



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

September 28, 2020

Vancouver City Council Meeting Minutes

WORKSHOPS

To be conducted remotely.

Workshops were conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS, or listen via the GoToMeeting conference call.

Councilmember Lebowsky was absent from workshops.

4:00-5:00 p.m. Financial and Budget Update

Natasha Ramras, Chief Financial Officer, 360-487-8484

Summary

Staff provided Council with a fiscal update for the previous month and an overview of the proposed approach for reviewing and adopting the biennial budget.

5:00-6:00 p.m. Multifamily Tax Exemption (MFTE) Program Changes - Phase 1

*Chad Eiken, Community and Economic Development Director, 360-487-7882;
Peggy Sheehan, Community Development Programs Manager,
360-487-7952; Paul Lewis, consultant*

Summary

Staff provided Council with an overview of proposed revisions to the City's multi-family tax exemption program and received feedback from Council on the proposals.

COUNCIL CONSENT AGENDA MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Citizen Forum was also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

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

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

Absent: Lebowsky

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to excuse Councilmember Lebowsky.

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Tim Buck, Operations Manager; Brian Carlson, Interim Deputy City Manager; Chad Eiken, Community and Economic Development Director; Julie Hannon, Parks and Recreation Director; Bryan Monroe, Associate Planner; Brian Potter, Operations Superintendent; Dan Swensen, Interim Public Works Director; and members of the public.

Proclamation: Disability Employment Awareness Month

Mayor McEnerny-Ogle read and presented a proclamation to Keisha Weathers, Clark County Developmental Disabilities Advisory board member, proclaiming October 2020 as Disability Employment Awareness Month.

Motion by Mayor McEnerny-Ogle, seconded by Councilmember Paulsen, and carried unanimously to add a briefing update to the agenda to follow the annexation public meeting (Item 3) for the City Manager to outline a plan to address homeless encampments across the city and receive Council feedback.

Citizen Communication (Items 1-2) - see general protocol above

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

Consent Agenda (Items 1-2)

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously to approve the Consent Agenda.

1. Rejection of All Bids for the 2020 Elevator Maintenance Services Project, ITB #20-25

Staff Report 136-20

On August 18, 2020, the City received one bid for the subject project. The bid was \$149,596.54 without any elevator upgrade costs. There were some mathematical errors in the submitted bid. In view of the low number of bidders, Facilities has decided modifications to the bid documents are appropriate to increase clarity and generate interest from a greater number of qualified contractors. The bid received was as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Thyssenkrupp Elevator Corporation, Portland, Oregon	\$149,596.54
Engineers' Estimate	\$50,000.00 to
(Depending on required full elevator upgrades costs.)	\$150,000.00
	per year

This contract provides for monthly/yearly maintenance and inspections of all elevators for the City of Vancouver buildings, including performance of monthly preventative maintenance on all of the City elevators and conducting yearly inspections to meet current State of Washington Elevator codes and fire life safety requirements for elevators throughout the City buildings. This contract includes an allowance for new installation/additions or required upgrades to the elevator systems if needed by the City.

Request: Reject all the bids for the 2020 Elevator Inspections and Maintenance Services Project and direct staff to re-advertise the project.

Mike Shrum, Facilities Contract Services Supervisor, 360-487-8260; Dan Norfleet Operations Facilities Superintendent, 360-487-8390

Motion approved the request.

2. Approval of Claim Vouchers

Request: Approve claim vouchers for September 28, 2020.

Motion approved claim vouchers for September 28, 2020, in the amount of \$10,712,501.09.

Public Meeting (Item 3) - see general protocol above

3. Kitterman Annexation

Staff Report 137-20

A RESOLUTION relating to support of an annexation request using the 60% direct petition method pursuant to RCW 35.13.130; establishing the geographic extent, determining the comprehensive plan and land use designations, and determining whether the property owners will assume all or any portion of existing City indebtedness for the proposed annexation area.

City staff has received a notice of intent to annex from a singular property owner. The subject site is located at 5115 Hazel Dell Avenue just west of I-5 and north of Newhouse Road. The site is .74 acres in size. Surrounding uses include commercial to the north and south, Interstate 5 to the east, single family homes to the west. The current County Comprehensive Plan designation is Commercial (C) and the current County zoning designation is Community Commercial (CC). The applicant's intent is to annex into the City with the comparable City Comprehensive Plan designation of Commercial (C) and a Community Commercial (CC) zoning designation. The site is within the City water and sewer service districts. City of Vancouver would assume Fire and Police services with the application. The applicant intends to develop the property in the future with a not yet specified mixed use development. Both staff and the applicant have reached out to adjoining properties to inquire about being included in this annexation. No other owners were interested at this time.

The annexation resolution covers three specific areas for Council to consider:

1. *The physical boundary of the annexation area.*
2. *The proposed Comprehensive Plan and zoning designations for the annexed area*
3. *Consider whether to require the applicant to assume any City indebtedness.*

Should the resolution be adopted the petition will be sent to the Clark County Auditor to verify the petition signatures. Once the petition is certified the final ordinance public hearing may be scheduled.

