



City Council Meeting Minutes

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

Anne McEnerny-Ogle, Mayor • Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

February 12, 2024

COUNCIL DINNER/ EXECUTIVE SESSION RE: PENDING LITIGATION (5:00 PM - 5:30 PM) ADMINISTRATIVE UPDATES (5:30 PM - 6:30 PM)

Mayor McEnerny-Ogle announced the Council would be entering into executive session from 5:00-5:30 p.m. to discuss Pending Litigation.

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/36255?startStreamAt=0&stopStreamAt=3723 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 McEnerny-Ogle. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, and Mayor McEnerny-Ogle

Absent: None

Approval of Minutes

Minutes - January 22, 2024

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve the meeting minutes of January 22, 2024.

Proclamations: Black History Month

Mayor McEnerny-Ogle read and presented a proclamation to Yolanda Frazier, President of the Vancouver Washington Chapter of the NAACP, proclaiming February 2024, as Black History Month.

Community Communications

Mayor McEnerny-Ogle opened Community Communication and received testimony from the following community members regarding any matter on the agenda not scheduled for a Public Hearing:

- Kimberlee Goheen Elbon, La Center, WA

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

Consent Agenda (Items 1-11)

Council pulled items 7 and 9 for discussion.

Motion by Councilmember Fox, seconded by Councilmember Hansen, and carried unanimously to approve items 1-6, 8, 10, and 11 on the Consent Agenda.

Councilmember Fox recused herself for Item 7.

Motion by Councilmember Hansen, seconded by Councilmember Harless, and carried unanimously to approve item 7 on the Consent Agenda.

Item 9 was remanded back to staff.

1. Completion of Construction - 2023 Crack Seal Project

Staff Report: 030-24

- *The project completed crack sealing on approximately 86 lane miles of*

street.

- *The original construction contract bid amount was \$415,500. Quantity adjustments during construction decreased the final contract amount 2.5% to \$405,158.90. BCV Inc. of Wenatchee, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications.*

Request: On February 12, 2024, accept the 2023 Crack Seal Project as constructed by BCV Inc. of Wenatchee, Washington, and authorize release of the retainage in the amount of \$20,257.95, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790

Motion approved the request.

2. Completion of Construction - 2022 Joint Agency Road Preservation Project

Staff Report: 031-24

- *The project completed approximately 50 lane miles of street preservation, including chip seal, microsurfacing, and slurry seal treatments.*
- *The original construction contract bid amount was \$2,793,168.39. Quantity adjustments during construction decreased the final contract amount 6.7% to \$2,605,716.83. Doolittle Construction of Bellevue, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications.*
- *The apprenticeship goal for this project was 4% of the project's labor hours. The contractor was only able to achieve 2% of the project's labor hours and was penalized \$11,697.80 for not meeting the goal.*

Request: On February 12, 2024, accept the 2022 Joint Agency Road Preservation Project as constructed by Doolittle Construction of Bellevue, Washington, and authorize release of the retainage in the amount of \$132,769.18, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790

Motion approved the request.

3. Completion of Construction and Release of Retainage - 2023 Joint Agency Road Preservation Project

Staff Report: 032-24

- *The project completed approximately 20 lane miles of street preservation, including chip seal, microsurfacing, and slurry seal treatments.*
- *The original construction contract bid amount was \$1,300,713.75. Minor quantity adjustments during construction added \$1,781.78 to the contract, but the penalty for not meeting the apprenticeship requirement reduced the contract by \$4,240, resulting in a final contract amount of \$1,298,255.53. Doolittle Construction of Bellevue, Washington, has*

satisfactorily completed the subject improvements in accordance with the plans and specifications.

- The apprenticeship goal for this project was 3% of the project’s labor hours. The contractor was only able to achieve 2% of the project’s labor hours and was penalized \$4,240.00 for not meeting the goal.*

Request: On February 12, 2024, accept the 2023 Joint Agency Road Preservation Project as constructed by Doolittle Construction of Bellevue, Washington, and authorize release of the retainage bond, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790

Motion approved the request.

4. Bid Rejection - ITB 24-04: Water Station 1 Replace Drinking Water Wells 3-5

Staff Report: 033-24

The Water Station 1 drinking water wells are a critical infrastructure component to Vancouver’s water system. The existing Well 3, 4 and 5 were constructed in 1943, 1944 and 1962, respectively. The antiquated wells are low-performing and difficult to maintain with their equipment and structure and were identified for replacement in the most recent Comprehensive Water System Plan.

This effort would replace those wells within the same wellfield with a modern design. The wells are to be installed within the existing City of Vancouver Water Station 1 at 2103 East Reserve Street. The drilled wells would be completed in the same aquifer as the existing twelve Water Station 1 wells. The solicitation specified cable-tool drilling as the only allowed method. This method provides a conservative approach to drilling in an existing wellfield, but is not completely necessary for this project.

