



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

September 14, 2020 - 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.

4:00-5:00 p.m. Commercial Corridors Strategy Update

Bryan Snodgrass, Principal Planner, 360-487-7946; Cayla Cothron, Associate Planner, 360-487-7899

Summary

Staff provided Council with an update on the Commercial Corridors Strategy project, including information regarding the project vision and goals, key issues and opportunities, recent and upcoming public outreach, and next steps for the project.

This workshop concluded at 4:40 p.m.

5:00-6:30 p.m. Executive Session re: City Manager Annual Performance Evaluation

Mayor McEnery-Ogle announced the Council would be entering executive session from 5:00-6:30 p.m. to conduct the City Manager's annual

performance evaluation.

Council entered a closed remote executive session via Webex at 5:00 p.m.

REGULAR COUNCIL 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 CTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda and Public Hearing items 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, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Absent: None

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Hassan Abdalla, Engineering Manager; Brian Carlson, Interim Deputy City Manager; Linda Carlson, Property Management Specialist; Chad Eiken, Community and Economic Development Director; Sheryl Hale, Senior Engineering Manager; Julie Hannon, Parks and Recreation Director and Incident Commander for the City's COVID-19 Response; Rebecca Kennedy, Long Range Planning Manager; Aaron Lande, Senior Policy Advisor; Mike Lester, Assistant Police Chief; Dan Lloyd, Assistant City Attorney; Ryan Lopossa, Streets and Transportation Manager; James McElvain, Vancouver Police Chief; Mark Person, Senior Planner; Natasha Ramras, Chief Financial Officer; Dan Swensen, Interim Public Works Director; Monica Tubberville, Senior Planner; Anna Vogel, Procurement Manager; and members of the public.

Approval of Minutes

Minutes - August 10, 2020

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to approve the meeting minutes of August 10, 2020.

Minutes - August 17, 2020

Motion by Councilmember Paulsen, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of August 17, 2020.

Citizen Communication (Items 1-12)

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

- Kurt Bauer, Vancouver, spoke in support of Item 7 as the prospective purchaser of the property and stated he was available to address any questions about the purchase.

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

Consent Agenda (Items 1-12)

Council requested Items 4, 5, 6, and 9 be pulled for discussion as summarized below.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve the Consent Agenda.

1. Bid Award - 63rd Street Pump Station Replacement

Staff Report 114-20

Summary

The 63rd Street Pump Station is approximately 40 years old and has been in need of replacement and upgrade for some time. The station uses outdated and inefficient pump technology and design and requires frequent maintenance and de-ragging. With the replacement of the pump station using new technology and submersible pumps, the operation and maintenance costs will be reduced and the efficiencies and reliability of the station will increase.

On August 18, 2020, the City received 10 bids for the subject project. The bids ranged between \$990,000 and \$1,580,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Rotschy, Inc, Vancouver, WA	\$990,952.69
Tapani, inc, Battle Ground, WA	\$1,063,605.62

<i>Lee Contractors, Battle Ground, WA</i>	<i>\$1,218,632.80</i>
<i>Moore Excavation, Fairview, OR</i>	<i>\$1,227,098.84</i>
<i>Advanced Excavating, Longview, WA</i>	<i>\$1,270,686.48</i>
<i>Steller J Corporation, Woodland, WA</i>	<i>\$1,271,218.72</i>
<i>McClure and Sons, Inc, Mill Creek, WA</i>	<i>\$1,297,247.73</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$1,330,670.22</i>
<i>Clark and Sons Excavating, Battle Ground, WA</i>	<i>\$1,354,485.10</i>
<i>Stettler Supply Company, Salem, Oregon</i>	<i>\$1,571,483.80</i>
<i>Engineers' Estimate</i>	<i>\$1,2500,000.00</i>

Based on the amount of the bid, this project falls within the \$500,000 to \$1,500,000 threshold, which, per City policy, requires an apprenticeship utilization of 3%.

Request: Award a construction contract for the 63rd Street Pump Station Relocation project to the lowest responsive and responsible bidder, Rotschy, Inc of Vancouver, WA, at their bid price of \$990,952.69, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 360-487-7151

Motion approved the request.

2. **Bid Award - Sewer Pump Station Wet Well Lining**

Staff Report 115-20

Summary

The City of Vancouver has several sanitary sewer pump stations throughout the sewer service boundary that have been in service for many years. This contract will repair deficiencies, attributable to age, to the inside walls of the wet wells at 9 existing pump stations. The repairs will be completed using an epoxy based lining system to prevent future corrosion of the concrete wet wells.

On August 18, 2020, the City received 2 bids for the subject project. The bids ranged between \$312,000 and \$326,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Stettler Supply Company, Salem, Oregon</i>	<i>\$312,291.73</i>
<i>Allied Plumbing and Pumps LLC, Chelan, WA</i>	<i>\$325,384.28</i>

*Engineers' Estimate**\$320,000.00*

Based on the amount of the bid, this project falls under the \$500,000 minimum threshold; no apprenticeship utilization requirement is included in the project per City policy.

Request: Award a construction contract for the Sanitary Sewer Wet Well Lining project to the lowest responsive and responsible bidder, Stettler Supply Company of Salem, OR, at their bid price of \$312,291.73, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 360-487-7151

Motion approved the request.

3. Interlocal Agreement between CPU and City for SE 1st Street Project

Staff Report 116-20

Summary

The City and CPU have been working cooperatively to complete the SE 1st Street – SE 162nd Avenue to SE 177th Avenue project. Relocation is required for CPU facilities. When CPU has facilities located within the right-of-way, CPU is responsible for the cost of relocation to accommodate roadway reconstruction. When the facilities are located in CPU easements, CPU can require reimbursement for the relocation of the facilities. The estimated costs for this relocation work to be reimbursed to CPU are estimated to be \$359,699.97. An Interlocal Agreement must be executed to enable the City to reimburse CPU for these costs.

Request: Authorize the City Manager or designee to sign an Interlocal Agreement with Clark Public Utilities for reimbursement of expenses for Overhead Electric Line Relocation – SE 1st St Phase 1 Road Project, currently estimate to be \$359,699.97 which includes sales tax.

M. Hassan Abdalla, Engineering Manager, 360-487-7704

Motion approved the request.

4. Professional services agreement (PSA) for security services

Staff Report 117-20

Summary

The City issued a request for proposals for security services on May 21, 2020; the City received eight (8) proposals. The required services include providing after-hour patrols for City parks, the Water Resources Education Center, and the Operations Center, provide personnel for the security desk at City Hall, assistance to the Fire Department with fireworks enforcement, and other miscellaneous services on an as-needed basis. The RFP also allowed for services and locations to be added on an as-needed basis.

After a review of all proposals, the evaluation committee selected PPC Solutions, Inc. for professional service contracts. Staff proposes to execute each contract for a period of five years. Each contract shall not exceed \$5,000,000.00.

Request: Authorize the City Manager or his designee to execute a Professional Services Agreement with PPC Solutions, Inc. for the provision of security services on an as-needed basis for five years. The total value of each contract will not exceed \$5,000,000 for the 5 year life of each contract.