Request: On Monday, September 28, 2020, adopt the Kitterman annexation resolution affirming the annexation boundary, land use designations, and waiver of the owner assuming any indebtedness.

Bryan Monroe, Associate Planner, 360-487-7958

Bryan Monroe, Associate Planner, provided an overview of the proposed annexation request.

Councilmember Fox expressed concerns that the approval of this annexation would create a donut hole with city properties surrounding properties directly south of the subject site that would remain in Clark County. She asked if the property owners to the south of the subject site had communicated with staff about why they did not want to also be annexed into the city at this time. She asked whether any analysis has been done in regards to how those property owners' fees and taxes would change if they were annexed into the city compared to what they now pay as residents of Clark County.

Mr. Monroe stated those property owners had been contacted and told staff they were not interested in being incorporated into the city boundaries. He stated the comparative analysis between those owners' current fees and taxes versus what they would be if they were annexed into the city had not been conducted. He stated the property owner of the subject site primarily wishes to work with the City and under City code for some future development of the property.

Councilmember Stober echoed Councilmember Fox's concerns, and also noted that two of those adjacent properties also must use a City street to access their properties.

Mayor McEnerny-Ogle opened the public meeting for testimony and, receiving none, closed testimony.

Councilmember Stober noted state law was changed a couple of years ago regarding such donut holes and asked whether that triggers different annexation rules. Mr. Monroe stated this is not technically considered a donut hole because those properties are not entirely closed off from other County properties. Councilmember Stober asked for clarification of the state law, as

he was under the impression the law had changed to prohibit situations where a nearly complete donut hole was created.

Councilmember Hansen asked how this annexation would affect Burnt Bridge Creek trail access for the City, as the site map seems to indicate a trail runs through the northern section of the subject property. He asked whether it would give more access in the city. Mr. Monroe stated he did not find an easement for the trail as part of the property deed, and is waiting on further information requested from Clark County Parks and Recreation about that matter.

Regarding state regulations about creating or eliminating potential donut holes, City Manager Holmes stated there is a statutory provision that says if there is a territory of less than 100 acres with at least 80 percent of its boundaries contiguous to the city, then that city can move forward with an annexation.

Councilmember Fox stated she is encouraged a property owner would want to become a part of the city, but noted the proposed annexation does not include the roadway in front of the property and expressed concerns about what development standards would look like along that frontage if they remain under Clark County regulations versus the City's. Mr. Monroe stated City staff would be able to review frontage improvements as part of that development. He stated he would need further information from the Transportation staff about which standards frontage improvements would be required to be designed under.

Councilmember Fox expressed concerns about taking action on this annexation at this meeting, given the Council had raised a number of important questions that require further research from staff.

Council spoke at length regarding the process for delaying action on this annexation. City Attorney Jonathan Young advised, given the timeline required for taking action on an annexation request, that the Council vote on the annexation at this meeting, and if desired, direct staff to bring back further information and the annexation for reconsideration at a future date certain.

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to reject the Kitterman annexation resolution and directing staff to return the item on Monday, October 19, 2020, for further information and reconsideration by Council.

Preliminary Burnt Bridge Creek (BBC) Greenway Volunteer Plan

Mr. Holmes stated he had sent Council a draft plan (attached) for addressing encampments along the Burnt Bridge Creek Trail the previous Friday, and wanted to provide additional information and seek Council's feedback prior to staff implementing the plan.

Julie Hannon, Parks and Recreation Director, provided a summary of the proposed plan.

Councilmember Hansen thanked staff for their quick attention to this issue, noting a lot of clean-up work is needed along Burnt Bridge Creek Trail and the west parking lot of Leverich Park. He stated somebody with sharps clean-up training would also be needed, as a lot of needles have been observed in that area as well.

Councilmember Fox asked what the schedule would be for implementing clean-up at Leverich Park and whether Council needed to provide feedback as far as prioritization of addressing other sites. Ms. Hannon explained the first step would be notification to the people camping in the area that clean-up is going to occur, and staff assessment of sites. She stated she is hopeful abatement could move quickly following that, but staff wanted to be sure Council was fully briefed on the plan and could provide feedback before moving forward with implementation.

Citizen Forum

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

- Peter Fels, Vancouver, expressed concerns the City is not doing enough for people who are experiencing homelessness. He also urged the City to be a leader in addressing climate change and encouraged the City to use development of the former HP campus in east Vancouver to create a clean energy corridor.
- Don Steinke, Vancouver, expressed concerns about the natural gas industry, and urged the City's planning department to require new development meet higher efficiency standards
- Jessica Bowman, Vancouver expressed concerns about the public health and safety risks resulting from encampments at Leverich Park.
- Teresa Hardy, Vancouver, expressed concerns about conflict of interest for Planning Commissioners who also work for local development companies.
- Paul Zemanek, Vancouver, expressed concerns about development that reduces the tree canopy and green spaces in Vancouver.

