



CITY COUNCIL MEETING MINUTES

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

Anne McEnery-Ogle, Mayor

Bart Hansen · Bill Turlay · Ty Stober · Linda Glover · Laurie Lebowsky · Erik Paulsen

September 23, 2019

WORKSHOPS

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

4:00-5:00 p.m. Memorandum of Understanding with City Center Redevelopment Authority (CCRA) for Waterfront Gateway Properties

Presenters: Chad Eiken, Executive Director, City Center Redevelopment Authority Board (CCRA), 487-7882; John Collum, Economic Development Principal Planner, 360-487-7956

Summary

Staff provided Council with an overview of a proposed memorandum of understanding with the City Center Redevelopment Authority (CCRA) to manage the Columbia Gateway Properties.

5:00-5:30 p.m. Community Task Force on Council Membership

Presenters: Jeanette (Jan) Bader, Program and Policy Development Manager, 487-8606; Brent Boger, Assistant City Attorney, 487-8500

Summary

Staff provided Council with a draft work program for an ad hoc community task force that would explore how to improve representation of the city's population on the City Council.

5:30-6:00 p.m. A Hub for Education, Arts & Innovation

Presenters: Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606; Jonathan Young, Acting City Attorney, 487-8500

Summary

Staff provided Council with an update on the developing vision and site plan for a hub for education, arts and innovation in Vancouver.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6 PM)

COUNCIL CONSENT AGENDA MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

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

Absent: None

Proclamation: Deaf Awareness Week

Mayor McEnerny-Ogle read and presented a proclamation to Ethan Jacobs, president of the Junior National Association for the Deaf, proclaiming September 23-29, 2019, as Deaf Awareness Week.

Citizen Communication (Items 1-9)

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

- Hollis Brown, Vancouver, spoke regarding Item 7 and urged the City to renew a five-year lease with the Vanco Golf Range as part of the planning efforts for the Heights District.

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

Consent Agenda (Items 1-9)

Council pulled Item 3 for separate consideration.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve Items 1-2 and 4-9 of the Consent Agenda.

1. **Bid Award for construction of an air gap tank system equipment at Westside Wastewater Treatment Plant, per Bid 19-22**

Staff Report 130-19

Summary

The proposed project will modify the site water supply tank, construct pump house with pumps and ancillary electrical power supply, install new supply and distribution piping at the modified tank, and install sensors and controls for an automated water supply system. An intertie connection between City potable water and on-site water distribution system will be eliminated.

Modifications to the existing on-site industrial water supply protection system are required to ensure that it fully meets the Department of Health regulations 246-290-490 WAC (Washington Administrative Code) which requires specific cross-connection control systems (i.e. "air gap") for the protection of Group A Public Water Supplies. This current system was identified as inadequate in a City self-performing audit in May 2016.

The project will build a system that will better conform to Washington Department of Health regulations regarding protection of municipal potable water supply systems.

On August 27, 2019, bids were opened for this project (ITB 19-22). Bids were received from 5 firms:

SUMMARY OF BIDS	
BIDDER	AMOUNT
McClure and Sons, Mill Creek, WA	\$1,037,840.03
Rotschy, Inc., Vancouver WA	\$1,073,991.43
Clark and Sons Excavating, Inc. Battle Ground, WA	\$1,081,832.00
Clackamas Construction, Inc., Boring, OR	\$1,348,268.36
JH Kelly, Vancouver, WA	Non-responsive

Engineers' Estimate**\$650,000 - \$750,000**

The low bidder, McClure and Sons, was found to be responsive and responsible. They also met the minimum requirements listed in the Supplemental Bidder Responsibility Criteria.

There is a minimum apprenticeship goal of 3% of the utilized labor hours for this project. McClure and Sons has submitted an Apprenticeship Utilization Plan that indicates the required labor hours will be provided through using apprentices from the Construction Industry Training Council and Northwest College of Construction.

