

City Council Meeting Agenda September 12, 2022

WORKSHOPS

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

In accordance with the Open Public Meetings Act (OPMA), the Vancouver City Council meeting will be open to in-person attendance. Options for viewing and/or participating in the meeting remotely will also be accommodated (see details below). The City Council will be attending this meeting in person.

All City Council workshops and meetings are broadcast (live closed captioning available) on www.cvtv.org, CVTV cable channels 23 / HD 323, and on the City's Facebook page, www.facebook.com/VancouverUS.

Public testimony will be accepted under Community Communication regarding Consent Agenda items (Items 1-15) and under Public Hearing (Item 16-18). ***Advance registration will be required (see details below).***

Testimony will be accepted in the following manner:

- **Written comments submitted in advance**

Comments may be sent to council@cityofvancouver.us until 12:00 p.m. September 12. Comments will be compiled and sent to the City Council and entered into the record.

In-person or remote testimony during the meeting

Advance registration is required to testify. Online registration is open until 12:00 p.m. on September 12.

In person registration is open until 6:30 pm at the Council Chambers. Instructions will be provided on-site.

Visit the following website for more information and to register:

<https://www.cityofvancouver.us/citycouncil/webform/register-provide-council-meeting-testimony>, or call the City Manager's Office at (360) 487-8600.

Further instructions for accessing the virtual meeting (for remote testimony) will be provided upon registration.

Each speaker will be asked to limit testimony to three minutes and provide their name and city of residence for the record.

WORKSHOPS

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3:30 - 4:00 pm Fossil Fuel Regulations Code Amendment

Chad Eiken, Community Development Director, 360-487-7882

4:00 - 6:00 pm Transportation System Plan

Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

COUNCIL DINNER/ADMINISTRATIVE UPDATES

REGULAR COUNCIL MEETING

6:30 PM

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

Pledge of Allegiance

Call to Order and Roll Call

Approval of Minutes

Minutes - May 16, 2022

Minutes - May 23, 2022

Minutes - June 6, 2022

Proclamations

Hispanic Heritage Month

National Preparedness Month

Community Communications

This is the place on the agenda where the public is invited to speak to Council regarding the items listed under the Consent Agenda. Members of the public addressing Council are

requested to give their name and city of residence for the audio record. **Speakers are asked to limit testimony to three minutes.**

Consent Agenda (Items 1-15)

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

1. Construction Acceptance - G-1 Trunk Sewer CIPP Rehabilitation

Staff Report: 110-22

Request: On September 12, 2022, accept the facilities as constructed by Insituform Technologies LLC of Chesterfield, Missouri, and authorize release of the retainage subject to receipt of all documentation required by law.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

2. Bid Award - Professional services agreements (PSAs) for on-call Sewer Engineering planning and design services

Staff Report: 111-22

Request: Authorize the City Manager or their designee to execute Professional Service Agreements in the amounts listed above with Murray, Smith & Associates, Jacobs Engineering Group, Inc., Stantec Consulting Service, Inc., and BHC Consultants, LLC, for sewer engineering planning and design services on an as-needed basis for five years.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

3. Bid Award for the Devine Road Bicycle and Pedestrian Safety Improvements Project (PRJ100347), per Bid #22-32

Staff Report: 112-22

Request: Award a construction contract for the Devine Road Bicycle and Pedestrian Safety Improvements Project to the lowest responsive and responsible bidder, Western United Civil Group LLC of Yacolt, Washington, at their bid price of \$1,265,817.22, which includes Washington State sales tax, authorize the City Manager or their designee to execute the contract and authorize any legal action necessary to enforce the terms of the same.

Ivar Christensen, Senior Civil Engineer, 360-487-7765

4. Bid award for construction for the Fourth Plain Commons tenant improvements, per Bid #22-29

Staff Report: 113-22

Request: Award a construction contract for the Fourth Plain Commons tenant improvements to the lowest responsive and responsible bidder, Ross Builders Northwest of Hillsboro, Oregon, at their bid price of \$4,864,228.60, which includes Washington State sales tax, and authorize the City Manager or their designee to execute the contract and authorize any legal action necessary to enforce the terms of the same.

