



City Council Meeting Minutes

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

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

October 20, 2025

Workshops: 4:45 - 6:00 p.m.

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

The City Council Meeting was held on 10/20/2025 at 4:45 PM in the Vancouver City Hall, Council Chambers 415 West 6th Street, Vancouver, WA 98660.

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/video/city-council-workshops-10-20-25-2025101014/>

City Hall FY25-26 Capital Projects Overview

(Approximately 45 minutes)

Geraldene Moyle, General Services Director,
geraldene.moyle@cityofvancouver.us

Staff led Council through a discussion of the City Hall FY25-26 Capital Projects Overview.

Continuance of Resolution Limiting Plan and Zone Changes Prior to Comprehensive Plan Update

(Approximately 30 minutes, to immediately follow the previous workshop)

Rebecca Kennedy, Deputy Community Development Director, Bryan Snodgrass, Principal Planner, rebecca.kennedy@cityofvancouver.us,
bryan.snodgrass@cityofvancouver.us

Staff led Council through a discussion of the Continuance of Resolution Limiting Plan and Zone Changes Prior to Comprehensive Plan Update.

Council Dinner / Administrative Updates (6:00 - 6:30 PM)

Regular Council Meeting

6:30 PM

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

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CTVV 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 CTVV video recording, including presentations, testimony and discussion, for this meeting please visit: <https://www.cvtv.org/video/vancouver-city-council-10-20-25-2025101015/>

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 McEnery-Ogle. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: *Councilmember Harless, Councilmember Perez, Councilmember Fox, Councilmember Paulsen, Councilmember Stober, Councilmember Hansen, Mayor McEnery-Ogle*

Absent: *None*

Proclamations

Breast Cancer Awareness Month

Mayor McEnery-Ogle read and presented a proclamation to Don Stose, Senior Board Member for Pink Lemonade Project, proclaiming October 2025, as Breast Cancer Awareness Month.

In Memoriam of John Fishbach

Mayor McEnery-Ogle read and presented a proclamation to Lon Pluckhahn, City Manager, proclaiming October 20, 2025, as In Memoriam of John Fishbach.

In Memoriam of Pat McDonnell

Mayor McEnery-Ogle read and presented a proclamation to Lon Pluckhahn, City Manager, proclaiming October 20, 2025, as In Memoriam of Pat McDonnell.

Community Communication

This is the place on the agenda where the public is invited to speak to Council regarding any matter on the Agenda not already scheduled for Public Hearing. (Separate instructions are provided for offering testimony on Public Hearing when applicable.) This includes the option to testify about Workshops. Members of the public addressing Council are requested to give their name and city of residence for the audio record. Speakers are to limit their testimony to a total of three minutes for all items combined. RCW 42.17A.555 and City Council Policy 100-32 prohibit the use of public facilities to support or oppose any ballot measure, or to support or oppose any candidate for elective office. Any violation of these rules could result in a suspension of speaking privileges during public comment periods at City Council Meetings for 90 days or longer for multiple offenses.

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

- *Bruce Barnes, Vancouver*

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

Consent Agenda

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

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and Yes: 7, No: 0, Abstaining: 0, to approve Items 1-6 on the Consent Agenda.

1. Construction Acceptance — Growth Management Area (GMA) Pump Station Upgrades

Staff Report: 210-25

Request: On October 20, 2025, accept the facilities as constructed by Tapani, Inc. of Vancouver, Washington, and authorize release of the retainage bond subject to receipt of all documentation required by law.

Sheryl Hale, Engineering Manager, sheryl.hale@cityofvancouver.us

Motion approved the request.

2. Contract Award — George Elevator Services - Elevator maintenance and repair - C-102059

Staff Report: 211-25

Request: On Monday, October 20, 2025, authorize the City Manager, or designee, to finalize and execute a contract with George Elevator Services, up to a maximum of \$1,500,000 through October 31, 2030.

Brian Taylor, Operations Superintendent,
brian.taylor@cityofvancouver.us

Motion approved the request.