Anna Vogel, Procurement Manager, 360-487-8429

Councilmember Stober requested in the future for staff to include the list of all bidders in the materials provided to Council regarding such bids so Council has a full picture of the responses to such solicitations.

Motion approved the request.

5. Mutual Law Enforcement Assistance Agreement with Skamania County Sheriff's Department for Canine Unit Training

Staff Report 118-20

Summary

SCSO intends to add a dual-purpose K-9 to SCSO and has requested that VPD train the police service dog. VPD has a certified K-9 trainer and will be running an academy to certify a new K-9 for VPD's program in September 2020. VPD will benefit if SCSO participates in the academy because SCSO will provide additional help, and having four dogs in the program allows for better feedback and skills assessment. Also having another certified K-9 in the region assists when there are multiple high profile incidents occurring at the same time.

Request: Authorize the City Manager or his designee to execute the Mutual Law Enforcement Assistance Agreement for Canine Unit Training and take any and all action necessary to enforce

the terms thereof.

Kathy McNicholas, Vancouver Police Lieutenant, 360-487-7442

Regarding Items 5 and 6, Councilmember Stober stated it seems VPD has developed a knowledge base and capacity related to the K-9 training and asked why the City would not be charging other jurisdictions who utilize that training.

Chief McElvain explained there is a mutual benefit to all agencies involved, noting VPD's canine training used to rely on a partnership with the Clark County Sheriff's Office, but VPD made the decision to conduct its own training and partner jurisdictions have since joined these canine academy classes. He stated VPD benefits from this because they often have to rely on other agencies to send dogs for certain calls more often than VPD sends its dogs to other jurisdictions.

Motion approved the request.

6. Mutual Law Enforcement Assistance Agreement with Battle Ground Police Department for Canine Unit Training

Staff Report 119-20

Summary

BGPD intends to add a dual-purpose K-9 to BGPD and has requested that VPD train the police service dog. VPD has a certified K-9 trainer and will be running an academy to certify a new K-9 for VPD's program in September 2020. VPD will benefit if BGPD participates in the academy because BGPD will provide additional help, and having four dogs in the program allows for better feedback and skills assessment. Also having another certified K-9 in the region assists when there are multiple high profile incidents occurring at the same time.

Request: Authorize the City Manager or his designee to execute the Mutual Law Enforcement Assistance Agreement for Canine Unit Training and take any and all action necessary to enforce the terms thereof.

Kathy McNicholas, Vancouver Police Lieutenant, 360-487-7442

Motion approved the request.

7. Approval of Purchase and Sale Agreement for real property located at SE 162nd Avenue and NE 65th Street

Staff Report 120-20

Summary

In 2006, the City of Vancouver purchased approximately 15 acres of property (consisting of two parcels) located at SE 162nd Avenue and approximately NE 65th Street for a future second Public Works Operations Center. As the City continued to find increased efficiencies and processes in our Central Operations Center it was determined that the service delivery would be more effective with one larger Operations Center model.

Because the subject property was originally acquired for public utility purposes and is currently an asset of the Water Fund, RCW 35.94.040 applies to the surplus and disposition of the subject property, rather than VMC Chapter 3.30. RCW 35.94.040 provides that whenever the City determines that any land "is surplus to the city's needs and is not required for providing continued public utility service, then such legislative authority by resolution and after a public hearing may cause such lands, property, or equipment to be leased, sold, or conveyed,". On December 16, 2019, Resolution M-4052 was approved via public hearing declaring the property as surplus to the needs of the City.

The property consists of two parcels: parcel 159147-000 is 6.48 acres in size and abuts SE 162nd Avenue; and parcel 159145-010 is 8.48 acres immediately west of the smaller parcel. The property was appraised in February 2020 for a value of \$6.50 per square foot. The City advertised the property for sale via the open market for a 45-day period and was willing to entertain offers for either parcel or the parcels together. The City received one offer on the easternmost 6.48-acre parcel (159147-000) in the amount of \$2,117,000 (\$7.50 per square foot). It is recommended to move forward with the sale of this parcel.

The recommended purchaser of the property is Kurt and Lynn Bauer of Bauer Cases. Bauer Cases (www.bauercases.com) is a locally owned company that manufactures shipping and carrying cases for a variety of products and industries. Bauer Cases has been located in Vancouver for more than 25 years and they are looking for a larger site in order to expand their operations. The company currently employs approximately 40 people with no room for expansion at its current facility. This location will allow them to proceed with plans to construct a minimum 75,000 square foot new building with future expansion capacity. It is anticipated that the new location will employ 60+ people within the first two years after construction.

Request: On September 14, 2020, approve Purchase and Sale Agreement between City of Vancouver and Kurt Bauer and Lynn Bauer for the real property located at SE 162nd Avenue

and NE 65th Street (Assessor's parcel number 159147-000) and authorize the City Manager or his designee to execute associated real estate documents.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

8. Fourth Amendment to Office Lease between the City of Vancouver and Apple, Inc.

Staff Report 121-20

Summary

Upon purchasing City Hall from Bank of America, the City of Vancouver assumed the existing Office Lease with Apple, Inc. As Apple has continued to grow, it now occupies 90% of the 5th floor of City Hall.

Apple, Inc. has been in this location since 2008 and has expressed interest in utilizing its first of two 3-year extension options available in the current lease.

It is proposed to enter into a Fourth Amendment to Office Lease with Apple, Inc. for approximately 15,168 square feet for a three-year (3-yr) term. In order to update the leased premises, the parties have negotiated a tenant improvement allowance valued at \$10.00 per square foot. Apple, Inc. will manage their improvements.

The lease rate will be \$25.46 per square foot plus Leasehold Excise Tax with annual 3% escalations. Current market rate for similar office space is \$24-\$28 per square foot.

Request: Ratify the Fourth Amendment to Office Lease between City of Vancouver and Apple, Inc. and authorize the City Manager or his designee to execute the document.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

9. Minnehaha West Planned Development

Staff Report 122-20

AN ORDINANCE approving the concept development plan for the Minnehaha West Planned Development; and providing for severability and an effective date.

Summary

The applicant requests approval a proposed planned development for a 33-lot single family subdivision totaling 4.6 acres in R-9 Lower Density Residential zoning. The proposed planned development includes a central open space, alley-loaded parcels and front porches with the stated goal of providing entry-level homes to the area.

Planned developments allow for flexibility in certain development standards in order to promote creativity in design and efficient use of the land; increase economic feasibility; and preserve existing landscape features and amenities.

In order to provide smaller, more affordable homes, the applicant seeks flexibility to the following minimum standards: 1) minimum lot size (3,742 versus 5,000 square feet); 2) maximum lot coverage (60% versus 50% building to lot ratio); and 3) placement of a 5-foot public sidewalk and planter strip in a public easement instead of the public right-of-way through a road modification. Additionally, while no minimum lot width or depth standard applies in a planned development, the proposed lots would be narrower than lots in a standard subdivision in the R-9 District (40 feet proposed, versus 50 feet). All proposed modifications are allowed subject to applicable approval criteria, which the Hearing Examiner found would be met (see Hearing Examiner staff report).

Planned developments also allow for an automatic increase in density of up to 15% more lots than the maximum density of the R-9 District, which would result in up to 37 potential lots. The proposed development is proposing 33 lots, only one more than is allowed under the standard R-9 requirements.

