



City Council Meeting Minutes

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

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

December 2, 2024

Workshops: 5:00-6:00 p.m.

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/36939?startStreamAt=0&stopStreamAt=2260

Federal Update and Legislative Agenda

(Approximately 45 minutes)

Aaron Lande, Program and Policy Development Manager,
aaron.lande@cityofvancouver.us

Staff led Council through a discussion of the Federal Update and Legislative Agenda.

Councilmember Harless was absent from the workshop.

Councilmember Stober joined the workshop remotely.

Council Dinner / Administrative Updates (6:00-6:30 p.m.)

Regular Council Meeting

6:30 PM

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

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/36943?startStreamAt=0&stopStreamAt=5207

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: Councilmember Perez, Councilmember Fox, Councilmember Paulsen, Councilmember Stober, Councilmember Hansen, Mayor McEnerny-Ogle

Absent: Councilmember Harless

Motion by Councilmember Hansen, seconded by Councilmember Perez, and Yes: 6, No: 0, Abstaining: 0, to to excuse Councilmember Harless. Absent from vote: Councilmember Harless.

Approval of Minutes

Minutes - November 18, 2024

Motion by Councilmember Hansen, seconded by Councilmember Perez, and Yes: 5, No: 0, Abstaining: 1, to to approve the November 18, 2024, meeting minutes. Absent from vote: Councilmember Harless. Councilmember Paulsen abstained.

Community Communication

This is the place on the agenda where the public is invited to speak to Council regarding any matter on the Agenda not already scheduled for Public Hearing. (Separate instructions are provided for offering testimony on Public Hearing when applicable.) This includes the option to testify about Workshops. Members of the public addressing Council are requested to give their name and city of residence for the audio record. Speakers are to limit their testimony to a total of three minutes for all items combined.

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*
- *Carmen DeLeon, Vancouver*

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

Consent Agenda

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately – after the motion has been made and passed to approve the remaining items.

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and Yes: 6, No: 0, Abstaining: 0, to approve Items 1-6 on the Consent Agenda. Absent from vote: Councilmember Harless.

1. Cascara Apartments - Fourth Plain For All Housing Loan

A RESOLUTION relating to affordable housing; authorizing the City Manager to approve the below market-rate affordable housing loan and execute agreements and other related loan documents on behalf of the City of Vancouver consistent with the American Rescue Plan Act requirements and Fourth Plain For All Investment Strategy Housing Allocation funds.

Staff Report: 252-24

- Request:
1. Approve The Affordable Housing Loan between Cascara Apartments LLLP, a Washington limited liability limited partnership (“Borrower”) and the City of Vancouver, Washington, a Washington municipal corporation (“Lender”)
 2. Confirm American Rescue Plan Act Restricted Funds Eligibility. The Affordable Housing Loan conforms to the City’s Fourth Plain for All Investment Strategy Housing Actions and the US Department of Treasury American Rescue Plan Act State and Local Fiscal Recovery Fund restrictions for loans to fund investments in affordable housing projects under the public health and negative economic impacts eligibility use category and the full principal of the loan may be funded from the City’s restricted American Rescue Plan Act funds.

3. Authorize the City Manager or their designee to issue and execute the Loan Documents, which include the Affordable Housing Loan Agreement (“Exhibit A”), the Secured Promissory Note (“Exhibit B”), the Subordinate Deed of Trust (“Exhibit C”), and the Affordable Housing Covenant (“Exhibit D”), in substantially the form attached.
4. Authorize the City Manager or their designee to make any reasonably necessary modifications to the Loan Documents and execute supplemental creditor agreements requested by the Borrower's tax-exempt bonds as reasonably necessary to perfect subordination of the loan security.

Chim Chune Ko, Principal Project Manager,
ChimChune.Ko@cityofvancouver.us

Motion adopted Resolution M-4310 to approve the request.

2. Resolution Updating Boundaries of the Vancouver Arts District

A RESOLUTION relating to the expansion of the Vancouver Arts District.

Staff Report: 233-24

Request: On Monday, December 2, 2024, approve a Resolution updating boundaries of the Vancouver Arts District.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Motion adopted Resolution M-4311 to approve the request.

3. Critical Areas Ordinance

AN ORDINANCE relating to Vancouver Municipal Code (VMC) Title 20 concerning the regulation of Critical Areas within the City; Amending VMC 20.150 and VMC 20.740; providing for severability; and establishing an effective date.

Staff Report: 253-24

Request: On Monday, November 4, advance the ordinance amending Vancouver Municipal Code Sections 20.150 and 20.740, setting a second reading and public hearing on November 18, 2024.

