CITY COUNCIL MEETING MINUTES

Vancouver City Hall - Council Chambers - 415 W. 6th Street
PO Box 1995 - Vancouver, Washington 98668-1995
www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor
Bart Hansen I Bill Turlay I Alishia Topper I Ty Stober I Linda Glover I Laurie Lebowsky

November 5, 2018

WORKSHOPS

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

All present

4:00-5:00 p.m. 2018 Comprehensive Plan, Zoning Map and Text Changes

Presenter: Bryan Snodgrass, Principal Planner, 487-7946

Summary
Staff provided Council with an overview of the proposed updates to the Comprehensive Plan and Zoning Code maps and text, as recommended by the Planning Commission under the annual review process.

5:00-6:00 p.m. Complete Streets Program Update

Presenters: Rebecca Kennedy, Long Range Planning Manager, 487-7896; Jennifer Campos, Principal Planner, 487-7728

Summary
Staff provided Council with an update on the City's Complete Streets Program, including the details and timing of two future Complete Streets projects.

6:00-6:30 p.m. Executive Session re: Labor Negotiation Strategy

Mayor McEnerny-Ogle announced that Council would enter into executive session from 6:00 to 6:30 p.m. for the purpose of discussing labor negotiation strategy. No action was taken.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6:30 PM)

Vancouver City Hall - Birch Conference Room

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 7 p.m. by Mayor McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Lebowsky, Glover, Stober, Topper, Turlay, Hansen, Mayor McEnerny-Ogle

Absent: None

Approval of Minutes

Minutes - October 8, 2018

Motion by Councilmember Glover, seconded by Councilmember Turlay, and carried unanimously to approve the meeting minutes of October 8, 2018.

Minutes - October 15, 2018

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of October 15, 2018.

Minutes - October 22, 2018

Motion by Councilmember Topper, seconded by Councilmember Turlay, and carried to approve the meeting minutes of October 22, 2018.

Proclamation: Veterans Day Parade

Mayor McEnerny-Ogle read and presented a proclamation to Mike Williams, Interim CEO of The Historic Trust, and Larry Smith, co-chair of the Community Military Appreciation Committee, proclaiming November 10, 2018, as the 32nd Annual Veterans Day Parade at Fort Vancouver.

Citizen Communication (Items 1-11)

Mayor McEnerny-Ogle opened the Citizen Forum and, receiving no testimony, closed Citizen Forum.

Consent Agenda (Items 1-11)

Mayor McEnerny-Ogle read the titles of the ordinances for Items 4-10 into the record.

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to approved Items 1-11 of the Consent Agenda.

1. **Four Seasons Subdivision Final Plat**

Staff Report 160-18

Summary
The applicant is requesting final plat approval, having complied with all requirements and completed all required infrastructure improvements to city standards.

Request: On November 5, 2018, approve the Four Seasons final plat.

Patti McEllrath, Senior Planner, 487-7893

Motion approved the request.

2. **Project Award- Custom Fire Pumper Contract**

Staff Report 161-18

Summary
The purchasing contract that the City has used for the last five years to purchase new fire pumpers has expired.

The City has four fire pumper units that will need to be replaced in the next four year period.

On August 29, 2018, the City received three responses to the Request for Proposal. After review of all proposals it was determined that Cascade Fire and Safety of Yakima representing KME (Kovatch Mobile Equipment) of Nesquehoning, PA best met the requirements as outlined in the Request for Proposal. Because this was a request for proposal, other factors beyond the price were factors in the selection.

SUMMARY OF BIDS	
BIDDER	***AMOUNT***
Cascade Fire and Safety Equipment Yakima WA, representing KME (Kovatch Mobile Equipment Corp.) Nesquehoning, PA (4 each)	*$2,538,784.16*
Hughes Fire Equipment Springfield ,OR	*$2,655,763.84*
Rosenbauer South Dakota, LLC. Lyons, South Dakota	*$2,434,753.91*

Request: On November 5, 2018, award a contract for the purchase of four (4) custom fire pumper/engines to the most responsive bidder Cascade Fire Equipment, Yakima, WA, representing KME of Nesquehoning, PA, at their bid price of $2,538,784.16, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same.

Dan Zenger, Equipment Services Superintendent, 487-8205; Doug Koellermeier, Deputy Fire Chief, 487-7218

Motion approved the request.

