



CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St.

PO Box 1995 | Vancouver, WA 98668-1995

www.cityofvancouver.us

Anne McEnery-Ogle, Mayor

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

November 20, 2023

WORKSHOPS

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

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

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

https://www.cvtv.org/vid_link/36031?startStreamAt=0&stopStreamAt=6095

3:30-4:30 p.m. 2024-2029 Capital Improvement Program

Chris Malone, Public Works Finance & Asset Manager, 360-487-7711

Summary

Staff led Council through a discussion of the 2024-2029 Capital Improvement Program.

4:30-5:00 p.m. Transportation System Plan Update

Kate Drennan, Principal Planner, 360-487-7959

Summary

Staff led Council through a discussion of the Transportation System Plan Update.

5:00-5:30 p.m. 2023 Comprehensive Plan, Zoning Map and Text Changes

Bryan Snodgrass, Principal Planner, 360-487-7946

Summary

Staff led Council through a discussion of the 2023 Comprehensive Plan, Zoning Map and Text Changes.

5:30-6:00 p.m. Comcast Franchise Agreement

Jim Demmon, Video Services Manager, 360-487-8706

Summary

Staff led Council through a discussion of the Comcast Franchise Agreement.

Councilmember Hansen attended the workshops remotely.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6:00 p.m. - 6:30 p.m.)

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/36033?startStreamAt=0&stopStreamAt=6029 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

Councilmember Hansen attended the meeting remotely.

Approval of Minutes

Minutes - October 16, 2023

Motion by Councilmember Fox, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of October 16, 2023.

Proclamations: Transgender Day of Remembrance; Small Business Saturday

Mayor McEnerny-Ogle read and presented a proclamation to Linden Walls, Community Member and Activist, Leeza Edwards, Meditation and Mindfulness Teacher, and Reverend Dr. Byron Harris, Pastor of Vancouver Heights United Methodist Church, proclaiming November 20, 2023, as Transgender Day of Remembrance Month.

Mayor McEnerny-Ogle read and presented a proclamation to John McDonagh, President and CEO of the Greater Vancouver Chamber, and Jason Presser, Director of Government Affairs of East Vancouver Business Association, proclaiming November 25, 2023, as Small Business Saturday.

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
- Ryan Ward, Vancouver
- Zack Gatton, Vancouver
- Sara Schmit, Vancouver
- Tabor Kelly, Vancouver
- Karrie Brower, Vancouver
- Jason Cromer, Vancouver

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

Consent Agenda (Items 1-6)

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

1. Award project to FFA Architectural & Interiors Inc. per RFQ #43-23 City Hall 2nd Floor Accessibility and Security Project

Staff Report: 211-23

On June 6, 2023, RFQ #43-23 City Hall 2nd Floor Accessibility and Security Project was issued for solicitation for statements qualifications from Engineering and Architectural firms to further develop concepts, provide cost estimates, prepare final design, construction drawings and specifications, and provide construction administration services for City Hall Council Chambers, City Manager's Office and Birch Conference Room.

Along with standard advertising, firms from the MRSC list, which included veteran-, minority-, and women-owned firms, were notified of the solicitation and requested their qualification statements.

On June 28, 2023, the City received two (2) qualification statements for the RFQ #43-23 City Hall 2nd Floor Accessibility and Security Project. The qualification statements were evaluated based on project approach and understanding, also capabilities and qualifications.

Review panel met and the consensus of the review panel was to select FFA Architectural for the project and award one (1) contract with the expectation to complete work within schedule. We negotiated the scope of work and fees with FFA Architectural & Interiors. The costs for the scope of work by FFA Architectural & Interiors is \$476,362.

Request: Authorize the City Manager, or designee, to execute the

contract with FFA Architectural & Interiors Inc., for the City Hall 2nd Floor Accessibility and Security Project in the amount of \$476,362 and take any and all action necessary to enforce the terms thereof.

Geraldene Moyle, General Services Director, 360-487-8633

Motion approved the request.

2. Leichner landfill interlocal agreement with Clark County

Staff Report: 213-23

The City of Vancouver Public Works Department acquired a new site from Clark County in December 2020 to build a new operations center. The parcel is located in the 7700 block of NE 94th Avenue. Design plans are underway, and construction will begin in 2024 or 2025.

The new operations center parcel is adjacent to the decommissioned Leichner Landfill and will require site-specific analysis and development to ensure post-closure landfill maintenance and monitoring are uninterrupted during site preparation and construction. Clark County contracts with Stearns, Conrad and Schmidt Consulting Engineers, Inc. dba SCS Engineers (SCS) for post-closure maintenance and monitoring at Leichner Landfill.

The purpose of this agreement is to establish a payment process for the City to reimburse the County's consultant for landfill maintenance and monitoring tasks related to the new City of Vancouver Operations Center up to a maximum of \$60,000.

