Lower Density Residential zone.

Planned developments allow for flexibility in certain development standards in order to promote creativity in design and efficient use of the land; increase economic feasibility; and preserve existing landscape features and amenities. The proposed planned development includes over three acres of open space, as well as restoration of the Burnt Bridge Creek riparian management area through the planting of 70 native trees and 920 native shrubs.

Planned developments allow for an increase in density of up to 15% more lots than the maximum density of the R-6 District, which results in up to 33 lots. The proposed development is proposing 33 lots, only four more than is

allowed under the standard R-6 requirement.

On Jan. 17, 2023, a duly noticed public hearing was conducted before the City's Land Use Hearings Examiner. On Feb. 1, 2023, the Hearings Examiner issued findings, conclusions and recommendations. The Hearings Examiner recommends that both the planned development and subdivision ordinance, subject to recommended conditions, be approved by City Council.

Request:

On Monday, February 27, 2023, approve the ordinance approving the planned development; and subject to the Council's decision on the proposed ordinance, grant preliminary plat approval of the proposed subdivision, setting date of second reading and public hearing for March 6, 2023.

Andrew Reule, Senior Planner, 360-487-7891

Mayor Pro Tem Stober read the title of the ordinance into the record.

Motion approved the request.

### 10. Stutesman Rezone Proposal

Staff Report: 029-23

**AN ORDINANCE** relating to zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending the Vancouver Comprehensive Plan and Zoning map designation for adjacent tax lots 159762000,158901000, 604757000, and 159800000, located at 9309 NE 52nd Street, and 5204, 5206 and 5118 NE 94th Avenue, respectively; providing for severability; and providing for an effective date.

The approved Comprehensive Plan and zone change was for three adjacent properties, which carried four addresses (9309 NE 52nd St, 5204 NE 94th Avenue, 5205 NE 94th Avenue, 5118 NE 94th Avenue) and four assessor serial numbers (159762000, 159801000, 6047575000, 159800000), because one of the properties included two mobile homes. The adopting ordinance only referenced three parcel numbers and three addresses.

Request:

On February 27, 2023 approve the attached ordinance, setting date of second reading and public hearing for March 6, 2023.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor Pro Tem Stober read the title of the ordinance into the record.

Motion approved the request.

11. Revisions to Temporary 6-Month Moratorium Ordinance on Large Warehouses greater than 100,000 square feet in the IL Light Industrial and IH Heavy Industrial Districts

Staff Report: 030-23

AN ORDINANCE amending and restating Vancouver City Ordinance M-4396, an ordinance declaring an emergency and imposing a temporary moratorium for the duration of six months upon the acceptance and processing of applications for permits for the development or expansion of large warehouse and distribution facilities totaling more than 250,000 square feet under the Warehouse/Freight Movement use classification in the Light Industrial (IL) and Heavy Industrial (IH) zoning districts, as defined in Vancouver Municipal Code Title 20 or as otherwise allowed, such as by prior development agreement, based on certain findings of fact justifying such action and adopted by City Council, and establishing an immediate effective date.

- There have been seven pre-development or development applications for large warehouse and distribution facilities between 275,000 square feet up to 680,000 square feet, which are much larger than typical warehouses, for a total of 3.34 million square feet of proposed new warehouse structures;
- These extremely large facilities appear to be a growing trend in response to an increased demand for online shopping and parcel delivery, and the size of these new types of facilities and fast pace of this change is a growing concern in other communities throughout the U.S.;
- Such facilities consume vast amounts of limited industrial land, yet provide very few jobs per acre and offer typically low skill and low wage positions, and are therefore not a high priority use in the Clark County Economic Development Plan, which the City has adopted;
- A primary concern is the land-intensive nature of these large warehouses and low job creation, but other issues such as air pollution, implications on the City's climate action goals, increase in truck traffic to vulnerable neighborhoods, and appropriately locating such warehouses near major arterial routes and highways need to be analyzed;
- On February 6, 2023, City Council affirmed the moratorium but, in order to minimize impacts to local manufacturers or business-to-business storage needs, requested that the scope be narrowed as follows: 1) increase the total size of warehouse projects subject to the moratorium from 100,000 square feet to 250,000 square feet; 2) exempt the Port of Vancouver from the moratorium on property owned by the Port and provided that any warehouse is for shipment of bulk goods, not home delivery of retail goods; and 3) exempt warehouse facilities that are exclusively for traded sector goods;
- The initial moratorium was enacted by ordinance, therefore any changes to the scope including exemptions must also be enacted by ordinance, following a public hearing;

Request: On February 27, 2023, approve the ordinance, setting the date of second reading and public hearing for March 6, 2023.

Chad Eiken, Community Development Director, 360-487-7882

Mayor Pro Tem Stober read the title of the ordinance into the record.

### Motion approved the request.

### 12. Approval of Claim Vouchers

Request: Approve claim vouchers for February 27, 2023.

Motion approved claim vouchers in the amount of \$19,106,839.39.

### Public Hearings (Item 13-15)

## 13. Development Agreement Amendment (Second Amendment) – PeaceHealth Southwest Medical Center

Staff Report: 031-23

**A RESOLUTION** relating to approval of an amendment to the development agreement pursuant to RCW Chapter 36.70B between the City of Vancouver and PeaceHealth Southwest Medical Center (PeaceHealth) and authorizing the City Manager or their designee to execute the amendment to the development agreement.

The applicant has submitted a request for a proposed second amendment to the 2016 development agreement, which relates to the most recent 2022 master plan amendment. This proposed development agreement amendment would:

- <u>Extend 10-year term</u> Amend the effective date to be the date of execution of this proposed 2nd Amendment.
  - <u>Effect:</u> Vesting and reservation of 335 weekday PM peak hour trips to run10 years from the execution of this proposed 2nd amendment rather than from October 10, 2016 (date of the original development agreement). It is not uncommon for development agreements that cover large master-planned areas to have a period of 15 to 20 years.
- <u>Update Traffic Mitigation</u> Incorporate the transportation mitigation measures identified under the most recent master plan amendment approval (PRJ-167480/LUP-81939), as stated in the staff report and decision dated amended March 22, 2022.
  - <u>Effect:</u> The list of transportation improvements from the original 2016 DA will be updated as follows:
    - Add a requirement to re-align the access on NE 87th Avenue, which is currently located slightly offset from NE 5th Street so that the access aligns with NE 5th Street. Signalize the newly aligned intersection and provide a westbound left-turn lane and a shared thru/right westbound lane.
    - Add a requirement to eliminate left-turn exits at the south parking garage access on NE 87th Avenue.

 Delete the requirement currently set forth in the existing DA to construct a separate northbound right-turn lane at the intersection of NE 86th Avenue and NE Burton Road.

Other than the items listed above, the current Traffic Impact Analysis submitted by the applicant did not recommend any further changes to the required improvements contained in the existing DA, which include:

- Installation of a right-turn only sign (Per MUTCD) southbound at the right-turn only driveway that accesses Mill Plain Blvd near SE 88th Street.
- Construction of a second westbound left-turn lane at the intersection of Mill Plain Blvd and Lieser Road, together with all required traffic signal modifications. This includes reconstructing a portion of Lieser Road to provide for a second southbound receiving lane.
- Construction of an extension to NE 9th Street to connect the existing NE 9th Street terminus near NE 90th Avenue with NE 87th Avenue.
- Construction of a westbound right-turn deceleration lane at the intersection of Mill Plain Blvd and NE 93rd Street.
- Construction of a new pedestrian connection to link the PHSW campus to the expansion area adjacent to NE 92nd Avenue, NE 94th Avenue and NE 5th Street.

Request: Approve Resolution to execute development agreement amendment.

Keith Jones, Senior Planner, 360-487-7887

Keith Jones, Senior Planner, provided an overview of the Development Agreement Amendment for PeaceHealth Southwest Medical Center.

Mayor Pro Tem Stober opened the public hearing.

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

Council discussed the item with staff.

Motion by Councilmember Hansen, seconded by Councilmember Harless, and approved unanimously to approve Resolution M-4212.

### 14. Larson Annexation

Staff Report: 032-23

**A RESOLUTION** relating to support of an annexation request (Exhibit "E") using the 60% direct petition method pursuant to RCW 35.13.130; establishing the geographic extent, determining the comprehensive plan and land use designations, and determining whether the property owners will assume all or any portion of existing City indebtedness for the proposed annexation area.

City staff has received a notice of intent to annex from a singular property owner. The subject site is located at the very north peak of the city limits at 5213 NE 95th Street, east of Saint Johns Road. The site is 1.16 acres in size and contains a single-family home. Surrounding uses include single family residential to the north, west, and east and an industrial warehouse to the south. The applicant intends to develop the property in the future with a residential subdivision development.

The proposed annexation will use the "direct petition" annexation method under RCW 35.13.125.

