



Anne McEnerny-Ogle, Mayor
Bart Hansen · Ty Stober · Linda Glover
Laurie Lebowsky · Erik Paulsen · Sarah J. Fox

November 23, 2020 - Vancouver City Council Meeting Minutes

WORKSHOPS

Workshops were conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting 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, or listen via the GoToMeeting conference call.

4:00-5:00 p.m. Vancouver Innovation Center

Chad Eiken, Community and Economic Development Director, 360-487-7882; Bryan Snodgrass, Principal Planner, 360-487-7952

Summary

Staff provided Council with an overview of the primary components of the proposed Vancouver Innovation Center, background information about the site, discussion to date about the project, the process moving forward, and the status of key issues.

5:00-6:00 p.m. City of Vancouver Climate Strategy

P.J. Tillman and Tristan Smit, Cascadia Consulting Group

Summary

Staff and consultants provided Council with an overview of the process used to develop Vancouver's climate strategy, and a summary of the City's greenhouse gas emissions and options for reducing emissions.

Executive Session re: Labor Negotiation Strategy (30 minutes)

Mayor McEnerny-Ogle announced the Council would be entering into executive session to discuss labor negotiation strategies for up to 30 minutes. Council was in executive session from 6:00 to 6:18 p.m.

COUNCIL CONSENT AGENDA MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting 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 Citizen Forum was also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The consent agenda meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted remotely over video conference.

Present: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Absent: None

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Jeanette Bader, Special Projects; Brian Carlson, Interim Deputy City Manager; Chad Eiken, Community and Economic Development Director; Sheryl Hale, Senior Engineering Supervisor; Aaron Lande, Senior Policy Analyst; Carrie Lewellen, City Treasurer; Peggy Sheehan, Community Development Programs Manager; Jean Singer, Capital Projects Manager; and members of the public.

Citizen Communication (Items 1-9) - see general protocol above

Mayor McEnerny-Ogle opened Citizen Communication and received the following testimony:

- Heidi Cody, Vancouver, spoke in support of Item 6, extension of a temporary moratorium on large-scale fossil fuel facilities.

- Teresa Hardy, Vancouver, spoke in support of Item 6, extension of a temporary moratorium on large-scale fossil fuel facilities.
- Caroline Ceravolo, Ridgefield, Washington, spoke in support of Item 6, extension of a temporary moratorium on large-scale fossil fuel facilities.
- Caleb Ceravolo, Ridgefield, Washington, spoke in support of Item 6, extension of a temporary moratorium on large-scale fossil fuel facilities.
- Jonah Kropp, Vancouver, spoke in support of Item 6, extension of a temporary moratorium on large-scale fossil fuel facilities.
- Glen Yung, Vancouver, spoke regarding Item 7 and expressed concerns about the multifamily tax exemption program, urging the City to evaluate the effectiveness and impact of the program on motivating development in Vancouver.

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

Consent Agenda (Items 1-9)

Council requested Items 4 and 8 be pulled from the Consent Agenda for separate consideration.

Councilmember Glover stated she would be recusing herself from a vote on Item 4, extension of the Celebrate Freedom contract, as she sits on the Historic Trust Board of Directors.

Councilmember Hansen stated he would be recusing himself from the vote on Item 8, adoption of a resolution requesting a broadband feasibility study, as he is employed by Clark Public Utilities.

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to approve items 1-3, 5-7 and 9 of the Consent Agenda.

1. Bid Award for 2020 Elevator Maintenance Services Project, per ITB #20-33

Staff Report 168-20

Summary

The City of Vancouver's existing contract for elevator maintenance and inspections of City buildings expired on June 7, 2020. Facilities and Procurement prepared bid documents for a new 5 year contract to include elevator preventative maintenance and inspections in all City buildings, and new installation/additions or required upgrades to the elevator systems. Procurement then posted the bid on October 8, 2020. Bids were

opened October 27, 2020.

