



CITY COUNCIL MEETING MINUTES

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

Anne McEnery-Ogle, Mayor

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

July 1, 2019

WORKSHOPS

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

Councilmember Hansen was absent from workshops.

4:00-4:30 p.m. Central Vancouver Anti-Displacement Strategy

Presenters: Rebecca Kennedy, Long Range Planning Manager, 487-7896; Andrea Pastor, Associate Economic Development Planner, 487-7947; Thread Community Planning Consultant Team

Summary

City staff introduced Council to members from the Thread Community Planning Consultant Team, which has been conducting research and recently completed a report and recommendations related to an anti-displacement strategy for central Vancouver. Thread team members Tay Stone, Project Manager, and Jeff Lane, Policy Analyst and Research Lead, provided Council with an overview of the report.

4:30-5:00 p.m. Council for the Homeless Continuum of Care Reorganization

Presenters: Kate Budd, Executive Director, Council for the Homeless; Chad Eiken, Community and Economic Development Director, 487-7882

Summary

Kate Budd, Executive Director for the Council for the Homeless, provided Council with an overview of a proposed restructuring for the Homeless Crisis

Response System Continuum of Care, including a proposal for a new Joint Executive Board on Homelessness in Clark County.

5:00-6:00 p.m. Vancouver Fire Department 2018 Report on Service Levels

Presenter: Joe Molina, Fire Chief, 487-7201

Summary

Vancouver Fire Chief Joe Molina presented Council with the 2018 Report of Service Levels for the Vancouver Fire Department.

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

Mayor McEnerny-Ogle announced that the Council would be entering into executive session from 6:00-6:30 to discuss the City Manager's annual performance evaluation.

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 7 p.m. by Mayor McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

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

Absent: Councilmember Hansen

Motion by Councilmember Paulsen, seconded by Councilmember Turlay, and carried unanimously to excuse Councilmember Hansen.

Approval of Minutes

Minutes - June 10, 2019

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of June 10, 2019.

Minutes - June 17, 2019

Motion by Councilmember Lebowsky, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of June 17, 2019.

Citizen Communication (Items 1-10)

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

Consent Agenda (Items 1-10)

Council requested Items 4 and 7 be pulled for discussion (summarized below).

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

1. 2019 Resurfacing Project Bid Award

Staff Report 085-19

Summary

The 2019 Resurfacing Project is being constructed as part of the Pavement Management program. This project involves paving with hot mix asphalt on corridors and residential streets and installation of 56 speed cushions at various locations throughout the city. This year's pavement management program includes three separate resurfacing contracts. A total of 23 lane miles of street will be treated under those contracts. These contracts include the "SE 164th/162nd Ave NHS Resurfacing Project", which includes 9 lane miles of paving, the "E. Mill Plain Blvd. NHS Resurfacing Project", which includes 5 lane miles of paving and microsurfacing, and the "2019 Resurfacing Project", which includes 9 lanes miles of paving.

The attached vicinity map shows where streets will be paved. Corridors include NE 18th Street and Evergreen Highway. Neighborhoods that have some residential streets getting paved include Old Evergreen Highway, Ellsworth Springs, and Burton Ridge.

On June 18, 2019, the City received three bids for the subject project. The bids ranged from \$2.5 million to \$2.8 million dollars. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT

<i>Granite Construction Company, Vancouver, WA</i>	<i>\$2,579,579.00</i>
<i>Clark & Sons Excavating, Inc. Battle Ground, WA</i>	<i>\$2,626,626.00</i>
<i>Lakeside Industries Inc., Vancouver, WA</i>	<i>\$2,791,460.29</i>
<i>Engineers' Estimate</i>	<i>\$2,220,000.00</i>

The bids are about 14 to 27 percent higher than the engineer's estimate. This is mostly because of increases in asphalt and construction prices. However, if the streets are not paved they will deteriorate at a faster rate than if they were paved due to their current condition. It is staff's recommendation to award the contract so that street work is done this year to take advantage of the upcoming paving season during July and August.

There is a minimum apprenticeship goal of 4% of the utilized labor hours for this project. Granite Construction Company of Vancouver, Washington, has submitted an Apprenticeship Utilization Plan to meet or exceed this goal by using approximately 235 hours of apprentice time of the estimated total of 5,207 applicable labor hours for the project.

Request: On July 1, 2019, award a construction contract for the 2019 Resurfacing Project to the lowest responsive and responsible bidder, Granite Construction Company, Vancouver, Washington, at their bid price of \$2,579,579.00, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same.

Chris Sneider, Senior Civil Engineer, 487-8239; Ryan Miles, Operations Superintendent 487-7708

Motion approved the request.