This annexation process requires two meetings with City Council. The first is a meeting at which council votes on a Resolution to allow the annexation process to proceed. The second meeting would be a vote on an adopting ordinance. The initial annexation resolution is required to specify three specific criteria for Council to consider:

- 1. The physical boundary of the annexation area.
- 2. The proposed Comprehensive Plan and zoning designations for the annexed area.
- 3. Whether to require the applicant to assume any City indebtedness.

### Annexation Boundary

The boundary of the annexation area is shown graphically on Exhibit B and specifically delineated the in the legal description, Exhibit A, attached to the Notice of Intent to Annex. The City is not proposing to annex any of the right of way along 95th Street. Doing so would create uneven pattern of development standards and maintenance consistency under multiple jurisdictions. The option of expanding the annexation area by bringing additional properties into the annexation through the 60% petition method was deemed not viable as there are no abutting properties with existing utility covenants.

The current service providers for the annexation boundary area include:

- Fire District 5 (currently serviced by Vancouver Fire Department)
- Clark Public Utilities water district (will remain) Clark Regional sewer district (will remain)
- Park District B (will change to Vancouver Parks)
- Clark County Sherriff's Office (will change to Vancouver Police Department)
- Development review/ permits (will change to City of Vancouver)

### Comprehensive Plan and zoning designation

The current Clark County Comprehensive Plan designation for the site is Urban Low residential (UL) and the current Clark County zoning designation is single family residential R1-6. The applicant's intent is to annex into the City with the most similar City Comprehensive Plan designation of Urban Lower density residential (UL) and a single-family residential R-9 zoning designation.

### Assumption of indebtedness

The annexation statutes authorize city councils to require property in an area

being annexed to assume a pro rata share of the city's outstanding indebtedness that had been approved by the voters, incurred prior to the date of annexation. In this case the City Finance Director confirmed that there is not any City indebtedness to pass on to the annexation applicant.

If this resolution passes, the next steps in the process are to have the Clark County Assessor Certify the annexation petition before returning to City Council for a vote on an adopting ordinance. On Monday February 27, 2023, approve the resolution allowing

Request: the annexation process to proceed.

> Bryan Monroe, Associate Housing Project Coordinator, 360-487-7958

Bryan Monroe, Associate Housing Project Coordinator, provided an overview of the Larson Annexation.

Mayor Pro Tem Stober opened the public hearing and received testimony from the following community members:

- Adam Larson, Vancouver
- Mark Philip, Vancouver

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

Council discussed the item with staff.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and approved unanimously to approve Resolution M-4213.

### 15. **HOME-ARP Allocation Plan**

Staff Report: 033-23

A RESOLUTION relating to homelessness assistance; providing for adoption of the HOME-ARP allocation plan and authorizing the City Manager to execute agreements and other related documents on behalf of the City of Vancouver for the use of monies authorized by Congress through the American Rescue Plan; providing for Severability and an Effective Date.

Housing Program staff is seeking City Council to adopt a resolution approving the 2023 City of Vancouver HOME-ARP Allocation Plan. The City received \$2,496,110 to be administered through the HOME Investment Partnerships Program through the American Rescue Plan (ARP). This funding supports activities that benefit people experiencing low-income and homelessness or other vulnerable residents, including: (1) development and support of affordable housing, (2) tenant-based rental assistance, (3) supportive services; and (4) acquisition and development of non-congregate shelter. In order to use these funds, HUD requires the City to develop and adopt an

allocation plan for HOME-ARP activities in response to community needs. In September 2021, Housing Program staff developed an online survey and requested feedback from over 300 stakeholders, including community members and service providers. Consulted organizations include a variety of homeless and social service providers in Vancouver, as well as housing developers, Veteran organizations, Neighborhood Associations, as well as fair housing and civil rights organizations, and agencies serving people experiencing domestic violence or low-income.

A total of 64% of survey respondents identified people experiencing or at risk of experiencing homelessness as qualifying populations to prioritize for HOME-ARP funds. Out of the eligible activities to serve these populations, survey respondents identified tenant-based rental assistance (25%) and supportive services (29%) as priorities. The full results of the survey are available in the 2022 City of Vancouver HOME-ARP Allocation Plan.

In addition to consulting stakeholders, the plan includes a needs assessment and gap analysis using Census data, 2022 Clark County Point in Time Count data, and other local housing data. According to 2022 Point in Time Count data, the number of people in emergency shelters increased 83% and the number of unsheltered people increased 21% from 2020. Approximately half of all renters in Vancouver are considered cost-burdened (spend 30% or more of their income on housing) (2020 ACS 5-Year Estimates). Additionally, Council for the Homeless indicates that 6,787 households sought assistance with housing through the Housing Hotline in 2021, compared to 3,323 in 2020. To address these identified needs, Vancouver seeks to utilize HOME-ARP funds to deliver supportive services, including rental assistance for people experiencing homelessness. Services will be targeted to people living in Safe Stay sites and will be available to all qualifying populations who are seeking permanent housing. Services will be provided by partner organizations through HOME-ARP contracts. By offering these services, the City aims to increase the capacity of these alternative shelters by increasing support for people who are successfully moving into housing from these shelters.

City Council is asked to review and approve the **2023 City of Vancouver HOME-ARP Allocation Plan** detailing the planned use of the \$2,496,110 of HOME-ARP funding prior to awarding funds to subrecipients. In February 2023, the draft HOME-ARP plan was available for a 30-day public review and comment period. The plan is published on the City's website and was advertised to the public through a press release and social media. The Housing Department included HOME-ARP funding with its current application process that opened October 3, 2022 for organizations that are interested in delivering homeless supportive services. This application process also includes the City's annual CDBG and HOME funding opportunities. The deadline to submit the HOME-ARP plan to HUD is March 31, 2023. All HOME-ARP funding must be expended by September 30, 2030.

Request:

Adopt a resolution approving the 2023 City of Vancouver HOME-ARP Allocation Plan detailing the planned uses of the \$2,496,110 of HOME-ARP funding awarded to the City by HUD.

Samantha Whitley, Housing Programs Manager, 360-487-7952

Samantha Whitley, Housing Programs Manger, provided an overview of the HOME-ARP Allocation Plan.

Mayor Pro Tem Stober opened the public hearing.

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

Council discussed the item with staff.

Motion by Councilmember Fox, seconded by Councilmember Perez, and approved unanimously to approve Resolution M-4214.

### **Communications**

- A. From the Council
- B. From the Mayor
- C. From the City Manager

Police Camera Program Update

Jeff Mori, Chief of Police, discussed the Police Camera Program Update with Council.

Clark County Comprehensive Plan Update-Policy Framework

Bryan Snodgrass, Principal Planner, discussed the Clark County Comprehensive Plan Update-Policy Framework with Council.

### **Adjournment**

8:23 p.m.

DocuSigned by:

Anne McEnerny-Ogle

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras
Natasha Ramras, City Clerk

The written comments below are those of the submitter alone and are not representative of the views of CVTV or the City of Vancouver, its elected or appointed officials, or its employees.

From: Don Steinke
To: City Council

Cc: <u>Cathryn Chudy; Heidi Cody</u>

Subject: my Comments on Warehouse Moratorium Date: Monday, February 27, 2023 11:36:50 AM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From Don Steinke

To the Vancouver City Council cc others

I support the moratorium on large warehouses.

Your Climate Action Framework established an aggressive timeline for reducing ghg emissions.

If new parking lots are built without being EV ready for 100% of the vehicles, then it will be difficult for any truck fleet to switch when EV trucks become more available, because retrofits and remodels are much more expensive than newly built projects.

If Clark Public Utilities can't provide energy for the EV fleets, and if the roof is not solar ready, that will be a problem.

I agree that we don't want fleet operators to drive through Vancouver in old diesel trucks to Minnehaha or North Orchards, and I don't think they want to do that either.

There are no easy answers, but maybe the easiest best answer is:

- to make all warehouse roofs solar ready
- to make all parking lots EV ready, for all vehicles.
- to make all heating systems electric ready.

Many incentives are available from the Inflation Reduction Act, and the previous bipartisan infrastructure bill, and also from Olympia via our two cap and invest programs. Their first auction for pollution permits will be tomorrow, and is expected to raise billions from those who pollute. Maybe our Chamber of Commerce could help businesses identify those opportunities.

Thank you and your staff for being on top of this.

 From:
 Matt Grady

 To:
 City Council

 Cc:
 Quinton, Patrick

Subject: City of Vancouver- City Council Meeting 2-27-23 - Item #3 Consent Agenda - Letter of Support 2-27-23 (002).pdf

**Date:** Monday, February 27, 2023 9:03:22 AM

Attachments: City of Vancouver - Item #3 Consent Agenda - Letter of Support 2-27-23 (002).pdf

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**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please accept this letter of support for consent agenda item #3, for the upcoming Council Hearing tonight.