Request: On November 20th, 2023, authorize the City Manager, or designee, to enter into an interlocal agreement with Clark County.

Chris Malone, Public Works Finance & Asset Manager, 360-487-7711

Motion approved the request.

3. Successor Lease with the Historic Trust for Management of City Owned Properties

Staff Report: 214-23

The City has an existing lease agreement with the Historic Trust (Trust) to manage the City-owned assets adjacent to the Fort Vancouver National Historic Site. This includes Officer's Row, the Artillery Barracks, Marshall House, and Red Cross Building and others. Properties were preserved and renovated for a variety of uses, including residential, commercial, and event spaces.

The current lease was adopted in 2018 and expires at the end of 2023. Staff has been actively working with the Trust to negotiate a successor agreement that reflects the core policy themes established by the City Council and ensures that the properties are able to be preserved and enhanced for future generations. Included with the staff report are the existing lease agreement and the new agreement with the changes and additions highlighted. However, internal consistency and reference changes (like additions to the table of contents) have not been highlighted.

This lease would cover the period from January 1, 2024, to December 31, 2028. General updates include: 1) Replacement the word “master” with “primary” throughout the lease; 2) Addition of a new Section 8 regarding equity; 3) Addition of a new Section 9 concerning climate; 4) Consolidation of reporting requirements that were distributed throughout the agreement into a new Section 12 titled Reporting; and 5) Updating of signature pages. The new lease also separates out the current Police Headquarters as a separate issue, providing that an addendum to this lease may be negotiated separately if and when Vancouver stops using that building rather than attempting to address it in this lease.

Therefore, City staff recommends approval of the new Primary Lease Agreement as set forth above.

Request: Authorize the City Manager, or designee, to execute the lease with the Historic Trust.

Lon Pluckhahn, Deputy City Manager, 360-487-8623

Motion approved the request.

4. Humane Society of Southwest Washington Contract Extension

Staff Report: 212-23

AN ORDINANCE authorizing the execution of a contract amendment with Humane Society of Southwest Washington (“Contractor”), to continue providing animal shelter and care (“Services”) to the City of Vancouver, Washington (“City”); authorizing a contract amendment extending the contract beyond its original five-year duration; providing for severability; and setting an effective date.

Additional time is required to complete negotiations on a new contract with the Humane Society of Southwest Washington for animal shelter and care services. City staff request that Council authorize an extension to the current contract with HSSW so that a fair and mutually agreeable contract can be developed.

Request: On Monday, approve ordinance on first reading, setting date of second reading and public hearing for Monday, December 4,

2023, and authorize the City Manager, or designee, to execute the contract extension to the Professional Service Agreement with HSSW for animal shelter and care services to extend the end date as indicated above.

Rebecca Small, Senior Policy Analyst, 360-487-8601

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

Motion approved the request.

5. Appointments to Parks Recreation Advisory Commission

The Parks and Recreation Advisory Commission is a 10-member volunteer group made up of city residents, two school district representatives and a liaison from the Parks Foundation of Clark County. The commission advises Vancouver City Council and city staff on needs, plans and programs necessary to provide an adequate system of parks, open space, playgrounds, facilities and recreation services to the residents of Vancouver.

Mayor McEnemy-Ogle interviewed candidates to fill three mid-term positions and recommends the appointment of Stephen Wille to a term expiring Dec. 31, 2024, and the appointment Kerry Otto and Jenny Thompson to terms expiring Dec. 31, 2026. All appointments would begin immediately.

If there are no objections, appointments will be presented for Council action at the Monday, November 20, 2023, Council meeting.

Request: Appoint to the Parks and Recreation Advisory Commission Stephen Wille to a term beginning immediately and expiring Dec. 31, 2024, and Kerry Otto and Jenny Thompson to terms beginning immediately and expiring Dec. 31, 2026.

Mayor McEnemy-Ogle

Motion approved the request.

6. Approval of Claim Vouchers

Request: Approve claim vouchers for November 20, 2023.

Motion approved claim vouchers in the amount of \$6,654,231.56.

Public Hearings (Item 7-10)

7. Warehouse Code Amendments

Staff Report: 207-23

AN ORDINANCE relating to the regulation of Warehouse/Freight Movement uses in the City of Vancouver, providing for savings, severability, and an effective date.

Late in 2022, city planning staff noticed a trend of very large (as large as 600,000 square feet) warehouses being submitted for development approvals. At the time, there were as many as eight warehouses larger than 100,000 square feet being proposed or under construction, with a cumulative building area of 3.34 million square feet, the equivalent of 58 football fields. Other cities were (and are) experiencing a similar surge in large warehouse projects, and staff was hearing reports of mega-warehouses elsewhere, such as a 2.5 million square foot warehouse in Tacoma.