3. **Navigation Center lease with Share**

Staff Report 162-18

Summary
Share will be operating and staffing the day center within the Navigation Center at 2018 Grand Boulevard. The lease outlines Share's responsibilities as lease holder including allowed use of the facility, maintenance requirements, indemnity, and lease termination stipulations.

Request: Authorize the City Manager or designee to execute the lease agreement with Share for Day Center operation.

Peggy Sheehan, Community & Economic Development Programs Manager, 487-8652

Motion approved the request.

4. **Street vacation of approximately 52,502 square feet of improved**

street right-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500

Staff Report 163-18

A RESOLUTION fixing Monday, December 3, 2018, as the date for a public hearing on a proposal to vacate a portion of public rights-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500. The right-of-way is located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims.

AN ORDINANCE vacating a portion of public rights-of-way associated with NE 72nd Avenue, located north of NE 33rd Street and south of SR-500. The right-of-way is located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims, City of Vancouver, Clark County, Washington; providing for an effective date.

Summary

Staff has received a request from Hannah Mitsubishi Real Property LLC, Hannah VW Real Property LLC, and JJHW LLC (collectively, "Applicants") to vacate the entirety of NE 72nd Avenue located north of NE 33rd Street and south of SR-500. The right-of-way is specifically located within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit Donation Land Claims (DLCs).

Six properties border the right-of-way that is proposed for vacation, including a section of SR- 500, which is owned by the Washington State Department of Transportation (WSDOT), and five commercial properties. City Staff contacted WSDOT and confirmed WSDOT has no interest in the public right-of-way remaining open for public travel and does not oppose the proposed vacation. The right-of-way currently provides public street and utility services to the five commercial parcels. Four of the five parcels are owned by the Applicants; the two parcels on the west side of the right-of-way are owned by JJHW LLC, the two parcels on the east side of the right-of-way are owned individually by Hannah Mitsubishi Real Property LLC and Hannah VW Real Property LLC. The fifth parcel, located at the north end of the right-of-way, is owned by Webb Real Estate LLC, which is governed by Alan Webb. Mr. Webb has provided a letter describing his concerns and objections regarding the proposed right-of-way vacation. In his letter, Mr. Webb indicates that his auto dealership uses NE 72nd Avenue for multiple purposes including inventory delivery, tool delivery, tow truck access, vehicle test drives, and general use by employees. Further, Mr. Webb states his opinion that loss of public access to his property from NE 72nd Avenue will cause many of these existing users to shift to Auto Mall Drive, creating unsafe traffic conditions on Auto Mall Drive. Mr. Webb *concludes his letter by stating that he opposes the closure of NE 72nd Avenue to the general public. This letter is included as Exhibit D.*

Nevertheless City Staff believe vacation is in the public interest. Staff recommends that Council vacate the right-of-way, but condition the vacation on Applicants granting Webb Real Estate LLC a private access easement across the portions of vacated right-of-way that will constitute Applicants' properties.

Staff has contacted all utility owners with facilities potentially located within the subject area. The City of Vancouver has utilities within the area of the proposed vacation, including a domestic water main, sanitary sewer main, stormwater main, and associated appurtenances. In addition, Clark Public Utilities and NW Natural have electrical and natural gas lines running through a portion of the subject area. Therefore, the City will retain a perpetual public utility easement under and over the entire vacated area for the construction, repair and maintenance of all public utilities and services.

The existing street also serves as emergency fire lane access to the abutting properties. Therefore, the City will also retain a perpetual limited public access easement over and across that portion of the vacated area currently encumbered by a paved roadway surface; the easement will be 20' wide, bounded and defined by the existing curb-faces on each side of the roadway surface, as shown on Exhibit E. This limited public access easement will be made for the purpose of ensuring continued public services, access by emergency response vehicles, and for the preservation of fire lanes. The easement area will remain unobstructed.

Staff has reviewed the City's Transportation Systems Plan and determined that the ongoing needs for public emergency access and utilities maintenance access can be adequately provided by appropriate easements, as described above, and there is no future public need for this right-of-way to be used as a City street. Therefore, vacation of this right-of-way will have little or no adverse impact on the City's assets. Further, vacation of this right-of-way will relieve the City from ongoing surface maintenance responsibilities typical for commercial streets; including regular pavement maintenance, repair of concrete structures, care for street trees and landscaping, street sweeping, and other services.