Domenique Martinelli, Senior Planner, Keith Jones, Senior Planner,
domenique.martinelli@cityofvancouver.us,
keith.jones@cityofvancouver.us

Mayor McEnerny-Ogle read the title of the ordinance into the record.

Motion approved the request.

4. Parking Advisory Committee Appointment

Request: Appoint Jonathan Wheeler to a midterm position on the Parking Advisory Committee with a term beginning immediately and expiring on April 18, 2025.

Council Subcommittee 2

Motion approved the request.

5. Citizen Noise Advisory Committee Reappointment

Request: The reappointment of Mike Yee to a midterm position that would begin immediately and expire November 30, 2025, and John Pusieski to a full-term appointment that would begin November 30, 2024, and expire November 30, 2027.

Council Subcommittee 2

Motion approved the request.

6. Approval of Claim Vouchers

Request: Approve claim vouchers for December 2, 2024.

Motion approved claim vouchers in the amount of \$12,936,904.20.

Public Hearings

The following item(s) are scheduled for public hearing. Members of the public addressing Council are requested to give their name and city of residence for the audio record. Unless otherwise announced by the Presiding Officer, speakers are to limit their testimony to three minutes for each public hearing.

Mayor McEnerny-Ogle combined the public testimony relating to Items 7-21 of the Public Hearings.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- *Barry Kane?*
- *Carmen De Leon, Vancouver*

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

7. Telecommunications Commission Meeting Schedule Amendment

AN ORDINANCE amending Vancouver Municipal Code 5.19.310 to change the number of required annual meetings of the Vancouver Clark Telecommunications Commission (VCTC); to provide clarity to other existing provisions; to provide for severability; and setting an effective date.

Staff Report: 236-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Aaron Lande, Program and Policy Development Manager,
aaron.lande@cityofvancouver.us

Aaron Lande, Program and Policy Development Manager, provided an overview of the Telecommunications Commission Meeting Schedule Amendment.

Testimony for public hearings on Items 7-21 were combined and public testimony is noted above.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4473. Absent from vote: Councilmember Harless.

8. Ordinance for Multifamily Tax Exemption - Fourth Plain Target Area Boundary Amendment

AN ORDINANCE of the City of Vancouver relating to changes to the City's Multi-Family Housing Tax Exemption Program (MFTE); adopting corrections to the Fourth Plain Target Area Boundary amending Section 3.22.030, of the Vancouver Municipal Code (VMC); providing for severability; and setting an immediate effective date.

Staff Report: 237-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance, expanding the boundary of the Fourth Plain residential target area of the multifamily tax exemption program.

Bryan Monroe, Associate Housing Project Coordinator,
bryan.monroe@cityofvancouver.us

Bryan Monroe, Associate Housing Project Coordinator, provided an overview of the Ordinance for Multifamily Tax Exemption - Fourth Plain Target Area Boundary Amendment .

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4474. Absent from vote: Councilmember Harless.

9. Ordinance Updating Vancouver's Tax Administration Code

AN ORDINANCE relating to tax administration; adding a new chapter 5.01 to the Vancouver Municipal Code; enacting new sections 5.01.010, 5.01.015, 5.01.020, 5.01.040, 5.01.050, 5.01.060, 5.01.070, 5.01.080, 5.01.090, 5.01.095, 5.01.100, 5.01.110, 5.01.120, 5.01.130, 5.01.140, 5.01.160, 5.01.170, 5.01.180, 5.01.190, 5.01.200, 5.01.210, 5.01.220, 5.01.240, 5.01.250, 5.01.260; repealing sections 5.04.100, 5.04.150, 5.04.155, 5.04.160, 5.04.170, 5.04.180, 5.04.190, 5.04.200, 5.04.210, 5.04.220, 5.04.230, 5.04.240, 5.04.250, 5.87.010, 5.87.020, 5.87.030, 5.87.040, 5.87.050, 5.87.060, 5.87.070, 5.87.080, 5.87.090, 5.87.100, 5.87.110, and 5.87.120; and providing for savings, severability and effective date.

Staff Report: 238-24

Request: On December 2, 2024, subject to second reading and public hearing, approve ordinance

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Updating Vancouver's Tax Administration Code.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Perez, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4475. Absent from vote: Councilmember Harless.