These extremely large facilities appear to be a growing trend nationally in response to the increasing demand for online retail shopping and parcel delivery as well as supply chain logistics issues and consume significant swaths of limited industrial land with typically lower jobs per acre ratio than many other industrial uses.

Staff became concerned that if the trend continued, limited industrial lands would be consumed by low-wage, low jobs per acre uses that could otherwise be developed for higher wage skilled manufacturing or research and development jobs. Additional concerns with large warehouses that were identified by staff included an increase in truck traffic and pollution, energy consumption/climate impacts from such large building footprints, visual impacts, and limited potential for adaptive re-use of such structures if in the future they are no longer needed for storage of goods.

In December of 2022, planning and economic development staff took their concerns to City Council and recommended that an emergency six-month moratorium be adopted to prevent the submission of any new pre-applications or land use applications for warehouses larger than 100,000 square feet to allow staff time to study these new types of warehouses and understand the physical, operational, and economic differences from traditional wholesale warehouses - as well as key differences in impacts - to inform possible new use and development standards. Because state law only allows land use moratoriums for six months at a time, staff indicated that one six-month extension would be needed to ensure sufficient time to complete needed analysis, public engagement, and development of code amendments.

On December 12 following an executive session, City Council at their regular meeting adopted an emergency ordinance on new large warehouse

applications, and the emergency ordinance was affirmed by City Council following a public hearing as required by state law, on January 23, 2023. Three amendments to the initial moratorium ordinance were requested by City Council, which were adopted by ordinance on February 6, 2023, including: 1) an exemption from the moratorium for the Port of Vancouver; 2) increase in the size of warehouses subject to the moratorium from 100,000 square feet to 250,000 square feet and larger; and 3) an exemption from the moratorium for any storage for a publicly-traded product, if formalized through a development agreement.

On June 5, 2023, following a public hearing, City Council approved a six-month extension of the moratorium but also encouraged staff to propose any code amendments as soon as possible so the moratorium may be terminated sooner. The moratorium will end on December 6, 2023.

Over the past ten months, staff has consulted with warehouse industry experts and engaged in a series of meetings with environmental advocates and business stakeholders including the Port of Vancouver and representatives from existing warehouse facilities, as well as the Planning Commission. Planning staff have tried where possible to incorporate input on specific code language to make the ordinance clearer and to balance the stated objectives of City Council with industry, neighborhood and environmental perspectives. Proposed climate action-related measures are somewhat modest, in anticipation of more comprehensive Green Building Standards - which will likely apply to all uses - being developed and adopted in the near future.

The draft code changes presented to City Council for consideration will accomplish several key objectives which are in alignment with the intent of the moratorium and prior Council direction:

- Warehouses larger than 250,000 square feet in a single building would be prohibited in the IL, Light Industrial District which tend to be closer to residential districts. Such warehouses would however be allowed as a limited use in the IH, Heavy Industrial District (effectively only in the Port of Vancouver or Columbia Business Center due to parcel size constraints elsewhere) where they are more compatible with surrounding uses and further away from residential districts and would need to meet certain proposed additional development requirements;*
- The maximum lot coverage standard (e.g., the percent of land that may be occupied by a building) would be reduced from 100% to 75% for all warehouse/freight movement uses in recognition that because a portion of the site is needed for parking, truck loading and maneuvering, storm water detention, tree plantings, etc., it is not possible for buildings to occupy 100% of a given site;*
- Warehouses larger than 250,000 square feet in the IH District would*

be subject to special development standards that: prohibit truck traffic along Fruit Valley Road, reduce the minimum parking requirement, reduce the maximum lot coverage, and require certain climate action measures such as: solar-ready roofs (weight load capacity and electrical), EV charging stations at 20% of parking spaces, truck dock charging conduit and wiring, white-colored roofs to reduce heat storage, skylights or clerestory windows to allow natural light, prohibit truck idling, architectural features (such as windows, darker colors, articulation of façade, etc.), a 10% increase in tree plantings over other industrial uses (33 tree units per acre) and 25-foot wide treed buffer if adjacent to public streets to reduce visual impacts; and

- *The minimum required number of parking spaces for all warehouse and distribution facilities would be reduced from 1 space for every 2,000 square feet of building area to 1 space for every 5,000 square feet of building area, in recognition that warehouses are increasingly becoming more automated and may need less parking for employees. Reducing the amount of paved surfaces improves storm water and climate outcomes (less heat retention) and creates more space for tree plantings.*

Staff has engaged with stakeholders and the public throughout the past ten months. including Alliance for Community Engagement (ACE), Identity Clark County (ICC) Business Group, Port of Vancouver, Fruit Valley Neighborhood Association. Information regarding the project has been published to the City's BeHeard website, and more recently, postcards were mailed to each residential address in the Fruit Valley Neighborhood. The proposed code has been modified in many areas in response to comments received from all stakeholders.