The applicants have prepared legal descriptions for tracts that comprise the portion of right-of-way proposed to be vacated. See Exhibits A, B and F. This information was reviewed by the City Surveyor, who found the legal descriptions to accurately describe the proposed vacation area.

RCW 35.79.030 and VMC 11.05.120 provides for City compensation for the value of public right-of-way that is vacated. The applicants have provided an appraisal from a certified professional land appraiser which identified a *total property value of $78,000 for the proposed vacation area. The applicants have agreed to pay the value of the total vacated area, regardless of their respective ownership interests in the underlying property.*

As previously noted, the right-of-way has historically been used to provide public street and utility services to five commercial parcels, four of which belong to the Applicants. The City has maintained this portion of NE 72nd Avenue in a fashion similar to that of other commercial streets, performing regular maintenance to the pavement, street sweeping and other services. Also, the street has been part of a dedicated public right of way for 25 years or more, and the vacated area will be utilized by the applicant for expansion of their current uses. Based on these circumstances and the previous investment made by the City, staff recommends the imposition of compensation equal to 100% of the total appraised property value, or $78,000. This sum shall be paid to the City prior to the right-of-way vacation becoming effective.

Request: On Monday, November 5, 2018, adopt a resolution of intent and approve ordinance on first reading to vacate the entirety of street right-of-way associated with NE 72nd Avenue located north of NE 33rd Street and south of SR-500, within the Northwest Quarter of Section 20 and the Northeast Quarter of Section 19, Township 2 North, Range 2 East, Willamette Meridian and within the Henry Schuh and Levi Douthit DLCs, setting the date of public hearing for Monday, December 3, 2018.

Eric Hahn, Senior Civil Engineer, 487-7702; Ryan Lopossa, Streets & Transportation Manager, 487-7706.

Motion approved the request, adopting Resolution M-3984.

5. Property Tax Affordable Housing Levy for 2019

Staff Report 164-18

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 0.0% in the City's Affordable Housing Fund levy from the amount levied the previous year; and providing for an effective date.

Summary

Proposition 1 was approved by the citizens of Vancouver in November 2016, and authorized a $6,000,000 annual property tax levy for 7 years, beginning in 2017. Information provided by the Washington State Department of Revenue states that the dollar amount stated in the ballot title is limiting amount, and the highest lawful levy amount is $6,000,000.

Staff recommends that City Council approve a 0.0% increase in the property tax levy for the Affordable Housing Levy. Based on last year's Affordable Housing Fund levy of $6,000,000, the increase will be $0.00. Authorization of this requires a simple majority vote of City Council.

Staff estimates that the City's Affordable Housing Fund property tax levy rate in 2019 will range between $0.23 per $1,000 of assessed value to $0.27 per $1,000 of assessed value, compared to the actual 2018 affordable housing fund property tax levy rate of $0.286 per $1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 12.7% 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.

Assessed Value 2018 $287,100	*Levy Rate 2018 $0.2859919 (per $1,000 assessed value; Affordable Housing Levy only)*	*2018 City Property Tax = $82.11*
Assessed Value 2019 $323,562 (assumes assessed value increases 12.7%)	*Estimated Levy Rate 2019 $0.25377 (per $1,000 assessed value; Affordable Housing Levy only)*	*2019 City Property Tax (hypothetical) = $82.11*
AV increases 12.7%	*Levy Rate declines*	*Annual tax increase $0.00 for this example taxpayer**

**If the assessed value of the resident's property as a percentage increased by less than 12.7%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2018. If the assessed value of the resident's property increased by more than 12.7% from the previous year, the increase in the annual taxes would be slightly higher.*

Some citizens 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.

Request: On November 5, 2018, approve the ordinance on first reading, setting the date of second reading and public hearing for November 19, 2018.

Carrie Lewellen, City Treasurer, 487-8482

Motion approved the request.

6. Property Tax Levy for 2019

Staff Report 165-18

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.

Summary

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 2019 levy calculations is 2.169%.

Staff recommends that City Council approve a 1.0% increase in the property tax levy. Because the inflation rate is higher than the 1.0% limit, the 1.0% increase is the maximum increase allowed. Based on last year's General Fund levy of $48,770,483.97, the increase will be $487,704.84. Authorization of this increase requires a simple majority vote of City Council.