Three bids were received for the subject project, however, one was deemed "non-responsive". The two responsive bids were \$93,241.34 annually and \$71,977.60 annually. The low bidder was responsive and responsible. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
George Elevator Service, LLC, Vancouver, Washington	\$71,977.60
ThyssenKrupp Elevator Corp, Portland, Oregon	\$93,241.34
Primarius Elevator, Bothell, Washington	Non-Responsive
Engineers' Estimate (Depending on required full elevator upgrades costs.)	\$50,000.00 to \$150,000.00 per year

Request: Award a Maintenance/Construction Contract for the 2020 Elevator Maintenance Services Project, per Bid #20-33 project to the lowest responsive and responsible bidder, George Elevator Service, LLC. 13208 NE 20th St. Vancouver, WA 98684, USA at their bid price of \$71.977.60 per year or not to exceed \$450,000.00 in five years, which includes Washington State sales tax; authorize the City Manager or designee to execute the foregoing contract and approve any legal action necessary to enforce the terms of the same.

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

Motion approved the request.

2. **Professional Services Agreements (PSAs) for On Call Architecture and Engineering Services**

Staff Report 169-20

Summary

The City routinely utilizes contracts with various companies for the provision of professional services using "on-call" procedures. On-call procedures allow for a master contract establishing rates and scope to be executed without identifying work to be done, or costs incurred, until a project specific "task order" is issued. There are no costs or budgetary impacts until there is a task order and funding identified for an active project.

Most recently, in 2015, City Council authorized the establishment of two on-call contracts for professional architecture and some support engineering design services. These contracts provided the City with support services required to successfully deliver a variety of facilities capital and maintenance projects. These contracts expired in September 2020.

In June of 2020, proposals were requested for similar contracts for the years 2020 through 2025. Proposal responses were received from 26 companies. After a review of all proposals, six companies have been selected for proposed professional service contracts. The six companies are: LSW Architects of Vancouver; EL, Architects of Vancouver; Scott Edwards Architecture of Portland, OR; FFA Architecture + Interiors of Portland, OR; SERA Architects of Portland, OR; and Ankrom Moisan of Portland, OR.

- Request:
1. Authorize the City Manager to enter into a professional services agreement with LSW Architects of Vancouver; EL, Architects of Vancouver; Scott Edwards Architecture of Portland, OR; FFA Architecture + Interiors of Portland, OR; SERA Architects of Portland, OR; and Ankrom Moisan of Portland, OR, for the provision of architecture and engineering design services on an as-needed basis for five year in an amount not to exceed \$500,000 for the life of each contract.
 2. Authorize the City Manager, or his designee, to activate services to be provided under this contract with a series of specific task orders. The task order proposal provides for timely "as-needed" service provision, but within the framework, scope, and limitations of the overall master contract.
 3. Authorize the City Manager to approve any legal action necessary to enforce the terms of the foregoing agreements.

Jean Singer, Capital Projects Manager, 360-487-7755

Motion approved the request.

3. Easement Release - Sanitary Sewer

Staff Report 170-20

Summary

The property owners have granted a new sanitary sewer easement to the City of Vancouver that in combination with the two previous easements will accommodate a public sewer extension through the property. However, portions of the two prior easements will no longer be required to protect and

provide access to the new sewer facilities. The property owners have therefore requested that the City release these portions of prior easements from encumbrance.

Request: Authorize the City Manager or his designee to sign the attached easement releases.

Sheryl Hale, Senior Engineering Supervisor, 360-487-7151

Motion approved the request.

4. Celebrate Freedom Agreement Extension

Staff Report 171-20

Summary

The City has contracted with the Vancouver National Historic Reserve Trust (dba The Historic Trust) to produce the Celebrate Freedom programs since 1999. Celebrate Freedom promotes the ideals of public service, leadership, civic engagement and community pride and includes many of the City's signature events, the Marshall Lecture, Marshall Adult and Youth Leadership Awards, Flag Day, Independence Day at Fort Vancouver and the Veterans Day Parade.