This project was bid on January 25, 2024, to drill two replacement wells at Water Station 1. One bid was received and opened. The Meriwether Lewis Construction bid listed below, \$1,535,774.47, was significantly higher than the published engineer’s estimate of \$515,000.00.

SUMMARY OF BIDS	
BIDDER	AMOUNT
Meriwether Lewis Construction, Camas, WA	\$1,535,774.47
Engineer’s Estimate (as published)	\$ 515,000.00
Updated Engineer’s Estimate	\$ 630,000.00

The engineer’s estimate (as published) was based on historical bids in other Washington communities provided by a consultant. We have incorporated more regional bid results from the Portland-Vancouver-Salem metro area to revise the Engineer’s Estimate. It has been raised approximately 20% now totaling \$630,000.00.

Staff and their consultant engineer are revising specifications and bid requirements to allow an additional drilling method. Well drillers with rotary drilling rigs will be allowed to bid in addition to those with cable-tool rigs. A modestly increased period of performance would also encourage contractors to submit a bid.

These changes should increase solicitation competition.

Request: On February 12, 2024, reject all bids and direct staff to resolicit the project.

Patrick Craney, Civil Engineer, 360-487-7167

Motion approved the request.

5. Commercial Lease Agreement - City of Vancouver and Del Sol, Inc.

Staff Report: 035-24

The Zhen building, located at 5107 E. Fourth Plain Boulevard, was purchased by the City in 2018 as part of the Operations Center property consolidation efforts. Upon further research and consideration of the needs for our Operation Center, it was determined that this location would not serve the needs of our services on a long-term basis and a new location has been purchased to accommodate our future Operations Center needs.

This building is a Class C office/retail space that is anticipated to be part of the overall re-development of this area upon completion of a new Operations Center complex. It is our goal to maintain tenancy in this building until re-development occurs.

Del Sol, Inc. is a minority woman owned janitorial and property maintenance company currently headquartered in Pasco, Washington with contracts locally in Vancouver. In 2024 the City of Vancouver produced an RFP to provide janitorial services to the City of Vancouver. Del Sol, Inc. was awarded this contract. Continued leasing in this building will allow Del Sol to not only provide services to the City of Vancouver but also the opportunity to continue to grow their business and increase their customer base in the area.

It is proposed to enter into a lease agreement with Del Sol for approximately 2,200 square feet for a Four-year (4-year) period. Rent will be \$12.14 per square foot and will escalate 2% annually. This rate is consistent with the other tenants in the building.

Request: Ratify the attached Commercial Lease Agreement between City of Vancouver and Del Sol, Inc. and authorize the City Manager, or designee, to execute the document.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

6. **Approval of an Interlocal Agreement with Clark County Re Right of Entry to County Property for the Jefferson-Kauffman Realignment project (Project # PRJ071247)**

Staff Report: 036-24

The City Jefferson-Kauffman Realignment project requires temporary access to County property to complete the road improvement. This Interlocal Agreement grants the City the needed access and must be approved by both the Clark County Council and the Vancouver City Council. Clark County Council scheduled this Interlocal Agreement for approval on February 6, 2024.

Request: Authorize the City Manager, or designee, to sign an Interlocal Agreement with Clark County for Right of Entry to Clark County Property for the Jefferson-Kauffman Realignment Project.

Hassan Abdalla, Engineering Manager, 360-487-7704

Motion approved the request.

7. **Washington Department of Commerce Climate Planning Grant 2023-25 Award**

Staff Report: 026-24

The Washington State Department of Commerce has awarded the City of Vancouver \$575,000 in Climate Planning Grant funds as part of Washington State’s Growth Management Act[1] amendment House Bill 1181 (Chapter 228, Laws of 2023), which requires climate action to be integrated into local comprehensive plans.

Climate planning activities required for the City of Vancouver’s Comprehensive Plan include changes to land use, transportation systems, climate resilience, and reduction of greenhouse gas emissions.

Much of the required climate planning work specific to greenhouse gas emission reduction was completed in 2020-2022 as part of the development and adoption of Vancouver’s Climate Action Framework. This puts Vancouver in a highly favorable position to take on new projects that will support further development of climate resilience elements and greenhouse gas reduction recommendations from the CAF. These projects are as follows:

Vancouver Climate Planning 2023-25 Grant Projects	Commerce Grant Funds
Citywide electric vehicle charging strategy	\$100,000
Asset vulnerability mapping	\$100,000
Citywide commercial building decarbonization strategy	\$175,000
Low carbon transportation acceleration strategy	\$200,000
2023 Total Award based on four current projects: (Note: A \$700,000 Max available through 2029)	\$575,000

This grant award term ends June 30, 2025. Note that this \$575,000 grant is a partial allocation from a larger, non-competitive formula grant totaling \$700,000 that Commerce has set aside for Vancouver to assist in completing Comprehensive Plan revisions and enhance climate-related implementation activities. The City has until 2029 to apply for and use the remaining portion (\$125,000) of this allocation.