3. RFP 24-25: Contract Awards - Towing and Recovery Services, Inc and Triple J Enterprises, Inc for Towing Services

Staff Report: 212-25

Request: On Monday, October 20, 2025, authorize the City Manager, or designee, to execute a professional services agreement, from RFP 24-25 General and Evidence Towing Services, between the City of Vancouver and Towing and Recovery Services, Inc (DBA: Action Towing, Custom Towing and Customer 24 Hour Towing); a second professional services agreement between the City of Vancouver and Triple J Enterprises, Inc (DBA: Orchards Towing, Orchards Towing and Recovery, Triple J Towing, Triple J Emergency Towing, and Anytime Towing) for an estimated amount not to exceed \$1,000,000 each; authorize the City Manager to take any legal action necessary to enforce the terms of the same.

Daphine Harris, Police Business Services Manager,
daphine.harris@cityofvancouver.us

Motion approved the request.

4. RFP 25-25: Award Contract - Rapid Response Bio Clean Inc. to Perform Abatement of Biohazardous Materials from Derelict Recreational Vehicles (RVs)

Staff Report: 213-25

Request: On Monday, October 20, 2025, authorize the City Manager, or designee, to execute a professional services agreement, from RFP 25-25 Recreational Vehicle (RV) Storage, Testing, Abatement, Remediation, and Demolition Services, between the City of Vancouver and Rapid Response Bio Clean Inc. for an estimated amount not to exceed \$1,400,000; authorize the City Manager, or designee, to take any legal action necessary to enforce the terms of the same.

Daphine Harris, Police Business Services Manager,
daphine.harris@cityofvancouver.us

Motion approved the request.

5. Interlocal Agreement - City of Vancouver and Clark County Street Imagery Software Platform - Cyclomedia

Staff Report: 214-25

Request: On Monday, October 20, 2025, authorize the City Manager, or designee, to finalize and execute the proposed Interlocal Agreement with Clark County for cost sharing in the acquisition of street imagery data from Cyclomedia.

Ryan Lopossa, Streets and Transportation Manager,
ryan.lopossa@cityofvancouver.us

Motion approved the request.

6. Approval of Claim Vouchers

Request: Approve claim vouchers for October 20, 2025.

Motion approved claim vouchers in the amount of \$11,510,506.80.

Public Hearings

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

7. In accordance with RCW 42.17A.555, the Vancouver City Council will accept public testimony and express a collective decision and/or vote upon a Resolution in support of Proposition No. 5 City of Vancouver, Washington Police and Public Safety Services Levy Lid Lift

A RESOLUTION expressing the City Council's support for Proposition 5, which, if approved by voters, would fund police and public safety services, including

additional police officers, equipment, and criminal justice system costs by increasing Vancouver's regular property tax levy by approximately \$0.15/\$1,000 assessed valuation (AV), for a maximum regular property tax levy rate not to exceed \$2.47/\$1,000 (AV) for collection in 2026. The 2026 levy amount will be the basis to calculate subsequent levies, per RCW 84.55. Qualifying seniors, veterans, and others would be exempt, per RCW 84.36.

Staff Report: 215-25

Request: On Monday, October 20, 2025, following a public hearing affording approximately equal opportunity to those in support and those in opposition, express a collective decision and/or vote upon a Resolution in support of Proposition No. 5 City of Vancouver, Washington Police and Public Safety Services Levy Lid Lift.

Troy Price, Police Chief, troy.price@cityofvancouver.us

Troy Price, Police Chief, provided an overview of the In accordance with RCW 42.17A.555, the Vancouver City Council will accept public testimony and express a collective decision and/or vote upon a Resolution in support of Proposition No. 5 City of Vancouver, Washington Police and Public Safety Services Levy Lid Lift.

Council discussed the item briefly with staff.

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

- *Bruce Barnes, Vancouver*
- *Marsha Joslin, Vancouver*

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

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and Yes: 7, No: 0, Abstaining: 0, to approve Resolution M-4356.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Homeless Situation Report

Jamie Spinelli, Homeless Response Manager, discussed the Homeless Situation Report.

State Legislative Agenda Update

Aaron Lande, Assistant City Manager, discussed the State Legislative Agenda Update.