Staff estimates that the City's general fund property tax levy rate in 2019 will range between $2.08 per $1,000 of assessed value and $2.12 per $1,000 of assessed value, compared to the actual 2018 general fund property tax levy rate of $2.325 per $1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 12.7% 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:

Assessed Value 2018 $287,100	*Levy Rate 2018 $2.325 (per $1,000 assessed value; General Fund Levy only)*	*2018 City Property Tax = $667.51*
Assessed Value 2019 $323,562 (assumes assessed value increases 12.7%)	*Estimated Levy Rate 2019 $2.08 (per $1,000 assessed value;*	*2018 City Property Tax (hypothetical) = $673.01*

	General Fund Levy only)	
AV increases 12.7%	*Levy Rate declines*	*Annual tax increase $5.50 for this example taxpayer**

**If the assessed value of the resident's property as a percentage increased by less than 12.7%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2018. If the assessed value of the resident's property increased by more than 12.7% from the previous year, the increase in the annual taxes would be slightly higher.*

Some citizens 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 5640-397-2391 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 more than $309 million of new construction, which translates into $718,000 of additional City property tax revenue, which is slightly more than the $601,400 received for new construction values for 2018 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 5, 2018, approve the ordinance on first reading, setting the date of second reading and public hearing for November 19, 2018.

Carrie Lewellen, City Treasurer, 487-8482

Motion approved the request.

7. Ad Valorem Taxes for 2019

Staff Report 166-18

AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2019-2020 Budget for the City of Vancouver; providing for an effective date.

Summary
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 2019-2020 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 2019 real and personal property tax levy as $56.7 million, which includes a preliminary estimate of $719,000 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 2018.

City staff recommends that Council approve ad valorem taxes in the amount of $56.7 million, which is needed to fund the City's 2019-2020 biennial budget. Of the total, $50.7 million is for general fund purposes, and $6 million is for the affordable housing fund. Approving ad valorem taxes of $56.7 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 $56.1 million and $56.7 million in 2019. 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.

Staff recommends that City Council approve ad valorem taxes in the amount of $56.7 million for the 2019 real and personal property tax levy within the city limits of Vancouver. This estimated revenue source is necessary to fund the 2019-2020 Biennial Budget for the City of Vancouver.

Request: On November 5, 2018, approve ordinance on first reading, setting the date of second reading and public hearing for November 19, 2018.

Carrie Lewellen, City Treasurer, 487-8482

Motion approved the request.

8. Amendments to VMC Titles 16 and 17 to implement fire and life safety program fee increases

Staff Report 167-18

AN ORDINANCE amending Vancouver Municipal Code (VMC) Sections 16.04.280 and 17.08.130 relating to the Vancouver Fire Department cost recovery amounts; increasing existing permit and fee schedules and providing for the implementation of a fee schedule for services; indexing applicable fees to the Seattle Consumer Price Index to account for inflation; and providing for savings and an effective date.

Summary

The proposed revision of VMC Titles 16 and 17 will re-align fees for increased costs associated with fire inspections, construction/operational permits, and fire plans review.

VMC Title 16 has been in effect for more than ten years; with this long-term experience Fire staff has identified the need to increase certain fees to account for higher program costs associated with fire and life safety inspections, fire protection system report reviews and operational fire code permits.

Request: On Monday, November 5, 2018, approve ordinance on first reading, setting date of second reading and public hearing for Monday, November 19, 2018.

Heidi Scarpelli, Vancouver Fire Marshal, 487-7202

Motion approved the request.

9. Amendment to VMC 16.16.40, Hazardous Materials Regulatory Fee

Staff Report 168-18

AN ORDINANCE amending Vancouver Municipal Code Section 16.40.070 relating to hazardous materials regulatory fees; increasing such fees and indexing such fees to the Seattle Consumer Price Index to account for inflation; and providing for an effective date.

Summary

VMC Title 16, Chapter 16.40 has been in effect for more than ten years with no increase in the hazardous materials regulatory fee since inception, while

CPI has increased more than 21% during this same time period. The proposed amendment of VMC Chapter 16.40 updates the regulatory fee for increased costs associated with hazardous materials emergency response plan inspections, evaluations and exercises, training of emergency response personnel, and acquisition, maintenance and operation of emergency response equipment.

Request: On Monday, November 5, 2018, approve ordinance on first reading, setting date of second reading and public hearing for Monday, November 19, 2018.

Tom O'Connor, VFD Special Operations Division Chief, 487-7206

Motion approved the request.