2. Bid Award for Central Vancouver South - PH1 Sanitary Sewer Improvements

Staff Report 086-19

Summary

The Central Vancouver South Ph1 project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 35 parcels by installing 2,070 linear feet of 8-inch gravity sewer mains in NE 102nd Ave, NE 14th St, NE 7th St, NE 100th Ave and St Helen's Ave.

On June 11, 2019, the City received 7 bids for the subject project. The bids ranged between \$560,000 and \$851,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Halme Excavating, Inc., Battle Ground, WA</i>	<i>\$560,133.13</i>
<i>NW Construction GC, Inc., Battle Ground, WA</i>	<i>\$567,840.62</i>
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$609,940.10</i>
<i>Folden Construction, Inc., Vancouver, WA</i>	<i>\$713,070.57</i>
<i>Magna Construction Services, Inc., Vancouver, WA</i>	<i>\$749,031.92</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$792,855.22</i>
<i>Clark and Sons Excavating, Inc., Battle Ground, WA</i>	<i>\$850,469.61</i>
<i>Engineer's Estimate</i>	<i>\$520,000.00</i>

Based on the amount of the bid, this project will have a required minimum apprenticeship utilization of 3%.

Request: On July 1, 2019, award a construction contract for the Central Vancouver South PH1 Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, Halme Excavating, Inc. of Battle Ground, WA at their bid price of \$560,133.13, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

3. Purchase of Versalift Insulated Aerial Trucks

Staff Report 087-19

Summary

The City uses Sourcewell contract #120716-NAF for purchases of insulated aerial trucks used by the traffic signal and street light teams.

Equipment Services would like authorization to continue to use the contract to purchase up to the Council-approved annual budgeted amount for vehicle purchases through the end of the contract, which is 1/17/2021, and into any extended period offered by Sourcewell.

The City has expended the approved levels authorized by Council in 2018 and would like permission to purchase additional vehicles using this contract up to the amounts approved by Council in City's budget process.

Request: Authorize the City Manager or his designee to approve purchases under Sourcwell contract #120716-NAF for the life of the contract with National Auto Fleet Group.

Dan Zenger, Equipment Services Superintendent, 487-8205

Motion approved the request.

4. Granting of Access Easement

Staff Report 088-19

Summary

2600 LLC is proposing to construct a 290,000 square-foot warehouse / light industrial building on their property located at 2600 NW Lower River Road. This property was formerly used as a treatment pond for the former Rufener (Boise) landfill which was decommissioned in 2015. The property has since been remediated and fill placed to accommodate the proposed development.

Access to this property has historically (for at least the past 60 years) been taken from a City-owned gravel maintenance road located along the east side of the 2600 LLC property. This maintenance road is located on two properties owned by the City of Vancouver. In addition to providing access to the development property, this access road provides access to the City's food waste pretreatment lagoon located north of the site, and Port of Vancouver property located east of the site. (See the attached aerial photo.)

The only public street frontage for the 2600 LLC property is along NW Lower River Road, which is classified as a principal arterial street and a State highway. Due to access restrictions onto State highways, continued access to the existing maintenance road is the only access that will be provided to the development property. In order to preserve permanent access to this maintenance road, it is necessary for 2600 LLC to obtain an access easement across the City-owned properties.

2600 LLC will improve the City-owned maintenance and access road with a 40-foot wide paved surface, vertical curb, and appropriate drainage facilities. In exchange for construction of these improvements and the commitment to provide ongoing maintenance of the access road, the City agrees to grant a permanent access easement to 2600 LLC for the purpose of providing primary access to the proposed warehouse / light industrial building. The value of the road improvements and maintenance commitment greatly exceeds the value of the proposed easement. The bare land value of the easement area is approximately \$150,000. The costs for the construction of the improvements exceeds \$600,000. Therefore, no additional compensation is recommended.

Request: Authorize the City Manager or designee to grant a Permanent Access Easement to 2600 LLC as described in the Access Easement Agreement.

Ryan Lopossa, Streets and Transportation Manager, 487-7706; Eric Hahn, Senior Civil Engineer, 487-7702

Ryan Lopossa, Streets and Transportation Manager, provided staff comments.

Councilmember Stober asked for clarification as to what would be changing with the streets in the area of the easement.

Mr. Lopossa explained that currently there exist some strips of City-owned property in the area, and at one time the City had envisioned a road that would run up through the corridor aligned with 26th Avenue; however that did not come to fruition, and instead the alignment goes along 32nd Avenue with the City still owning some strips of land. There currently is an access leading from Lower River Road going up to the City's wastewater treatment ponds. The developer is proposing to improve that road in exchange for having an access easement into their property nearest to Lower River Road so the City can still access the treatment ponds and also partner with the developer to make improvements to a road that the City still uses on a regular basis. The proposal does not include extending the road any further north than the access into the treatment pond site.