Adjournment

7:36 p.m.

DocuSigned by:

Anne McEnerny-Ogle

6C89D9089EC5424...

Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

Natasha Ramras

493E940414AE4BD...

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.

Brad Erhart

[REDACTED]
Vancouver, WA 98683

October 13, 2025

Mayor Anne McEnerney-Ogle & Vancouver City Councilmembers
City Manager Lon Pluckhahn
City Clerk Natash Ramras
City of Vancouver
415 W 6th St
Vancouver, WA 98660

Re: Ethics Complaint Against Councilmember Kim Harless – Appearance of Fairness Violations, Actual Impropriety, and Demand for Process Reset

This letter documents fundamental violations of law, policy, and ethical standards that have tainted the ethics complaint process from inception through the October 6, 2025 Council proceeding.

These violations constitute not merely appearance concerns but actual impropriety that necessitates voiding the proceedings and demands immediate corrective action.

I. VIOLATIONS DOCUMENTED

The following violations demonstrate actual impropriety through actions exceeding legal authority, unauthorized legal work, selective evidence presentation, improper gatekeeping, and systematic denial of procedural protections.

A. Recusal and Outside Counsel Engagement

The City Attorney's recusal and subsequent engagement of outside counsel occurred through a series of irregular actions that exceeded legal authority and maintained operational control despite claimed conflict.

1. Improper Recusal Without Verification

City Attorney Nena Cook recused based solely on unverified hearsay from the accused without conducting due diligence to confirm whether the claimed prior consultations actually occurred, with which attorneys, what matters were discussed, or when.

A conflict of interest requiring recusal must be based on material facts demonstrating an actual conflict, not merely unverified assertions.

Why was no due diligence performed to establish whether any such consultations occurred?

2. Ultra Vires Engagement of Outside Counsel

There was unilateral engagement with outside counsel without Council authorization as required by *Charter Sections 2.05 and 11.04* and *Policy 100-36*:

- No Council resolution authorized this engagement
- No Council action defined the scope
- No Council designation of outside attorney as substitute decision-maker
- City Attorney's office maintained operational control despite claiming recusal

3. Question Regarding Washington Bar Licensure

Kathy Dent of Davis Wright Tremaine LLP (Portland, Oregon) provided the September 29, 2025 legal memorandum interpreting sections of Washington statute *RCW 42.23* for use in Washington quasi-judicial proceedings.

Ms. Dent does not appear to be licensed to practice law in Washington State based on available public records.

How was an attorney not licensed in Washington authorized to provide legal analysis interpreting Washington law for Washington quasi-judicial proceedings?

This raises significant concerns requiring investigation and disclosure of all engagement documents, supervision arrangements, verification of licensure status, all communications between Ms. Dent and the City Attorney's office, and any communications between Dent and Harless.

4. Continued Central Role by Recused Office

Despite claiming recusal, the City Attorney's office maintained operational control:

- Outside counsel memorandum addressed "To: Nena Cook, City Attorney"
- Staff Report listed "Staff Contact: Nena Cook, City Attorney"
- City Attorney presented matter to Council, explained procedural history and options
- City Attorney responded to Council questions throughout October 6 proceeding

B. Scope and Evidence Violations

Policy 100-36 Section 9.0 limits initial review to facial legal sufficiency—whether the complaint "on its face" alleges facts that "if true" would substantiate a violation. The outside counsel memorandum and City Attorney exceeded this limited scope.

1. Exceeded Permitted Scope Through Fact-Finding

The outside counsel memorandum performed investigative functions beyond facial review:

- Weighed evidence and made credibility determinations
- Dismissed allegations as "insufficient" and "pure speculation"
- Styled itself as an "Investigation Report" rather than facial review
- Performed fact-finding reserved for Hearings Examiner after full evidentiary hearing

Policy 100-36 Section 9.0 explicitly limits review to whether the complaint "on its face" alleges facts that "if true" would substantiate a violation.