One public comment letter was received (attached as Exhibit to Staff Report), which noted concerns regarding an increase in traffic from the development to 49th Street, and questioned whether 49th Street would be widened to improve safety. The development will include construction of frontage improvements to 49th Street along the property's frontage, but the developer is legally not responsible for improving existing deficiencies to 49th Street elsewhere.

The proposed 20,962 square foot open space, which will be available to and maintained by the residents of the development, meets the minimum requirement of a 10% set-aside for open space in planned developments.

A public park exists immediately to the east of the project site. While a direct pedestrian connection from the development to the park would be more convenient, such connections are only required by the municipal code when proposed blocks are longer than 800 feet. The proposed block does not exceed 800 feet and therefore a mid-block connection to the park was found to not be required.

On July 21, 2020, a duly-noticed public hearing was conducted before the Hearings Examiner. On August 10, 2020, the Hearings Examiner issued findings, conclusions and recommendations. The Hearings Examiner recommends that both the planned development and subdivision ordinance, subject to recommended conditions, be approved by City Council.

Request: On Monday, September 14, 2020, approve ordinance on the first reading, setting the date of second reading and public hearing for Monday, October 5, 2020.

Mark Person, Senior Planner, 360-487-7885

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

Councilmember Stober stated he would broadly like staff to look at future developments along 49th Street in the context of developing the density in the area that would provide justification for C-TRAN to increase bus service along the corridor.

Councilmember Fox asked for clarification about the usability of the open space area adjacent to this proposed development and whether the lots that back up to the City park will have any restrictions in accessing that park from their backyards. She stated she would prefer if residents could have that access if possible. She also asked whether this development could be leveraged to do more street frontage improvements to improve safety in the corridor in coordination with future sewer construction.

Councilmember Lebowsky stated she is supportive of this development, but requested the Council have broader discussions related to housing options and the mix of price points across the city, as well as potential design standards related to developments like this one.

Councilmember Hansen stated this is a great project, noting he lives in the neighborhood. He also expressed concerns about frontage improvements and the need for sidewalks and crosswalks in the corridor, stating whenever there is an opportunity to make such improvements, the City should take it.

City Manager Eric Holmes stated staff needs to touch base with Council regarding the higher level policy issues surrounding housing options and design standards.

In response to Council's questions, Mark Person, Senior Planner, stated that the City's code requires that 10 percent of the lot area be reserved for green space, although stormwater facilities may utilize some of that. He stated he would consult with Parks and Recreation staff regarding allowing direct access to the adjacent park. He explained the project would be responsible for sidewalk, curb and gutter improvements along the portion of frontage down 49th Street, but noted this project would only account for a small portion of 49th Street.

Motion approved the request.

10. Appointment to the Transportation and Mobility Commission

The Transportation and Mobility Commission will provide advice to Vancouver City Council, the City Manager and city staff on a variety of transportation and mobility-related projects, programs and policies. It will also provide ongoing feedback and guidance on development of citywide transportation policy through the update of the city's Transportation System Plan.

This new commission had a recently appointed commissioner resign their seat as the member who uses driving as their primary mode of transportation. Council subcommittee 1 identified an alternate for that position and recommends the appointment of Michelle McKenzie. Her appointment would begin October 6, 2020 with an expiration determined at a later date.

Request: Appoint Michelle McKenzie to the Transportation and Mobility Commission, term beginning October 6, 2020, with an expiration determined at a later date.

Council Committee 1

Motion approved the request.

11. Amendment to Transportation and Mobility Commission Appointment Dates

Due to COVID-19 and because the Transportation and Mobility Commission (TMC) is a brand new Commission with great diversity of membership, work of the TMC has yet to start and that creates a shortened operational term length for all members of TMC.

To address members' shortened term length due to the current barriers and

maximize the effort put forth to create this commission, TMC Staff recommend amendments to the following appointment dates:

	Seat	Interview Committee	Applicant	Original Appointment Date	Amended Appointment Date
1	Youth (age 16-19)	DocuSigned by: Mayor 58CB15C0632F403...	Carson Valenta	5/18/2020	10/6/20
2	Disabled Community	DocuSigned by: Mayor 58CB15C0632F403...	Charles Frayer	5/18/2020	10/6/20
3	Public Transit as primary mode of transportation	Mayor	Eduardo Ramos (VUGA)	5/18/2020	10/6/20
4	65+	Committee 1	Mario Raia	5/18/2020	10/6/20
5	Freight	Committee 1	Michael Paine	5/18/2020	10/6/20
6	Transportation Professional	Committee 1	Matt Hernen	5/18/2020	10/6/20
7	Neighborhood Association	Committee 2	Derya Ruggles	5/18/2020	10/6/20
8	Walking as primary mode of transportation	Committee 2	Ken Williams	5/18/2020	10/6/20
9	Bicycling as primary mode of transportation	Committee 2	Leah Jackson	5/18/2020	10/6/20
10	At-Large	Committee 2	Teresa Hardy	7/6/2020	10/6/20

Request: Amend the Transportation and Mobility Commission appointment dates to terms beginning October 6, 2020.

Motion approved the request.

12. Approval of Claim Vouchers

Request: Approve claim vouchers for September 14, 2020.

Motion approved claim vouchers for September 14, 2020, in the amount of \$14,496,730.79.

Public Hearings (Items 13-17)

13. **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 112-20

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 six subsequent ordinances continuing the temporary moratorium, in November 2017, May 2018, November 2018, April 2019, October 2019, and March 2020. 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 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 met monthly throughout much of the planning process and helped 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.

In the second half of 2019, the project team 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 was released in November 2019, in advance of planned workshops with the Planning Commission and the City Council. Based on feedback gathered through ongoing public engagement, the draft plan was refined and an updated draft was released in January of this year. Along with the updated Plan document, a Draft Environmental Impact Statement (DEIS) was also released on Jan. 23, and provided an analysis of environmental impacts and mitigation measures for the project alternative. In response to public feedback, the DEIS public comment period was extended from 30 to 120 days, and closed on May 22, 2020. On July 10, 2020, the Planned Action Final Environmental Impact Statement (FEIS) for the Heights District Plan was released, and included a new chapter that listed all questions and comments received through the Draft EIS public comment period, and provided responses to all substantive comments.

In July 2020, staff initiated a series of four workshops with Council to review the Heights District Plan recommendations in detail, in advance of a public hearing for adoption of the Plan. Following these and a first reading on August 10, 2020, Council adopted the Heights District Plan on August 17, 2020

Forthcoming policy and regulatory updates are necessary to ensure future development aligns with the vision articulated in the Heights Plan. This includes the adoption of a new Heights Mixed Use zoning district and

associated standards and design guidelines. This process is underway and staff anticipates holding workshops with the Planning Commission and Council this fall in advance of proposed adoption in early 2021.

Continuation of the moratorium allows staff the time to complete the subarea planning process that is underway, specifically the development of updated zoning standards and design guidelines. A continuation of the temporary moratorium is necessary to ensure that future development aligns with the vision articulated in the forthcoming plan.

Request: On September 14, 2020, subject to second reading and public hearing, approve the ordinance.