Shannon Williams, Senior Planner, 360-487-7898

5. Purchase additional Single Use Stainless Steel Restrooms from Madden Fabrication of Portland Oregon RFP 30-20

Staff Report: 114-22

Request: Authorize the City Manager or their designee to approve the purchase of Single Use Stainless Steel ADA compliant restrooms (Portland Loos) from Madden Fabrication of Portland Oregon. The value of these purchases under this agreement is expected to be approximately \$2,200,000.

Terry Snyder, Senior Park Developer, 360-487-8317

6. On Call Survey Contracts

Staff Report: 107-22

Request: Authorize the City Manager or their designee to execute Professional Service Agreements with PLS Engineering, and MacKay Sposito, Inc for professional survey services on an as-needed basis for three years with not-to-exceed amounts as indicated above.

Glenn Donald, Professional Land Surveyor, 360-487-7774

7. Water System Plan Amendment

Staff Report: 115-22

A RESOLUTION of Concurrence related to the Washington State Department of Health water system plan, which mandates that municipal water suppliers submit a water system plan for review and approval by the Department of Health.

Request: On September 12, 2022, adopt a resolution of concurrence adopting the proposed amendments to the 2016 Vancouver Water System Plan.

Tyler Clary, Engineering Program Manager, 360-418-7169

8. **Federal Aviation Administration Grant for Pearson Field**

Staff Report: 116-22

A RESOLUTION authorizing the City Manager to execute a Federal Aviation Administration (FAA) Airport Aid grant to fund the design of an electrical vault/runway lighting system rehabilitation project at Pearson Field Airport; and providing for an effective date.

Request: On September 12, 2022, adopt a resolution authorizing the the Federal Aviation Administration grant for the design of a project to rehabilitate the runway lighting system and associated electrical vault at Pearson Field Airport.

Guy Lennon, Airport Manager, 360-487-8619

9. **Reduction of the posted speed limit on SR 500**

Staff Report: 117-22

A RESOLUTION relating to traffic and establishing a new speed limit on a portion of SR 500.

Request: Adopt a resolution establishing a speed limit of 40 MPH on SR 500 from NE 162nd Ave to mile point 8.68.

Chris Christofferson, Traffic Engineering Manager, 360-487-7716

10. **Outsider's Inn Contract Renewal for Safe Stay Community**

Staff Report: 118-22

Request: Approve the amendment and extension of a professional services contract to Outsiders Inn of Vancouver, WA, and to authorize Eric Holmes, City Manager, or his designee to execute a contract for delivery of supportive services and site management at city-sanctioned Safe Stay Communities 1 & 3.

*Aaron Lande, Program & Policy Manager, 360-487-8612;
Jamie Spinelli, Homeless Response Coordinator, 360-487-8610*

11. **Approval of Allocation and Participation Agreements for State of Washington Settlement with Opioid Distributors**

Staff Report: 119-22

Request: Authorize the City Manager or his designee to execute the "Allocation Agreement Governing the Allocation of Funds Paid By the Settling Opioid Distributors in Washington State" and

"Exhibit F: Subdivision Settlement Participation Form", which will settle the City of Vancouver's claims against AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation.

Dan Lloyd, Assistant City Attorney, 360-487-8500

12. Award of Lodging Tax Grants for 2022

Staff Report: 120-22

A RESOLUTION relating to the award of lodging tax grant funds for the Lodging Tax Advisory Committee 2022 Round Two Grants as recommend by the City Council appointed Lodging Tax Advisory Committee.

Request: On September 12, 2022, adopt a resolution approving the 2022 Lodging Tax Grants as recommended by the Lodging Tax Advisory Committee, for an updated total of \$125,543 dedicated to lodging tax grant awards for 2022, and authorize the City Manager or their designee to execute professional services agreements with the grant recipients.

Teresa Brum, Deputy Economic Development Director, 360-487-7949

13. Nomination for Appointment to the Fort Vancouver Regional Library District Board

Request: Nominate Vikram Kotwani to the Fort Vancouver Regional Library Board of Trustees, mid-term beginning immediately and ending December 31, 2023.

Council Committee 1

14. Appointment to the Urban Forestry Commission

Request: Reappoint Clif Barnes and appoint Khanh Tran to the Urban Forestry Commission, terms beginning immediately and expiring June 30, 2026; appoint Jeff Kessenich to the Urban Forestry Commission with a term beginning immediately and expiring June 30, 2023.