10. Ordinance Establishing a Business & Occupation Tax on Retail to Fund Homeless Bridge Shelter

AN ORDINANCE relating to business and occupation tax for revenue; adding a new chapter 5.03 to the Vancouver Municipal Code; enacting new sections VMC 5.03.010, 5.03.020, 5.03.028, 5.03.030, 5.03.050, 5.03.070, 5.03.076, 5.03.077, 5.03.078, 5.03.079, 5.03.100, 5.03.120, and 5.03.130; repealing sections 5.04.021, 5.04.030, 5.04.031, 5.04.032, 5.04.050, and 5.04.060; amending the title of chapter 5.04 of the Vancouver Municipal Code; and providing for savings,

severability, referendum, and an effective date.

Staff Report: 239-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Establishing a Business & Occupation Tax on Retail to Fund Homeless Bridge Shelter.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Erik Paulsen, seconded by Diana Perez, and Yes: 5, No: 1, Abstaining: 0, to approve Ordinance M-4476. Absent from vote: Kim Harless. Councilmember Hansen voted No.

11. Ordinance for Utility Licenses & Taxes

AN ORDINANCE relating to utility taxes; adding a new chapter 5.10 to the Vancouver Municipal Code; enacting new sections VMC 5.10.010, 5.10.020, 5.10.030, 5.10.040, 5.10.045, 5.10.050, 5.10.060, 5.10.070, 5.10.080, 5.10.090, 5.10.100; repealing VMC sections 5.68.010, 5.68.020, 5.68.030, 5.68.040, 5.68.050, 5.68.055, 5.68.100, 5.68.110, 5.88.010, 5.88.020, 5.88.030, 5.88.035, 5.88.040, 5.88.050, 5.88.075, 5.88.100, 5.92.010, 5.92.020, 5.92.030, 5.92.040, 5.93.010, 5.93.030, 5.94.010, 5.94.020, 5.94.030, 5.94.040, 5.94.080, 5.96.010, 5.96.020, 5.96.030, 5.96.040, 5.96.090; and providing for savings, severability, referendum, and an effective date.

Staff Report: 240-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance for Utility Licenses & Taxes.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4477. Absent from vote: Councilmember Harless.

12. Ordinance Implementing Admissions Tax

AN ORDINANCE relating to admissions taxes; adding a new chapter 5.90 to the Vancouver Municipal Code; enacting new sections VMC 5.90.010, 5.90.020, 5.90.030, 5.90.040, 5.90.050, 5.90.060, 5.90.070, 5.90.080, 5.90.090, 5.90.100; providing for severability and an effective date.

Staff Report: 241-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Implementing Admissions Tax.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 5, No: 1, Abstaining: 0, to approve Ordinance M-4478. Absent from vote: Councilmember Harless. Councilmember Hansen voted No.

13. Ordinance Implementing Parking Tax

AN ORDINANCE relating to parking taxes; adding a new chapter 5.07 to VMC; enacting new sections VMC 5.07.010, 5.07.020, 5.07.030, 5.07.040, 5.07.050, 5.07.060; and providing for severability and an effective date.

Staff Report: 242-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Implementing Parking Tax.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Perez, seconded by Councilmember Paulsen, and Yes: 5, No: 1, Abstaining: 0, to approve Ordinance M-4479. Absent from vote: Councilmember Harless. Councilmember Hansen voted No.

14. Ordinance for Assumption of Costs for Electronic Payments by Customers

AN ORDINANCE relating to electronic payment fees; amending VMC 3.08.065; providing for severability and an effective date.

Staff Report: 243-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance for Assumption of Costs for Electronic Payments by Customers.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4480. Absent from vote: Councilmember Harless.

15. Ordinance Creating Vancouver Cultural Access Program and Cultural Access Sales Tax

AN ORDINANCE relating to a Vancouver Cultural Access Program; adding a new chapter 3.45 to the Vancouver Municipal Code; enacting new sections 3.45.010, 3.45.020, 3.45.030, 3.45.040, and 3.45.050; providing for severability and an effective date.

Staff Report: 244-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Creating Vancouver Cultural Access Program and Cultural Access Sales Tax.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 5, No: 1, Abstaining: 0, to approve Ordinance M-4481. Absent from vote: Councilmember Harless. Councilmember Hansen voted No.