Rebecca Kennedy, Long Range Planning Manager, 360-487-7896

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

Rebecca Kennedy, Long Range Planning Manager, provided Council with background information about this moratorium and an update on the next steps for implementation of the Heights District plan and public outreach related to development of the HX zone in the district. She provided an update on the interim use plan for the Tower Mall site.

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

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve Ordinance M-4305.

14. Disposition of Real Property/Approval of Purchase and Sale Agreement - 400 E 37th Street

Staff Report 123-20

A RESOLUTION of the City of Vancouver authorizing disposition of certain real property.

Summary

The City of Vancouver has utilized this property for public safety (Fire Station) since its purchase in 1940.

As the City of Vancouver continues to grow, so do the public safety needs of our citizens. As part of our continued efforts to maintain the best public safety policies and practices, the City of Vancouver completed a Long Range Facility Plan for the City's Fire Department. Upon completion of this

plan, it was determined that Station 2 should be moved to a more suitable location. A parcel was acquired near the intersection of Fourth Plain Blvd and Norris Road, where new Fire Station 2 was built and opened in February of 2018.

With the re-location of Fire Station #2, the property located at 400 E. 37th Street will no longer be put to any municipal use by the City of Vancouver. To further enhance the development of the Community Commercial zoning, disposition of this site will provide the largest return to the City of Vancouver.

The assessed value of the property is \$430,500. An appraisal report was prepared in April 2018. The appraised value of the property is \$430,000.

The parcel submitted for Council review for disposition is attached in a detailed report and a map is attached. This parcel is identified as Old Fire Station #2.

On March 16, 2015, Council approved declaration of property as surplus, and on July 1, 2019, approved disposition by marketing the property to the public for sale. The property was placed on the market for a period of 45 days. Five offers were received. The attached Purchase and Sale Agreement represents the highest offer (\$610,000) received.

Fire Station #2 is being purchased by a developer, Bango Building LLC, which is a company that purchases old buildings, refurbishes them and then leases them out. Although they have done some preliminary work with an Architecture and Engineering (A&E) firm as to looking at the building, currently they do not have a specific use or user in mind. Once they buy the building they will work in more earnest with the A&E firm to develop a plan and then market it and lease it as soon as possible.

Declaration for disposition is the final public process step in VMC 3.30 - Disposition of City-Owned Surplus Real Property, allowing the City to sell the property in a negotiated sale.

Request: On September 14, 2020, following a public hearing, adopt a resolution approving disposition of certain real property located at 400 E 37th Street, approve Purchase and Sale Agreement between City of Vancouver and Bango Building LLC and authorize City Manager to execute associated real estate documents.

Linda Carlson, Property Management Specialist, 360-487-8423

Linda Carlson, Property Management Specialist, provided an overview of the

proposed disposition of this parcel

Councilmember Stober asked what the future usage of the building would be. Ms. Carlson stated the company purchasing the building manages and leases buildings and is currently in the process of securing a tenant. Mr. Holmes stated the building would be renovated to accommodate a future tenant.

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

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to adopt Resolution M-4090 approving the request.

15. **Disposition of Real Property - NE 138th & NE 18th**

Staff Report 124-20

A RESOLUTION of the City of Vancouver authorizing disposition of certain real property.

Summary

In 2009, The City of Vancouver completed construction of the NE 138th Avenue project (18th Street to 28th Street). The construction of this project required the City to purchase three parcels in their entirety. Staff is recommending disposition of the remaining portion of these parcels not required for the construction of 138th Avenue. The parcels were purchased using federal money. Per federal regulations, the revenue from the sale of the parcels must be used on another federally funded transportation project.

The Ginn Group LLC has made an offer of \$250,000 for all three parcels. The fair market value for all three parcels is \$230,000 per an appraisal.

The parcels submitted for Council review for approval of disposition are outlined in a detailed report and a map is also attached.

Approval of disposition is the final public process step in VMC 3.30 – Disposition of City Owned Surplus Real Property, allowing the City to sell the property in a negotiated sale.

Request: On September 14, 2020, following a public hearing, adopt a resolution approving disposition of certain real property located at NE 138th Avenue and NE 18th Street (Assessor parcels 164161-000, 164160-000, 164061-000), approve Purchase and Sale Agreement between City of Vancouver and Ginn

Group, LLC and authorize City Manager to execute associated real estate documents.

Linda Carlson, Property Management Specialist, 360-487-8423

Ms. Carlson provided an overview of the proposed disposition of this parcel.

Councilmember Paulsen asked about the current zoning of this parcel and whether it accommodates the intended use by the prospective owner without a zone change. Ms. Carlson confirmed the intended use would be allowed in the current zoning, which is R-22.

Councilmember Stober asked for clarification as to the access of this and the surrounding lots, stating the redesign of 18th Street has created a sea of cars flowing through the City, which is a downfall of this type of infrastructure that has been built on the east side.

Ryan Lopossa, Streets and Transportation Manager, explained this is a challenging location for access, and the City will like promote a single point of access onto the site with the prospective developer. He stated access would be limited to right in/right out access off of NE 138th, and staff would look very closely at this development when the application is submitted for review.

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

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to adopt resolution M-4091 approving the request.

16. Disposition of Real Property - NE 18th & NE Four Seasons Lane
Staff Report 125-20

A RESOLUTION of the City of Vancouver authorizing disposition of certain real property.

Summary

In 2012, the City of Vancouver completed construction of NE 18th Avenue from I-205 to Four Seasons Lane. The construction of this project required the City to purchase certain parcels in their entirety. Staff is proposing to surplus the remnant portions of parcels not required for the construction of 18th Street. Staff is also recommending that the three remnant parcels be sold as one "unit" due to access restrictions and extraordinary costs for

required site work for any development.

The 18th Street construction project left the subject parcels with a significant slope. Because of the sloping topography, the subject property will need a significant amount of site work in the form of soil stabilization and construction of a retaining wall. Additionally, the parcels will have access restrictions due to their proximity to Four Seasons Lane. Both of these factors significantly reduce the value of the property. The property was purchased using federal funds. Per federal regulations, the revenues must be used on another federally funded transportation project.

The fair market value per an appraisal completed in July 2018 is \$350,000. City staff has assessed the costs that will be necessary for a new owner to develop the property at more than \$250,000. Ginn Group LLC has made an offer of \$95,000, which is reasonable considering the restrictions and challenges associated with the property.

The parcels submitted for Council review for disposition are outlined in a detailed report and a map is also attached.

Approval of disposition is the final public process step in VMC 3.30 – Disposition of City-Owned Surplus Real Property, allowing the city to sell the subject properties in a negotiated sale.

Request: On September 14, 2020, following a public hearing, adopt a resolution approving disposition of certain real property located at NE 18th Street & NE Four Seasons Lane (Assessor parcels 163713-000, 163701-000, 163817-000), approve Purchase and Sale Agreement between City of Vancouver and Ginn Group, LLC and authorize City Manager to execute associated real estate documents.

Linda Carlson, Property Management Specialist, 360-487-8423

Ms. Carlson provided an overview of the proposed disposition of this parcel.

Mr. Lopossa summarized the access challenges with this parcel, and stated the developer owns the adjacent property as well and is considering elimination of one of the adjacent lots to accommodate access into this property.