Motion approved the request.

5. **Approval of Disposition Method - Fire Station 2**

Staff Report 089-19

A RESOLUTION of the City of Vancouver authorizing a disposition method for Fire Station No. 2.

Summary

On March 16, 2015, Council approved a resolution declaring property located at 400 E. 37th Street (known as Old Fire Station #2) as surplus.

As required in ordinance M-3923, the method of disposition has to be approved by council. At the time of requesting approval for declaration of the property as surplus, the disposition method had not been addressed.

With the re-location of Fire Station #2, the property located at 400 E. 27th 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, a public process for disposition of this site would provide the largest return to the City of Vancouver. The method being recommended is to publicly advertise the property for sale and engage in negotiations with prospective purchasers. This method of disposition will best provide for the ability to maximize price while providing some flexibility in addressing the other terms of the sale. Any proposed disposition will be returned to Council at a subsequent hearing.

At a workshop held on August 6, 2018, staff recommended advertisement on the commercial market for Fair Market Value (FMV) and a negotiated sale as the method of disposition. At that time, the property was being considered together with Fire Station #1. The Council has since determined a desired path for the disposition of old Station #1, and old now Station #2 is ready for disposition.

Request: On July 1, 2019, adopt a resolution approving disposition method of the real property located at 400 E. 37th Street (known as Old Fire Station #2).

Linda Carlson, Property Management Specialist, 487-8423

Motion adopted Resolution M-4021 to approve the request.

6. Settlement of Tort Claim by Ray Glur

Staff Report 090-19

Summary

Ray Glur was seriously injured while riding a bicycle on August 28, 2018, when Vancouver Police Corporal Jeremy Free collided with him while responding to a call. VPD's investigation found that Corporal Free proceeded through the intersection of Evergreen and Grand against a red light without clearing it first, which caused the accident. Corporal Free was disciplined as a result of his actions.

Mr. Glur, an architect, sustained numerous injuries, including a collapsed lung, broken tibia, fractured scapula, and several broken ribs. His medical expenses exceed \$150,000, and he has lost close to \$40,000 in wages due to missed work. However, Mr. Glur has made a remarkable recovery and continues to recover every day.

The City Attorney's Office has worked closely with Mr. Glur and his attorney to negotiate a fair settlement as a result of the accident. The parties agreed, subject to Council approval, to a global settlement in the amount of \$775,000, which resolves all claims, including medical expenses, lost wages, property damage, and recoverable non-economic damages

sustained by not only Mr. Glur but also his spouse, Barbara Anderson.

Request: Authorize the City Manager, City Attorney and/or their designee(s) to execute any and all documents to settle the claim of Ray Glur and BarbaraAnderson in the amount of \$775,000, inclusive.

Dan Lloyd, Assistant City Attorney, 487-8500

Motion approved the request.

7. Recognition of Green Meadows Neighborhood Association

Staff Report 091-19

A RESOLUTION recognizing the Green Meadows Neighborhood Association by City Council and providing that City Council intends to consult with the neighborhood association and to consider recommendations of the Green Meadows Neighborhood Association on any matter found to affect the livability of the Green Meadows neighborhood.

Summary

The Green Meadows Neighborhood Association was initially formed in 1998, when the area was part of unincorporated Clark County. The City of Vancouver annexed the area as part of the Van Mall North Annexation in 2017. At the time of annexation the members of the Green Meadows Neighborhood Association were not ready to move forward with an active neighborhood association.

Residents of the Green Meadows Neighborhood met on May 9, 2019, and voted to re-activate the neighborhood association, using the previously adopted bylaws, and voted in officers. They will retain the name for the association as the Green Meadows Neighborhood Association, as well as the neighborhood boundaries. They have elected a president, vice president, secretary and treasurer. They have met all requirements to become formally recognized by City Council.

Request: Adopt a resolution formally recognizing the Green Meadows Neighborhood as the City's 68th official neighborhood association.

Judi Bailey, Office of Neighborhoods Coordinator, 487-8608

Judi Bailey, Office of Neighborhoods Coordinator, provided staff comments.

Ms. Bailey explained that the Green Meadows Neighborhood Association was an organized neighborhood association in the county, and then the City annexed the area in 2018. The neighborhood association did not have officers at that time, but recently got together and decided to reactivate and elected officers. She introduced Lynn Grundhauser, neighborhood association president, and Art Stubbs, board member.

Mayor McEnerny-Ogle asked what their hopes for the neighborhood association will be going forward.