The Planning Commission held two workshops to discuss the proposed code amendments on July 25 and September 12, 2023, respectively. On October 24, 2023 following a duly-noticed public hearing, the Planning Commission unanimously recommended approval of the proposed amendments to City Council.

The City Council has held four workshops on the draft code amendments and moratorium and has held two public hearings related to the moratorium.

Request: On November 20, subject to second reading and a public hearing, approve the proposed Warehouse Code Amendments to VMC Title 20 Land Use and Development Code.

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

Chad Eiken, Community Development Director, provided an overview of the Warehouse Code Amendments.

Council discussed the item with staff.

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

- Kimberlee Goheen, La Center, WA
- Heidi Cody, Vancouver
- Sean Philbrook, Vancouver
- Nick Massie, Vancouver

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

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and carried unanimously to approve Ordinance 4425.

8. **Ad Valorem Taxes for 2024**

Staff Report: 208-23

AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2023/2024 Budget for the City of Vancouver; providing for an effective date.

Pursuant to RCW 35.33.135, Council must approve an ordinance to fix and authorize the Clark County Assessor's Office to levy ad valorem taxes necessary to fund the City of Vancouver's 2023-2024 Biennial Budget.

An ad valorem tax (Latin for "according to value") is defined as a tax based on the value of real estate or personal property. An ad valorem tax is typically imposed at the time of a transaction(s) (a sales tax or value-added tax (VAT)), but it may be imposed on an annual basis (real or personal property tax) or in connection with another significant event (i.e. inheritance tax).

Staff currently estimates the 2024 real and personal property tax levy as \$78.5 million, which includes a preliminary estimate of \$1,182,000 in property tax revenue from new construction. The estimate of property tax from new construction will be updated based on the final new construction valuation provided by the Assessor's Office. The estimate of property tax revenue does not include the change in value of state-assessed utility property. Both of these amounts will not be final until December 2023.

City staff recommends that Council approve ad valorem taxes in the amount of \$88.5 million, which is needed to fund the City's 2023-2024 biennial budget. Of the total, \$78.5 million is for General Fund purposes, and \$10 million is for the Affordable Housing Fund. Approving ad valorem taxes of \$88.5 million allows the County Assessor's Office to levy real and personal property taxes to the full extent allowed under Washington State

law. Staff anticipates that the final certified levy will be between \$86.5 million and \$87 million in 2024. If Council authorizes the ad valorem tax amount too low, the County Assessor's Office will only be allowed to levy up to the amount authorized by Council.

Request: On November 20, 2023, subject to second reading and a public hearing, approve the ordinance.

Anthony Glenn, Treasurer, 360-487-8493

Natasha Ramras, Chief Financial Officer, provided an overview of the Ad Valorem Taxes for 2024.

Council discussed the item briefly with staff.

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

- Kimberlee Goheen, La Center, WA

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

Motion by Councilmember Fox, seconded by Councilmember Perez, and carried unanimously to approve Ordinance 4426.

9. Property Tax Levy for 2024

Staff Report: 209-23

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 1.0% in the City's regular levy from the amount levied the previous year; and providing for an effective date.

On November 6, 2001, Washington voters approved Initiative 747 (I-747), which limits the allowable increase in the property tax levy to 1.0%, or the rate of inflation, whichever is less. The intent of the Initiative was reaffirmed by the Legislature in November 2007. The measure of inflation used under this law is the Implicit Price Deflator (IPD). The IPD inflation rate for 2024 levy calculations is 3.67%.

Staff recommends that City Council approve a 1.0% increase in the property tax levy, which is the maximum increase allowed. Based on last year's General Fund levy of \$73,497,675.67, the increase will be \$734,976.76. Authorization of this increase requires a simple majority vote of City Council.

On February 8, 2022, registered voters who reside within the City of

Vancouver approved Proposition No. 2 which permanently increased the property tax levy rate beginning in 2023. This money is dedicated to fire and emergency services and facilities and the 2023-2024 budget added expenditures consistent with Proposition 2.

Staff estimates that the City's General Fund property tax levy rate (inclusive of the Proposition No.2 Levy LID Lift) in 2024 will range between \$2.00 per \$1,000 of assessed value to \$2.10 per \$1,000 of assessed value, compared to the actual 2023 General Fund property tax levy rate of \$2.17 per \$1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 6.75% compared to the prior year. Because of the limit on property tax increases, as discussed above, the property tax levy rate declines as assessed value increases. The statutory cap for the City's levy rate is \$3.325 per \$1,000 of assessed value.