Council Committee 1

15. Approval of Claim Vouchers

Request: Approve claim vouchers for September 12, 2022.

Public Hearings (Item 16-18)

The following item(s) are scheduled for public hearing. Members of the public addressing Council are requested to give their name and city of residence for the audio record. **Speakers are asked to limit testimony to three minutes.**

16. Jen's Pointe Mixed-Use – PRJ-167483 / LUP-82098 Appeal of the Hearing Examiner's Type III Decision

Staff Report: 121-22

Request: Staff's position is the Applicant designed a development demonstrating compliance with all applicable codes and land use requirements. The Applicant has proposed landscaping and additional setback to reduce potential impacts. City staff must apply the code as written and cannot deviate from the code based on the requests of individual community members. The proposed Building C setback exceeds the minimum setback requirement allowed by Code. Staff recommends DENIAL of this appeal upholding the decision by the City of Vancouver Hearing Examiner as detailed in the Findings, Conclusions and Decision dated June 10, 2022.

Mark Person, Senior Planner, 360-487-7885

17. Addendum to the Renaissance Boardwalk Development Agreement and Agreements with National Park Service for Construction Staging

Staff Report: 122-22

A RESOLUTION approving a Cooperative Management Agreement and an Implementation Agreement (collectively the "NPS Agreements") with the National Park Service Fort Vancouver Historic Reserve ("FOVA") to collaboratively improve the FOVA Project Site, as described therein, which is adjacent to the City's Old Apple Tree Park and to the Development Agreement project site and in close proximity to the Discovery Historic Loop, and the Columbia River Renaissance Trail.

A RESOLUTION approving an Addendum to the Development Agreement with Kirkland Development, LLC dated July 12, 2021 to facilitate fulfillment of Section 4.2.1 specifically requiring the Developer to conduct development of the project site in a single phase not to exceed thirty-six (36) months from approval of the first building permit in accordance with Exhibit G – Project Schedule of the Development Agreement.

Request: Adopt resolutions approving the following documents:

- Development Agreement Addendum between City of Vancouver and Kirkland Development
- Cooperative Management Agreement between National Park Service and City of Vancouver
- Implementation Agreement between National Park

Service and City of Vancouver

Resolution also authorizes the City Manager to execute an Operations and Management Plan between National Park Service and City of Vancouver to be drafted consistent with the terms of the Cooperative Management Agreement.

Patrick Quinton, Economic Development Director, 360-487-7845; Becky Rude, Assistant City Attorney, 360-487-8513

18. Affordable Housing Fund Levy Renewal

Staff Report: 123-22

RESOLUTION providing for the submission to the qualified electors of the City of Vancouver at the February 8, 2023 Special Election a proposition authorizing the City to increase its property tax levy pursuant to RCW 84.52.105 to provide funding for housing for people with low and very low-income; requesting that the Clark County Auditor place the proposition on the February 8, 2023 ballot; and providing for other matters properly related thereto.

A RESOLUTION relating to affordable housing; providing an affordable housing financing plan for the collection and use of monies authorized by RCW 84.52.105 to fund housing for people with low and very low-income.

Request: Following a public hearing, review draft of AHF Levy Replacement Ballot Proposition and provide direction to staff to prepare the following actions for Council consideration on September 19:

1. An emergency declaration of an Affordable Housing Crisis pursuant to RCW 84.52.105.
2. A resolution approving the Administrative and Financial Plan detailing the collection and use of monies authorized under RCW 84.52.105.
3. A resolution authorizing a special election held to request voter approval of a property tax levy for affordable housing under RCW 84.52.105 and setting forth the ballot proposition.
4. If a ballot resolution is passed by a majority vote of the council, consider appointing committees to prepare arguments advocating voters' approval and rejection of the measure under RCW 29A.32.28.

Patrick Quinton, Economic Development Director, 360-487-7845; Samantha Whitley, Housing Programs Manager, 360-

New Business (Item 19)

19. Consideration of Ethics Complaint regarding Mayor McEnerny-Ogle, Mayor Pro Tem Stober, and Councilmember Paulsen

Staff Report: 124-22

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

Jonathan Young, City Attorney, 487-8500

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Police Camera Program Update

Adjournment

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