Ms. Grundhauser stated the group needs to come together to see what they want to do to make their neighborhood better. Mr. Stubbs stated he would like to see more community involvement and create a City government 101 program for the neighbors to learn more about how the city works and how to access City programs and staff when they need to.

Motion adopted Resolution M-4022 to approve the request.

8. Appointments to Parking Advisory Committee

Request: Reappoint Stephanie Lynn and Stephanie Rice to the Parking Advisory Committee with terms beginning immediately and expiring July 1, 2023; appoint Dean Irvin to a mid-term appointment, term beginning immediately and expiring January 1, 2022.

Council Committee 2 (Councilmembers Turley, Stober, Lebowsky)

Motion approved the request.

9. Appointments to the Parks and Recreation Advisory Commission

Request: Reappoint Laura Parlette and Holly Williams to the Parks and Recreation Advisory Commission, terms beginning July 31, 2019 and expiring July 31, 2022.

Council Committee 1 (Councilmembers Hansen, Glover, Paulsen)

Motion approved the request.

10. **Approval of Claim Vouchers**

Request: Approve claim vouchers for July 1, 2019.

(Copy available upon request)

Motion approved claim vouchers for July 1, 2019, in the amount of \$1,549,535.67.

Public Hearings (Item 11-15)

11. **Declaration of Real Property as Surplus - NE 138th Ave & NE 18th St**

Staff Report 092-19

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

Summary

In 2009, the City of Vancouver completed construction of Phase One of the NE 138th Avenue project. The construction of this project required the City to purchase three parcels in their entirety. Staff is proposing to surplus the remaining portion of these three parcels as they are not needed for future transportation purposes.

The surplus parcels total approximately 0.52 acres. They are zoned R-22 and are currently unimproved. They are also proposed to be sold as one unit to provide the most flexibility for use and because they will have only "right-in/right-out" access along NE 138th Avenue from the northernmost parcel. The fair market value of the combined property per an appraisal is approximately \$230,000.

Federal grant funds were used to purchase the parcels. Grant funding guidelines require when selling property that is no longer needed for transportation purposes on a recently completed project, that the sales proceeds be returned to the granting agency (reimbursed back to the federal grant) or alternatively applied to another federal grant eligible project being undertaken by the local agency that meets certain criteria. The City's 137th Avenue – 49th to Fourth Plain (Project #071237) meets this criteria and we are proposing that the sales proceeds be applied toward this project.

The parcels submitted for council review as surplus are outlined in a detailed report and a map is also attached.

Declaration of surplus is the first of a two-step process in VMC 3.30 – Disposition of City-Owned Surplus Real Property, allowing the city to sell the subject properties. The second step, disposition, requires a separate hearing and action prior to actual sale of the property.

Request: On July 1, 2019, following a public hearing, adopt a resolution approving certain real property located at NE 138th Avenue and NE 18th Street (Assessor parcels 164161-000, 164160-000, 164061-000) as surplus.

Chris Malone, Public Works Finance and Asset Manager, 487-7711; Linda Carlson, Property Management Specialist, 487-8423

Chris Malone, Public Works Finance and Asset Manager, provided an overview of the proposed surplus item.

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

- Aaron Babcock, Longview, Washington, expressed concerns regarding taxation without representation, Second Amendment rights, and a reduction of taxes on small businesses.

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

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to adopt Resolution M-4023 declaring the subject property as surplus.

12. **Declaration of Real Property as Surplus - NE Four Seasons Lane & NE 18th St**

Staff Report 093-19

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

Summary

In 2012, the City of Vancouver completed construction of Phase 1A of the NE 18th Avenue Improvement project from I-205 to Four Seasons Lane. The construction of this project required the City to purchase three parcels in their entirety. Staff is proposing to surplus the remaining remnant portions of these three parcels as they are not needed for future transportation

purposes.

The surplus parcels total approximately 1.09 acres. They are zoned R-22 and are currently unimproved. They are also proposed to be sold as one "unit" to provide the most flexibility for use and 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 have access restrictions due to their proximity to Four Seasons Lane and "right-in/right-out" will only be allowed at the east end of the property. Both of these factors will reduce the value of the property.

The fair market value per an appraisal completed in July 2018 is \$350,000 prior to application of these reduction factors. The appraiser assigned a 50% reduction in value to account for these factors and accordingly valued the property at approximately \$175,000.

Federal grant funds were used to purchase the parcels. Grant funding guidelines require when selling property that is no longer needed for transportation purposes on a recently completed project, that the sales proceeds be returned to the granting agency (reimbursed back to the federal grant) or alternatively applied to another federal grant eligible project being undertaken by the local agency that meets certain criteria. The City's 137th Avenue – 49th to Fourth Plain (project #071237) meets this criteria and we are proposing that the sales proceeds be applied toward this project.