16. Ordinance Increasing Fees for Special Licensing

AN ORDINANCE relating to special license fees for Carnivals and Traveling Shows (ch. 5.18 VMC), Food Vendors (ch. 5.34 VMC), Bill Posting and Distribution of Handbills (ch. 5.38 VMC), Secondhand Dealers (ch. 5.46 VMC), Pawnbrokers (ch. 5.48 VMC), Peddlers, Solicitors, and Canvassers (ch. 5.50 VMC), Motion Picture Shows and Theaters (ch. 5.54 VMC), Collection of Recyclable Materials (ch. 5.62 VMC), Taxi & Transportation Network Companies (ch. 5.76 VMC), Ambulances (ch. 5.85 VMC), and Tow Truck Operators (ch. 5.86 VMC); amending VMC 5.18.040, 5.34.040, 5.38.010, 5.46.070, 5.48.020, 5.50.040, 5.50.060, 5.54.010, 5.62.020, 5.76.225, 5.85.100, 5.86.100; providing for savings, severability and an effective date.

Staff Report: 245-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Increasing Fees for Special Licensing.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 4, No: 2, Abstaining: 0, to approve Ordinance M-4482. Absent from vote: Councilmember Harless. Councilmembers Fox and Hansen voted No.

17. Ordinance Amending VMC 20.180.060, Planning Fees, to Add Certain Land Use Review Fees and Adjust Other Certain Existing Land Use Review Fees,

Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025

AN ORDINANCE relating to plan review fees adding several new fees and adjusting other existing fees to bring them closer in line with fees for services; providing for savings, severability and an effective date.

Staff Report: 246-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance and approve the attached Planning Fee Changes, to be effective January 1, 2025.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Amending VMC 20.180.060, Planning Fees, to Add Certain Land Use Review Fees and Adjust Other Certain Existing Land Use Review Fees, Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4483. Absent from vote: Councilmember Harless.

18. Ordinance Updating to the Vancouver Municipal Code Sections 14.04.210, 14.04.230, and 14.09.060 for Water, Sewer and Surface Water Proposed Utility Rate Changes for 2025 and 2026

AN ORDINANCE related to the water, sewer and surface water utility user rates, amending Vancouver Municipal Code sections 14.04.210, 14.04.230, and 14.09.060; and providing for savings, severability, and an effective date.

Staff Report: 247-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance and amend the Vancouver Municipal Code sections 14.04.210, 14.04.230, and 14.09.060.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Updating to the Vancouver Municipal Code Sections 14.04.210, 14.04.230, and 14.09.060 for Water, Sewer and Surface Water Proposed Utility Rate Changes for 2025 and 2026.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Fox, seconded by Councilmember Hansen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4484. Absent from vote: Councilmember Harless.

19. Ordinance Amending VMC Title 16, Pertaining to Fire-Related Construction Permits and Fire Code Operational Permits, Fire Protection System Reviews, Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025

AN ORDINANCE relating to amendments to the Fire Code to consolidate the development review standards and fire code requirements, to bring the ordinance more closely into alignment with the Washington State Fire Code, to clarify the reasonable right of entry process for non-responsive parties for commercial fire and life safety inspections, to provide for limited technical assistance fire review, to streamline and clearly outline the process for special hazards, and provide general code cleanup; providing for savings, severability and an effective date.

Staff Report: 248-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance and adopt the attached VMC Title 16 amendments, to be effective January 1, 2025.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Amending VMC Title 16, Pertaining to Fire-Related Construction Permits and Fire Code Operational Permits, Fire Protection System Reviews, Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Hansen, seconded by Councilmember Fox, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4485. Absent from vote: Councilmember Harless.

20. Ordinance Amending VMC Title 17, Pertaining to Fire-Related Construction Permits and Fire Code Operational Permits, Fire Protection System Reviews, Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025

AN ORDINANCE relating to the adjustment of existing fees to more accurately align with the programs cost recovery goals, adding several new fees to reflect evolving technology and more accurately capture staff time for project related review, including technical assistance review and providing for limited expedited permit review; providing for savings, severability and an effective date.

Staff Report: 249-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance and adopt the attached VMC Title 17 amendments, to be effective January 1, 2025.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the Ordinance Amending VMC Title 17, Pertaining to Fire-Related Construction Permits and Fire Code Operational Permits, Fire Protection System Reviews, Consistent with the Council's Direction to Appropriately Set and Collect Fees for Services, with Said Changes to be Effective January 1, 2025.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4486. Absent from vote: Councilmember Harless.

21. 2025-2026 City of Vancouver Biennial Operating and Capital Budget

AN ORDINANCE relating to and adopting the budget for the City of Vancouver for the 2025-2026 fiscal biennium; providing for ratification and for an effective date.

Staff Report: 250-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer,
natasha.ramras@cityofvancouver.us

Natasha Ramras, Chief Financial Officer, was available for questions regarding the 2025-2026 City of Vancouver Biennial Operating and Capital Budget.

Council discussed the item briefly with staff.