Request: Authorize the City Manager or his designee to award and execute a contract and any required amendments with McClure and Sons, 15714 Country Club Drive, Mill Creek, Washington, to purchase equipment and construct an Air Gap Tank System at Westside Wastewater Treatment plant at their bid price of \$1,037,840.03, which includes Washington State sales tax.

Frank Dick, Wastewater Engineering Supervisor, 487-7179

Motion approved the request.

2. **Bid Award - Southside Interceptor Rehabilitation - CIPP**

Staff Report 131-19

Summary

This project will rehabilitate approximately 2,150 linear feet of existing 42-inch sanitary sewer main using the trenchless process of Cure-In-Place-Pipe (CIPP) with UV curing, which reduces potential nuisance odor creation during the curing process compared to the more traditional steam or water curing. A traditional dig and replace for this size of pipe would be more expensive than installing a CIPP liner. For this project, because the existing interceptor is located within the Port of Vancouver property and beneath several BNSF rail lines, a traditional dig and replace would be significantly greater.

On August 20, 2019, the City received 4 bids for the subject project. The bids ranged between \$1,083,000.00 and \$1,495,000.00. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Allied Trenchless, Chelan, WA</i>	<i>\$1,083,037.41</i>
<i>Rotschy, Inc., Vancouver, WA</i>	<i>\$1,322,508.18</i>

<i>Michels Corporation, Salem, OR</i>	<i>\$1,482,501.38</i>
<i>Iron Horse LLC, Fairview, OR</i>	<i>\$1,494,825.16</i>
<i>Engineer's Estimate</i>	<i>\$2,000,000.00</i>

There is a minimum apprenticeship goal of 3% of the utilized labor hours for this project. Allied has submitted an Apprenticeship Utilization Plan that indicates the required labor hours will be provided through the Local 335 Labor Union in Vancouver.

This is the first sewer interceptor Cured-In-Place Pipe (CIPP) rehabilitation that specifies Ultra Violet Light as a curing method advertised by the City. There were some uncertainties on costs since contractors using this method of curing are just beginning to emerge in the northwest. The City worked with a consultant on the design and cost estimating for this project and because of the uncertainty of the bidding climate it was determined to include a contingency in the engineers estimate. This is the reason for the large difference between the engineer's estimate and the range of submitted bids.

Request: On September 23, 2019 award a contract for the Southside Interceptor Rehabilitation - CIPP project to the lowest responsive and responsible bidder, Allied Trenchless of Chelan, WA at their bid price of \$1,083,037.41, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

3. Bid Award for LED Street Light Retrofit Project, per Bid #19-20 (Project # 071335)

Staff Report 132-19

Summary

In May 2018, the City of Vancouver executed a \$4.8 million Public Works Trust Fund (PWTF) loan from the Washington State Public Works Board to upgrade the "cobra head" style street lights from HPS fixtures to LED fixtures. State PWTF loans are a cost-effective tool with a low-interest rate for financing eligible public infrastructure projects.

Of the City's approximate 18,000 street lights, roughly 13,500 are "cobra-head" style and are included in this construction contract. The remainder of street lights are expected to be converted over time as funding becomes available and prices on other fixture types comes down.

LED technology is quickly replacing HPS with the proven benefits of higher energy efficiency, improved illuminance quality, lower maintenance burden, longer life cycle, and a reduced carbon footprint that's environmentally friendly.

The LED fixtures purchased for this project will consume approximately 50% less energy than the HPS counterparts. Converting the initial 13,500 street lights from HPS to LED fixtures is anticipated to reduce the City's energy bill by an estimated \$500,000 per year. In addition, Clark Public Utilities is offering incentives for low-energy fixture usage. It is estimated that these incentives will total approximately \$1.4 million. The exact incentive amount could vary slightly as it is based on the total number of lights replaced.

The apprenticeship utilization requirement for this project is 3% of total labor hours.

The project includes bid items for replacing the light fixtures and separate bid items for replacing any damaged fuses/fuse holders, which must be done in order for the lights to be operational. With roughly 13,500 lights, it is anticipated that a small percentage of them will need new fuses, but it is difficult to estimate the quantity. Assuming that 2% of lights need new fuses, this would result in roughly \$50,000 for this bid item.