The parcels submitted for council review as surplus are outlined in a detailed report and a map is also attached.

A declaration that the property is surplus is the first of a two-step process in VMC 3.30 – Disposition of City-Owned Surplus Real Property, allowing the city to sell the subject properties. The second step, disposition, requires a separate hearing and action prior to actual sale of the property.

Request: On July 1, 2019, following a public hearing, adopt a resolution approving certain real property located at NE 18th Street & NE Four Seasons Lane (Assessor parcels 163713-000, 163701-000, 163817-000) as surplus.

*Chris Malone, Public Works Finance and Asset Manager,
487-7711; Linda Carlson, Property Management Specialist,
487-8423*

Mr. Malone provided an overview of the proposed surplus item.

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

Motion by Councilmember Paulsen, seconded by Councilmember Turley, and carried unanimously to adopt Resolution M-4024 declaring the subject property as surplus.

13. **Declaration of Real Property as Surplus - 10601 SE Mill Plain Blvd.**

Staff Report 094-19

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

Summary

In 2017, the City of Vancouver approved a project for the improvement of SE Mill Plain Blvd –104th Ave to Chkalov. The completion of this project has required the City to purchase easements, strips of land, and/or entire properties.

The City was required to purchase an entire parcel located at 10601 SE Mill Plain Blvd (Parcel #110291-032), even though the City only needed a portion of the parcel for right-of-way purposes. After dedicating a strip of the property as right-of-way, the remaining remnant was left without street access and the parcel became unusable in its current condition. Accordingly, City staff has determined that the remnant cannot be used and is not needed by the City. The remnant, which is the property that is submitted for Council review as surplus, is described in a detailed report and shown on a map, which are attached ("Subject Property").

To complete the Mill Plain (104th Ave to Chkalov) transportation improvement project, the City must also acquire a portion of an abutting parcel to the east (Parcel #110291-030). The owner of parcel 110291-030 would like to acquire the Subject Property. City staff and the abutting property owner were able to negotiate an agreement, contingent on Council declaring the Subject Property as surplus and approving of its disposition, for the City to convey the subject property to the abutting property owner as partial compensation for the portion of parcel 110291-030 that is needed for right-of-way purposes. The abutting property owner will then combine the remaining remnants ("plottage") to compensate for the loss of access to the Subject Parcel. The fair market value for the Subject Parcel, taking into account loss of access and plottage fees, is \$55,500.

Declaration of surplus is the first of a two-step process in VMC 3.30 – Disposition of City-Owned Surplus Real Property, allowing the City to convey the subject property to an abutting property owner for its fair market value. The second step, disposition, will require a separate hearing, which is currently scheduled on July 15, 2019, and action prior to the proposed property exchange.

Request: On July 1, 2019, following a public hearing, adopt a resolution approving certain real property located at 10601 SE Mill Plain Blvd (Assessor parcel number 110291-032) as surplus.

Ryan Lopossa, Streets and Transportation Manager, 487-7706; Linda Carlson, Property Management Specialist, 487-8423

Mr. Lopossa provided an overview of the proposed surplus item.

Mayor McEnerny-Ogle asked if there was an alley proposed by the property owner. Mr. Lopossa stated there is no alley proposed to be created at this time, but explained the property owner has some relationship or interest with the property to the south and has indicated he might do some sort of development in that area in the future. City staff has made clear that there is no access to the subject property from Mill Plain, and the property owner understands that and has indicated he has a way to access his property from another access point.

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

Motion by Councilmember Stober, seconded by Councilmember Glover, and carried unanimously to adopt Resolution M-4025 declaring the subject property as surplus.

14. **2019 First Supplemental Budget**

Staff Report 083-19

AN ORDINANCE relating to the 2019-2020 Biennial Budget and making various appropriations in various funds; declaring an emergency.

Summary

Each year, budget adjustments must be made to reflect changes in revenues and expenses that occur after the budget is adopted by City Council. These adjustments can generally be categorized into the following areas:

- *Corrections or administrative updates to the adopted 2019-2020 Biennial Budget.*
- *Activities and expenditures associated with new external revenues.*
- *Carry forward of projects not completed in the prior year.*
- *New items funded with unobligated and undesignated funds.*

Budget amendments are recommended for the City's various funds as detailed in Attachment A of the Ordinance. The recommended expenditure appropriation adjustments for the City's Operating and Capital funds included in the 2019 First Supplemental Budget total \$63.0 million. Of the \$63.0 million expenditure increase, \$25.6 million is related to the Operating budget, and \$37.4 million relates to changes in the Capital budget and supporting transfers. The net impact on all City resources is a decrease of \$40.0 million to fund balances; the net impact on the General Fund is a \$2.1 million decrease to the fund balance.