10. **2019-2020 City of Vancouver Biennial Operating and Capital Budget**

Staff Report 169-18

AN ORDINANCE relating to and adopting the budget for the City of Vancouver for the 2019-2020 fiscal biennium; creating a new fund; providing for ratification and for an effective date.

Summary

The City of Vancouver 2019-2020 Biennial Budget has been prepared for approval. The Recommended Budget was published by the City Manager on October 1, 2018, and was presented to Council in workshops held on October 15 and 22.

The 2019-2020 Biennial Budget appropriates $1.2 billion for both operating and capital expenses, a 3.7% increase over the current 2017-18 budget. A total of $954.8 million is appropriated for all City operating funds and $245.4 million for capital funds and related funding. There are 79.5 full time equivalent (FTE) positions added bringing the total to 1,180.4 FTEs by the end of 2020, a 6% increase over the 2018 current budget.

The 2019-2020 Budget is balanced by ongoing revenues and available cash resources. The Budget relies on new revenues generated by a 1% property tax increase and from a previously adopted utility tax rate increase of approximately 4% in Water, Sewer and Drainage and 3% in Solid Waste in each year of the biennium.

A total of $458.7 million is appropriated in the General, Street, and Fire operating funds, and an additional $496.1 million is appropriated in all other *operating funds. All appropriations are consistent with the budget framework reviewed and affirmed with Council at the beginning of the year as well as with relevant workshops over the course of the year regarding capital investments and certain operating programs.*

A prolonged period of relative fiscal stability has allowed the City to reassess the community's greatest needs and respond by continuing to improve service levels in key areas during the 2019-2020 biennium, including: police, fire inspections, parks greening and maintenance,construction and utilities and administrative services. The City continues to make progress in funding deferred maintenance and asset replacement on a pay-as-you-go basis.

Following are highlights of the additional programs added or expanded in the 2019-2020 Budget in the General, Street and Fire funds:

- *A total of 17.0 new FTEs were added to the Police Department, including Police Officers, Police Service Technicians, and police support positions to address specific staffing and administrative requirements. These new positions represent the last phase of the increase in traffic, investigative and community engagement police services funded by dedicated revenue increases over the 2017-2020 time period.*
- *A cross-department team, including a 1.0 FTE Coordinator in the City Manager's Office, 0.5 FTE in Legal, 1.0 FTE in Code Enforcement and one additional 1.0 FTE Police Officer position, along with mental health and substance addiction case management services, will provide a more focused and coordinated response addressing issues related to homelessness in the City. The Budget also includes funding for maintenance of the homeless day center and other resources to continue addressing issues related to homelessness.*
- *Budget to complete the Heights District plan as well as demolish the former Tower Mall structure, which will create a blueprint and begin preparation of the site for reinvigorating central Vancouver and capitalizing on the planned Mill Plain Corridor Bus Rapid Transit investments.*
- *A total of 13.0 new FTE positions to staff the new Fire Station 11 that is anticipated to be completed by the end of the biennium. The new positions as well as the construction of Fire Station 11 are funded largely by Fire District 5.*
- *The Budget re-establishes an Arts and Cultural program by creating a dedicated 1.0 FTE to act as a dedicated resource for a new Vancouver Cultural Commission, help with creation and administration of an art grants program, and coordinate public art maintenance. The Budget also appropriates seed dollars to partner with the Vancouver school District in building the Art and Innovation Campus as well as a possible community arts center.*

- *A total of 2.0 new FTE positions in parks maintenance were added in 2020 to continue the effort of keeping turf in city parks green and maintained.*
- *The Pavement Management program added 2.0 new FTE positions to match a planned increase in size and scope of the Pavement Management program. The project increase as well as the new positions are fully funded by the dedicated Street Funding Initiative revenues.*
- *The SUV pilot project in the Fire Fund has proven to be a cost effective method of augmenting high priority medical call response, and the Budget converts these limited-term staff to regular positions. The Budget also adds 5.0 new FTEs in the Fire Marshal's Office to continue working through the fire inspection backlog with the goal of achieving a regular two-year re-inspection cycle of city's businesses. The program is almost fully self-sufficient.*

Major budget changes in other City Funds include:

- *A total net new 7.5 FTE positions is added in the Internal Administrative Services fund to support the increased demand for services driven by the City's expanding capital and operating programs. Of these new positions, 2.0 of the FTEs will implement the expanded citywide GIS program, 1.0 FTE and a 1.0 FTE will be dedicated to improving the City's records program. Staffing was also added in Information Technology, Human Resources and procurement.*
- *One FTE position was added to the Building fund to address the increased complexity of development projects. The construction activity is scheduled to significantly increase over the next few years due to a number of multi-story buildings and new school buildings that are currently in permitting.*
- *17.5 new FTE positions were added in Public Works to support the increasing demand from the Utilities capital program and service level demands.*
- *Grounds and facilities maintenance function is being moved to a new internal services fund and Civil Legal is being moved to the Support Services Fund.*
- *The Budget maintains market relevance for compensation to ensure that the City maintains the competitiveness needed to retain and recruit its workforce, and affirms the 2017-2018 staffing levels as a baseline in other service areas.*

2019-2020 Capital Budget

Of the City's nearly $1.5 billion in assets, approximately 80% are capital (building, streets, land, utility lines, etc.). Stewardship of these capital assets is critical to efficient, effective, and sustainable service delivery.

While the true cost to manage these assets through their lifetime is daunting, the City has been making meaningful, strategic investments in our assets without adding new debt. The same trend is evident in the 2019-2020 Biennial Budget.

Attachment C to the Budget Ordinance includes a list of all projects included in the City of Vancouver's 2019-2020 $245.4 million capital program, of which $98.6 million is related to funding transfers. Below are some highlights:

- *Utilities projects totaling $89.3 million, include:*
  - *Water fund projects totaling $42.7 million for the Water Works Park reservoir and seismic upgrade of $19.0 million, continuing Operations Center design of $6.2 million, Water Stations improvements, and other smaller projects.*
  - *Sewer utility appropriation totaling $41.9 million includes an $8.4 million two-year Sewer Connection Incentive Program (SCIP) to expand sewer service to 600 new homes, $9.4 million for process controls electronics upgrades, $3.5 million for a westside electrical upgrade design, and a variety of other collection and treatment projects.*
  - *A $4.7 million two-year program in Drainage to keep up with the NPDES regulations.*
- *New Fire Station 11 construction primarily funded by Fire District 5 expected to be completed in 2020-2022.*
- *General Capital asset management program of $10.3 including roof replacements, major maintenance, pervious surface upgrading, sealing, painting, and HVAC repairs at various city facilities.*
- *The Budget allocates $21.4 million for transportation funding, including the following projects:*
  - *Mill Plain Blvd from 104th St to NE Chkalov Dr.;*
  - *137th Ave corridor between 49th St and Fourth Plain;*
  - *18th St from NE Four Seasons Lane to NE 136th Ave;*
  - *LED street light retrofit of 13,000 City lights;*
  - *$4.0 million in projects funded by the Street Funding Initiative capital program.*
- *A $1.8 million Pearson Airfield phase one of the mostly federally-funded runway replacement project.*
- *Parks and Trails capital program totaling $8.7 million including major renovations and expansions at the North Image Park, Dubois Park, First Place Park, Clear Meadows Park, Summers Walk Park, and new land acquisitions using the City's PIF resources.*

Proposal: *To approve the 2019-2020 Biennial Operating and Capital Budget Ordinance.*

Request: On Monday, November 5, 2018, approve ordinance on first reading, setting date of second reading and public hearing for Monday, November 19, 2018.

Natasha Ramras, Chief Financial Officer, 487-8484

Motion approved the request.

11. Approval of Claim Vouchers

Request: Approve claim vouchers for November 5, 2018.

(Copy available upon request)

Motion approved claim vouchers for November 5, 2018, in the amount of $9,180,492.30.

Public Hearings (Items 12-14)

12. Arnada Park Right-of-Way Vacation

Staff Report 149-18

AN ORDINANCE vacating a portion of public rights-of-way associated with E 24th Street and H Street located within the current boundaries of Arnada Park. The right-of-way is located within the Southeast Quarter of Section 22, Township 2 North, Range 1 East, Willamette Meridian, City of Vancouver, Clark County, Washington; providing for an effective date.

Summary

City of Vancouver staff is requesting approval to vacate the right-of-way associated with the north half of E. 24th Street and east half of H Street, all which is located within the current boundaries of Arnada Park. The right-of-way is located within the Southeast Quarter of Section 22, Township 2 North, Range 1 East, Willamette Meridian.