The bids ranged between \$1,112,656 and \$3,143,260 million. All bidders were responsive. The four responsive bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Magnum Power, LLC, Kelso, WA</i>	<i>\$1,112,656.88</i>
<i>DJ's Electrical, Inc., Brush Prairie, WA</i>	<i>\$1,243,210.00</i>
<i>Colvico, Inc., Spokane, WA</i>	<i>\$1,324,768.45</i>
<i>Luminal Lighting, Mountlake, WA</i>	<i>\$3,143,260.28</i>
Engineers' Estimate	\$2,035,500

Request: On September 23, 2019, award a construction contract for the LED Street Light Retrofit Project to the lowest responsive and responsible bidder, Magnum Power, LLC, of Kelso, Washington, at their bid price of \$1,112,656.88.

Chris Christofferson, City Traffic Engineer, 487-7716

Councilmember Hansen recused himself from discussion and action on this item as he is employed by Clark Public Utilities.

Motion by Councilmember Paulsen, seconded by Councilmember Lebowsky, and carried unanimously to approve the request.

Councilmember Hansen returned to participate in the remainder of the meeting.

4. Renewal of Residential Leases for two park properties (East Biddle Lake and Property adjacent to Benjamin Franklin Elementary School)

Staff Report 133-19

Summary

East Biddle Lake

The City of Vancouver purchased an in-holding of 1.61 acres adjoining the eastern boundary of Columbia Springs in 2013 utilizing Park Impact Fee funding. After formal termination of a life tenancy in 2016, possession transitioned to the City. The intent of the purchase was to provide urban park opportunities for the surrounding neighborhood as well as expand opportunities for environmental education in partnership with Columbia Springs. The City has leased the residential structure since receiving ownership in 2016.

The City and Columbia Springs entered into a Memorandum of Understanding (MOU) detailing potential transition of site management and maintenance to Columbia Springs upon entering into a long-term lease agreement. Implementation of a future lease agreement requires demonstration of plans for interim and long-term use (including how the site will serve neighborhood park purposes), how both City properties will be incorporated into the Columbia Springs master plan, as well as proposed site improvements, management, operations and funding.

Columbia Springs continues their planning processes to update their master plan, determine a sustainable use for the property, and secure funding for site improvements, maintenance and operations consistent with the intent of the MOU; however, Columbia Springs is not yet in a position to take over management of this site. In order to provide continued caretaker presence, grounds maintenance and prevent vagrancy and vandalism issues, staff recommends an additional 12-month lease of the East Biddle Lake residence and associated property. The residential lease is for \$1,200 per month for a 12-month period and includes the responsibilities for site maintenance.

Parcel near Benjamin Franklin Elementary School

This property was purchased in 2002 in coordination with Columbia Land Trust for a future neighborhood park. Park Impact Fees and a state grant

supported the land acquisition. The City has leased the residential structure on the property since the original purchase.

In order to provide continued caretaker presence, grounds maintenance, and prevent vagrancy and vandalism issues, staff recommends and additional 12-month lease of this residence and associated property. The residential lease is for \$1,500 per month for a 12-month period and includes responsibilities for site maintenance.

Request: Authorize the City Manager, or his designee, to execute documents for Real Estate Lease for East Biddle Lake and the parcel near Benjamin Franklin School.

Linda Carlson, Property Management Specialist, 487-8423

Motion approved the request.

5. Speed Limit Reductions, Various Locations

Staff Report 134-19

A RESOLUTION relating to traffic and establishing new speed limits along six sections of City streets including Grand Blvd, SE Columbia Way, SE Hearthwood Blvd, SE Park Crest Ave, SE 1st St, and NE 137th Ave.

Summary

Recent requests have been made by the citizens of Vancouver to review and evaluate the current speed limits on six city streets.