With the onset of the COVID-19 pandemic in March 2020 the Trust, in consultation with the City and based on public health recommendations, cancelled all the Celebrate Freedom events in 2020. The Celebrate Freedom contract has one, two-year extension remaining. The Trust and City believe that when it is safe to do so, the community will be interested in participating in events like Independence Day and the Veteran's Day Parade and are interested in extending the contract. Due to the COVID-19 triggered recession the City is proposing reducing the Celebrate Freedom agreement from \$200,000 per year to \$170,000.

The City and Trust acknowledge that the pandemic may prevent some or all of the Celebrate Freedom events from being held in 2021 and 2022. The City recognizes that due to the need for advanced planning and non-refundable deposits on some items like fireworks, the Trust may incur expenses, which City will need to reimburse, for events that end up being cancelled.

Request: Authorize the City Manager or his designee to execute a contract extension with the Vancouver National Historic Reserve Trust for the planning, coordination and funding of the Celebrate Freedom events.

Jeanette (Jan) Bader, Special Projects, 360-487-8616

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve the request. Councilmember Glover recused.

5. Banking Services Contract Amendment

Staff Report 172-20

AN ORDINANCE authorizing the execution of a contract amendment with Bank of America N.A., a national banking association (hereinafter “Contractor”), to continue the provision of professional banking services (hereinafter “Services”) to the City of Vancouver, Washington (“City”); authorizing a contract amendment extending the contract beyond its original five (5) year duration; providing for severability; and setting an effective date.

Summary

The City currently is under contract with Bank of America for general banking services. This includes depository account services, electronic payment services, settling credit/debit card transactions for money the City collects for its various fees and services, and other banking transactions. Council authorized the City Manager or his designee to sign banking services agreements with Bank of America from January 1, 2016, through December 31, 2020, for a total contract not-to-exceed amount of \$4,000,000. City Charter Section 11.05 requires City Council approve the execution of contracts with a duration of more than five (5) years by Ordinance.

Staff has been working on issuing a new RFP for banking services and anticipates releasing the RFP in late November 2020. Due to a delay in getting the RFP released, and then receiving responses, and negotiating a new contract, staff is requesting that Council authorize a one-year extension of the existing banking services agreement with Bank of America to expire on December 31, 2021. Staff anticipates the RFP will be released in late November 2020, and a new contract will be entered into prior to March 31, 2021. The new contract will be presented to Council for approval prior to March 31, 2021. If the same financial institution is selected, the new contract authorized by Council would supersede this amendment. However if a different financial institution is selected and the contract is approved by Council, the existing banking services would need to be extended through December 31, 2021, to allow time for checks to clear or go through the unclaimed property process, and to transition other banking services to the new City bank accounts.

The existing banking service contract was initially estimated at a not-to-

exceed amount of \$4,000,000 over the life of the contract. In the last year of the contract, the City is fast approaching the \$4,000,000 total contract limit due to a higher prevalence of credit card utilization by City customers than had originally been anticipated. Staff is recommending adding an additional \$1,500,000 to the contract limit for a total of \$5,500,000 through the contract extension. Originally about 90% of the banking service fees paid were attributed to credit/debit card processing fees added on by Visa/MasterCard/Discover. Currently merchant service fees represent 97% of the total annual fees paid for banking services. Over the past 5-years, the City has implemented new software payment systems that allow more citizens and businesses to pay for City fees and services by credit/debit card on-line. Most recently the City implemented the on-line permit module, which has significantly increased payments by credit cards through the Community and Economic Development department. Parking is also seeing an increase as more pay stations were added.

Request: On Monday, November 23, 2020, approve ordinance on first reading, setting date of second reading and public hearing for Monday, December 7, 2020.

Carrie Lewellen, City Treasurer, 360-487-8482

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

Motion approved the request.

6. Six-month extension of temporary moratorium prohibiting the establishment of new, or expansion of existing, large-scale fossil fuel facilities

Staff Report 173-20

AN ORDINANCE extending the six-month moratorium enacted by Ordinance No. M-4295, prohibiting the establishment of new, or expansion of existing, large-scale fossil fuel facilities, for an additional period of six months; directing staff to continue efforts to develop recommendations addressing the circumstances necessitating the moratorium; and establishing an immediate effective date.