Example calculation of City Property Tax:

<i>Assessed Value 2023 \$463,700</i>	<i>Levy Rate 2023 \$2.17 (per \$1,000 assessed value; General Fund Levy only)</i>	<i>2023 City Property Tax = \$1,006.23</i>
<i>Assessed Value 2024 \$495,000 (assumes assessed value increases 6.75%)</i>	<i>Estimated Levy Rate 2024 \$2.05 (per \$1,000 assessed value; General Fund Levy only)</i>	<i>2024 City Property Tax (hypothetical) = \$1,014.75</i>
<i>AV increases 6.75%</i>	<i>Levy Rate declines</i>	<i>Annual tax increase \$8.52 for this example taxpayer*</i>

**If the assessed value of the resident's property as a percentage increased by less than 6.75%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2023. If the assessed value of the resident's property increased by more than 6.75% from the previous year, the increase in the annual taxes would be slightly higher.*

Some community members may qualify for tax relief or qualify for a deferral program. To find out more information about this, residents should contact the Clark County Assessor's Office at 564-397-2391 or visit their website at <http://www.clark.wa.gov/assessor/taxrelief/index.html>.

In addition to the base levy, the City collects new property tax revenue based on the value of new construction added to the assessment rolls during the prior year. The revenue to the City is calculated using the assessed value of new construction multiplied by the prior year's levy rate. The value of new construction is still being finalized by the County Assessor's Office and includes the value of utility new construction

provided to the County Assessor by the State. The most recent estimate from the County Assessor's Office indicates close to \$545 million of new construction, which translates into \$1,182,000 of additional City property tax revenue, which is slightly more than the \$1,165,000 received for new construction values for 2023 taxes. The City's ordinance states the percentage and dollar amount increase in the City's base property tax levy as required by RCW 84.55.120. The County Assessor will determine the levy amount for new construction based on their final calculations.

Request: On November 20, 2023, subject to second reading and a public hearing, approve the ordinance.

Anthony Glenn, Treasurer, 360-487-8493

Natasha Ramras, Chief Financial Officer, provided an overview of the Property Tax Levy for 2024.

Council discussed the item briefly with staff.

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

- Kimberlee Goheen, La Center, WA

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

Motion by Councilmember Stober, seconded by Councilmember Harless, and carried unanimously to approve Ordinance 4427.

10. **Preservation Of Levy Capacity for Exempt Property for 2024**

Staff Report: 210-23

AN ORDINANCE authorizing an increase in tax levy pursuant to RCW 84.55.120 and an increase in limit factor for maximum levy capacity pursuant to RCW 84.55.092.

On February 8, 2022, the voters of the City approved Proposition 2 at a special election authorizing a permanent levy lid lift to fund fire and emergency services. Proposition 2 also provided that the property of qualifying seniors, veterans, and others would be exempt from paying the increased property tax rate associated with the levy lid lift, pursuant to RCW 84.36.

Annually, properties that qualify for the exemption allowed under RCW 84.36 will change. In order for the County Assessor's Office to calculate the highest lawful levy of all properties and include in future years the

properties exempt from the tax approved by Proposition 2, pursuant to RCW 84.55.092, Council must approve an ordinance to authorize the Clark County Assessor's Office to authorize a property tax increase against the property not subject to the levy lid lift when calculating the highest lawful levy and authorize the limit factor be applied to the excluded property, which in 2024 will be 1.0%. This preserves levy capacity for the overall highest lawful levy calculation and allows the County Assessor to include the limit factor on the properties that were excluded, if they move out of the exempt status.

Based on last year's General Fund levy for excluded properties of \$603,307.82, the 1.0% increase recommended by staff represents an increase of \$6,033.08.

Approval of this ordinance will protect future levy capacity by removing the adverse consequences to the City's future levy capacity resulting from the levy reduction authorized in Proposition 2.

Request: On November 20, 2023, subject to second reading and a public hearing, approve the ordinance.

Anthony Glenn, Treasurer, 360-487-8493

Natasha Ramras, Chief Financial Officer, provided an overview of the Preservation of Levy Capacity for Exempt Property for 2024.

Council discussed the item briefly with staff.

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

- Kimberlee Goheen, La Center, WA

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

Motion by Councilmember Stober, seconded by Councilmember Perez, and carried unanimously to approve Ordinance 4428.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Fruit Valley Freight Access and Safety Project

Ryan Lopossa, Transportation Division Manager, discussed the Fruit Valley Freight Access and Safety Project.

Adjournment

8:08 p.m.