Regards,

Matt Grady CW7 LLC

Tualatin, OR 97062



February 27, 2023

Sent Via E-Mail: council@cityofvancouver.us

Mayor Anne McEnerny-Ogle City Council Members City of Vancouver 415 W 6<sup>th</sup> Street Vancouver, WA 98668 Attention: Patrick Quinton

RE: Item #3 Consent Agenda- Ground Lease with CW7LLC for use of City Hall Property for Temporary Construction Parking

Dear Mayor Anne McEnery-Ogle and Members of the Council:

This letter is to affirm CW7 LLC's full support for the use of this temporary parking to facilitate the new 829 space, 8-story parking garage on Block 7 at the Vancouver Waterfront. Construction has commenced on this project which will result in further shortages of the scarce parking spaces across The Waterfront project site.

Block 7 now adds to the construction parking demands with Blocks 3, 18 and 19 and the Port's Blocks all under construction at the same time.

Your support for this Agreement and issuance of land use and engineering permits to install the temporary gravel is greatly appreciated. The sooner we can get on this site the better.

Regards,

Matt Grady, AICP

Vice President - Director of Development

On Behalf of CW7 LLC

cc: Patrick Quinton

From: Lehman Holder
To: City Council

**Subject:** warehouse moratorium

**Date:** Monday, February 27, 2023 7:49:06 AM

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**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

City Council members,

I support your moratorium on huge warehouses and the increased moratorum to 250,000 square feet.

Lehman Holder Vancouver resident From:

City Council

Subject:

warehouse moratorium, agenda item  $\#\ 11\ \text{FEB},\ 26$ 

**Date:** Sunday, February 26, 2023 7:19:25 PM

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**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank You, Vancouver mayor and city council for taking public comment. Approval of the agenda item #11 regarding a 6 month moratorium on large warehouses should be approved as amended. Further, such large warehouses will consume huge areas of land without creating well-paid jobs, or many jobs at all. The increase in traffic and the pollution that goes with it will not help us reach our climate goals. The warehouses proposed at present are in the most vulnerable low income communities. Further, these facilities should be cited with close access to arterials and even mandated to have south facing roofs so they are ideal for solar panels. Presently trucks are mainly run on diesel which is highly polluting, but they should convert to electric in the foreseeable future. Thank you, Dr. Sharon Bucher 19617 NE Risto rd. Battle ground , Wa.

 From:
 Jean M. Avery

 To:
 City Council

 Cc:
 Person, Mark

Subject: For Monday, 2/27, Council meeting

Date: Sunday, February 26, 2023 12:14:01 PM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please approve the revised and amended Moratorium Ordinance.

Also, please stop the Prologis warehouse proposal. It is dangerously close to the protected Vancouver Lake Lowlands and the federally designated Important Bird Area.

Thank you, Jean M. Avery Vancouver From: Cathryn Chudy
To: City Council

**Subject:** Item #11 Moratorium on Large Warehouses City Council 2/27 meeting

**Date:** Monday, February 27, 2023 12:00:47 PM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### Vancouver City Council and staff,

I have testified in support of the Moratorium on large warehouses, and although far outnumbered by economic and business/developer interests who warned of "unintended consequences" and attempted to derail the work underway, I appreciate that the Moratorium in a revised and amended form is before you for approval.

I appreciate that staff will follow through on studying the potential impacts and concerns that many of us in the community have about these large scale warehouses, and in particular those related to climate, public health, safety and livability in all parts of our community.

I remember back in 2019 when our Port of Vancouver was considering a Renewable Energy Policy that committed our Port to excluding new bulk fossil fuel facilities on Port industrial property. There were voices at the time, business and development oriented primarily, that warned of "unintended consequences" saying that business and development would get a negative message about our Port being "open for business" and that our community's economic well being would suffer.

The opposite happened - as far as I know, the Port thrived and even surpassed other West Coast Ports throughout the pandemic years to this day.

I believe the same is true for Vancouver as it looks seriously at the impacts of these large warehouses, with 8 already vested with cumulative community impacts involved. It makes sense to have this pause, to give our city staff the time it will take to ensure wise decisions are made going forward for our city and all in our community who want a healthy and safe, livable future for themselves and their children and grandchildren.

Sincerely,

Cathryn Chudy

Vancouver, WA

From: Eric Strid

To: City Council

Subject: Warehouse Moratorium Ordinance

Date: Monday, February 27, 2023 11:56:44 AM

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**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thank you for the opportunity to comment on this warehouse ordinance.

I live in White Salmon, Washington and serve on the Hood River County Energy Council. I don't have knowledge of Vancouver's planning or zoning issues, but I have recommendations regarding the energy and emissions issues and opportunities with new or existing warehouses.

In summary, western Washington and Oregon have an energy problem. CETA in Washington and HB 2021 in Oregon require major utilities to decarbonize most of their electricity by 2030, while electrifying transportation and serving a growing population. The best wind and solar resources for such new generation are east of the Cascades, the large loads are west, and permitting new transmission across the Cascades is nearly impossible. The transmission capacity shortage by 2025 or 2030 is many times the planned new transmission. Thus, the whole I-5 corridor needs to be planning for solar panels in as many places as acceptable. Land use advocates don't want farms turned into solar farms and many communities don't want to see hillsides covered by solar panels.

Warehouses are already eyesores, and their flat roofs are perfect for economical solar arrays. For a typical large commercial roof, solar power generation is about 7.5 watts per square foot; thus each 500,000 square foot warehouse can generate up to 3.8 megawatts, or enough to power about 440 homes. Such arrays could be owned as community solar, owned by the warehouse owner, or owned by anyone. A large warehouse is a perfect location for a good-sized microgrid that can also provide resilient power and high-power EV chargers for DC fast chargers or for the trucks at the loading bays, which will be electrified as those vehicles and charging equipment become available.

Regardless of the council decisions regarding warehouse locations, I recommend that any new warehouse be required to be microgrid-ready, meaning that the roof space is available for anyone to lease for installing and operating PV arrays; that there is space reserved for the power distribution, control, and storage equipment; and that truck parking be EV-ready, meaning conduits are installed and space for charging equipment is reserved. To the degree feasible, existing warehouses should also be required to allow such PV installations on their roofs, plus leasable space for the electrical equipment, etc.

Truck emissions are currently a major concern, but those fleets will mostly be electrified and thus become zero-emission over the next decade.

Thank you for this opportunity to comment on building out new infrastructure.

Eric Strid
White Salmon

From: <u>City of Vancouver - Office of the City Manager</u>

To: <u>Dollar, Sarah</u>

**Subject:** FW: Warehouse Moratorium

**Date:** Monday, February 6, 2023 12:37:39 PM

Attachments: image001.png

image002.png

#### Thanks!

Shannon Ripp | Support Specialist III



CITY OF VANCOUVER, WASHINGTON City Manager's Office P: (360) 487-8607 www.cityofvancouver.us

From: Drew Zaborowski

Sent: Monday, February 6, 2023 12:17 PM

To: City of Vancouver - Office of the City Manager < CMO@cityofvancouver.us>

Subject: Warehouse Moratorium

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**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon, Council.

I am unable to attend the meeting tonight but wanted to pass along a few notes. With regards to the warehouse moratorium, I thought it would be prudent to point out a few unintended impacts.

As small family sized development company who develops industrial product, we often develop projects over 100k SF simply by nature of the available land for sale. Economical, readily developable industrial land is scarce and we don't have the luxury of choosing smaller sites vs larger sites. We often build a building to maximize the site attributes and are often limited by size of the parcel. More often than not, that land lends itself to a building larger than 100k SF.

However, these larger buildings are often demised and leased to smaller tenants. Because we are a smaller development firm we often lease facilities to a tenant profile that includes smaller family companies ranging from 10k-50k SF.

I can attest first hand that it does not pencil from an economic perspective to build a smaller facility much below 100k SF. The economy of scale created with a large building is one of the few reasons

projects still "pencil" in this market. In addition, unless you have the perfect small parcel, most parcels would have excess land that has to be purchased but can't be built into the deal. Thus making the project infeasible from an economic perspective.

Our strategy is to focus on larger pieces of land that create economies of scale to build larger warehouses which we can then demise and lease to smaller tenants with reasonable lease rates. Without these economies of scale, the lease rate for a small industrial facility by itself would be far in excess of "market" and therefore push any smaller local tenant out of the market. In my opinion, The City would be foolish to hinder the economic growth of smaller tenants who live and work in the community.

The warehouse moratorium of any buildings over 100k SF will absolutely have an unintended impact on smaller industrial tenants which are vital to economic growth.

Thank you very much for your consideration.

Drew Zaborowski

Drew Zaborowski I Senior Development Manager

AVENUE 55

Seattle, WA 98101

From: Delapena, Amanda
To: Dollar, Sarah

**Subject:** FW: Moratorium thoughts

**Date:** Thursday, February 9, 2023 8:57:51 AM

Sarah, please see below.

Can you please check on Don's potential testimony registration from Monday? Please include his comments with the written record.