Summary

The current moratorium prohibits the acceptance, processing, and granting of applications for permits for establishment of new, or expansion of existing, large-scale fossil fuel facilities until December 8, 2020. This provides time for work to continue on updates to the Strategic Plan, VCCV, Title 20 updates, and the drafting of a Climate Action Plan. This extension would keep the current moratorium in place until June 8, 2021.

Request: On Monday, November 23, 2020, approve ordinance on first reading, setting date of second reading and public hearing for Monday, December 7, 2020.

Aaron Lande, Senior Policy Analyst, 360-487-8612

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

Motion approved the request.

7. Multi-Family Tax Exemption Program Changes to Area Median Income Limits

Staff Report 174-20

AN ORDINANCE related to multi-family property tax exemption, amending Vancouver Municipal Code Section 3.22.040; and providing for an effective date.

Summary

As permitted under RCW 84.14 the City of Vancouver adopted a multi-family tax exemption program in 1997 to stimulate the construction or rehabilitation of multifamily housing as part of the Esther Short Redevelopment Plan and create a more active and vibrant downtown. The MFTE program was a major part of the City's downtown redevelopment strategy and provided an incentive to attract more residents to the downtown area. Currently, the City offers the MFTE program in two designated residential target areas: The Vancouver City Center Vision Area (VCCV) and the Fourth Plain Corridor Subarea (added in 2007). The City has approved 33 MFTE program applications to date representing an estimated \$608 million in private investment. The City has approved over 2,700 units including 686 affordable units under the program.

As affordable housing became more of a crisis, state law was changed to allow the use of the exemption for affordable housing units. The Vancouver City Council enacted a modification to the city's MFTE program in January 2017. The City's 2017 modification made the following tax exemption options available to applicants:

- An 8-year exemption for market-rate projects offering public benefits negotiated through a development agreement process.*
- An 8-year exemption for projects with 20% of units affordable to households earning up to 100% of area median income (AMI).*
- A 10-year exemption for projects with 20% of units affordable to households earning up to 80% AMI.*
- A 12-year exemption for projects with 20% of units affordable to*

households earning up to 60% AMI.

As these project applications were reviewed and processed the discrepancy between the restricted income levels defined in RCW 84.14 and local median incomes of Vancouver households became apparent. RCW 84.14 defines moderate and low income “for the county where the project is located, as reported by the United States department of housing and urban development.” HUD has grouped the median income for Vancouver households in a six-county Portland metropolitan statistical area in which the current median income is \$92,100. The current median income specific to the City of Vancouver, using adjusted 2017 ACS data, is \$64,900 which is 29.5% lower than the \$92,100 Portland MSA area median income used by HUD. Using the MSA median income as the base line for income restrictions resulted in “affordable” units that were still outside the financial means of Vancouver residents.

City Council is authorized to adopt the more stringent affordability and income eligibility criteria under RCW 84.14.030(2): “The multiple-unit housing must meet guidelines as adopted by the governing authority that may include height, density, public benefit features, number and size of proposed development, parking, income limits for occupancy, limits on rents or sale prices, and other adopted requirements indicated necessary by the city or county.”

The City Center Redevelopment Authority (CCRA) per their bylaws is charged with making recommendations to City Council regarding the Multi-Family Tax Exemption Program. On September 21, City staff held a workshop with the City Center Redevelopment Authority to discuss the proposed adjustment to Area Median Income to reflect Vancouver's Median Household Income. The board agreed that affordable rents under the program should reflect rents that are based on Vancouver, versus more regionally-based incomes, but also expressed that impacts from this change to the new supply of affordable housing should be monitored over time. The CCRA will be making a formal recommendation to City Council prior to the public hearing date.

City staff are recommending using the more specific Vancouver median household income as the basis for establishing affordable rent limits. This would be accomplished by multiplying the maximum income and affordable rent levels obtained from the HUD area median income based on the Portland MSA income by 70% (a reduction of 30%).