The total Operating budget appropriation change in the General, Street and Fire (GSF) funds represents an increase of \$4.4 million. The remaining \$21.2 million increase relates to changes in other funds.

Appropriation adjustments in the City's GSF funds total increase of \$4.4 million include the following major items:

- *New initiative requests of \$2.6 million include:*
 - *Appropriation of \$1.8 million related to new FTE requests or reclassifications of FTEs (detailed in Attachment B section below).*
 - *Appropriation of \$0.2 million for DECU computer and building upgrades.*
 - *A combined increased appropriation of \$0.1 million set aside for a community engagement strategy and a performing arts feasibility study.*
 - *A combined increase in Streets of \$0.1 million supporting vehicle reserve shortages.*
- *Cost neutral requests totaling \$0.7 million and funded by \$0.6 million in new external revenues:*
 - *A contribution from Share of \$0.2 million supporting the Navigation Center's services to provide homelessness services.*
 - *Numerous grants in Police totaling \$0.1 million and in Fire for \$0.4 million.*
- *Carry forwards and administrative adjustments totaling \$1.1 million include:*
 - *Numerous carry forward projects in CED totaling \$0.4 million for the downtown entry way projects, transportation system safety*

and plan updates, and other planning and strategy projects.

- *Streets carry forward of \$0.2 million for the salt storage building being used for winter weather events that has had various delays.*

A total of \$21.2 million in appropriation increase relates to other operating City funds. Some of the major changes are summarized below:

- *Budget true-up of \$3.9 million in the Streets Initiative Operating fund to increase the pavement management budget.*
- *Carry forward of \$8.9 million mainly related to \$4.7 million in the sewer operating fund for wastewater treatment and collection professional service contracts and other carry forward items.*
- *Carry forward of \$2.3 million in the affordable housing fund.*
- *Cost neutral requests of \$4.0 million, offset by revenue from a \$1.7 million pavement management grant, and in facilities for \$2.2 million for contract increases for janitorial and security services to reflect a different way of accounting for the contract costs.*
- *Adjustment in the Risk Management Fund of \$0.8 million to cover higher than originally anticipated actuarial costs and claims activity.*
- *Equipment services adjustments in 504 and 505 funds of \$0.7 million to extend 2.0 FTE limited term mechanic positions through 2020.*

The total Capital Budget appropriation of \$37.4 million (including internal transfers) is included in the First Supplemental of 2019. Specific amendments by project are outlined in Attachment C to the ordinance. Following are some major projects included by functional area:

- *General/Facilities major capital projects totaling \$1.2 million include the following:*
 - *Carry forward/true-up projects totaling \$0.9 million.*
 - *Small new projects totaling \$0.3 million.*
- *Parks capital of \$6.5 million for:*
 - *Carry forward/true-up projects totaling \$0.7 million.*
 - *New projects totaling \$5.8 million including \$5.2 million for Fenton Community Park, \$0.5 million for a neighborhood park in PIF district C, and \$0.2 million for Esther Short Park master planning for the playground upgrade and restroom replacement.*
- *Transportation project totaling \$13.7 million include:*
 - *Carry forward projects totaling \$5.0 million.*
 - *New projects totaling \$8.7 million mainly for SE 1st St – 164th to 192nd enhancements of \$7.8 million and \$0.9 million for Devine pedestrian improvements.*
- *Utility carry forwards and adjustments totaling \$7.7 million in Water,*

Sewer and Storm Water projects.

Attachment B of the ordinance outlines changes to FTEs. Due to the implementation of a new ERP system at the City, Workday, a need exists to true up position classification names in the budget documents to the actual job profiles in Workday. Those changes are captured in Attachment B. An increase of 14.4 FTEs is recommended in the First Supplemental of 2019 and are summarized below:

- 2.0 new FTEs to support Communications in the City Manager's Office.*
- 1.0 new FTE Economic Development Director*
- 1.0 new limited term Principal Planner for a three-year period to advise and advocate on regional transportation issues affecting Vancouver in Community and Economic Development (CED) department.*
- 1.0 new FTE Senior Policy Advisor to support intergovernmental affairs and resiliency planning, reporting to the Assistant City Manager.*
- 1.0 FTE to extend an Associate Planner in CED to support Transportation Demand Management programs through 2020.*
- 2.0 new FTEs in Public Safety, each in Police and Fire respectively for Assistant Chief positions.*
- 0.4 FTE increase to a current position in the Community Development Block Grants (CDBG), funded by the grant, bringing the FTE up to 1.0.*
- 1.0 FTE to extend a limited term Customer Service Representative in the Building Fund through 2020.*
- 2.0 FTEs to extend limited term mechanic positions in Equipment Services through 2020.*
- 2.0 FTEs in Human Resources for limited term positions through 2020.*
- Conversion of an existing 1.0 limited term Payroll FTE ending in 2019 into a permanent position of Accountant A in Financial and Management Services.*

Request: On July 1, 2019, subject to second reading and public hearing, approve ordinance.