2. Selective Use of Evidence

The outside counsel memorandum ignored the most crucial information:

- 2021 campaign donation from John Park to Councilmember Harless (establishing prior financial incentives)
- LTAC and City Council meeting minutes showing Harless as chair had influence in the process, that she was involved in establishing the contractual procedure and that her votes were for the **contracts** (not mere grants) between Park and the City

3. Legal Mischaracterization

The memorandum improperly narrowed statutory language:

- Ignored direct and indirect beneficial interest contrary to *RCW 42.23.030*'s plain language, indicating remote interests were the same thing
- Ignored *Charter Section 11.07* independent basis for complaint
- Failed to apply case law regarding supervisory roles

C. Ex Parte Communications

On October 3, 2025—three days before the quasi-judicial hearing—Councilmember Harless engaged in uncured ex parte communications that violated *RCW 42.36.060* and *Policy 100-39*.

1. Public Editorial Board Interview

Councilmember Harless participated in an Editorial Board interview with The Columbian discussing:

- The merits of the pending ethics complaint
- Arguments that there was "no financial benefit"
- Characterization of complaint as "targeting" and "invasion of privacy"
- Policy advocacy to "retire" appearance of impropriety standard

2. Failure to Cure

RCW 42.36.060 and *Policy 100-39* require Council members to place substance of ex parte communications on the record, announce content publicly, and provide opportunity for parties to rebut. None of these requirements were satisfied at the October 6, 2025 meeting.

Why were these mandatory ex parte communication disclosures and cure procedures completely omitted from the October 6 proceeding?

3. Identity-Based Arguments

During both the Editorial Board interview and October 6 presentation, Councilmember Harless characterized the appearance of impropriety standard as subject to "weaponization" against officials with visible community ties, particularly women, LGBTQ individuals, and other vulnerable groups.

This framing improperly attempts to influence decision-makers by suggesting neutral policy application would constitute discrimination. As a member of several of these communities myself, I have now witnessed veiled threats online directed at me following these characterizations, creating an intimidating environment around this complaint.

D. October 6, 2025 Quasi-Judicial Hearing Violations

The October 6, 2025 City Council meeting exhibited multiple violations of quasi-judicial hearing requirements mandated by *Policy 100-39*.

1. Inadequate Notice and Denied Opportunity for Written Submissions

Policy 100-39 requires written materials be submitted one week prior to quasi-judicial hearings:

- No notice provided that quasi-judicial procedures would apply
- No opportunity to submit materials in advance
- No advance copy of Staff Report despite being a party

2. Omitted Appearance of Fairness Opening Recitations

Policy 100-39 prescribes mandatory opening procedures requiring the presiding officer to inquire about ex parte communications, personal or financial interests, and potential bias, and to invite challenges. None of these occurred on October 6, 2025.

Why were these mandatory opening recitations—designed to protect the integrity of quasi-judicial proceedings—completely omitted?

3. Denial of Equal Time

Policy 100-39 requires equal time (generally fifteen minutes per side) for parties:

- I was cut off after approximately three minutes with "No, sir, you may not"
- Councilmember Harless received extended uninterrupted time (approximately 15 minutes) for substantive arguments and policy advocacy
- This fundamental inequality violated express equal time requirements

Why was I afforded only three minutes while the accused received fifteen minutes in a quasi-judicial proceeding that expressly requires equal time for parties?

4. Improper Policy Arguments in Quasi-Judicial Context

Councilmember Harless's arguments were inappropriate for quasi-judicial proceedings:

- Urged Council to "retire" the appearance of impropriety standard
- Made identity-based framing suggesting neutral application would be discriminatory
- Arguments for policy change belong in legislative process, not quasi-judicial proceedings determining individual rights under existing standards

5. Failure to Properly Designate Hearings Examiner

Policy 100-36 Section 9.0 requires Council to "designate" the Hearings Examiner:

- City Attorney referenced "our hearings examiner who hears our land use cases"
- No Council motion or vote formally designated a specific examiner
- This appears to be staff default selection rather than required Council designation

Why was the Hearings Examiner selection made by staff rather than by formal Council designation as *Policy 100-36 Section 9.0* requires?