City staff will conduct an annual analysis of the HUD area median income for Clark County in relation to Vancouver's median household income and adjust the reduction factor accordingly. This annual review will ensure that affordable housing rents stay relevant to the City of Vancouver population. Additionally, staff will monitor the future use of the affordable housing options under the program and will report any significant changes to

Council that might warrant further adjustments.

Request: On Monday, November 23, 2020, approve the ordinance on first reading, setting date of second reading and public hearing for Monday, December 7, 2020.

*Chad Eiken, Community and Economic Development
Director, 360-487-7882*

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

Motion approved the request.

8. **Adoption of a resolution requesting a feasibility study for improved broadband in Clark County by Clark PUD**

Staff Report 175-20

A RESOLUTION requesting a feasibility study for improved broadband in Clark County by Clark Public Utilities.

Summary

Access to affordable and quality broadband internet service is critical for enabling access to health care, education, employment opportunities and essential services, providing economic opportunities, and enhancing public health and safety. The COVID-19 pandemic has only increased the pressing need for countywide equitable high-speed broadband internet infrastructure. Resolution requests Clark Public Utilities District conduct a feasibility study to develop a plan that encourages, fosters, develops, and improves affordable, equitable, quality broadband within the county.

Request: Adopt Resolution requesting a feasibility study for improved broadband in Clark County by Clark Public Utilities.

Aaron Lande, Senior Policy Analyst, 360-487-8612

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to adopt Resolution M-4105 approving the request.

9. **Approval of Claim Vouchers**

Request: Approve claim vouchers for November 23, 2020.

Motion approved claim vouchers for November 23, 2020, in the amount of \$7,042,187.36.

Interstate Bridge Replacement Program Update

Review of Executive Steering Group Charter

Councilmember Lebowsky disclosed that she is employed by Washington State Department of Transportation.

Aaron Lande, Senior Policy Analyst, provided an overview of the proposed charter, noting it has changed very little since Council had last reviewed it in June.

City Manager Eric Holmes stated the next meeting of the Executive Steering Group (ESG) is on November 30, so this Council meeting is the last opportunity for Council to provide approval by consensus to the Mayor to endorse the proposed charter at that next meeting. He noted there would be multiple touches with Council in the future to provide updates on the steering committee's work, and future actions would be previewed with the Council. He noted staff would generally avoid seeking a formal vote from Council on such items in the event there are small changes to the documentation being considered between the time when Council reviews it and when it is voted on by the ESG.

Councilmember Stober stated he is generally supportive of the efforts of the ESG, but urged the group to give ample opportunity and in a sufficient platform for citizen representatives to provide their perspectives and feedback to avoid some of the failures of the previous Columbia River Crossing project.

Council provided approval by consensus for Mayor McEnerny-Ogle to endorse the draft ESG charter.

Citizen Forum - see general protocol above

Mayor McEnerny-Ogle opened the Citizen Forum and received the following testimony:

- Jayne Haygood, Vancouver, expressed concerns about the proposed Vancouver Innovation Center and urged the City to work with the developers to conserve the urban forest located on the site as much as possible.
- Anna Sjoberg-Smith, Vancouver, expressed concerns about the proposed Vancouver Innovation Center and its impact on the tree canopy and parks deficit.
- Justin Smith, Vancouver, expressed concerns about the proposed Vancouver Innovation Center and its impact on the tree canopy and parks deficit.
- Mohammed Maraee, Vancouver, expressed concerns about the proposed Vancouver Innovation Center's impact on traffic in the vicinity of the site, as well as a lack of greenspace in the current proposal.

- Kathleen Mathieson, expressed concerns about the proposed Vancouver Innovation Center and its impact on the tree canopy and parks deficit.
- Rose Toombs, Vancouver, expressed concerns about the proposed Vancouver Innovation Center and its impact on the tree canopy and parks deficit.
- Don Steinke, Vancouver, urged the City to aim high in its climate action targets and involve other regional agencies in developing the climate action strategy.
- Alona Steinke, Vancouver, urged the Council to extend the moratorium on large-scale fossil fuel facilities, and expressed concerns about the transport and storage of liquified natural gas.

Adjournment

7:30 p.m.

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

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Natasha Ramras, City Clerk

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