Request: Authorize the City Manager or designee to execute an interlocal agreement with Commerce to accept Climate Planning Grant funds from Commerce and take any and all action necessary to enforce the terms thereof.

Rebecca Small, Senior Policy Analyst, 360-487-8601; Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

Motion approved the request.

8. Recognition of the Woodland Meadows Neighborhood Association

Staff Report: 037-24

A RESOLUTION recognizing the Woodland Meadows Neighborhood Association by City Council and providing that City Council intends to consult with the neighborhood association and to consider recommendations of the Woodland Meadows Neighborhood Association on any matter found to affect the livability of the Woodland Meadows neighborhood.

Residents of the area gathered on July 26, Aug. 23, Sept. 9, Sept. 13 and Oct. 25, 2023, and voted to form a neighborhood association, to be called the Woodland Meadows Neighborhood Association. They established boundaries, adopted bylaws, and voted in officers. They have met all requirements to become formally recognized by the City Council.

Request: Staff recommends the adoption of a resolution formally recognizing the Woodland Meadows Neighborhood as the City's 71st official neighborhood association.

William Cooley, Community Engagement Manager, 360-487-8617

Motion adopted Resolution M-4265 to approve the request.

9. Updates to Affordable Housing Fund Administrative Plan

Staff Report: 038-24

A RESOLUTION relating to low-income housing; providing amendments to the 2024 – 2033 Affordable Housing Financing Plan adopted in 2022 for the collection and use of monies authorized by RCW 84.52.105 to fund very low-income housing; providing for Severability; and an Effective Date.

On September 19, 2022, Council approved the 2024 Affordable Housing Fund (AHF) Administrative and Financial Plan that details the implementation of the \$100 million generated by the AHF funding levy from January 1, 2024, through December 31, 2033. The AHF Admin Plan allows for updates pending review and approval by City Council.

The Economic Prosperity & Housing department, along with the Homeless Assistance & Response Team (HART), is proposing changes to the household residency and unit eligibility sections of the Plan related to the rental assistance and housing services assistance. The changes are aimed at providing increased affordability and availability of housing units by expanding eligible units for rental assistance recipients to within Clark County. Only existing residents of Vancouver and people who are homeless within Vancouver would be eligible to access the City of Vancouver Affordable Housing Fund funding for units both, inside and outside the City limits.

These changes will allow tenants who are currently in Permanent Supportive Housing or Rapid Rehousing Programs, but do not need wrap around services, to find longer-term affordable housing to maintain housing stability with a low or fixed income. This will free up units that include case management services for people moving out of homelessness and require more support and case management to become stably housed.

The purpose of these changes is to efficiently use funding and system resources based on individual household needs. In coordination with partners, tenants who do not need supportive services will be identified and transitioned to long-term affordable housing, some of this housing may be outside of city limits. This will free up space to allow people who are living outside or at Safe Stay or Safe Park, who are in need of more supportive housing services, units to transition to, creating more movement for households along the housing continuum.

The updated language is attached in the proposed 2024 Affordable Housing Fund (AHF) Administrative and Financial Plan v.3.

Request: Adopt a resolution amending the 2024 AHF Administrative and Financial Plan.

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

Item remanded back to staff.

10. Appointment City/County Telecommunications Commission

The City/County Telecommunications Commission (TCC) serves in an advisory capacity to the Vancouver City Council and the Clark County Council on matters related to telecommunications and cable television. The commission makes reports, monitors compliance with the city and county cable franchise agreements and establishes rules and regulations regarding cable television and associated telecommunications issues.

Mayor McEnemy-Ogle recently interviewed candidates for three full-term positions on the TCC and recommends the appointment of Robert Hinds, Bruce Maas, and Chad Nygard; with a term effective January 1, 2024 and expiring December 31, 2026.

If there are no objections, the Mayor would like to make this appointment at the Monday, February 12, 2024, Council meeting.

Request: Appoint to the City/County Telecommunications Commission Robert Hinds, Bruce Maas, and Chad Nygard to full-term positions effective January 1, 2024, and expiring December 31, 2026.

Mayor McEnemy-Ogle

Motion approved the request.

11. Approval of Claim Vouchers

Request: Approve claim vouchers for February 12, 2024.

Motion approved claim vouchers in the amount of \$8,005,831.19.