Historically, the subject rights-of-way were part of the overall City of Vancouver downtown street grid. When Interstate 5 was constructed in the 1960s, some of the nearby properties and rights-of-way were acquired by WSDOT to accommodate the construction of the Fourth Plain Blvd interchange. After construction of the interstate was completed, Arnada Park was constructed by the City on a collection of remnant properties and unused rights-of-way; there is no record of the City having constructed any public street improvements within the subject right-of-way area. The City of Vancouver now wishes to vacate the rights-of-way to create a clear *designation of property ownership to correspond to the property use as a public park.*

The rights-of-way to be vacated do not provide public street access to any adjacent private properties. Staff has reviewed the City's Transportation Systems Plan and determined there is no future need for these rights-of-way. Therefore, vacation of these rights-of-way will have no adverse impact on the City's transportation assets.

Staff has contacted all utility owners with facilities potentially located within the subject area. The City of Vancouver has utilities within the area of the proposed vacation, including a domestic water main, a storm water main, and associated appurtenances. The private utility owners have indicated there are no private utilities within the subject area. The City will retain a public utility easement under and over the entire vacated area for the construction, repair and maintenance of all public utilities and services. Pursuant to VMC 11.05.130, the property associated with a vacated street shall belong to the abutting property owners, one-half to each. The half-widths of right-of-way being vacated abut property currently owned by the City of Vancouver.

RCW 35.79.030 provides for, but does not require, the City to collect compensation for the value of public right-of-way that is vacated. As previously noted, prior to construction of I-5 the subject rights-of-way were part of the overall City of Vancouver downtown street grid. The rights-of-way were then converted to a public park after the completion of the interstate. The City has not constructed any street improvements within the proposed right-of-way. Based on these circumstances, staff recommends that no compensation be required for the vacated right-of-way.

Request: On November 5, 2018, subject to second reading and public hearing, approve ordinance to vacate portions of street rights-of-way associated with E 24th Street and H Street situated within the current boundaries of Arnada Park, located within the Southeast Quarter of Section 22, Township 2 North, Range 1 East, Willamette Meridian.

Eric Hahn, Senior Civil Engineer, 487-7702; Ryan Lopossa, Streets & Transportation Manager, 487-7706.

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

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Topper, and carried unanimously to approved Ordinance M-4241.

13. **Proposed amendments to to the City's Shoreline Master (SMP) Chapters 4, 6, and 8**

Staff Report 158-18

AN ORDINANCE relating to the City of Vancouver's implementation of shoreline management as required by Revised Code of Washington ("RCW") Chapter 90.58, the Shoreline Management Act; amending the City of Vancouver Shoreline Master Program (SMP) Chapter 4, Shoreline Designations Section 4.3.1.4; Chapter 6, Specific Shoreline Use Regulations Table 6-1; Section 6.3.3.4, Joint Use and Community Moorage Facilities; Section 6.3.4, Commercial Uses; Section 6.3.11, Residential Development; and Chapter 8, Definitions; subject to approval by the Washington State Department of Ecology (Ecology); providing for severability; and providing for an effective date.

Summary

Overwater Structures and Buildings

A key element of the City of Vancouver's City Center Vision (VCCV) Plan is the redevelopment of the Columbia West Renaissance District which includes the Port of Vancouver's Terminal 1 site. In order to complete the planned redevelopment of Terminal 1, the pier and subsequent building would have to be replaced due to the age and deterioration of the supporting piles affecting the long-term structural sufficiency of the pier. The pier and building are also in the identified right-of-way needed for an I-5 replacement bridge which would mean the structures would need to be removed to accommodate a new bridge.

While replacement of the pier would likely qualify as normal repair per WAC 173-27-040(2)(b), the building on this site would need to be relocated. This building is a non-conforming building, and the relocation of this building would constitute a new overwater structure for water-enjoyment use. Current SMP language prohibits both the relocation of a non-conforming use and building a new overwater structure for water-enjoyment use in the Aquatic shoreline designation.

Joint-use Docks

Some requirements related to joint-use docks are vague or are not compatible with other provisions of the SMP. As currently written, the definition of Dock, Joint-Use does not specifically state if the parcels with access to the joint use dock have to be contiguous to each other nor does it indicate the parcels must be residential, or if the lots are capable of being developed in compliance with zoning ordinance or SMP. This ambiguity has generated inquiries whether a joint-use dock would be allowed if the lots were separated, were in different zones, or were not on developable lots.