Councilmember Fox expressed concerns that this parcel is surplus and being eliminated from the City's system, stating it lends itself better to development of enhanced pedestrian facilities and green space in this corridor rather than as a housing development.

Councilmember Stober agreed and asked how that could be encouraged, stating he is also not satisfied with the current state of greenspace in the corridor.

Mr. Holmes noted that this parcel had already been approved for surplus by the Council in 2019, which led staff to market it for sale. He stated the action currently before Council is final disposition and sale of the parcel.

Jonathan Young, City Attorney, stated Council does have the option to stop the sale now, and it would be possible for them to reconsider the declaration of surplus at a future hearing if so desired. He stated the Council is under no obligation to execute the real estate agreement.

Councilmember Hansen asked where the proceeds from the sale would be used, and whether the money could be spent on making improvements nearby. Mr. Lopossa explained that because the City purchased this property with funding received by the Federal Highway Administration (FHWA) as part of the 18th Street project, the proceeds of the sale can only be used on another FHWA-funded project. He said it is likely the City would utilize the money to acquire right-of-way for the 137th Avenue project.

Councilmember Lebowsky asked what the nearest park is to this parcel, and also whether the proceeds from this sale could be used towards putting in street trees as part of the 137th Avenue project. Mr. Lopossa stated the nearest park is Endeavor Neighborhood Park a couple hundred yards from this parcel. He stated a portion of the proceeds could potentially be used in the construction funding for 138th Avenue, which could include the planting of street trees. Mr. Lopossa noted that the 18th Street project was completed a couple of years ago, so the trees along that corridor are fairly young. Over time, they will grow and the city will recapture much of the canopy that was lost in the completion of that street project.

Councilmember Stober asked if there is a way to negotiate with the developer to ensure a strand of trees is added to this subject parcel to increase the density of the canopy in the corridor. Mr. Lopossa stated the developer will have to mitigate the loss of any existing trees on the lot.

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

Motion by Councilmember Paulsen, seconded by Councilmember Lebowsky, and carried 6-1 to adopt Resolution M-4092 approving the request. Councilmember Fox voted No.

17. **Declaration of Real Property as Surplus / Continued from
3/16/2020 NE 28th Street: NE 145th Avenue, Burton Drainage
Facility / Urban Natural Area**

Staff Report 126-20

A RESOLUTION of the City of Vancouver declaring certain real property as surplus, directing its disposal and method of disposition.

Summary

Burton Drainage Facility, also known as Burton Natural Area, is 6.96 acres located immediately east of Evergreen High School. The property was acquired by Clark County Parks and transferred to the City prior to 2000 through annexation. There are no records indicating that the site was acquired with park impact fees, utility or grant funding, therefore no associated deed restrictions encumber the property title or sale.

The northern 2.2 acres are used for stormwater infiltration with the remaining area programmed and maintained by EPS for sports and band practice activities. No City recreation programming occurs at this location, there have been no City Parks capital improvements in the past and no funding is currently earmarked for future improvements at this site. The property is currently classified as Urban Natural Area in the park land inventory.

As part of the 2018 Bond, Evergreen Public Schools is committed to improvements at Evergreen High School, including converting existing grass baseball and softball fields to synthetic turf, and building a new dual purpose football and track field. The improvements will meet federal Title IX requirements to provide improved opportunity and equity for student sports participation. The equity issue relates specifically to field amenities and a concern with the proximity of locker room facilities. This project would provide equal access to both fields by relocating the baseball field near the softball field and adding parking and other equal amenities.

Originally, EPS approached the City to explore opportunities to collaborate on joint sports field improvements at this location. There is an overall shortage of sports fields to serve students, leagues and tournaments city-wide and the department was supportive of the proposed partnership to expanded all-season field opportunities. Unfortunately, a detailed analysis concluded that the site was too small to serve the needs of both agencies, and funding is not available through City resources to pursue a sports complex independently. EPS then approached the City to purchase a portion of the adjoining City parcel to facilitate a more efficient and functional design with the challenges of the sloped terrain and allow for a more comprehensive blend of the field design with the open space.

The preliminary EPS project design integrates the City property into the overall plan, with one baseball field placed in the footprint of the existing soccer field located on City ownership with the remaining eastern portion remaining relatively unchanged and open to public use. The design

includes improvements to the existing path system to continue and encourage passive uses on and through the site. Only the fields themselves would be closed to the public outside of scheduled events. Added parking is included on EPS ownership to serve the facility and discourage neighborhood street parking during events. Proposed lighting employs the latest technology to minimize any bleed outside of the field area that would impact the closest residences.

A hearing was held on March 16th at the beginning of the COVID response and continued to a future date to provide more opportunity for public notice and input given the limitations related to the pandemic. In coordination with EPS a mailer was sent out to all properties within one-half mile of the site on June 29th, with a City and EPS website available for additional information and public input. These documents are included as attachments to this report. A total of 967 mailers were circulated with only a handful of responses received to date. Public comments received have focused on concerns regarding traffic, noise and lighting associated with the field development. To offer additional opportunity for input, Park and EPS staff will host two dates for small group gatherings on-site prior to the public hearing. A summary of comments will be provided at the September 14th hearing.

Consistent with Vancouver Municipal Code 3.30 (Disposition of City-Owned Surplus Real Property) a notice for the continued hearing was again published in the Columbian, signs were posted at four entrances to the site, and notice was mailed to surrounding residents. The distribution of the mailed notice was expanded from the codified 500 foot radius to one-half mile in order to provide opportunity for greater public feedback.

Following continued discussions with EPS, Public Works and Stormwater staff, Parks recommends that the 4.76 acres located outside of the stormwater treatment area be declared surplus for disposition by negotiations with EPS for sale and development of expanded recreational amenities. This proposal would allow EPS the opportunity to meet its identified need to expand sport field use, support a long standing inter-agency partnership, and serve the students, a variety of community sports organizations, as well as increase ADA access to this site. The site improvements will also include community trails and opportunity for passive use.

The total parcel is assessed at \$1,047,640 with the portion proposed for sale to EPS appraised at \$950,223 (excludes the 2.2 acre stormwater treatment area). Revenue would not be encumbered by park impact fee or grant use restrictions.

The Parks and Recreation Advisory Commission reviewed this proposal on February 19th and supports the surplus of the estimated 4.76 acres and

disposition through negotiations with Evergreen School District for purchase of the property for sports field development.

The parcel submitted for Council review for consideration as surplus is outlined in the attached Surplus Property Report and map (Exhibit A).

Vancouver Municipal Code 3.30 provides a predictable policy and procedure governing disposition of real property that is surplus to the needs of the City and where such disposition provides the City a reasonable return. If determined to be surplus, the disposition requires a separate hearing and action to determine the method of sale.

Request: On Monday, September 14, 2020, subject to public hearing, adopt a resolution declaring the subject property as surplus.

Monica Tubberville, Senior Planner, 360-487-8353

Julie Hannon, Parks and Recreation Director, and Monica Tubberville, Senior Planner for Parks, provided an overview of the surplus request.

Susan Steinbrenner and Cale Piland, representing Evergreen Public Schools, provided an overview of the school district's proposal for the subject site.