#### Amanda Delapena

From: Don Steinke

Sent: Monday, February 6, 2023 9:06 PMTo: City Council <council@cityofvancouver.us>Cc: Eiken, Chad <Chad.Eiken@cityofvancouver.us>

**Subject:** Moratorium thoughts

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From Don Steinke

I thought I registered to speak but received no confirmation. I could have messed up.

After listening to the discussion tonight, I feel that it would be helpful to think about what your regulation might look like after the moratorium. The sooner you envision that, the sooner the moratorium can be ended. What do we want in terms of emissions reduction and protecting public health?

Here is some context that is relevant.

1. A year ago the Columbian reported that the proposed Amazon Development near East Fourth Plain and 143rd Ave, include covered roadways and parking lots.

I was hoping that meant they would cover those canopies with solar panels, but I haven't seen an update yet.

- 2. I've also heard that Amazon has ordered 100,000 electric delivery vans, and they already have one serving the Camas area.
- 3. Daimler-Freightliner is building electric semis on Swan Island.
- 4. Six years ago, the City of Richmond in British Columbia wanted to require electric charging stations in certain projects, but were not allowed to impose building codes distinct from the provincial codes. To get around that restriction, they put the requirement into their land use ordinance.

- 5. California is now banning diesel trucks built before 2010. Most likely, those trucks will be sold in neighboring states.
- 6. We need more electricity and it needs to be clean electricity.
- 7. On January 18, The port of Camas Washougal entered into an agreement with Clark Public Utilities to develop a large community solar project on their warehouse rooftops. It will be the largest one built west of the Cascades.
- 8. And you have a goal of reducing emissions community wide With that in mind, a new ordinance might:
  - Require that space and water be heated with electric heat pumps.
  - Require adequate charging infrastructure for trucks.
  - Require enough on-site solar panels to meet or exceed the need for electricity.
  - Require all diesel trucks serving the warehouse to be built after 2009.
  - Encourage staff to be more deliberate in their SEPA Determinations

Don Steinke

From: <u>Delapena, Amanda</u>
To: <u>Dollar, Sarah</u>

**Subject:** FW: Tardy! Support the moratorium **Date:** Monday, February 6, 2023 3:01:48 PM

Sarah,

The email below came in right after 12:00 today. For the Council record on the moratorium item.

#### Amanda Delapena

From: Jan V

**Sent:** Monday, February 6, 2023 12:06 PM **To:** City Council <council@cityofvancouver.us>

**Subject:** Tardy! Support the moratorium

You don't often get email from janowa85@gmail.com. Learn why this is important

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Sorry, so late. But I'm supporting the moratorium! Thanks,

From: Wynn Grcich

To: <u>Dollar, Sarah; Rebecca Messinger</u>
Subject: CA stopped covid jabs for kids

**Date:** Tuesday, February 7, 2023 10:44:26 PM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

https://www.axios.com/2023/02/05/california-schools-covid-vaccine-mandate

### California no longer pursuing K-12 COVID vaccine mandate - Axios

2 days ago ... California children will no longer need the COVID-19 vaccine to attend school, state officials announced Friday.

Send this to the d this to the city council and DR. MELNECK. Put on public record and confirmed ...

Send this please to the city councils and Dr. Melneck. Put on pub;uic record and confirm that you... Wynn

From: Wynn Grcich

To: <u>Dollar, Sarah; Sara.Lamnin@hayward-ca.gov; Rebecca Messinger; Harris, Rep. Paul</u>

Subject: Fwd: People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory

**Date:** Wednesday, February 8, 2023 10:56:58 AM

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----- Forwarded message -----

From: **rcoones102** <

Date: Wed, Feb 8, 2023 at 10:35 AM

Subject: People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory

To:

Please put this on public record. Share with the councils and Dr. Melneck, confirm that you did.

Thanks Wynn

# People are Dying from the CV19 Vax & It's Preventable – Dr. Pierre Kory

https://rumble.com/v28p9og-people-are-dying-from-the-cv19-vax-and-its-preventable-dr.-pierre-kory.html

Join Greg Hunter as he goes One-on-One with Dr. Pierre Kory, one of the top pulmonary and Covid Critical Care experts on the planet, who is co-founder of the Front Line Covid-19 Critical Care Alliance (ficc.net) and author of the upcoming book "The War on Ivermectin" for 2.7.23.

Sent with Proton Mail secure email.

To: <u>Dollar, Sarah</u>; <u>Sara.Lamnin@hayward-ca.gov</u>; <u>Rebecca Messinger</u>

**Subject:** jabs aren"t working

**Date:** Friday, February 10, 2023 9:12:04 AM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

# Pfizer Research Director Implicitly Acknowledged Its COVID-19 Vaccines 'Aren't Working': Dr. Robert Malone

Dr. Malone shares his assessment of the undercover Project Veritas video

Pfizer Research Director Implicitly Acknowledged Its COVID-19
Vaccines 'Aren't Working': Dr. Robert Malone (theepochtimes.com)

Send to the city councils, Dr. Melneck. Please put on public record and confirm that you did.

**Thanks** 

Wynn

To: <u>Dollar, Sarah</u>; <u>Rebecca Messinger</u>

Subject: Watch "Pfizer Director: "Concerning" mRNA Effects on Women"s Reproduction w/ Naomi Wolf – Ask Dr. Drew"

on YouTube

**Date:** Saturday, February 11, 2023 12:19:35 PM

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https://www.youtube.com/live/HO2nyxCFiGg?feature=share. Send this to the council members and MELNECK. Put on public record and confirm that you did. Thank you, from Wynn

To: <u>Dollar, Sarah; Rebecca Messinger; Sara.Lamnin@hayward-ca.gov</u>

Subject: Watch "Sen. Ron Johnson: CDC Is HIDING mRNA Vaccine Injury Data. LIVE w/ Dr. Kelly Victory – Ask Dr. Drew"

on YouTube

**Date:** Saturday, February 11, 2023 2:12:27 PM

**CAUTION:** This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

https://www.youtube.com/live/PWqWI7dxh3Q?feature=share. Send to city council members and MELNECK. Put on public record and confirm that you did. Thank you from Wynn

To: Rebecca Messinger; Dollar, Sarah; Sara,Lamnin@hayward-ca.gov
Subject: Fwd: New Study Links Fluoridation To Hypothyroidism In Pregnancy

**Date:** Sunday, February 12, 2023 11:33:52 AM

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Send this to the city council members. Put on public record and please confirm that you did. Thanks from Wynn

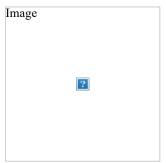
----- Forwarded message -----

From: Fluoride Action Network <

Date: Sun, Feb 12, 2023, 4:02 AM

Subject: New Study Links Fluoridation To Hypothyroidism In Pregnancy

To:



"Posoarchore say hoalthy thyroid function is expecial for fotal brain dayolonment and
"Researchers say healthy thyroid function is crucial for fetal brain development and their latest research may explain earlier findings looking at fluoride and children's IQ"
Dear Friends:

DocuSign Envelope ID: 8C681AD5-A68B-4ADC-8175-2B03A9469DCE

A new study (Hall, et al., 2023) led by scientists from Toronto's York University in the journal *Science of the Total Environment* linked fluoride exposure with an increased risk of hypothyroidism in pregnant women. Fluoridated water was the main source of fluoride in the cohort. The study also looked at a smaller subset of participants with IQ test results in the children and found that mothers who had been diagnosed with hypothyroidism had boys with lower IQ scores than mothers with normal thyroid function.

Entitled, Fluoride Exposure And Hypothyroidism In A Canadian Pregnancy Cohort, the study discovered that a half-milligram-per liter increase in drinking water fluoride levels—roughly the difference in exposure level between the fluoridated and non-fluoridated communities—was associated with a 1.65 increase in odds of having a diagnosis or meeting criteria for hypothyroidism in pregnancy.

According to one study author, clinical neuropsychologist Christine Till, PhD, "The findings are concerning because

### hypothyroidism is a known cause of brain-based disorders in children." (York press release)

The study's authors say they hope that policy makers will consider this new research when evaluating the safety of community water fluoridation. They say that the fluoride compounds added to tap water are a major source of fluoride exposure for over 200-million people in North America, since approximately four in 10 Canadians and seven out of 10 Americans on public water supplies have fluoridated drinking water.

Women in general are more at risk of developing hypothyroidism, a condition that can lead to symptoms such as fatigue, weight gain and depression. In pregnancy, the demands put on the thyroid system increase substantially, especially in the first trimester when the fetus is solely reliant on maternal thyroid hormones.

The study followed more than 1,500 women participating in a multi-year study called the Maternal Infant Research On Environmental Chemicals (MIREC) study, led by Health Canada to investigate the impact of environmental chemicals on vulnerable populations, including pregnant women and infants. Women were recruited from 10 cities across Canada, seven of which have fluoridated drinking water. The study's authors only included women who reported drinking tap water during pregnancy, and they followed participants throughout pregnancy, and followed their children into early childhood.