Amanda Akers, Senior Budget Analyst, 487-8475

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

Amanda Akers, Senior Budget Analyst, provided an overview of the 2019 First Supplemental Budget.

Mayor McEnemy-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 approve Ordinance M-4270.

15. **Creation of Culture, Arts & Heritage Commission as a Public Development Authority**

Staff Report 082-19

AN ORDINANCE rescinding and replacing VMC 2.88; establishing the Culture, Arts and Heritage Commission as a Public Development Authority, granting a Charter to the Commission, approving Bylaws for such Commission and providing for an effective date.

Summary

On April 16, 2018, the City Council adopted a new Culture, Art & Heritage Plan, the City's first in 25 years. The plan includes hiring a full-time Cultural Services Manager, appointing a new Culture, Arts & Heritage Commission, restoring the Cultural Grant program, developing a public art program and actualizing the existing downtown Arts District.

In the 2019-2020 biennial budget, the Council adopted \$400,000 per year to support the implementation of the plan including appointment of the new Culture, Arts & Heritage Commission. This funding is limited term for the duration of the current biennium. The Council appropriated these funds on a limited term basis in anticipation of establishing permanent, ongoing dedicated funding for the program as part of the larger Stronger Vancouver initiative, which is currently under consideration.

At their March 1 retreat this year, the City Council directed creation of the Culture, Arts & Heritage Commission as a Public Development Authority (PDA) similar to the City Center Redevelopment Authority (CCRA) and charge them with the responsibility for implementing the Culture, Art & Heritage Plan. Through programs, ownership and management of physical assets including buildings and public art and through community partnership, the Commission will facilitate development of a strong culture, arts and heritage environment. The Commission may acquire and manage real property; secure financing; undertake the development or redevelopment, construction and maintenance of structures and facilities, including public amenities; and enter into agreements with cultural, public and other not-for-profit entities or with private developers proposing to develop public facilities or retail for the purposes of promoting art, culture and/or heritage.

Request: On Monday, July 1, 2019, subject to second reading and

public hearing, approve an ordinance, charter and bylaws creating the Culture, Arts and Heritage Commission as a public development authority.

Jeanette (Jan) Bader, Program & Policy Development Manager, 487-8606

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

Jeanette (Jan) Bader, Program and Policy Development Manager, presented background information and an overview of the proposed new Culture, Arts and Heritage Commission.

Councilmember Turlay asked if any City funds are proposed to be dedicated to the commission. Ms. Bader explained that Council had already approved \$397,000 in the 2019-2020 biennial budget to fund the first two years of this program as a pilot project. She noted that the Stronger Vancouver initiative includes a recommendation from the Executive Sponsors Council to implement a 5 percent admissions tax to continue to support this program in the future.

Councilmember Turlay asked if the City ever discussed if they would ask citizens if the City should implement this program. City Manager Eric Holmes stated the Council deliberated on the 2019-2020 budget a number of times in 2018. He noted that the Council approved the one-time funding, and the creation of this commission, including the hiring of a program manager and deploying the approved resources to grow a more robust cultural scene in Vancouver, was contemplated in the approval of that one-time funding. Council has yet to take action on anything in the Stronger Vancouver recommendation. Mayor McEnerny-Ogle added that the Council held a public hearing on that budget before approving it.

Councilmember Paulsen asked for more information on the creation of the commission as a public development authority (PDA) rather than an advisory committee, and what role Council oversight would have. Ms. Bader explained a PDA is a more independent body with the ability to accept donations, enter into contracts, and own an art collection or art-related facilities. An advisory committee has no legal standing as an entity separate from the City. She explained that in regards to the grant program the commission would oversee, the commission would make recommendations to the City Council and Council would have the final approval of those grants; in regards to the purchase of public art, some of those decisions would require Council approval due to state law and the City's donation policy. Ms. Bader explained that City staff envisions the primary focus of this commission to be the implementation of the Culture, Arts and Heritage Plan adopted by the Council.

City Manager Eric Holmes explained that while a PDA has the statutory authority to own property and enter into contracts, it does not have the authority to enact taxes or raise revenues, outside of accepting donations. He noted

that the resources necessary to engage actively in the activities statutorily allowed to the PDA all comes from the City and is subject to Council approval, and until the Council is confident in the capacity of those who sit on the commission's board, he would not anticipate a lot of resources being turned over to the PDA to use at their sole discretion.