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

- Lyle Johnson, Vancouver, spoke in opposition to the surplus and expressed concerns about the compatibility of the proposed project with surrounding neighborhood, noting potential impacts from overflow parking, light pollution, and increased traffic that may result from development of the ball fields. He requested the school district utilize the property of the current Burton Elementary School for this project once the school has been demolished.
- Ardis Ashton, Vancouver, spoke in opposition to the surplus and expressed concerns about potential negative impacts to the surrounding neighborhood. He noted the parcel is currently used as a park by the neighbors, and it is signed as such. He requested the school district utilize the property of the current Burton Elementary School for this project once the school has been demolished.
- Paul Fallon, Vancouver, spoke in opposition to the surplus and expressed concerns about potential negative impacts to the surrounding neighborhood in regards to increased traffic, light pollution and safety.

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

Councilmember Stober expressed frustration that Council had not been given

expanded information about the school district's plans with enough advance notice to review prior to this public hearing. He stated he would like to delay action on this surplus to a later date to allow Council and the public time to review the information.

Motion by Councilmember Stober, seconded by Councilmember Hansen to continue the public hearing to the next week's Council meeting.

Mr. Holmes reminded Council that City code requires 10 days advance public notice for a surplus hearing and suggested continuing the public hearing to the October 5 Council meeting.

Mr. Young advised re-noticing this hearing given the community interest.

Mayor McEnerny-Ogle noted that she had closed public testimony for this item and asked whether the motion on the table would only postpone Council's deliberations and whether that would make a difference in regards to the 10-day notice requirement. Mr. Young stated that notice requirement would be satisfied if Council only intends to postpone their deliberations and not public testimony to the next meeting date.

Councilmember Stober stated the public also had not had an opportunity to review the final presentation for this hearing and they deserve an opportunity to process that and make comment on the proposal as well.

Mr. Young stated Council could re-open testimony on October 5, which would allow for compliance of the advance hearing notice as well.

Motion by Councilmember Paulsen, seconded by Councilmember Lebowsky and carried unanimously to amend the motion to continue the public hearing to Monday, October 5, 2020, and re-open testimony.

Councilmember Hansen agreed with Councilmember Stober's concerns about ensuring the public and Council can review all of the information before making a decision on this. He stated it would be great to be able to have expanded facilities like this in Vancouver. He thanked the representatives from the school district and reiterated the question from the public regarding why the Burton Elementary site could not be utilized and noted that the traffic study for this project will be very important.

Motion to continue the public hearing and re-open testimony on October 5, 2020, approved unanimously.

New Business (Item 18)

Mayor McEnerny-Ogle recused herself at 8:39 p.m. Mayor Pro Tem Glover presided over the discussion and action of Item 18.

18. Consideration of Ethics Complaint regarding Mayor McEnerny-Ogle

Request: Council determination, based on the allegations and analysis, whether to refer the matter to the Hearings Examiner to conduct a full investigation.

Mr. Holmes reported the City had received an [ethics complaint](#) from a member of the public, Tom Bird, against Mayor McEnerny-Ogle in regards to testimony she provided before State legislative committees pertaining to massage parlors.

Mr. Holmes provided background information on the complaint and an overview of Council Policy 100-36, the Council's ethics policy, which provides the guidelines for consideration of ethics complaints filed against a member of the City Council.

Assistant City Attorney Dan Lloyd summarized his analysis of the complaint, the parameters of the Council's ethics policy, the content and key points of Mr. Bird's complaints, and an analysis of the complaint in relation to the purview of the Council's policy and applicability of the policy's provisions to the allegations of the complaint. Mr. Lloyd noted that his analysis makes no determination as to whether any of the allegations are true or not.

Mr. Lloyd stated that, in sum, the allegations of the complaint are not covered by the authority of the Council Policy 100-36, and as such, he does not recommend the Council forward the complaint to the Hearings Examiner for a full investigation.

Councilmember Paulsen asked what the consequences would be if the complaint was moved forward and if the allegations were substantiated. Mr. Lloyd stated it would largely depend on the findings of the Hearings Examiner. Council would then need to vote to accept or reject the Hearings Examiner's findings and conclusions, and then would have to decide on consequences, which could include reprimand or censure. He stated Council Policy 100-36 does not allow the Council to take these actions without the complaint being first reviewed by the Hearings Examiner, though it is possible there may be alternate avenues available to the Council in this regard. He noted that removal from office requires the following of a process outlined by state law.

Councilmember Stober stated he has reviewed the Ethics Policy, and noted it has not been reviewed by Council as a body and updated in some time. He stated this complaint highlights opportunities to make improvements to the policy, for example in regards to who has standing to bring a complaint forward, as well as changes to the language in the declaration statement of the policy.

Councilmember Lebowsky agreed with the need to review the process and policy at a later date. She also agreed with the legal analysis and stated she does not support forwarding the complaint to the Hearings Examiner.

Councilmember Hansen stated he does not see a violation in the allegations. He stated a lot of what the Mayor was doing in testifying in Olympia was based on the legislative agenda the Council had set. He stated he agrees with Mr. Lloyd's assessment.

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously to not move the allegations forward to the Hearings Examiner for investigation.

Mayor McEnerny-Ogle returned at 9:02 p.m. and presided over the remainder of the meeting.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

a. Park Naming Test Process Overview

Briefing delayed to future date.

b. Apprenticeship Program Update

Briefing delayed to future date.

c. 2020-21 Limited Term General Obligation Bonds Update

Briefing delayed to future date.

d. ODOT Value Pricing Policy Discussion

Councilmember Lebowsky disclosed she is an employee of the Washington State Department of Transportation, but noted she had consulted with Mr. Young who advised she is able to participate in this discussion.

Ms. Kennedy and Aaron Lande, Senior Policy Advisor, provided Council with an update on the ODOT Value Pricing project, reviewed the Council's

previous value pricing policy framework, and presented recommended comments for the Council to submit as a participating agency in regards to providing input on the purpose and need statement to be submitted to the federal government for ODOT's proposed tolling project on I-205.

Adjournment

9:59 p.m.

DocuSigned by:

58CB13C0632F403...
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 files. The audio files are kept on file in the office of the City Clerk for a period of six years.

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 9:22 AM
To: SAM ANDERSON
Cc: Delapena, Amanda
Subject: RE: BURTON PARK SURPLUS SALE

Ms Anderson,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda. If you would prefer to remotely testify on this topic during the meeting, please [follow this link to the registration page](#).

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: SAM ANDERSON [mailto:]
Sent: Friday, September 11, 2020 6:20 PM
Cc: McEnerny-Ogle, Anne; Glover, Linda; Hansen, Bart; Stober, Ty; Lebowsky, Laurie (City Council); Paulsen, Erik; Fox, Sarah
Subject: BURTON PARK SURPLUS SALE

Dear Mayor and City Council Members:

I have never written to a city before, but I am writing now. I must make my voice heard about the Burton Park issue.

Voting for this park, one of few in our neighborhoods, to be declared Surplus must be someone's idea of a joke! It would not only make living in these neighborhoods unbearable, it would lower property values...and taxes. I live on 34th Street, several houses off 162nd and the noise from the Evergreen High School Football games is so loud, I cannot sleep. I cannot hear the television on those nights either. All I can hear is the cheering and booming of their drums. The kids may like it, but the neighbors don't. We don't need or want that for 6 months out of the year. What ever happened to noise ordinances?