While fluoride's ability to suppress the thyroid <u>has been known since the 1930s</u> when it was used to treat overactive thyroid–also known as hyperthyroidism–the mechanism by which fluoride may interfere with thyroid function is not entirely clear. The study's lead author, Meaghan Hall, said that it may interfere with certain enzymes and iodine absorption, which is critical for thyroid hormone production.



It adds to a growing body of evidence that fluoride exposures from artificially fluoridated water is sufficient to impair thyroid function. Earlier studies finding an effect were in a study of nearly the entire population of England [Peckham 2015]; a large nationally representative sample from Canada using the CHMS survey [Malin 2018]; a case-control study in Iran [Kheradpisheh 2018]; and in a large sample of children in China where mean water and urine fluoride levels are only slightly higher than in areas with artificial fluoridation [Wang 2020].

Two studies have not found an association between fluoride at levels relevant to fluoridation and decreased thyroid function, but both suffered limitations that may explain why they did not detect effects [Barberio 2017, Shaik 2019]. The Barberio 2017 study did not consider iodine intake and the Shaik 2019 study selected only children with optimal iodine intake. The Malin 2018 study reanalyzed the same sample as Barberio 2017 but controlled for iodine and found that in those with iodine insufficiency fluoride exposure increased hypothyroidism. This could also explain why no effect was found in the Shaik 2019 study that was restricted to only children with optimal iodine intake.

This latest study's authors also say fluoride levels in tap water may be a more reliable indicator of long-term fluoride

exposure than urinary levels, which might better correlate with short-term exposure, they say.

- Read the press release from York University
- See York's <u>Twitter Post</u>

Sincerely,

Stuart Cooper Executive Director Fluoride Action Network

CLICK HERE to Support Our Work With A Tax Deductible Donation



**Subject:** Fwd: Geoengineering Watch Global Alert News, February 11, 2023, #392

**Date:** Sunday, February 12, 2023 11:49:18 AM

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----- Forwarded message -----

From: GeoengineeringWatch.org

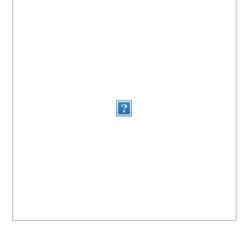
Date: Sat, Feb 11, 2023, 3:39 PM

Subject: Geoengineering Watch Global Alert News, February 11, 2023, #392

To: <

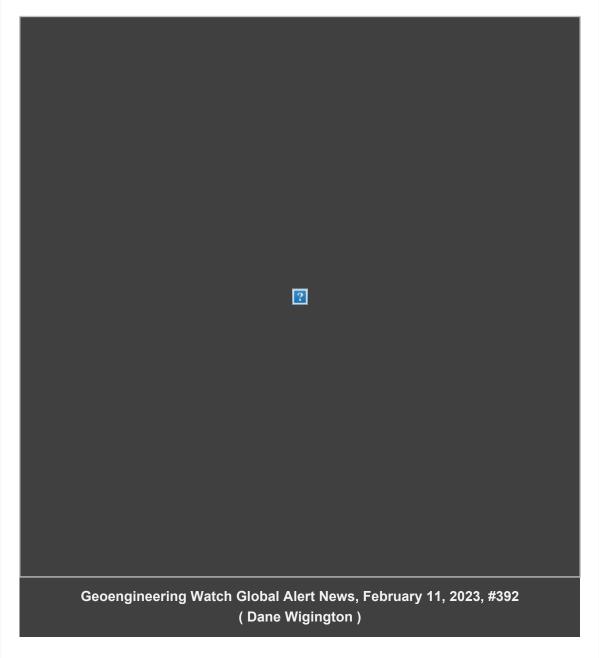
View this email in your browser

### Geoengineering Watch Global Alert News, February 11, 2023, #392



"Scientists" are now proposing to use moon dust to cool Earth, the ranks of academia continue to lose credibility with each passing day. Micro plastic pollution is in every breath we take. Is it all just from decomposing trash? Or is there much more to the story? The US government is handing out 374 billion dollars that it says will create 100,000 new "green jobs", do you believe them? Geophysical anomalies are wreaking havoc on planet Earth and populations. Is it all just nature behaving badly? How much longer can we survive on a completely polluted planet with life support systems that are breaking down at

blinding speed? The latest installment of Global Alert News is below.



All are needed in the critical battle to wake populations to what is coming, we must make every day count. Share credible data from a credible source, make your voice heard. Awareness raising efforts can be carried out from your own home computer.

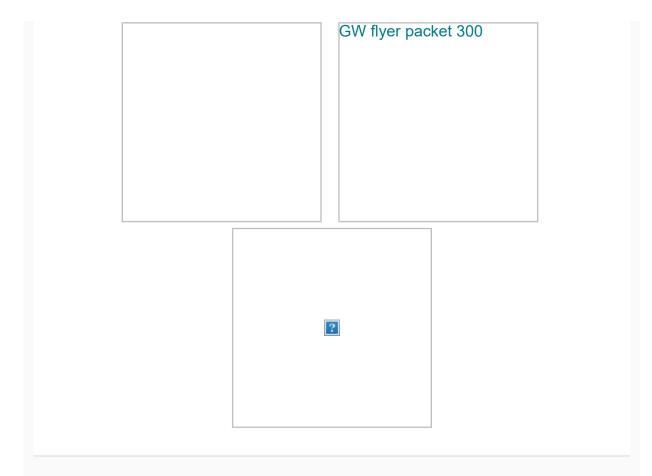
<u>Dane Wigington</u> <u>GeoengineeringWatch.org</u>

Must view, <u>THE DIMMING</u>, the most comprehensive climate engineering

### documentary: ? The Dimming, Full Length Climate Engineering Documentary

For Geoengineering Watch awareness materials shown below, click the image to order.

( Geoengineering Watch )



Full article: <a href="https://www.geoengineeringwatch.org/geoengineering-watch-global-alert-news-february-11-2023-392/">https://www.geoengineeringwatch.org/geoengineering-watch-global-alert-news-february-11-2023-392/</a>











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Want to change how you receive these emails? You can <u>update your preferences</u> or <u>unsubscribe from this list</u>.

To: <u>Dollar, Sarah</u>; <u>Rebecca Messinger</u>

Subject: Watch "Are Microwave Transmission Facilities Being Used To Trigger Earthquakes?" on YouTube

Date: Wednesday, February 15, 2023 4:39:16 PM

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https://youtu.be/QBt9rqXkcXo.

Send to city councils, MELNECK.

Put on public record and confirm you did. THANKS FROM WYNN

To: <u>Dollar, Sarah; Rebecca Messinger</u>

Subject: Watch "VAERS: Are mRNA Adverse Event Reports Accurate? Dr. Jessica Rose w/ Dr. Kelly Victory – Ask Dr.

Drew" on YouTube

Date: Wednesday, February 15, 2023 9:53:00 PM

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https://www.youtube.com/live/E32R6XF0CHU?feature=share. Send this to the city councils and MELNECK. Please put on public record. Confirm that you did. Thanks from Wynn.

Subject: Watch "Welcome to C40 Cities" on YouTube

Date: Thursday, February 16, 2023 3:49:19 PM

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https://youtu.be/9FLOXp7jumE.

Send to council members and

MELNECK. Put on public record. Confirm that you did. Thanks from Wynn

To: Rebecca Messinger; Dollar, Sarah; Harris, Rep. Paul

Subject: teachers union at 33:35 minuites into the video.

Date: Tuesday, February 21, 2023 12:51:50 AM

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Sen. Ron Johnson: CDC Is HIDING mRNA Vaccine Injury Data. LIVE w/ Dr. Kelly Victory – Ask Dr. Drew (rumble.com)

This is very important about the covid hearings and controlled medicines. 33:35 talks about the teachers union forcing the masks.

Share this with the city councils and Melneck. Put on public record and confirm that you did. Thank you Wynn

**Subject:** Fwd: Was C-19 deliberate?

Date: Wednesday, February 22, 2023 12:45:06 PM

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----- Forwarded message -----

From: **Vaccines Revealed 2023** < Date: Tue, Feb 21, 2023 at 6:10 AM Subject: Was C-19 deliberate?

To: Please send to the city councils and Melneck. Put on public record and confirm that

you did. Thanks Wynn



Hi Wynn,

In his mid-40s, **Adam Rowland** was the fittest he'd ever been, with a promising career working with top professional athletes...

Until two doses of the AstraZeneca C0VID-19 v@cc!neturned his life into "a living hell."	9		
It's stories like this that bring to attention the massive action that needs to be taken against v@cc!nes before more perfectly healthy people are hurt.			
Episode 7 is only up until 9 pm EST / 6 pm PST tonight			
Here's your link to watch now - don't miss it before it's gone.	<u>}</u>		
You don't want to miss this breaking new info including			
James Lyons-Weiler Ph.d, Part 2!			
2			

How one huge avoidable mistake was the reason for C0V1D coming to America (this points to it almost being a deliberate "mistake" with an ulterior motive).