Staff investigated each of the six streets that included: collecting traffic counts and speed survey data, site visits and review of current land use. Staff is recommending the changes based on the following:

Grand Blvd has a posted speed limit of 30 MPH from E 33rd St to Mill Plain Blvd, 25 MPH from Mill Plain Blvd to E 5th St and 35 MPH from E 5th St to Columbia House Blvd. In an effort to provide consistency, the speed limit will be lowered to 25 MPH for the entire street. Lowering the speed limit to 25 MPH will increase safety in the neighborhoods and increase safety along the frontage of the Navigation Center.

SE Columbia Way has a posted speed limit of 30 MPH from SE Columbia Shores Blvd to a point 215 feet west of the land bridge crosswalk. Columbia Way is designated as a bike route. This section of Columbia Way was also recently resurfaced as part of the 2019 Pavement Management Program. Bicycle sharrows symbols were installed to alert drivers to share the road with cyclists and speed cushions are also in the process of being installed.

The speed cushions, sharrows, and 25 MPH speed limit are designed to increase safety for bicyclists.

SE Hearthwood Blvd has a posted speed limit of 30 MPH from NE 9th St to SE Mill Plain Blvd. Due to the residential land use and proximity of the Hearthwood Elementary school, a residential speed posting of 25 MPH is appropriate for this street.

SE Park Crest Ave has a posted speed limit of 30 MPH from SE Mill Plain Rd to SE Blairmont Dr. South of SE Blairmont Dr, SE Park Crest Ave is posted 25 MPH. SE Park Crest Ave has a land use mix of business and residential. There is frequent pedestrian activity along this corridor. Reducing the speed to 25 MPH are designed to increase safety for pedestrians and provide a consistent speed posting for the entire street.

SE 1st St has a posted speed limit of 40 MPH from NE 162nd Ave to NE 192nd Ave. This section of SE 1st St is planned for an urban arterial upgrade in 2022. Upgrades include a center left turn lane, protected bike lanes, sidewalks, street lights and storm water facilities. The urban upgrade project is in the design phase. The engineers are using a posted speed of 35 MPH for roadway design. A 35 MPH speed posting is consistent with the other arterial streets in the City. The new speed limit will be posted during construction.

SE 137th Ave has a posted speed limit of 40 MPH from NE 49th St to Fourth Plain Blvd. This section of SE 137th Ave is planned for an urban arterial upgrade in 2022. Upgrades include a center left turn lane, bike lanes, sidewalks, street lights and storm water facilities. The urban upgrade project is in the design phase. The engineers are using a posted speed of 35 MPH for roadway design. A 35 MPH speed posting is consistent with the other arterial streets in the City. The new speed limit will be posted during construction.

Request: Adopt a resolution establishing a speed limit of:

- 25 MPH on Grand Blvd between E 33rd St and Columbia House Blvd
- 25 MPH on SE Columbia Way between SE Columbia Shores Blvd and 215 Ft west of the land bridge crosswalk
- 25 MPH on SE Hearthwood Blvd between NE 9th St and SE Mill Plain Rd
- 25 MPH on SE Park Crest Ave between SE Mill Plain Rd and SE Blairmont Dr
- 35 MPH on SE 1st St between NE 162nd Ave to NE 192th Ave
- 35 MPH on NE 137th Ave between NE 49th St to Fourth

Plain Blvd

Chris Christofferson, City Traffic Engineer, 487-7716

Motion adopted Resolution M-4037 to approve the request.

6. Remove surplus and authorize transfer of property located along NE 192nd Avenue

Staff Report 135-19

A RESOLUTION determining that approximately two acres of real property located on SE 192nd Avenue is not surplus to the City's needs and authorizing transfer of such real property from the Department of Public Works to the Department of Parks and Recreation for use as a public park.

Summary

The Public Works department acquired the subject property in 2004 as part of the 192nd Avenue extension project. The property was acquired as a wetland mitigation site. After several years of attempting to make the wetland site work, both the Army Corps of Engineers (Corps) and the Washington State Department of Ecology (DOE) agreed that the wetland had failed and the City should purchase wetland mitigation credits instead.