The kids do not need another place to play. And we do not need to spend tax dollars on another ball field. They are perfectly fine playing on the areas they already have.

With so many living on the streets and living in their cars, with the increasing crime with strangers poking through our trash to find cans, certainly we can find the compassion to do something about these issues. We could use some more police officers or firefighters.

I assume the city thinks it needs more money. But this is going to cost the city. No one will want to live here when they find out they have to live with noise half the year. Are you not wanting to serve all the people? We do not need another noise maker. We need some peace and quiet so we can sleep and get up in the morning and go to work with a clear head. We need neighborhood parks for people to go and feel nature. It is good for or souls. We do not need less green space....we need more.

For God's sake, do not declare Burton Park Surplus. It is not surplus like army gear you buy at a surplus store. Let that developer, who want our public land, go buy land somewhere else! And listen to the quiet neighborhoods where it is pleasant to live. Don't destroy that which makes Vancouver livable.

Once you have destroyed the value of these properties. There will be no remedy.

Earlene Anderson

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 3:31 PM
To: [REDACTED]
Cc: Delapena, Amanda
Subject: FW: Burton Drainage Facility / Natural Area Sale (9/14 Council Meeting)

Mr Barnhill,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda.

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: Craig Barnhill [mailto:[REDACTED]]
Sent: Monday, September 14, 2020 3:25 PM
To: McEnerny-Ogle, Anne; Hansen, Bart; Stober, Ty; Glover, Linda; Lebowsky, Laurie (City Council); Paulsen, Erik; Fox, Sarah
Subject: Burton Drainage Facility / Natural Area Sale (9/14 Council Meeting)

To: City of Vancouver Councilors
Subject: Burton Drainage Facility / Natural Area Sale

The proposed sale of a portion of the Burton Drainage Facility / Natural Area (item 17 on the Sept 14, 2020 City Council meeting agenda) should be declined by the city council at this time. The current conceptual plans for the athletic field complex that Evergreen School District has commissioned for the site contain numerous design elements that are detrimental to the neighborhood and the school district has not demonstrated much willingness to try and resolve those issues. When questioned about traffic impact to residential streets, the school district has stated it will be up to the city to decide what is or is not permitted and will not engage in design discussion to try and resolve the concerns. These concerns include traffic flow sent down streets with no outlets and street parking that could impede emergency vehicles from reaching local homes.

The city's parks department has described this sale as a "partnership" with Evergreen School District that will benefit the local area. Currently the city property contains a drainage facility and natural area as well as a field that is used by the neighborhood for various recreational activities. The Evergreen SD project will remove that field and there will be no replacement as part of their plans. Also important to note is the existing frequently used grass soccer field located south of Burton ES and north of Evergreen HS will be removed as part of the athletic complex project with no replacement. Since the athletic complex will be closed to the public, this partnership between the City of Vancouver and Evergreen SD will actually be reducing available spaces open to the public which is difficult to view as a benefit. The parks department has made it clear they feel that Diamond Park is located within an acceptable distance to the local neighborhood but are reluctant to admit that would require residents to cross the busy 28th Street which has no crosswalks in the immediate vicinity and

also does not include sidewalks for significant segments. Diamond Park should not be considered an acceptable alternative.

Please pause the decision on declaring the property as surplus and ask the parks department and the school district to explain how this “partnership” project is a benefit to the local neighborhood and why the concerns of the area residents are not being addressed at this stage. It is understood that the school district has stated they will proceed with a scaled back version of the project without the drainage facility property but at least that property would be preserved and the city would not be participating in reduction of public spaces or claiming that unsafe access to another park is suitable for area residents.

Thank you,

Craig Barnhill

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 11:54 AM
To: [REDACTED]
Cc: Delapena, Amanda
Subject: FW: Berdie Acres Lot 6 & Daywood #1 lot 12 sub 91

Mr and Mrs George,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda. If you would prefer to remotely testify on this topic during the meeting, please [follow this link to the registration page](#).

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: Michelle George [REDACTED]
Sent: Monday, September 14, 2020 11:50 AM
To: City of Vancouver - Office of the City Manager
Subject: Berdie Acres Lot 6 & Daywood #1 lot 12 sub 91

To whom it may concern:
(Berdie Acres Lot 6 & Daywood #1 Lot 12 Sub 91) 6.99 acres parcel 110089-420

In regards to the City classifying the above field as a surplus, we say "absolutely not" to this idea. First, I am dismayed that no one from the city council even showed up to either one of the meetings in the field held on Sept 3rd and Sept 9th. (please correct me if I am wrong) How are you going to vote yes to this proposition when you did not come out to see this field in person and face the residents, and see the impact a sale of this property (for Evergreen School Dist) for a 4 plex baseball field will have on the people who live around this area that use it daily? How would you like a baseball field plopped right in the middle of your neighborhood or even worse, in your back yard? Be honest. If you would not like it, that is how we feel as well.

Due to the current situation, the meetings we had in the field were very limited to only a few people, so the reps from the school and the City parks dept did not have to face a crowd of unhappy property owners.

We say emphatically "NO!" to this.

We are concerned about the quiet enjoyment of our property.

We are concerned about how this will affect the value of our property.

We are concerned about the noise this will bring.

We are concerned about the traffic in our neighborhood because people will park here on 148th ave., and the traffic clog on 28th st entering and exiting the designated parking lot.

We are concerned about lighting flooding the area. We are talking bright lights.

We are concerned about litter and vandalism that crowds will bring. Not to mention the upkeep. Who will do it and who is paying for it?

Sue from the school district said there will not be a PA system, but that is portable from what I understand, and can be easily brought in for each game session.

We are concerned these fields will not be limited to school use only.

There are many ball fields around that are not being used. Am I wrong? (I myself do not see anyone using other fields). There certainly must be more options.

Due to the current circumstances, there are no sports happening, and schools are not even open. This does not seem urgent.

This field is enjoyed by many in the area. Not just the people who live right next to it, but many who live in neighboring areas who come here to enjoy it as well.

Our children attend Evergreen HS and Burton. We do not get bus service, so we walk to school through this field. It is the quickest route. And yes, we know Burton will be demolished soon.

Thank you for listening, and we hope you will make the right choice to leave this field be just a beautiful, quiet field. Please do not surplus this field. Mike and Michelle George

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 12:07 PM
To: Jan Gonzalez
Cc: Delapena, Amanda
Subject: RE: Voting on Surplus of Burton Fields

Ms Gonzalez,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda.

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

-----Original Message-----

From: Jan Gonzalez [REDACTED]
Sent: Monday, September 14, 2020 11:58 AM
To: City of Vancouver - Office of the City Manager
Subject: Voting on Surplus of Burton Fields

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

Mayor Anne McEmery-Ogle and all the council members.

I am begging at this point to reconsider making Burton Park surplus and adding a sports complex of baseball fields in our neighborhood.

We really were disappointed that not one council member was at the onsite meeting of Burton Park.

Unless you personally walked the park you can not understand the impact, closeness of houses and the noise, traffic will effect our quiet neighborhood. Not only the price of our homes decreases.