How a mass frenzy of false positives radically flawed data on deaths.

Specific things you can do right now if you are worried about catching a virus.

It's all going quick...

Catch all this exclusive info here.

With purpose,

Dr. Patrick Gentempo



**PS:** So many have responded with gratitude (some in tears) for this series... The tell us, "Thank you for providing it for free."

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Please give this to the city councils and Dr MELNECK. Put on public record and confirm that you did. Thanks from Wynn. Doesn't the council and MELNECK have liablity knowing this and doing nothing? MELNECK's jab slide show in January was still promoting the jabs. Doesn't melneck and the councils have plenty of public records that shows he and our county council health board have coherenced the public to take the kill jabs, while knowing the jabs kill, injure, cause HIV AND BLOOD CLOTS? The doctor and cancils know the jabs don't work. Michelle B. said there was no mandates in Clark County. Why are they promoting the killer jabs? I would like an answer. Also does MELNECK live in Clark County? Why isn't MELNECK and the council advising Inslee on their knowledge of evidence against the jabs? Why were healthy people told to quarantine at home for a very long time? The bioweapon is in the jabs. You all know that.

-- Forwarded message -From: rcoones102 Date: Thu, Feb 23, 2023, 12:17 AM
Subject: Autopsies Confirm COVID Jab Hazards in Youth - Dr Mercola

### Autopsies Confirm COVID Jab Hazards in Youth - Dr Mercola

https://articles.mercola.com/sites/articles/archive/2023/02/23/autopsies-confirm-covid-jab-hazards-in-youth.aspx?ui=551eda515442ee5cc8f0c77cc67b3f3febd63142ec0dc6cef1d4521e5ea666eb&sd=20200307&cid\_source=dnl8

### Story at-a-glance

- When the COVID shots were first introduced, the U.S. Centers for Disease Control and Prevention made several claims about them that have since been proven completely false, including the claim that the mRNA would remain in the injection site, and that both the mRNA and resulting spike protein would rapidly be eliminated from your body
   The mRNA goes everywhere and can remain intact for a month of more. Ditto for the spike protein pour cells produce
   Spike protein has been found in the brains of people with encephallits (brain inflammation) and in jab-induced shingles lesions. Both mRNA and spike protein have been found in lymph nodes more than 60 days

- Spike protein has been found in the brains of people with encephantis (orain initianimation) and in jau-induced saringles lesions. Both infixed, and spike protein have been found in jyriph nodes more than to days post-jab. Full-length mRNA has also been shown to circulate in people's blood for up to 28 days post-jab. Fish been detected in breastmilk.
   Research shows the primary difference between those who developed symptoms of myocarditis and those who didn't was that symptomatic patients had markedly elevated levels of full-length spike protein unbound by antibodies in their plasma. Those who remained asymptomatic had no free spike protein in their blood. This would suggest that free-floating spike protein is a problem
   Autopsies of two teenage boys found dead in their beds three and four days after their second dose of Pfizer concluded jab-induced heart damage was to blame. The myocarditis described in these instances did not have the typical histopathology of myocarditis. Instead, both cases resemble catecholamine-induced injury, similar to the cytokine storm experienced in severe SARS-CoV-2 infection

Sent with Proton Mail secure email.

To: <u>Dollar, Sarah; Rebecca Messinger; Harris, Rep. Paul</u>

**Subject:** Fwd: Nanoparticle Contamination Cover-Up: Answers From A Scientist

**Date:** Thursday, February 23, 2023 9:44:54 AM

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I would like a MSDS REPORT on the chemicals our military is spraying on us. I also want an MSDS report Atrazine, Round Up. Paraquate, and you mosquitoes abatement spray. This should be on the councils' web sites easily found. I should not have to pay for this information request. It is the law. Send this to the councils and MELNECK. Confirm that you did. Put on public record. I also want Bill Gates nano particles of dust he is spraying in the air to block the sun. You are allowing the over our county. The public needs to know what we are breathing. Please reply to my request. Thanks Wynn Greich

----- Forwarded message -----

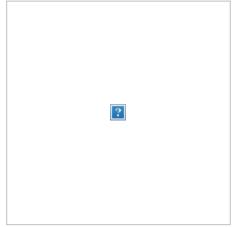
From: **GeoengineeringWatch.org** Date: Wed, Feb 22, 2023, 3:31 PM

Subject: Nanoparticle Contamination Cover-Up: Answers From A Scientist

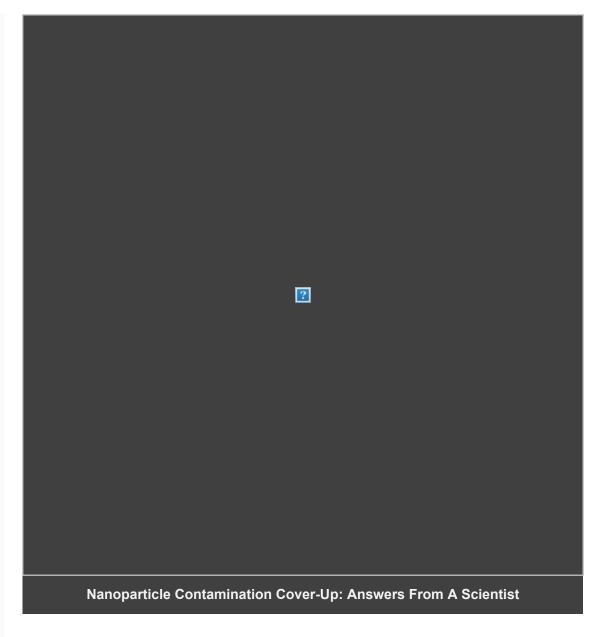
To:

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### Nanoparticle Contamination Cover-Up: Answers From A Scientist



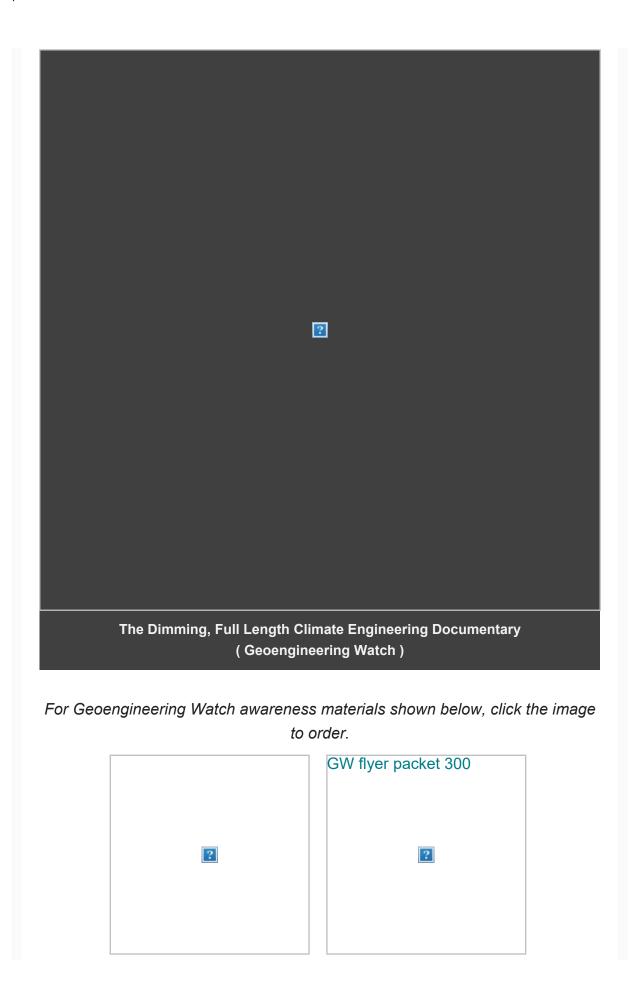
A must view report from a top scientist covering the climate engineering nanoparticle pollution of our air, water, soils and food supply.

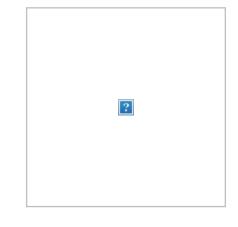


All are needed in the critical battle to wake populations to what is coming, we must make every day count. Share credible data from a credible source, make your voice heard. Awareness raising efforts can be carried out from your own home computer.