DocuSigned by:
Anne McEnerny-Ogle
6C89D9089EC5424...
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:
Natasha Ramras
BCF6734E40E92AE...
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: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: ACE letter re: Warehouse Moratorium Code Changes
Date: Monday, November 20, 2023 9:01:23 AM
Attachments: [11.17.23 ACE ltr re WarehouseMoratorium.pdf](#)

Hi Sarah, We got this in the Cmo inbox

-Amelia Pilipchuk

From: Heidi Cody [REDACTED]
Sent: Monday, November 20, 2023 8:54 AM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: ACE letter re: Warehouse Moratorium Code Changes

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

Good morning,

Attached please find a letter from Alliance for Community Engagement regarding the City's Warehouse Moratorium.

--

Coalition Manager

Alliance for Community Engagement

November 20, 2023
Alliance for Community Engagement

Vancouver City Council and Staff

Dear City Council and Staff,

ACE believes City Council has missed an opportunity to make a meaningful impact to reduce greenhouse gas emissions by approving the warehouse code changes and moving them forward for public hearing without changes. ACE advocated early and often on this Warehouse Moratorium with Councilmembers, City staff and the Planning Commission. Despite our efforts to track and advocate for reasonable changes that would not have affected the deadline for the Moratorium, ACE was unable to improve this policy from the outside.

Green Building Codes

ACE asks to be a stakeholder in the Green Building Code development process. We would like to be involved early.

City-led Solar Projects

ACE asks that the City lead on its own solar projects. Please don't wait on Clark PUD.

Legislating From The Dais

Concern has been voiced repeatedly about "legislating from the dais," but the reality is the change to a 250,000 square foot threshold was suggested and approved that way. ACE does not want to see your policy decision process miss opportunities for a stronger outcome at the finish, by failing to incorporate adjustments that can be made by a majority vote.

Traffic Impacts Studies

We support Mayor Pro Tem Stober's push to get more information on traffic impacts from warehouses, and require traffic impact studies of new warehouses. Highly impacted communities who live by major thoroughfares tend to be lower income and BIPOC. This remains a serious environmental justice concern.

Pursue CAF in Good Faith/Policy Alignment

Moving forward, the goals and intentions laid out in the Climate Action Framework should be actively implemented as policy decisions are made.

There is a Need for Flexibility. We are in a Climate Emergency.

We are glad some climate provisions did make the cut for the largest warehouses. Thank you for your ongoing work, and for your consideration. We look forward to the Green Building Codes.

Sincerely, Alliance for Community Engagement (ACE)

From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Warehouse Code.
Date: Monday, November 20, 2023 8:58:56 AM

Hi Sarah, we got this in the CMO inbox

-Amelia Pilipchuk

From: Denis Markian Wichar <[REDACTED]>
Sent: Sunday, November 19, 2023 1:28 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Re: Warehouse Code.

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.

No standards can be too high for warehouses. They are property intense, yet job scarce, and not environmentally friendly, including their impervious surfaces. Trucks coming and going constantly, all day and all night, every day, forever, is insulting to neighboring residences and businesses and infrastructure, including roadways, while having next to zero vegetation on-site. In total, very poor use of land. Raise the standards.

Den Mark Wichar
Hough
[REDACTED]
Vancouver WA 98660

From: [Snodgrass, Bryan](#)
To: [Dollar, Sarah](#)
Subject: FW: Applicant Letter Supporting Rezone (LUP-83007)
Date: Monday, November 20, 2023 8:34:27 AM
Attachments: [Applicant Letter Supporting LUP-83007.pdf](#)

Applicant comment letter for one of the rezones under Council review

From: David Toyer [REDACTED] >
Sent: Saturday, November 18, 2023 9:00 AM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Cc: Peter Condyles <[REDACTED]>; Snodgrass, Bryan
<Bryan.Snodgrass@cityofvancouver.us>
Subject: Applicant Letter Supporting Rezone (LUP-83007)

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Attached please find a comment letter in support of the proposed rezone.

Thank you,

DAVID K. TOYER, PRESIDENT
[TOYER STRATEGIC ADVISORS, INC.](#)
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425-344-1523
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November 18, 2023

Vancouver City Council
415 W 6th Street
Vancouver WA, 98660

LUP-83007 – BURNT CREEK WEST REZONE

Dear Council Members:

Our firm is a land use and economic development consultancy that represents the Hudlicky Limited Partnership, the owner of Parcel 159112000, who is seeking a rezone from Office Commercial Industrial (OCI) to Light Industrial (LI) for approximately 32.72 acres. Unfortunately, because of the length of time to reach this point for standalone rezone action, the property owners are no longer under contract with Panattoni, who had been planning to develop the site for industrial use.

We believe it is important to highlight a couple of dates for the Council that demonstrate how challenging and time consuming the rezone process has been for the property owner:

- **October 31, 2022** – the date the pre-application meeting was held.
- **November 17, 2022** – the date the standalone rezone application was submitted.
- **December 12, 2022** – the date the Council first enacted its warehousing moratorium.
- **December 18, 2023** – the date the Council is expected to hold the public hearing

In sum, it's been over a year since the application was submitted. By contrast, our firm regularly works on rezones of this type (*those that don't require a concurrent comp plan amendment and aren't tied to a project approval*), which commonly take 4 to 6 months and are lumped in with the city's other annual docket items.