Testimony for public hearings on Items 7-21 were combined and testimony is noted above.

Dan Lloyd, Assistant City Attorney, addressed Council regarding scrivener's errors on Attachment D. Mr. Lloyd stated that information was left off of Attachment D. The information was the following:

- Support Specialist under salary grade 106 - non-exempt position in the City Manager's Office*
- Senior Support Specialist under salary grade 108 - non-exempt position in the City Manager's Office*
- Management Analyst D under Human Resources was listed as nonexempt instead of exempt*

Due to these errors being typos that did not affect the amount of the budget, staff recommended considering the errors as scrivener's errors and to amend Attachment D and proceed with adoption of the ordinance. Staff noted that Attachment D in December 2, 2024, packet contained the updated text without the scrivener's errors.

Two motions were requested. The first was to amend Attachment D for the scrivener's errors for the budget. The second to approve the ordinance as amended.

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and Yes: 6, No: 0, Abstaining: 0, to amend the scrivener's errors in attachment D. Absent from vote: Councilmember Harless.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 5, No: 1, Abstaining: 0, to approve Ordinance M-4487, the 2025-2026 Biennial Operating and Capital Budget, as amended. Absent from vote: Councilmember Harless. Councilmember Hansen voted No.

22. Vancouver Food Carts Mixed Use Master Plan

AN ORDINANCE rendering findings and issuing a decision on a proposed mixed use master plan and a Phase 1 site plan with zone change, located at 4906 NE 72nd Avenue, Vancouver, Washington; and providing for severability and an effective date.

Staff Report: 251-24

Request: On December 2, 2024, subject to second reading and public hearing, approve the ordinance.

Kristian Corbin, Senior Planner, kristian.corbin@cityofvancouver.us

Mayor McEnerny-Ogle opened the Quasi-Judicial Hearing for the Vancouver Food Carts Mixed Use Master Plan.

Jonathan Young, City Attorney, provided an overview of the guidelines of conducting the hearing invoking the Appearance of Fairness Doctrine. Mr. Young stated the Council would be asked to disclose any ex parte communication or other Appearance of Fairness issues pertaining to the matter.

Mr. Young then asked each member of the Council to disclose any direct or indirect benefit they could derive from the decision and determined there were no messages requiring disclosure.

All of the Councilmembers reported nothing to disclose.

Kristian Corbin, Senior Planner, provided an overview of the Vancouver Food Carts Mixed Use Master Plan.

Council discussed the item briefly with staff.

Auryn White, Bama Architecture and Design, the applicant's representative, answered questions and provided information on behalf of the applicant.

Mayor McEnerny-Ogle opened the public hearing and did not receive testimony from community members.

There being no testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and Yes: 6, No: 0, Abstaining: 0, to approve Ordinance M-4488. Absent from vote: Councilmember Harless.

Communications

A. From the Council

Council Equity Resolution

Councilmember Stober discussed the updates made to the Equity Resolution with the Council.

Councilmember Stober noted two scrivener's errors in the resolution in the December 2, 2024, packet.

The updates are as follows.

- *Page 2, Section 3 - Striking the word "or" from the statement, "or their place of employment"*
- *Page 3, Section 3, Sub Section 3 - Striking the words "Committing to" from the statement, "Committing to working with all"*

Motion by Councilmember Stober, seconded by Councilmember Perez, and Yes: 6, No: 0, Abstaining: 0, to approve the Equity Resolution, as amended. Absent from vote: Councilmember Harless.

B. From the Mayor

C. From the City Manager

2024 Second Supplemental Budget

Shannon Olsen, Budget Manager, discussed the 2024 Second Supplemental Budget.

Adjournment

7:55 p.m.

DocuSigned by:

Anne McEnerny-Ogle

6C89D9089EC5424...

Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

Natasha Ramras

493E940444AE4BD...

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.



November 27, 2024

Delivered by US Mail and E-mail:
lon.pluckhahn@cityofvancouver.us

City of Vancouver, City Council
415 W 6th Street
Vancouver, WA 98660
Attention: Lon Pluckhahn, City Manager

RE: Proposed Parking Tax

Ms. Mayor and Members of City Council:

My name is Barry Cain, manager of the Columbia Waterfront LLC, and co- owner of the brand-new Waterfront Parking Center sharing my views with you about the proposed "Parking Tax".

The Parking Center was developed by Gramor Development and our partners Steve and Jan Oliva. We have devoted countless hours over the past several years and \$53 Million to design and construct the first major parking facility at The Waterfront Vancouver. It was a significant change for the Waterfront to require all visitors to park in a garage instead of the surface parking lots. So it was our goal to make this garage open and inviting unlike any other garage, and to offer all the very best technology so customers would have the best experience possible.

