



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

June 17, 2019

WORKSHOPS

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

4:00-5:00 p.m. 2019 Charter Review Recommendations

Presenters: Jeanette (Jan) Bader, Program and Policy Manager, 487-8606; Brent Boger, Assistant City Attorney, 487-8500; Esther Schrader, Charter Review Committee member

Summary

City staff and the Charter Review Committee presented Council with the committee's recommended updates to the City's charter.

5:00-5:30 p.m. 2019 City of Vancouver First Supplemental Budget

Presenter: Natasha Ramras, Chief Financial Officer, 487-8484

Summary

Staff provided Council with an overview of the proposed first supplemental budget for 2019.

5:30-6:15 p.m. Executive Session re: Potential Litigation; Real Estate Transaction

Mayor McEnery-Ogle announced the Council would be entering into executive session to discuss potential litigation and a real estate transaction until 6:15 p.m.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6:15 PM)

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 6:30 p.m. by Mayor McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

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

Absent: None

Approval of Minutes

Minutes - June 3, 2019

Motion by Councilmember Paulsen, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of June 3, 2019.

Citizen Communication (Items 1-3)

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

Consent Agenda (Items 1-3)

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

1. Ambulance Agreement Amendment #6

Staff Report 073-19

Summary

On November 10, 2014, the City Council authorized the City Manager to enter into a five- (5) year Agreement with an additional five- (5) year possible extension. The Contract became effective January 1, 2015. On December 17, 2018, the City Council authorized the City Manager to enter into a five- (5) year extension to the Agreement. Since that time, the parties have determined an Amendment to the Contract would help to clarify

certain terminology and procedures impacted by the Contract. The clarifications are set forth in the attached Sixth Amendment to the Ambulance Services Agreement.

Request: Authorize the City Manager or designee to execute the Sixth Amendment to the Professional Services Agreement No. 80989 (Now 88635) with AMR for Ambulance Services.

Joe Molina, Vancouver Fire Chief, 487-7201

Motion approved the request.

2. **Street vacation of approximately 2,960 square feet of unimproved street right-of-way associated with NE 88th Street, located east of NE Andresen Road**

Staff Report 074-19

A RESOLUTION fixing July 15, 2019, as the date for a public hearing on a proposal to vacate a portion of NE 88th Street right-of-way located east of NE Andresen Road. The right-of-way is located within the Northeast and Southeast Quarters of Section 6, Township 2 North, Range 2 East, Willamette Meridian.

AN ORDINANCE vacating a portion of public right-of-way associated with NE 88th Street located east of NE Andresen Road. The right-of-way is located within the Northeast and Southeast Quarters of Section 6, Township 2 North, Range 2 East, Willamette Meridian, City of Vancouver, Clark County, Washington; providing for an effective date.

Summary

Staff has received a request from Jabberwock, Ltd. to vacate a portion of NE 88th Street right-of-way located east of NE Andresen Road. The right-of-way is specifically located within the Northeast and Southeast Quarters of Section 6, Township 2 North, Range 2 East, Willamette Meridian.

The right-of-way to be vacated contains no public street improvements. Rather, it currently contains a driveway approach that provides secondary access solely to the applicant's property; no other adjacent private properties have access through this right-of-way. Staff has reviewed the City's Transportation Systems Plan and determined there is no future need for this right-of-way to accommodate public travel. Therefore, vacation of this right-of-way will have no adverse impact on the City's transportation assets.

Staff has contacted all utility owners with facilities potentially located within

the subject area. The City of Vancouver has utilities within the area of the proposed vacation, specifically a domestic water main. Clark Public Utilities has electrical lines running through a portion of the subject area, and CenturyLink also has facilities within the proposed vacation area. Therefore, the City will retain a public utility easement under and over the entire vacated area for the construction, repair and maintenance of all public utilities and services.

Pursuant to VMC 11.05.130, the property associated with a vacated street shall belong to the abutting property owners, one-half to each. Two parcels adjoin the right-of-way to be vacated. The parcel adjoining the south and east sides is owned by the applicant, and the parcel on the north side is owned by the Duane and Elsie Trust (Duane R. Kennedy and Elsie R. Kennedy, trustees). The applicant has contacted the neighboring property owner and they have agreed to release all interest in the subject right-of-way, allowing the applicant to obtain the entirety of the area to be vacated. A letter from Elsie R. Kennedy, Trustee, is attached.