<u>Dane Wigington</u> <u>GeoengineeringWatch.org</u>

Must view, <u>THE DIMMING</u>, the most comprehensive climate engineering documentary:





Full article: <a href="https://www.geoengineeringwatch.org/nanoparticle-contamination-cover-up-answers-from-a-scientist/">https://www.geoengineeringwatch.org/nanoparticle-contamination-cover-up-answers-from-a-scientist/</a>











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To: Harris, Rep. Paul; Rebecca Messinger; Dollar, Sarah; Sara, Lamnin@hayward-ca.gov

Subject: Fwd: NTP Will Make Blocked Neurotoxicity Report Public After FAN Legal Action

**Date:** Thursday, February 23, 2023 10:58:32 AM

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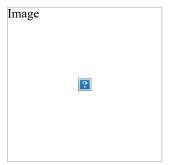
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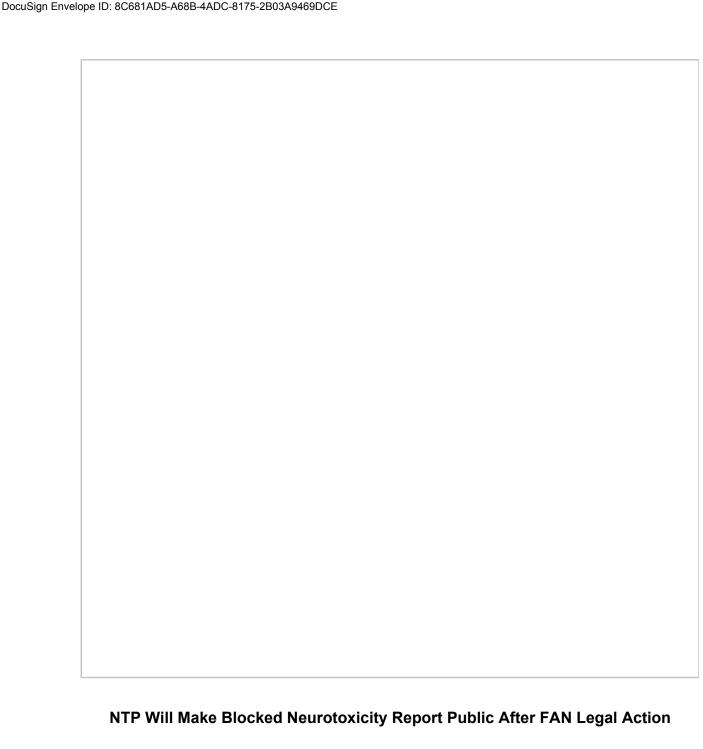
From: Fluoride Action Network

Date: Thu, Feb 23, 2023 at 9:02 AM

Subject: NTP Will Make Blocked Neurotoxicity Report Public After FAN Legal Action

Send this to the city councils and Melneck. Put on public . Confirm that you did. Thanks from Wynn We need to STOP flouridation in Vancouverand Clark County. Camas and Battle Ground are fluoridated. Dr. Melneck should advise the County to get the water poisoning stopped.





Dear Friends:

The Fluoride Action Network has won another significant victory involving our federal lawsuit against the U.S. Environmental Protection Agency (EPA) over the neurotoxicity of fluoridation chemicals.

As a result of months of legal motions, subpoenas, and extensive negotiations with the U.S. Department Of Justice (DOJ)—which is representing the EPA in court—our legal council was successful in getting the National Institutes of Health (NIH) to agree to publicly release the National Toxicology Program's (NTP) completed multi-year systematic review of fluoride's impact on the developing brain. After being served a subpoena by our attorneys, the National Institute for Environmental Health Sciences (NIEHS)—a branch of NIH—agreed to publicly produce their final report that was intended to be published in May of 2022. They have until March 15th to upload the documents to the NTP's website, including the monograph, the meta-analysis, and communications between various federal agencies and the NTP about the report.

### **Click Here To Read The Court Order**

This victory will allow the public to finally see the report and accompanying documents that were blocked from being published by the leadership at US Health and Human Services (HHS) in May of 2022. Internal CDC emails discovered through Freedom Of Information Act Requests by FAN indicated that the publication of the final NTP report was blocked at the last second due to interference from the Assistant Health Secretary, Rachel Levine. One email from the CDC's Oral Health Director from June 3rd, 2022 stated, "ASH Levine has put the report on hold until further notice."

Our attorney, Michael Connett, summed up this victory, saying: "This represents a major reversal in the federal agencies' position, and will ensure that the public has access to these critical documents that would have otherwise remained buried forever."

This victory also sets the stage for the Court to move forward with scheduling the dates of the next phase of trial at the upcoming April 11th status hearing rather than adjudicating our motions to compel the NTP to hand over these documents involuntarily. The judge and our attorneys had indicated that the final stages of the trial could occur as soon as this summer or fall. These documents will play a major role in this final phase of the trial, and now the testimony on them will be accessible to the public rather than occurring behind closed doors as would have happened without this agreement.

### Some Background Information

The Court has been awaiting the NTP's monograph on fluoride's neurotoxicity since the summer of 2020, when the judge put the case in abeyance after the first two weeks of trial and expert testimony in court, expecting the monograph to be published shortly thereafter. At the time, the NTP report had already undergone two unprecedented peer-reviews by the National Academies of Sciences, Engineering, And Medicine (NASEM), and its authors had concluded that fluoride was a "presumed developmental neurotoxicant," with 27 out of the 29 highest quality studies showing that fluoride harmed the brains of children, and most of these studies were at levels equivalent to exposures experienced in fluoridated communities.

However, the NTP subjected their fluoride report to additional peer-reviews, beyond the already unprecedented reviews by NASEM and in contrast to previous monographs on other chemicals where there is usually just one public peer-review culminating in a public vote by a panel of scientists.

Freedom of Information Act Requests by FAN and our legal council discovered internal NTP emails confirming that the NTP considered the May 2022 monograph to be their final report. On April 28, 2022, the Director of the NTP's Office of Policy, Review, and Outreach, Dr. Mary Wolfe, emailed the CDC's Oral Health Division Director, stating that the NTP's "analysis and conclusions are set," and that the final report would be made public by "mid/late May" of 2022. Dr. Wolfe later notified the CDC that "we [the NTP] believe the current findings, as stated in the monograph, reflect the scope of our evaluation and the available scientific literature and no revision is needed."

Before FAN even had these communications through FOIA, FAN's legal counsel had become aware that HHS may be exerting undue pressure on NTP. Based on the information that our attorneys had obtained, we filed a motion in September asking the Court to take the case out of abeyance and open up the NTP's final monograph to discovery so we could move forward with a second trial featuring expert testimony on it. The EPA opposed this motion, asking for continued indefinite delay of the trial until the NTP report was officially published, which they admitted might never occur. The Court ruled in favor of our motion, and our trial moved forward with the Judge asking that the NTP's final report be made available to the Court and to Plaintiffs, but under a protective order so the public wouldn't be able to see it.

At the most recent status hearing before the Court in January, the EPA continued to ask for indefinite delay of the trial until the NTP published the monograph themselves, however the Judge acknowledged that "justice delayed is justice denied," <u>ultimately ruling against them</u>. The Court directed the plaintiffs and defendants to start the process of adjudicating whether the final NTP report and accompanying agency comments ought to be made public in preparation for the final phase of the trial.

After months of negotiations and a subpoena, our legal counsel met with NIEHS on February 3rd, and they agreed to

voluntarily release the NTP monograph, as well as comments from representatives of various agencies within HHS, and the NTP's responses to them. The Director of the NIEHS, Dr. Richard Woychik, has claimed that these agency comments led to NTP withholding the monograph from the public.

STAY TUNED! FAN will share these documents with the public as soon as they're made available by the NTP. And don't forget to mark your calendars for the upcoming April 11th status hearing in court, where we're very likely to see the timeline for the final court proceedings set, bringing us a major step closer to a ruling.

Sincerely,

Stuart Cooper Executive Director Fluoride Action Network

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Fluoride Action Network  North Sutton, New Hampshire info@fluoridealert.org	
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From: <u>City of Vancouver - Office of the City Manager</u>

To: <u>Dollar, Sarah</u>

Subject: FW: Written comments for City Council meeting and members AND CCCouncil ~ CCBoard of Health members.

**Date:** Wednesday, February 22, 2023 12:05:00 PM

Hello,

This came to the CMO inbox over the weekend.

Thanks,

City Manager's Office

CITY OF VANCOUVER

P.O. Box 1995 • Vancouver, WA 98668-1995

**P**: 360.487.8600 | **F**: 360.487.8625

www.cityofvancouver.us

From: Richard Elbon <

**Sent:** Sunday, February 19, 2023 12:41 PM

**To:** City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>; we4the4people@aol.com; clerk@ci.lacenter.wa.us; rebecca.messinger@clark.wa.gov

 $\textbf{Subject:} \ \textbf{Written comments for City Council meeting and members AND CCCouncil} ~ \textbf{CCBoard of } \\$ 

Health members.