After fulfilling the requirements of the Corps and DOE, the City decided to surplus the property (resolution M-3875). In order to surplus the property several land use actions were needed, including removing the wetland mitigation covenant, altering the original plat, and short platting the property. All of these land use actions have been completed and the parcel is now a 2.06-acre developable lot (parcel #986051673).

The City's Parks and Recreation Department has determined that this parcel could be used for a future east side park and trailhead for the 192nd Avenue viewpoint. Per the attached memorandum of understanding, the Parks Department is willing to pay Public Works Department the appraised value of \$750,000. The revenues from the transfer of this property will be used to help fund the Transportation System Plan update.

Request: On September 23, 2019, adopt a resolution removing surplus declaration and authorizing transfer of real property located along NE 192nd Avenue from Public Works Department to the Parks Department.

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

Motion adopted Resolution M-4038 to approve the request.

7. **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 136-19

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 adopted four subsequent ordinances continuing the temporary moratorium, in November 2017, May 2018, November 2018, and April 2019. 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 228-acre Heights District. Over the last nearly two years, 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 have 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, community members with mobility challenges and people with disabilities, 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 were presented to the public in fall 2018 for input and feedback. Based on this public engagement and guided by the project goals, a draft redevelopment concept for the Tower Mall area was developed and made available for public review starting in April 2019. The draft redevelopment concept responds to public input that highlights the need for programmable open space, safer mobility and increased connectivity, a variety of housing types, and amenities that encourage community integration and support health, equity and wellness.

Over the last several months, the project team has continued to refine the redevelopment plan for the former Tower Mall, and incorporated this into a draft Heights District Plan that includes policies and recommendations for the entire District as well as those specific to the redevelopment area. District-wide recommendations related to land use, transportation, housing, economic development, parks and open space, and sustainability are included in the draft plan.

A public comment draft of the plan will be released in October 2019, in advance of planned workshops with the Planning Commission and the City Council, and eventual public hearings for adoption of a final plan. A draft environmental impact statement will be released on a similar timeline, which provides an analysis of environmental impacts and outlines mitigation measures. Implementation steps, including the adoption of development regulations required to implement the vision established by the plan, will be developed early next year.

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

Request: On September 23, 2019, approve ordinance on first reading, setting date of second reading and public hearing for Monday, October 7, 2019.

Rebecca Kennedy, Long Range Planning Manager, 487-7896

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

Motion approved the request.

8. Appointment to Culture, Art and Heritage Commission

Request: Appoint Richard Carr to the Culture, Arts and Heritage Commission, to a mid-term appointment beginning immediately and expiring December 31, 2023.

Council Committee 1 (Councilmembers Hansen, Glover, Paulsen)

Motion approved the request.

9. Approval of Claim Vouchers

Request: Approve claim vouchers for September 23, 2019.

Copy available upon request.

Motion approved claim vouchers for September 23, 2019, in the amount of \$5,991,179.48.

Citizen Forum

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

- Ed Foehl, Vancouver, urged the City to offer a long-term lease renewal to the Vanco Golf Range to ensure the business does not close.
- Steven Austin, Vancouver, urged the City to offer a long-term lease renewal to the Vanco Golf Range to ensure the business does not close.
- Jimmie Huff, Vancouver, urged the City to offer a long-term lease renewal to the Vanco Golf Range to ensure the business does not close.
- Bridgette Fahnbulleh, representing the NAACP, urged the City to preserve the skate park on the corner of Fourth Plain Blvd and Fort Vancouver Way, as it provides a constructive activity for youth in the community.
- Karen Morrison, representing Odyssey World International Education Services, invited the community to a meeting on September 24 to discuss

independent investigations of police use of deadly force.

- Guy Michelson, Vancouver, expressed frustrations with criminal activity around the Navigation Center and the impact on the surrounding community and his property.
- Marsha Joslin, Vancouver, expressed concerns regarding new policies for homeschool students.
- Andy Jones, Vancouver, submitted written testimony to the Council regarding his frustrations with the City's enforcement of the ban on personal fireworks.

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

Adjournment

6:59 p.m.

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Anne McEnerny-Ogle, Mayor

Attest:

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Natasha Ramras, City Clerk

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