On-water Residences

Effective September 7, 2017, certain definitions were amended in WAC 173-26-020 relating to on-water residences/floating homes. The revisions added definitions of floating homes and floating on-water residences (PERMANENT RULES; Washington State Code Reviser's Office filing number 17-17-016; Order 15-06—Filed August 7, 2017, 2:58 p.m., effective September 7, 2017). The revisions are intended to clarify that certain floating structures are considered floating on-water residences and not vessels.

Live-aboard Boats
The Washington State Shoreline Management Act (SMA) and the Vancouver SMP do not allow on-water residences, but do allow live-aboard boats within marinas (up to 20% of the marina's slips if utilities and restroom facilities are provided). The intent of the state law and the City's SMP is to allow a limited number of live-aboard boats within marina areas and prohibit floating homes. The intent is to allow recreational boats within marinas to be used as live-aboard vessels while not allowing large, unseaworthy vessels.

Request: On Monday, November 5, 2018, subject to second reading and public hearing, approve the ordinance with recommended amendments to the Shoreline Master Program on first reading.

Jennifer Campos, Principal Planner, 487-7728

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

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Hansen, seconded by Councilmember Topper, and carried to approved Ordinance M-4242.

14. **Continuation of a temporary moratorium on the acceptance and processing of applications for permits for the development of new structures; the expansion of existing structures; or subdivisions in the Tower Mall area**

Staff Report 159-18

AN ORDINANCE declaring an emergency and continuing a temporary moratorium for the duration of six months upon the acceptance and processing of applications for permits for the development of new structures; the expansion of existing structures; or subdivisions in the Tower Mall area as defined herein; establishing six months as the tentative effective period of this ordinance; and establishing an immediate effective date.

Summary

The Heights District Subarea is identified as a future urban center in the City of Vancouver Comprehensive Plan. In order to establish a vision for the area and guide its future growth and development, the City of Vancouver is undertaking a subarea planning process for the Heights District. In June 2017, the Vancouver City Council approved the purchase of an 11.83-acre parcel known as the Tower Mall site. Following the purchase of the property, Council adopted a six-month development moratorium for the site and adjacent properties in the Tower Mall area, and has twice adopted ordinances continuing the temporary moratorium, in November 2017 and May 2018. This temporary moratorium prohibits the acceptance and processing of applications for permits for the development of new structures, the expansion of existing structures, or subdivisions in the Tower Mall area.

After purchase of the Tower Mall site in May 2017, the City initiated a subarea planning process for the 205-acre Heights District. Over the last 15 months, City staff and a consultant team have conducted extensive public outreach on the future of the Heights District, including one-on-one meetings, focus groups, group presentations, large public open houses, and online surveys. Staff has heard from a variety of stakeholders, including neighborhood associations, property owners, residents, Vancouver Public Schools, C-TRAN, the faith community, social service providers, non-profit organizations, and a 20-member Community Advisory Committee that meets monthly and helps guide project decision-making.

In addition to public outreach, the project team has completed a detailed technical analysis of existing land use, transportation, and environmental conditions, as well as a feasibility study to determine what future uses and development typologies the market will support. Information gathered through the public outreach process, technical analysis, and market study informed the development of conceptual redevelopment alternatives for the Tower Mall Area, which are currently available for public comment.

Continuation of the moratorium allows staff time to complete the subarea planning process for the area that is currently underway and is anticipated to be completed in Fall of 2019. A continuation of the temporary moratorium is necessary to ensure that future development aligns with the vision articulated in the forthcoming plan.

Request: On Monday, November 5, 2018, subject to second hearing and public hearing, approve ordinance.

Rebecca Kennedy, Long Range Planning Manager, 487-7896

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

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

- Chelsea Chunn, Vancouver, stated she and her husband are the owners of mobile food vendor Chunney Pop, and expressed concerns about ensuring mobile food vendors and other small businesses are incorporated into the subarea planning are for The Heights. She expressed frustration with difficulties they have experienced in trying to get permits to locate their mobile food cart in The Waterfront development.

- Cory Chunn, Vancouver, urged the City to not forget about mobile food vending as the city continues to grow.

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

Motion by Councilmember Stober, seconded by Councilmember Topper, and carried unanimously to approved Ordinance M-4243.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

a. Vancouver Navigation Center Update

b. 2019 State Legislative Agenda / Clark County Transportation Alliance

Adjournment

7:40 p.m.

DocuSigned by:
Anne McEnerny-Ogle
58CB15C0632F403...
Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:
Carrie Lewellen
661359AB277E439...
Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

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