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NO Vancouver City Council meeting for February 20, 2023 ∼ I consider that a break for WE THE PEOPLE to PLAN for ASSEMBLY of WE THE PEOPLE against communism, socialism and marxism here in OUR Local government; which is TYRANNICAL in nature as YOU ARE UNITED NATIONS MEMBERS for 15 years of the ICLEI !\$!\$ !\$!\$ You MUST be TRANSPARENT to THE CITIZENS of Vancouver and ACKNOWLEDGE on Your WEB SITE ALL information pertaining to this membership!!!!!!! This is A MUST DO and DO IT WITH TRANSPARENCY NOW !!!!!!! I am planning to write to the CITIZENS of ALL of Vancouver and Clark County and mail THE CITIZENS all information as to what this Local Government is doing UNDER United Nations agendas and policies to take down America and Her PEOPLE ~ ~ ~ NOT ON MY WATCH !!!!!!! I will write about the City Manager and the Clark County Manager; as THEY ARE NOT ELECTED and ARE following the take down of America, one City at a time. I will also be contacting ALL Washington State Cities that also follow the ICLEI and STOP this TYRANNICAL takeover of A FREE PEOPLE !!!!!!! I will say here now, that if anything happens to Me or My Loved Ones; I have it on record to look into My SERVICE and DUTY to The People of Clark County and who would have an interest in harming Me or Others!!! I take this possibility very seriously; as the mayor had threatened to Criminally Trespass Me six months ago at her office door as We Spoke to eachOther. I said back to her, "I won't do anything criminal for you to trespass Me!!!" On October 24, 2022 I Believe she took charge in attempting to trespass Me. God Works In Mysterious Ways for Those Called according to His Purpose ~ and here We are today. That action by the mayor of Vancouver WILL WAKE Citizens up to her/their agendas!!! When Clark County Citizens wake up with this news and the nightmare caused by FOLLOWING a UN entity and the PLAN to have a one

world order and depopulation ~ what will The People do? I know of two incidents where Citizens were so devastated as to 'the planneDemic' and what is actually going on in the world; they shot two council members to death !!! WE THE PEOPLE do not want this type of 'fix'; WE WILL ASSEMBLE with God, The Constitution including OUR first and second Amendment Rights !!! The Time is near. I will explain to The Citizens as to this Council's behavior and plans for The People; giving evidence of shutting down the Community Forum that allowed Free Speech monthly, now down to four times a year !\$!\$ Your evil doings will follow this Council and THE PEOPLE WILL wake up !!! SHAME on ALL people that moved here to carry out an agenda that WE Pacific Northwesterners WILL NOT comply to any longer. It IS EVIDENT that this Council and other Councils such as the CCCouncil and CCBoard of Health which are one in the same as is VCC and the Transportation Council ~ have become too big of a government. Our ForeFathers WARNED US of your type of government and WE WILL ASSEMBLE your 'bosses - WE THE PEOPLE - to Fight The Good Fight for GOD FAMILY and COUNTRY Amen. WE WILL GO VIRAL and WE WILL STOP this Tyrannical Local Government that has proven to be NOT under GOD and His People; but follow the UN and not The Constitution of which WE THE PEOPLE Trusted You would follow !\$!\$ To those that are COMPLYING to this Local Government agenda to be a one world order city by city and DePoPulate the American population by covid propaganda WILL NOT BE TOLERATED any longer!!!!!!!! Seek Your Maker and ask The Spirit if You are doing Gods Work or following those that have the above agends !!! WE THE PEOPLE have put TRUTH into the VCC, CCC and CCBOH PUBLIC RECORDS!!! YOU HAVE NO EXCUSE when judgement comes!!! Who did You follow ??? I am un-covid-'vaccinated', I am a Parent, I Love Jesus. The biden criminal agenda has put a name to Citizens like Me ~ "domestic terrorists" and that WILL NOT happen on My watch. HB 1333 is an example of this UN agenda takedown. SHAME on those that are following these agendas ~ SHAME !!! I took an OATH to PROTECT American and Her People from foreign and DOMESTIC ENEMIES and that is what My Calling is here in My Local Government - as VCC, CCC and the CCBOH ARE DOMESTIC ENEMiES as they DO FOLLOW a United Nations agenda to have a socialistic Local Government takeover in America !\$!\$ DO NOT COMPLY !!! What You think You gain here in the world will be made clear; and I can ask ~ are You Serving the world or God ??? The zoom sleep IS OVER as WE THE PEOPLE WILL wake them up to this nightmare. I'll also ask ~ how many of you were EXEMPT from the covid-jab??? Why were you exempted??? The PEOPLE want to know and will know soon !!! How will The Citizens feel or react when THE TRUTH comes out as Our Local Government follows Medicine Man Melnick, the CC 'doctor' !!! They followed the orders of medicine man Melnick to jab and boost !!!!!!! WE have Groups of Citizens that will show vaccine-INJURY evidence. SHAME on ALL involved in this nightmare !!! VCC ~ give US OUR COMMUNITY FORUM back for every month NOW or I do Believe you will be witness to God Working In Mysterious Ways; and if You are not His ~ well, your choice. This IS not political - It's GOOD against evil. Choose your side. And just to say here; I would greatly appreciate any WHISTLEblowers that have decided what is happening is actually inHumane and can no longer, with a clear conscience and partake in the Agenda 21 - 2030 agenda. JBS.org has True information. Also go to youTube -Benjamin Barber - "Why mayors should rule the world" - it mentions the ICLEI and what is really happening around the world by inHumane elitists and controllers !!! The Vancouver mayor IS AN EXAMPLE of a socialism takeover in action !!! I ask Citizens to watch the Vancouver City Council meeting of October 24, 2022 and see SOCIALISM COMMUNISM and MARXISM IN ACTION LIVE !!! Thankfully The Lord Blessed Me with a Godly Attorney that has taken this case and I intend to follow God and WAKE CLARK COUNTY CITIZENS and BUSINESSES UP !!!!!!! AMEN.

Kimberlee Goheen Elbon  $^{\sim}$  Serving God Family Country with all My Heart Amen. Clark County Life Citizen

A Reply is Requested to my concerns.
Customer Comment Card
Name: Kimberler Elban 4:52pm
Address: La Center, wa
Phone: Email:
Date: Feb. 13/23 amonday at what SHOULD BE A PUBLIC Council meeting with plenty of We appreciate your feedback—thank you!
We appreciate your feedback - thank you!
Room for Citizens to Participate; Comments will be forwarded to the appropriate department for review and response
However, the ONLINE TIME FOR todays meeting
was shown as 6:30 pm ! The correct time only
showed up today! I DO NOT Believe this
meeting complies to the Public Meetings
Law; as the "Public" did Not have
accurate time of This is also by DESIGN.
This council, the ca council Both, city & county
managers-NOT ELECTED- OO NOT WANT THE
citizens to interrupt their Local Tyrannical
Un-Constitutional government - Pollowing continue next page
continue next page
1 - d

Continued --- the United Nations, With C.D.C., W.H. Icustomer Comment Card

Carrying out aGENDA 21-2030 for a address: world order government AND Phone: Depopulate Email Do not tell me you agree not aware of this. The Citizen are about to wake up to this night make We appreciate your feedback - thank you! That you ALL comply to, Comments will be forwarded to the appropriate department for review and response. I drove over 25 miles to attend this meeting INPERSON and I Believe I have been Discriminated against, as I am the only Person who is here turned down & said to listen is the Aspen Room / I also request how many People were in attendance in the Birch Room & what is the maximum capacite? I received no materials that Others part took and "The "Public" Notice was NOT Transparent Kimberlee Elbon

2 of 2 copies made, and
handed in Coty Hall 2-13-23



Vanc. City council

members of the UN

called the ICCEI
(JBS, org) they follow

a two fold agenda
neaken america for a

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governmental order

At the City of Vancouver,

We Respect, Support and Value diversity.

http://citynet/CMO/Diversity

DocuSign Envelope ID: 8C681AD5-A68B-4ADC-8175-2B03A9469DC

council/Boardof
Health Public Record
Watch Oct, 24,22
play last 10 minutes
of see socialism in
action that is Me
and I have a notice
of Lausnit!

## Tyre Nichols was KILLED by the Cops.

And it will happen again if we don't get control of our Police.

Vancouver Mayor Anne McEnerny-Ogle and Police Chief Mori made statements about Tyre Nichols "death" saying "it would not be tolerated here," yet since 2017 VPD has "tolerated" KILLING at least 7 of our neighbors. Their names are:

Andrew Williams
William Abbe
Justin Burton
David W. Hamilton
Clayton Joseph
Michael Pierce
Carlos Hunter

Since 2020, Clark County Sheriff's Deputies have KILLED at least 4, including:

Kevin Peterson Jr Jenoah Donald Kfin Karou, "KDROP" & Vancouver Police Officer Donald Sahota

The residents of Vancouver don't have control of our police.

The VANCOUVER POLICE OFFICERS GUILD & City Staff negotiate their own rules and "Accountability", But the neighbors who they police and kill are left out. Until we DEMAND LOCAL NEIGHBORHOOD CONTROL OF POLICE, we will continue to experience their abuse of power. We must stop looking to Police or The City to meet our needs, its not working. No amount of money or reform can change our system from functioning as designed: to maximize profit and control. Instead lets empower the residents and start with this:

IF YOU SEND PEOPLE TO POLICE US, WE WANT CONTROL OF THEM