During the last 4 years of planning and building, not once did the city tell us that they were considering a new tax on parking. If they had, we would have had to reconsider the economics we were using and potentially not even taking the risk of building it. I'm sure our lender would have liked to have taken it into consideration too.

The new tax you are considering increases our parking rates by 6% on top of the 9.17% sales tax and B&O tax already in place. In addition, the new tax will increase 10% a year. If we're lucky. In Seattle where a similar tax was put in place originally at 15%, the tax is now 50%!

The city is being short-sighted. The Waterfront Vancouver has been a boon for the city of Vancouver. But good things can be ruined. You have only to go a few miles south to see a town whose downtown used to be the envy of the country, but now no one wants to go to.

The City of Vancouver will exacerbate this situation even further if you allow tolls on the I-5 bridge before and during construction as seems you are doing.

City of Vancouver, City Council
November 27, 2024
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My partners and I have taken considerable risk to follow the intent of our Development Agreement with the City and build a very expensive parking garage. There is still plenty of development that needs to be completed at The Waterfront Vancouver. And now we are obviously going to have to contend with construction of the bridge. This is not the time for the city to make things harder for it or us or for your downtown.

Regards,
Columbia Waterfront LLC



Barry A. Cain

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Dear Mayor

Does or will the COV recognize, agree and follow the Supreme Court decision ruled on June 28, 2024, in the case of Grants Pass v. Johnson, that cities can enforce laws against public camping, including in parks and on sidewalks, even if it means arresting and fining homeless individuals?

This decision overturned previous rulings that had limited cities' ability to regulate public camping.

Grants Pass v. Johnson was a landmark Supreme Court case that challenged the rights of homeless individuals. It centered around a dispute between a homeless individual, Lee Johnson, and the city of Grants Pass, Oregon.

COV has not updated it CODEs 8.22.010 or the COV Website.

Also please consider the COV approved and supported Camps at Burnt Bridge Creek/Andresen Rd. Men's Sharhouse and Soundwall

The screenshot displays the Vancouver Municipal Code website interface. The top navigation bar includes links for Home, Contents, Track, Share, Settings, and Help. A search bar is present on the right. The main content area shows the document structure for VMC/8.22.010 Findings, with sections C, D, and E visible. Section C discusses constitutional limitations on remedies, while sections D and E discuss safe stay communities.

Vancouver Municipal Code

8.22.010 Findings.

individuals who habitate outside on public property do so not by choice but due to a lack of financial means to afford adequate shelter. These individuals are also adversely mentally and physically impacted by being unsheltered. Single females who habitate outside experience a disproportionately high incidence of violent crime as compared to other people. Families with children who habitate outside as a result of a lack of adequate shelter are also disproportionately adversely impacted through risk of physical danger and impediments to childhood education.

C. *Constitutional Limitations on Available Remedies.* The [Eighth Amendment](#) to the United States Constitution prohibits “cruel and unusual punishment”; the Ninth Circuit Court of Appeals has interpreted this prohibition to forbid cities from criminalizing camping and outside habitation in all places, at all times, by those who lack the financial means to pay for adequate shelter unless adequate shelter is available to such person free of charge.

D. *Safe Stay Communities.* The establishment of safe stay communities creates a means of connecting individuals to services that reduce barriers to obtaining shelter and housing while providing options for lawful camping which are incidental to the receipt of such services.