Who wants to live in a neighborhood with continuous noise and traffic?

The question I ask would you want that sports complex on your backyard fence line.

During this pandemic, horrible smoke now and unable to have face to face meeting with all of you. We feel as a neighborhood this really shouldn't go ahead with a vote. Especially since none of you have visited Burton Fields. I sure hope you get this in time and please consider.

Thank you

Jan Gonzalez

30 year resident

500 feet from our park
[REDACTED]

Sent from my iPhone

Honorable Mayor McEnerny-Ogle, City Council Members and Mr. Eric Holmes,

I'm writing this letter to express my concerns about the sale of the property referred to as the Burton Sale. This proposal has a very detrimental effect on my neighborhood, including the entire area around the proposed property that is being declared surplus. It is my understanding that, although the Parks & Recreation Department does not classify this area as a park, it has signs on both ends welcoming us to "Our Neighborhood Park." In the proposal it is referred to as the Burton Natural Area. This property is used by many people to walk their pets, kids playing games, families enjoying time together outdoors, and lots of other outdoor activities. It is a great asset to the neighborhood. While the Parks & Recreation Department claims that there are two parks within ½ mile of this property, it would require families to cross two very busy streets (18th St or 28th St) to get to these parks with no pedestrian crossing lights nearby. A real danger, especially to children going alone.

The proposed sale would convert this beautiful open space to a large baseball field to go along with two softball fields and another baseball field on Evergreen School District (ESD) property.

Creating this huge sport complex would completely change the environment of our quiet neighborhood. The proposal is to install lights on all of the fields, have games late into the evenings, and create a very large traffic situation in our neighborhood. The drawings provided you by the school very conveniently blurred out the residential homes that are awfully close to the proposed fields. The path from 147th Court going to the fields would be within 50 to 100 feet from my back door and closer than that to my neighbors. The street that people would be parking on (SE 147th Ct.) to attend games is very narrow and if they parked on both sides of the street it would only allow one way traffic in and out of our neighborhood, which would certainly create a safety hazard if there was an emergency. People will use this street to park on, it is much closer to the field proposed on the Burton Natural Area than the parking lot in the proposal.

The ESD even states that if the property is not available, they still have room on their own property to build what they are proposing to build in our back yards. This really does not make sense. Why spend our tax dollars on a piece of property that they do not really need? If you will not declare this property as surplus you will maintain a place that we all use on a daily basis to enjoy the outdoors and not ruin a quiet neighborhood with a noisy sports

complex, not to mention the severe effect it would have on all our property values.

Your favorable consideration NOT to declare the Burton Natural Area as surplus would be very much appreciated. It is a very small piece of property and certainly does not fit the definition of a large sports complex, surrounded on three sides by family homes. No other sports complex in the county has family homes within 100 feet of the property. This is not a well thought out plan.

Yours Truly,

Ardis & Debra Ashton

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 9:27 AM
To: Bernadette McAllister
Cc: Delapena, Amanda
Subject: RE: I Stand Against the Burton Park Surplus Sale

Ms McAllister –

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda. If you would prefer to remotely testify on this topic during the meeting, please [follow this link to the registration page](#).

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: Bernadette McAllister [REDACTED]
Sent: Saturday, September 12, 2020 11:39 PM
To: McEnerny-Ogle, Anne; Glover, Linda; Hansen, Bart; Stober, Ty; Lebowsky, Laurie (City Council); Paulsen, Erik; Fox, Sarah
Cc: Bernadette McAllister
Subject: I Stand Against the Burton Park Surplus Sale

Dear City Council,

I stand against the Burton Park Surplus Sale.

Bernadette McAllister
[REDACTED]
Vancouver WA 98682
[REDACTED]

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 9:37 AM
To: [REDACTED]
Cc: Delapena, Amanda
Subject: RE: Burton Park

Ms Pevey,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda. If you would prefer to remotely testify on this topic during the meeting, please [follow this link to the registration page](#).

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | **F:** 360.487.8625
www.cityofvancouver.us

-----Original Message-----

From: Peever1 [mailto:[REDACTED]]
Sent: Saturday, September 12, 2020 2:12 PM
To: McEnerny-Ogle, Anne
Subject: Burton Park

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

Please do not declare this park as surplus. Please hear the neighbors viewpoint on this matter. We need all the parks we can get.

Thank you

Sharon Pevey

Sent from my iPhone

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 9:20 AM
To: Laura Snyder
Cc: Delapena, Amanda
Subject: RE: Burton field Surplus

Ms Snyder –

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda. If you would prefer to remotely testify on this topic during the meeting, please [follow this link to the registration page](#).

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: Laura Snyder [mailto: [REDACTED]]
Sent: Monday, September 14, 2020 12:37 AM
To: McEnerny-Ogle, Anne
Subject: Burton field Surplus

Dear Madam Mayor,

I am writing to urge you to not surplus the land that is known to us as Burton Field thereby allowing the school district to build a baseball/softball sports complex. The Burton-Evergreen neighborhood is a quiet neighborhood and not one that can accommodate such a complex. Our neighborhood roads cannot accommodate all the extra traffic and parking. It would be much too close to homes. This would significantly reduce our property values.

The neighborhood was told that we could go across either 28th or 18th Streets to go to either First Place park or Diamond park but they are extremely busy roads. 28th Street is already a very busy road and the sports complex would only increase traffic.

People come from other neighborhoods, (Willowmist, and the one further east, and others), to Burton Field. They like the quiet, beautiful natural state that it is. Please let it stay as it is, a natural green space area. Ask yourself if you would want this in your backyard, with games going until 10:00pm and lights. So I plead and beg you to not make this land surplus. Our neighborhood's fate is in your hands.

Thank you,
Laura Snyder
[REDACTED]

Delapena, Amanda

From: City of Vancouver - Office of the City Manager
Sent: Monday, September 14, 2020 12:04 PM
To: Valerie Starr
Cc: Delapena, Amanda
Subject: RE: Burton Park Surplus Sale

Ms Starr,

Thank you for contacting the Mayor and City Council. We will include your communication as testimony for item #17 on tonight's Council agenda.

Thank you for sharing this concern.

Regards,

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | **F:** 360.487.8625
www.cityofvancouver.us

From: Valerie Starr [mailto: [REDACTED]]
Sent: Monday, September 14, 2020 11:59 AM
To: McEnerny-Ogle, Anne; Glover, Linda; Hansen, Bart; Stober, Ty; Lebowsky, Laurie (City Council); Paulsen, Erik; Fox, Sarah; City of Vancouver - Office of the City Manager
Subject: Burton Park Surplus Sale

Hello All,

I live in the Evergreen Manor subdivision and just heard about this! My first thought is why is this happening so quickly and why can't this proposal wait until the in person meetings are resumed? Who has reached out to the home owners in this area? I have not been approached for my thoughts or ideas on this and I'm sure the rest of my neighbors feel the same way.

There is not enough parking to accommodate the traffic and cars, this is a quiet neighborhood and to think about making a sport park in the middle of our area is extremely upsetting.

Please reconsider or at least wait until we can have the public meetings open again after you've notified all of the residents that this would affect.

Thank you,
Valerie Starr
[REDACTED]
Vancouver, WA 98684
[REDACTED]