- Glen Yung, Vancouver, stated the City should not move forward with annexing the properties adjacent to the Kitterman property without the consent of those property owners. He also expressed concerns with the multi-family tax exemption program in Washington, and stated the City needs to have transparency with the community about the actual purpose of the program moving forward.
- Steven Jones, Vancouver, expressed concerns about encampments at Leverich Park, and about public health and safety risks resulting from those encampments.
- Somyot Laochumnvanit, Vancouver, requested more information about the U Street alley right-of-way vacation approved by Council on September 21, stating he owns a building adjacent to that alley and his tenants utilize it for access to Fort Vancouver Way. He expressed concerns about the City's notification process for that right-of-way vacation.

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

Adjournment

8:05 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

BCF6734E40E94AE...
Natasha Ramras, City Clerk

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

PRELIMINARY Burnt Bridge Creek (BBC) Greenway Volunteer Plan

Directive

Develop a plan to address encampments throughout the City on an on-going basis. The first area to target for this initiative while meeting all COVID-19 requirements is the Leverich Park, Burnt Bridge Creek (BBC) area. In conjunction with addressing encampments, we will develop a plan to engage with citizen volunteers, first within the Burnt Bridge Creek Greenway and then potentially other areas. We will focus on removal of encampment litter, graffiti, and restoration of disturbed vegetation.

Objectives

- Implement a plan to address encampments, city-wide with the goal of:
 - Educating encampment residents of other housing/parking options
 - Referring as many encampment residents to resources as possible
 - Through set procedures, notifying encampment residents to voluntarily disperse and move from established encampments on a regular basis.
 - Utilizing City staff and contractors to move campers from encampments
- Provide volunteers with a safe work environment, with minimal liability to the City.
- Provide volunteers with opportunities that will benefit the City, and provide them personally with a sense of pride and accomplishment.
- Implement a plan that is consistent with the current COVID-19 guidelines, particularly the number of volunteers working within a group and provide any required PPE.

Plan

- The current plan being discussed between Parks, Public Works and HART/VPD includes the following:
 - Initially, identify one segment to address of the BBC Greenway. We propose to begin with the segment between the parking lot at Leverich Park and Arnold Park area. There are estimated to be 6-8 active encampments within this segment, with other areas of known trash within inactive encampments.
 - If successful within this segment, we would then identify another segment to focus on.
 - Engage with social service providers to connect individuals experiencing homelessness with available resources.
 - VPD would initially inventory the area with Public Works staff to identify the cleanup opportunities and attempt to mitigate any safety issues.
 - Public Works would coordinate a cleanup of any active encampments, while also removing hazardous items from inactive camps or other areas where trash has accumulated.
 - Following the initial cleanup effort, we would coordinate a volunteer effort to assist with the remaining cleanup. At a minimum, Public Works staff will be present to lead this effort, but depending upon the risk, we may also request law enforcement presence during this effort.
 - In addition to the above coordinated approach, Parks and Public Works is working on identifying a select group of volunteers to work alongside Public Works staff on a regular basis, during the work week. Parks staff would screen and process the volunteers using existing protocols, while

Public Works staff would coordinate schedules and work with these volunteers on a regular or one-time basis throughout the BBC Greenway.

- Depending on the interests and desires of the volunteers, tasks could include litter removal, assistance with graffiti removal and even vegetation management.

Challenges/Solutions re: Use of Volunteers

- Working with volunteers through our current COVID-19 protocols:
 - Limited number of volunteers with a ratio of 4 volunteers to 1 staff leader.
 - Apply physical distancing at all times.
 - Wear a face covering/mask.
 - Create a touchless sign-in process. [Advance registration/RSVP and sign in required](#). There will be no physical sign-in sheets onsite.
 - We are requiring a confirmation email for attendance.
 - COVID-19 screening questions to review when volunteers arrive, see list in attached.
 - Sanitize all touched surfaces, e.g. tools
 - We are not providing snacks, water or gloves.
 - Will be a potential for an influx of City-stored possessions if we do not receive cooperation from occupants
- Setting restrictions and limits to volunteer opportunities, while minimizing any risk:
 - We must have the ability to screen the volunteer work areas, as well as inform the volunteers of any known risks.
 - We must limit the areas where we are encouraging volunteer activity in order to control and limit that risk.
 - We plan to provide organized, group opportunities, along with small group or even individual-based opportunities to maximize the number of participants and success of the effort.

Initial City Staff Involved

Parks and Recreation

- Julie Hannon, Parks and Recreation Director
- Hailey Heath, Volunteer Coordinator
- Stacey Donovan, Special Event/Volunteer Program Manager

Public Works – Operations

- Brian Potter, Operations Superintendent (Stormwater/Greenway Sensitive Lands)
- Tim Esary, GSL Supervisor
- Other Public Works Superintendents/Supervisors, when clean-up move outside the initial targeted area

Vancouver Police Department

- Tyler Chavers, Officer/HART Member
- Sam Abdala, NPO Dist 1 and 2

- Brian Schaffer, NPO Dist 3 and 4