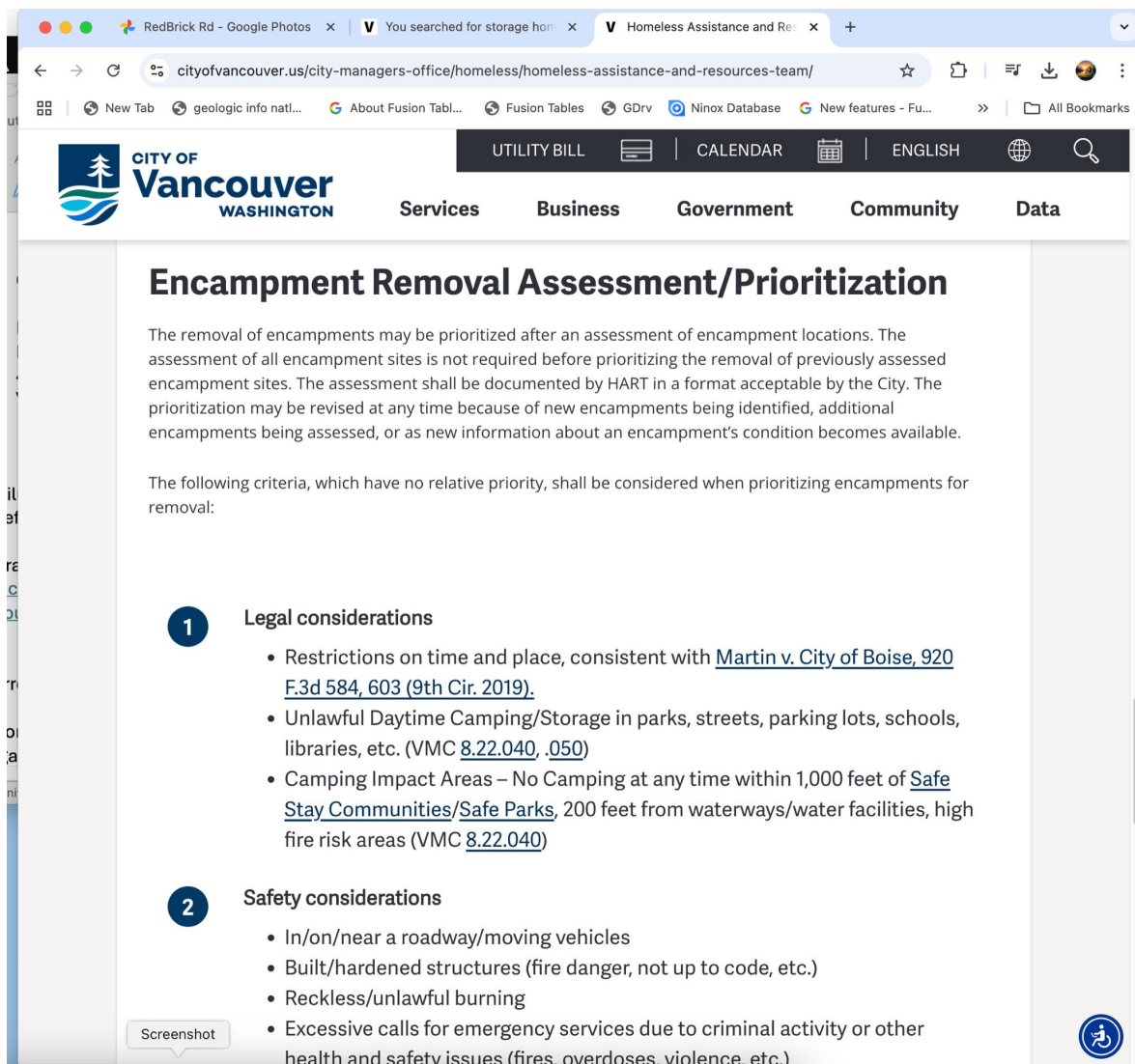
E. *Need for Specific Population Safe Stay Communities.* The city has an important government interest in protecting the physical safety and emotional well-being of residents of safe stay communities occupied by single-occupant females, and families with children. The establishment of specific population safe stay communities as defined herein reserved for members of these groups serves that important government interest and is substantially related to accomplishing those objectives. (Ord. M-4379 § 2, 2022; Ord. M-4348 § 2, 2021; Ord. M-4133 § 1, 2015; Ord. M-3323, 1997)

Your Selections 9

What's Nearby		
TITLE		
← 7	8	9 →
CHAPTER		
← 8.21	8.22	8.24 →

On This Page

- 8.22.010 Findings
- 8.22.020 Purpose
- 8.22.030 Definitions
- 8.22.040 Unlawful camping and ou...
- 8.22.050 Unlawful storage of perso...



The screenshot shows a web browser window with the City of Vancouver website. The browser's address bar displays the URL: cityofvancouver.us/city-managers-office/homeless/homeless-assistance-and-resources-team/. The website header includes the City of Vancouver logo and navigation links for Services, Business, Government, Community, and Data. A secondary navigation bar contains links for Utility Bill, Calendar, and English. The main content area is titled "Encampment Removal Assessment/Prioritization".

The removal of encampments may be prioritized after an assessment of encampment locations. The assessment of all encampment sites is not required before prioritizing the removal of previously assessed encampment sites. The assessment shall be documented by HART in a format acceptable by the City. The prioritization may be revised at any time because of new encampments being identified, additional encampments being assessed, or as new information about an encampment's condition becomes available.