E. Concurrent Policy Review Creating Improper Pressure

Following the referral vote, Councilmember Perez moved to have review of the policy conducted concurrently with investigation of my complaint under that policy.

Having the Hearings Examiner know that the policy itself is under scrutiny while investigating alleged violations creates improper pressure to make findings that avoid strict application or recommend policy changes favorable to the accused.

F. Voidable Referral Decision

Following all documented violations, the Council voted to refer my complaint to a Hearings Examiner.

Policy 100-39 Section 8.0 explicitly provides:

The remedy for an action taken by the City Council in violation of the Appearance Fairness Doctrine is to **void the action.**

The cumulative effect of these violations renders the October 6, 2025 decision void or voidable.

II. LEGAL FRAMEWORK

The ethics complaint process must comply with applicable law and policy that govern quasi-judicial proceedings and protect parties' rights.

A. Quasi-Judicial Nature of Ethics Proceedings

The City Attorney explicitly stated during the October 6, 2025 meeting that "this first step, the council has to assume all the facts in the complaint are true."

These proceedings determine legal rights and duties of specific parties and trigger full protections of the appearance of fairness doctrine (*RCW 42.36*) and quasi-judicial procedures (*Policy 100-39*).

B. Applicable Procedural Requirements

Policy 100-39 mandates specific procedures for quasi-judicial hearings:

- Ex parte communication disclosure and cure
- Equal time for parties (generally fifteen minutes per side)
- Opening recitations to identify conflicts and invite challenges
- Advance notice allowing written materials one week prior
- **Section 8.0:** Violations of appearance of fairness doctrine **void** the action taken

C. Council Authority and Limits on Delegation

Charter and policy provisions establish that only the Council itself may authorize deviations from prescribed procedures or delegate official functions:

- **Charter Section 2.05:** Powers and duties vested in City Council
- **Charter Section 11.04:** Investigation authority reserved to Council or persons authorized by Council resolution
- **Charter Section 11.07:** Prohibition on direct or indirect personal interest in City contracts
- **Policy 100-36 Section 9.0:** Initial facial sufficiency review assigned to City Attorney; Council is the deciding body.

III. THIS IS ACTUAL IMPROPRIETY, NOT MERELY APPEARANCE

The violations documented above constitute actual impropriety, not merely appearance concerns.

- Ultra vires actions by City officials exceeding legal authority are actual impropriety.
- Selective use of evidence to reach predetermined conclusions is actual impropriety.
- Recusal based on unverified hearsay while maintaining operational control is actual impropriety.
- Systematic denial of quasi-judicial procedural protections is actual impropriety.

The appearance of fairness doctrine exists because appearance matters—the public must have confidence that governmental decision-making is fair and neutral. But when violations go beyond mere appearance to include questionable legal work, actions exceeding authority, and systematic procedural failures, the impropriety is actual.

The process has been compromised not just in how it appears but in how it actually functioned.

IV. THE ONLY ADEQUATE REMEDY IS COMPLETE PROCESS RESET

The violations are not mere technical defects curable by proceeding to a Hearings Examiner. The process has been fundamentally compromised from inception:

- Selection and direction by recused office without Council authorization
- Scope exceeded, evidence ignored, law misapplied
- October 6 proceeding failed basic quasi-judicial requirements
- Ex parte communications shaped environment without cure
- Referral decision made after tainted process

A new hearing before a Hearings Examiner cannot cure these fundamental defects because the matter has already been improperly filtered, legally misconstrued, and procedurally compromised. The initial facial sufficiency determination was made by an entity lacking authority to make it.

The Council's consideration occurred without required procedural safeguards. Ex parte communications went uncured. The legal and factual framing has been distorted by selective evidence and misapplication of law.

The only remedy that can restore integrity is to nullify all actions taken after August 28, 2025, reinstate the complaint to its original status, and restart the process with proper Council authorization, proper procedures, and truly independent oversight.

The City Attorney's office actions raise significant concerns regarding professional conduct and judgment, including taking action based on unverified hearsay and maintaining operational control despite claimed conflict. These concerns warrant review under applicable rules of professional conduct and may necessitate different counsel involvement going forward.