Delays Have Consequences

In the present situation, the delay has substantial economic development consequences for the Owner, the city, and its residents. The delay in timely moving this rezone through the process has cost the landowner the opportunity to sell their property; a developer the opportunity to invest in the city; one or more businesses the opportunity to grow and expand in Vancouver; and the city an opportunity to gain one-time tax revenues, an expanded property tax base, and new jobs created.

The Rezone Isn't a Project

The Planning Commission and now the City Council have raised questions about the proposed rezone, which questions speculate about the size and type of development that may be built because of this rezone. However, site plans submitted to the city during the rezone process were conceptual. And any project that goes through the full land use review process (*which is more than a rezone*) ultimately arrives at a final site plan it proposes by balancing the size of the building with the site conditions, sensitive area protections, and, *if even applicable*, the cost of mitigation for things like Oregon White Oaks (*if removed*).

By hyper-focusing on the conceptual site plan and on the potential warehousing may be allowed, the city is ignoring that regardless of whether the zoning is OCI or LI, the future development of the site WILL MOST LIKELY BE INDUSTRIAL. However, what the city should be focused on is the fact that in the existing OCI zone:

- The maximum site coverage allowed is 100% of the site, **whereas the proposed LI zone allows only 75%.**
- The maximum building height allowed is 75 feet, **whereas the proposed LI zone allows only 45 feet.**

In sum, the potential development impacts associated with any future industrial development may be greater

under the existing OCI zone than the proposed LI zone. Thus, if the city is looking to minimize impacts, the LI zone should be its strong preference.

The Rezone Doesn't Change City Standards

At a recent City Council work session on this rezone, council members discussed concerns about how many white oaks may be impacted by future development of this site and whether those impacts might be mitigated locally or somewhere in the region.

Again, we emphasize that ANY future development, REGARDLESS of the zone, will have to comply with the City's regulations for sensitive areas, trees, etc. This rezone DOES NOT change the city's standards or how any impacts may be addressed.

Thus, if the city has concerns about its sensitive area regulations or mitigation options, then the city has the obligation to address those issues separate from the rezone. The rezoning as proposed only changes the zoning map. The rezone IS NOT a project approval, NOR does it ask the Council to waive or adjust any existing standards.

Rezone Approval Criteria

The proposed rezone satisfies the TWO decision criteria for rezones in VMC 20.285.060(1) and (2):

1. The proposal is more consistent with applicable policies of the Vancouver strategic plan and comprehensive plan than the existing designation; and

Specific to the Vancouver Strategic Plan, the proposal is more consistent with the most recently adopted strategic plan as it better promotes: EO.Cl.03 (Business Diversity), EO.Cl.4 (Job Creation), and CN.Cl.3 (Tree Canopy).

- The proposed LI zoning allows for more flexibility in the types of uses that are allowed on this industrial site. Specifically, it would allow for warehousing as a use, which may consist of one or more tenants. This does not mean warehousing might be the only use, but if this were a four-tenant building, a warehouse tenant could be one of the users. This helps increase the diversity of businesses that can be attracted as tenants, it helps support job creation (both temporary construction jobs and long-term tenant related jobs), etc. Regarding tree canopy, the LI zone only allows a maximum site coverage of 75% versus the existing zone allowing up to 100% site coverage.

Specific to the Comprehensive Plan, the application has shown the proposal is more consistent with CD-1, CD-3, CD-9, CD-12, EC-1, EC-2, EC-3, EC-4, EC-5, and EC-6. In sum, this proposal helps increase the city's ratio of jobs; promotes the recruitment, retention, and expansion of businesses; promotes revenue generation for public services; supports the supply of industrial lands the city needs; maximizes the land available for employment related development; and creates compatibility with and between the surrounding LI zoning.

2. That a change in circumstances has occurred since the existing designation was established.

The circumstances have changed since it was initially designated as OCI, including (a) the site is now an island of OCI surrounded by LI zoning, (b) the commercial office market as severely declined post-COVID as work-for-home and hybrid models are now employed in those sectors, and (c) the site would allow for greater flexibility in industrial uses on the site, especially in the case of multi-tenant buildings.

We trust this letter addresses comments and questions that have been raised during Council work sessions. And we respectfully request the City Council APPROVE the requested rezone to allow the property owner the opportunity to sell its land in support of future economic development in Vancouver.

Should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "David Toyer", with a stylized flourish at the end.