Councilmember Paulsen noted that up until now, any arts or cultural activity has been initiated by the community with limited government involvement and he presumes that community initiation would continue. He asked to what degree the City would mitigate the risk of this program being in competition with rather than complementary to those kinds of community-supported efforts. Ms. Bader stated the hope for the program is that the grant aspect can help those organizations grow and develop and further support the arts and heritage communities. In regards to the public art program, this initiative can further support local artists in a more expanded capacity than the City has been able to do in the past.

Councilmember Paulsen stated he wanted to make sure it is clear that he supports this program and wants to make sure the City is thinking through and understanding the ramifications of it. He said that from an economic development perspective, the number one thing employers look for is prospective employees when considering where to locate their businesses, and employees are looking for the quality of a community, and arts and culture are a big part of that.

Mayor McEnerny-Ogle asked if the Council would have the authority to dissolve this commission if it ever became necessary to do so. Ms. Bader confirmed the Council could do that.

Mayor McEnerny-Ogle asked about the City's liability related to a piece of art and whether the City would still be liable for anything under the purview of the commission. Ms. Bader said that if the City owns the piece of art the City would be liable. She explained that the City has established a defined process in terms of developing pieces of public art, which includes review for safety and potential traffic impacts, and the City mitigates liability as much as possible in that regard.

Councilmember Lebowsky asked what involvement this commission would have with the Clark County Arts Commission and also whether it would be working with the Cowlitz tribe. Ms. Bader stated the City Council appoints one Vancouver resident to the Clark County Arts Commission and it is the intent that the City's commission would not duplicate what the County commission is doing because the City body would focus on heritage and culture in addition to the arts, and that would include working with the Cowlitz tribe.

Councilmember Glover stated Vancouver has a rich history and it is important we put focus on that from the City. She also noted that, as Councilmember Paulsen stated, arts and culture activities draw employers and employees and serve as an economic driver. She noted the National League of Cities lists arts and culture as one of the top five economic drivers for cities.

Councilmember Turlay stated that because there is no time restraint on establishing this commission, he would like to postpone Council action on establishing the commission for one week so he can try to sort through what he's heard from Council and citizens.

Motion by Councilmember Turlay to postpone action on the creation of the Culture, Arts and Heritage Commission died for lack of a second.

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

- Stephanie Turlay, Vancouver, stated she has an extensive arts background but she does not think the City should be focusing on this program at this time, but rather on taking care of funding other priority needs first.
- Kelly Neidig, representing Artstra, summarized the organization's history and role in supporting arts in the community, including participating in the development of the City's Culture, Arts and Heritage Plan. She stated the organization applauds the passage of the plan and hopes the City will continue to engage Artstra and inform the community on decisions relating to the plan, including composition of the commission.
- Maureen Montague, Vancouver, stated she is a local artist and participated in the development of the City's Culture, Arts and Heritage Plan and spoke in support of establishing this commission as a PDA, as it will open up tremendous opportunity for the arts, heritage and culture communities in Vancouver.

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

Mayor McEnerny-Ogle asked what the next step for community involvement would be. Ms. Bader stated that if Council passes the ordinance, staff would begin recruiting commission members, whom Council would interview and appoint per their boards and commission appointment process. She said the goal was to get the Commission members appointed by September.

Councilmember Paulsen clarified the action Council would be taking at this public hearing, noting that the funding for the program and the commission has already been approved and Council would be taking action on the structure of the commission, which is being proposed as a public development authority. Mr. Holmes confirmed this and noted that the commission would also act in an advisory capacity to the City Council.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried 5-1, with Councilmember Turlay voting NO, to approve Ordinance M-4271, the charter and bylaws to create the Culture, Arts and Heritage Commission as a public development authority.

Communications

Mayor McEnerny-Ogle recognized Boy Scouts from Troop 479 in attendance at the meeting.

A. From the Council

B. From the Mayor

C. From the City Manager

a. Westside Bike Mobility Project Update

Rebecca Kennedy, Long Range Planning Manager, and Jennifer Campos, Principal Transportation Planner, provided Council with an update on Phase III of the Westside Bike Mobility Project, which will focus on Columbia and adjacent parallel streets with the goal of engaging the community to establish the vision for a safe, connected, multi-modal north-south corridor connecting northwest neighborhoods and Burnt Bridge Creek with downtown Vancouver and the Waterfront. They provided an overview of the stakeholders identified to participate in identifying an alignment and design concept, the proposed outreach approach, and details on a Community Advisory Committee make-up, engagement process and timeline.

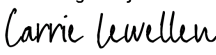
Adjournment

8:07 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

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Natasha Ramras, City Clerk

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