The following criteria, which have no relative priority, shall be considered when prioritizing encampments for removal:

- 1 Legal considerations**
 - Restrictions on time and place, consistent with [Martin v. City of Boise, 920 F.3d 584, 603 \(9th Cir. 2019\)](#).
 - Unlawful Daytime Camping/Storage in parks, streets, parking lots, schools, libraries, etc. (VMC [8.22.040](#), [.050](#))
 - Camping Impact Areas – No Camping at any time within 1,000 feet of [Safe Stay Communities/Safe Parks](#), 200 feet from waterways/water facilities, high fire risk areas (VMC [8.22.040](#))
- 2 Safety considerations**
 - In/on/near a roadway/moving vehicles
 - Built/hardened structures (fire danger, not up to code, etc.)
 - Reckless/unlawful burning
 - Excessive calls for emergency services due to criminal activity or other health and safety issues (fires, overdoses, violence, etc.)

A "Screenshot" label is visible in the bottom left corner of the page content area. A blue circular icon with a white accessibility symbol is located in the bottom right corner of the page content area.

From: [Kim Linden](#)
To: [City Council](#)
Cc: [ADA Coordinator](#)
Subject: ADA accessibility sign up to speak, community process, transparency about the City of Vancouver agendas.
Date: Monday, December 2, 2024 11:31:32 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.

Honorable Members of Vancouver City Council:

I spent a considerable amount of time speaking to your community representative Anna after spending 1/2 hour trying to sign up on the city website via the form specified by written instructions.

There is no form. Other instruction listed is to call CMO office to register by 12pm this day. I called the CMO and after a lengthy hold time, was shepherded to voicemail. It's now 11:21AM and it appears that I am being blocked from commenting today since there has been no return phone call.

I was instructed that community meetings in our neighborhood as of last Monday, 11/25/24 do not allow virtual participation. Since the meeting is during nighttime hours, I am unable to attend due to the deteriorating safety in our neighborhood. This is not public access.

I was told that I cannot address the city council at a regular meeting unless an item is on the agenda. I just waded through today's agenda to see if there is any opportunity to speak.

I've been told that there was a decision to hold community meetings apart from city council community forum so that people can speak in person without being recorded. I understand this concern. However I want to be recorded and I want community members to hear my concerns and have this be reflected in the minutes. This is the definition of community.

There should be time to speak at every city council meeting to express concerns not on the agenda. Have you seen today's agenda? You are very busy.

Last time I wrote to the council twice to request an item placed on the agenda, I did not receive a response. I received nothing.

This is an example of barriers to participation and transparency in government.

For the below item that I have concerns about: I have already emailed planners and community development to try to gather information and have this be reflected on the public record.

This is my reason for contacting Vancouver WA City Council today and last week.

Reason for contacting the City of Vancouver:

Climate Action Plan
Planning and Zoning-Sustainability
Disability/Senior access to community essentials-grocery

We in the neighborhood just learned- just last week- that our community Safeway, 13719 SE Mill Plain Blvd, Vancouver, WA is closing, is being gutted as of day after Thanksgiving, and will close on January 4th 2025.

Apparently the building has been sold last year and plans were submitted to your council/planners for a Mercedes Sprint Van dealership last Spring 2024.

Lexus dealership is planned for **the only last open space** in our neighborhood.

Our community Safeway is a lifeline for thousands of community members, especially Seniors and People with Disabilities and those who cannot afford transportation.

This Safeway also employed people in the disability community and Seniors.

There was no notification of closing, no posting, nothing from the City of Vancouver.

If people were fortunate enough to have computers or paid subscription to Columbian newspaper, they possibly saw the few articles about this.

The Attorney General of WA is I believe currently in an anti-trust lawsuit against this corporations' merger that is causing these closures of community grocery stores.

I am writing to the AG WA and Disability Rights WA separately on this issue and it's systemic effects on communities.

Everyone I've spoken with in our neighborhood is devastated.

I thought to attend a council meeting however there is no community time to speak at the city council meetings if item is not on the agenda.

There is no form to complete to sign up to speak.

There is no one responding to CMO phone call to request accommodations to sign up.

This type of process being witnessed is an example of total lack of insight into what sustainability/climate conservation plans means, and insiduously discriminatory of protected classes in the planning/zoning processes to support sustainability in community planning and development.

I've seen this type of process before: it's called gentrification.

Please let me know when this is going to be on the agenda and please let me know when the form to sign up on the COV website is fixed, or that someone can pick up the phone or return my call before noon so I can register. The Safeway is actively being gutted right as the seasons' holidays are in process.

I am requesting a written response.

Thank you.

Kim Linden