David Toyer
President

CC: Bryan Snodgrass, Principal Planner

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fauci and his Montana lab
Date: Thursday, November 16, 2023 3:11:39 PM

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. Please send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn

From: [Wynn Grich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Tuberculosis
Date: Wednesday, November 15, 2023 1:23:32 PM

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https://www.theepochtimes.com/health/tuberculosis-surpasses-covid-19-as-most-deadly-infectious-disease-5528584?utm_source=Goodevening&src_src=Goodevening&utm_campaign=gv-2023-11-14&src_cmp=gv-2023-11-14&utm_medium=email&est=VeNQjwvrOS1qJnkzaCQWLEAQXDzeBJE2NIIIt1iH5eo3dGdf8p0tnl2pJ6yw.

Please send to council members and MELNECK. Put on public record and confirm that you did. Thanks from Wynn

From: [Wynn Grich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd: BMJ Investigates VAERS + Watch RFK Jr.'s Speech at CHD Conference + More
Date: Wednesday, November 15, 2023 11:04:47 AM

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Thanks from Wynn

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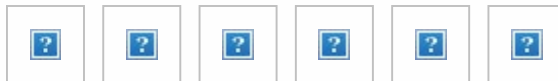
From: LAURIE PASCUAL <[REDACTED]>
Date: Wed, Nov 15, 2023, 12:22 AM
Subject: Fwd: BMJ Investigates VAERS + Watch RFK Jr.'s Speech at CHD Conference + More
To: Wynn Grich <[REDACTED]>

Sent from my iPhone

Begin forwarded message:

From: Children's Health Defense <team@childrenshealthdefense.org>
Date: November 14, 2023 at 2:42:38 PM PST
To: Laurel Pascual <lepasc40@aol.com>
Subject: BMJ Investigates VAERS + Watch RFK Jr.'s Speech at CHD Conference + More
Reply-To: Children's Health Defense <team@childrenshealthdefense.org>

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The Defender Children's Health Defense News & Views



November 14, 2023

TOP NEWS OF THE DAY



CDC Runs Two VAERS Systems — The Public Can Access Only One of Them



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Children’s Health Defense
852 Franklin Ave., Suite 511
Franklin Lakes, New Jersey 07417

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From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd: Exclusive Interview: American Cardiologist Dr. Peter McCullough Breaks Down the 'Settled Science' Surrounding COVI...
Date: Wednesday, November 15, 2023 11:02:40 AM

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From: "Peter McCullough, MD from Courageous Discourse™ with Dr. Peter McCullough & John Leake" [REDACTED]

Date: Wed, Nov 15, 2023, 2:59 AM

Subject: Exclusive Interview: American Cardiologist Dr. Peter McCullough Breaks Down the 'Settled Science' Surrounding COVI...

To: <[REDACTED]>

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Exclusive Interview: American Cardiologist Dr. Peter McCullough Breaks Down the 'Settled Science' Surrounding COVID-19 Vaccines

Many doctors bravely risked their careers to break ranks with the unscientific approach governments around the world implemented when it came to COVID-19

PETER MCCULLOUGH, MD
NOV 15



READ IN APP

By Peter A. McCullough, MD, MPH

Republished Courtesy Adam Soos, Rebel News Canada, Red Deer, Alberta

Our friends at [Canadians for Truth](#) were thrilled to welcome a sold-out crowd of over 1,500 to Legacy Place in Red Deer, Alberta for the latest edition of their “Fire and Ice” program, which features Olympic gold medalists Jamie Sale and Theoren Fleury interviewing guests with a focus on truth, freedom and justice.

Their special guest for this edition was prominent American cardiologist and outspoken COVID-19 response critic Dr. Peter McCullough. Many doctors bravely risked their careers to break ranks with the unscientific approach governments around the world implemented when it came to COVID-19, but perhaps none with the same weight and authority as Dr. McCullough.



Adam Soos, Rebel News Canada, Interviews Dr. McCullough November 9, 2023, Red Deer, Alberta

[Click to play Adam Soos, Rebel News Canada, Interviews Dr. McCullough November 9, 2023, Red Deer, Alberta](#)

As a former Program Director, Division, Chief, and Professor of Medicine, Dr. McCullough’s credentials and experience were beyond dispute, and despite unwarranted efforts to discredit him by vaccine apologists, his medical and science-based retorts to the COVID-19 pandemic have resonated the world over.

We were extremely fortunate to be granted an exclusive interview with the doctor where we discussed vaccine side-effects, fertility impacts and “settled-science”, in addition to breaking down the [Trudeau government's efforts to attack natural health products](#).

Stay tuned for our full report of this event, including interviews with Theoren Fleury, Jamie Sale, Dr. Roger Hodgkinson and our very own Sheila Gunn Reid soon at [RebelNews.com](#). Canadians for Truth will also have their full conversation with Dr. McCullough available within the month at [CanadiansForTruth.ca](#).

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