Communications

A. From the Council

B. From the Mayor

C-Tran Presentation

Shawn Donaghy, Chief Executive Officer for C-Tran, recognized and presented an award to Councilmember Ty Stober for his years of service on the C-Tran Board of Directors.


C. From the City Manager

Adjournment

7:32 p.m.

DocuSigned by:
Anne McEnemy-Ogle
0C89D9889EC5424...
Anne McEnemy-Ogle, Mayor

Attest:

DocuSigned by:

BCF6734E40E94AE...
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: [Terry Dunn](#)
To: [City Council](#)
Subject: Traffic enforcement cameras on February 12 agenda
Date: Sunday, February 11, 2024 9:20:54 AM

You don't often get email from [REDACTED]. [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.

Dear Councilors,

I wish to support the letter from Mike and Cindy Shaw on the February 12 agenda that advocates the installation of traffic enforcement cameras on McGillivray and the rest of Vancouver City. A search through letters to The Columbian will find a significant number of letters stating the fear the writers feel from the scofflaws driving on Vancouver roads and asking for traffic enforcement cameras.

Legislation passed in Olympia permits any Washington city to install traffic enforcement cameras, and Governor Inslee has encouraged city governments to do so. Fourteen Washington cities have done so and Vancouver is the largest city in the state that has not. Please begin immediate action to install the cameras. They will immediately save lives and injuries on Vancouver roads and the revenue from fines will go a long way to pay for their installation.

Terrence Dunn

[REDACTED]
Vancouver WA 98683

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Watch "White clots common" on YouTube
Date: Thursday, February 8, 2024 11:11:38 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.

<https://youtu.be/4rAoqhTUU0g?si=4uxH1rz3oIVjclzQ> . Send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd: RECALL - Rizo-Lopez Foods cheeses, crema, and yogurt due to potential Listeria
Date: Friday, February 9, 2024 1:09:50 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.

Does MELNECK have this recall list on Clark County health board site? Are the council and MELNECK subscribers ? Do they share this information with the public? I want some answers to these questions . Please send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn

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

From: **WA Department of Health** <waDOH@public.govdelivery.com>
Date: Fri, Feb 9, 2024, 11:45 AM
Subject: RECALL - Rizo-Lopez Foods cheeses, crema, and yogurt due to potential Listeria
To: [REDACTED]

Food Recall in Washington Images



Numerous Dairy Products Recalled

Rizo-Lopez Foods, Inc is expanding the list of recalled products due to possible *Listeria* contamination. The recalled products include cheese, yogurt, and sour cream sold under several brand names such as: Campesino, Casa Cardenas, Don Francisco, Don Pancho, Dos Ranchitos, El Huache, Food City, H-E-B, La Ordena, Rio Grande, Rizo Bros, Rojos, San Carlos, Santa Maria, Tio Francisco, Trader Joe's, and 365 Whole Foods Market.

The list of recalled products is extensive and expected to increase. Please see the links below for the currently identified recalled products.

Product Distribution

Recalled products were shipped to numerous retailers nationwide. We do not have extensive distribution information for Washington at this time but have been working with distributors and retailers to identify distribution and help ensure recall effectiveness. Recalled products were distributed in Washington and we will provide more distribution details if available.

Associated Illnesses

These products are recalled due a multi-year, multi-state outbreak. Since illnesses began on June 15, 2014, there have been 26 reported illnesses, 23 hospitalizations, and 2 deaths (in California and Texas) linked to consumption of the recalled products. We have one identified case in Washington.

For additional information on the outbreak: [Listeria Outbreak Linked to Queso Fresco and Cotija Cheese | CDC](#)

Additional Information

For additional information, see the company announcement / news release on the FDA / USDA website at: [Rizo-López Foods, Inc. Voluntarily Recalls Dairy Products Because of Possible Health Risk | FDA](#)

For additional associated recalls: [2024 Recalls of Food Products Associated with Dairy Products from Rizo Lopez Foods, Inc. due to the Potential Risk of Listeria monocytogenes | FDA](#)

For information on FDA's investigation, see [Outbreak Investigation of Listeria monocytogenes: Queso Fresco and Cotija Cheese \(February 2024\) | FDA](#). Information also available in Spanish.

Consumer Guidance

Consumers should check their refrigerators and freezers for recalled products and dispose of them. Consumers with questions may contact the company at 1-833-296-2233.

Retailers should check their products to ensure they do not have recalled products available for sale.

Local Health Jurisdictions in Washington are not being asked to participate in any formal recall verification activities at this time, but appropriate staff should be aware of the food recall.

You are receiving this message because you expressed interest in receiving notification regarding food recalls affecting Washington state. This recall will be posted on our website shortly. To see other recent food recalls affecting Washington state, visit www.doh.wa.gov/foodrecalls.



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