V. SPECIFIC DEMANDS

In light of the violations detailed above, I demand that the City take the following actions.

A. Nullify the September 29, 2025 Memorandum

The memorandum prepared by Kathy Dent must be declared void and given no effect because:

- Concerns regarding whether the attorney was properly authorized to practice in Washington for this matter
- It was engaged without Council authorization as required by Charter provisions
- It exceeded facial review scope prescribed by *Policy 100-36*

- It selectively used evidence and misapplied legal standards

No findings, conclusions, or legal characterizations from this memorandum can be relied upon as a result in any subsequent proceedings.

B. Reinstate Complaint to Original Status

My ethics complaint must be restored to its status as of August 28, 2025, prior to any actions by outside counsel, the City Attorney's office, or the City Council. All subsequent proceedings, including the October 6, 2025 Council consideration and referral decision, must be vacated as void or voidable under *Policy 100-39 Section 8.0*.

C. Implement Immediate Litigation Hold

The City must immediately implement a litigation hold preserving all documents, communications, and records related to my ethics complaint, with written instructions to all relevant custodians that no documents may be deleted, destroyed, or altered.

VI. RESERVATION OF RIGHTS

I expressly reserve all rights and remedies available under state or local law:

- Rights to seek judicial review of Council action or inaction
- Rights to file complaints with state oversight bodies concerning violations of Open Public Meetings Act, appearance of fairness requirements, and public records retention
- Rights to seek injunctive or declaratory relief
- Rights to seek damages for violations of my rights or retaliation
- Any other legal or equitable remedies

Nothing in this letter constitutes a waiver of any procedural defect, substantive error, or legal violation. I do not acquiesce to any irregular procedures that have occurred or may occur. I specifically preserve all objections to the process defects detailed herein and to any further proceedings that do not cure these defects through complete process reset.

The appearance of fairness violations documented in this letter are ongoing. Each day the tainted September 29 memorandum remains in effect, each day the voidable October 6 referral decision stands, and each day proceedings move forward on this compromised foundation compounds the violations and further undermines public confidence in the City's ethics processes. Prompt remedial action is essential.

VII. CONCLUSION

I filed my ethics complaint on August 28, 2025, in good faith, supported by substantial documentary evidence including meeting minutes, resolutions, Public Disclosure Commission documents, and other records. I am entitled to have that complaint reviewed through a process that complies with applicable legal requirements.

The process to date has failed catastrophically to provide those basic protections. The violations include concerns regarding proper authorization of legal work, ultra vires actions by City officials, selective manipulation of evidence, systematic denial of procedural protections, and a referral decision made through a proceeding that violated mandatory appearance of fairness requirements.

These are not mere technicalities. They represent fundamental failures to afford the procedural protections that state law, City Charter, and City policy guarantee in quasi-judicial proceedings. When the process itself is compromised by questionable legal work, actions exceeding authority, and denial of fair procedures, no subsequent hearing can cure the foundational defects.

The citizens of Vancouver deserve a government that conducts itself with scrupulous adherence to legal and ethical requirements, particularly when investigating allegations of ethical violations by its own members. The process must be above reproach. The current process has fallen catastrophically short of that standard through actual impropriety, not merely appearance concerns.

I request a written response within ten business days confirming the City's intended course of action.

I am prepared to meet with Council members, the City Manager, or other appropriate officials to discuss these matters, but I will not acquiesce to procedures that violate my rights, exceed legal authority, and undermine the integrity of ethics processes.

I trust the Council will acknowledge these failures, take responsibility for ensuring proper procedures, implement the demanded remedial actions, and restore public confidence in the City's ethics processes through complete transparency and accountability.

The violations documented herein demand immediate action. The longer the City delays in addressing these fundamental defects, the more it compounds the impropriety and damages public trust.

I respectfully but firmly insist that the Council act promptly to remedy these violations and ensure that my complaint receives the fair, lawful, and neutral review to which I am entitled.

Respectfully submitted,

Brad Erhart

Brad Erhart

Complainant