RCW 35.79.030 provides for, but does not require, the City to collect compensation for the value of public right-of-way that is vacated. Further, VMC 11.05.120 stipulates provisions for the City to calculate and collect compensation for vacated public right-of-way. The applicant provided an appraisal of the subject right-of-way, which concluded a fair market value equal to \$8,900. Records indicate that the subject area of right-of-way was dedicated by previous landowners as part of various subdivisions and land-use actions; the City incurred no cost in obtaining the right-of-way. Further, the City has not constructed any street improvements within the subject right-of-way, does not intend to construct any future improvements, and has historically performed no maintenance of this right-of-way area, which was transferred to the City as a part of the Vancouver Mall North Annexation area. And as previously noted, the City will require a public utility easement over the vacated right-of-way, which will significantly limit any further development of the property. Based on these circumstances and pursuant to the provisions of VMC 11.05.120(D), staff recommends that no compensation be required for the vacated right-of-way.

Request: On June 17, 2019, adopt a resolution of intent and approve on first reading the ordinance to vacate a portion of public right-of-way associated with NE 88th Street located within the Northeast and Southeast Quarters of Section 6, Township 2 North, Range 2 East, Willamette Meridian, setting the date of second reading and public hearing for Monday, July 15, 2019.

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

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

Motion adopted Resolution M-4008 and approved the request.

3. Approval of Claim Vouchers

Request: Approve claim vouchers for June 17, 2019.

Motion approved claim vouchers for June 17, 2019, in the amount of \$5,427,022.65.

Public Hearings (Items 4-6)

4. 2020-2025 Transportation Improvement Program

Staff Report 075-19

A RESOLUTION adopting the City of Vancouver's Comprehensive Six-Year Transportation Improvement Program for 2020-2025 and revising the City's Arterial Street System and Classification Map.

Summary

The 2020–2025 TIP presents a transportation development program that supports implementation of the City's adopted comprehensive plan. It includes funding allocation recommendations for street capital revenues including new revenues from the street funding strategy. The project lists clearly identify those projects and programs that are intended to receive funding from the sources approved as part of the street funding strategy.

The TIP also provides updates to the Arterial Classification Map. The arterial map update includes minor revisions such as changing proposed arterials to existing arterials.

Request: On June 17, 2019, following a public hearing, adopt a resolution approving the proposed 2020-2025 Transportation Improvement Program.

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

Chris Malone, Public Works Finance and Asset Manager, provided staff comments.

Mr. Malone provided an overview of the 2020-2025 Transportation

Improvement Program (TIP).

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

- Glen Yung, Vancouver, stated he had read through much of the TIP and expressed concerns about several projects that could create changes to traffic patterns in and near his neighborhood, including a potential improvement project on Fourth Plain from F Street to 65th Street that could remove a lane of traffic in each direction.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing and asked Mr. Malone to provide more information on the Fourth Plain project Mr. Yung referenced.

Mr. Malone explained that project pertains to a grant the City was awarded by the state to improve safety along the Fourth Plain corridor, which has been deemed one of the most dangerous in the state. Mr. Malone explained that the design of that project has not been determined yet, and the reduction of lanes is just one potential option. He noted there would be more public outreach associated with the project.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve Resolution M-4008 approving the 2020-2025 Transportation Improvement Program.

5. **Authorizing the award of a contract to Mark43, Inc. for the new police records management and report writing system (RMS)**

Staff Report 068-19

AN ORDINANCE authorizing the City Manager or designee to execute an Agreement with Mark43, Inc., a Delaware corporation licensed to do business in the State of Washington, for the provision of professional services and cloud-based software as a service for the benefit of providing the City of Vancouver, Washington, with a police record management system; and providing required Terms that such Agreement be for an initial term of not more than five years; providing for severability; and setting an effective date.

Summary

Background. In 2015, the Vancouver Police Department entered into a consortium of law enforcement agencies to participate in a shared regional records management system known as the Regional Joint Information Network (RegJIN), which is hosted by the Portland Police Bureau. Unfortunately, the efficiencies expected through the RegJIN system did not materialize. The RegJIN software system interaction has proven to be difficult and time-consuming from an officer/user perspective. For instance:

- RegJIN requires significant IT maintenance due to complex hardware

architecture, antiquated software design, and frequent system updates.

- *Promised RegJIN system improvements have been slow to achieve and not fully delivered.*

Additionally, RegJIN costs to maintain system functionality are largely fixed and have not decreased significantly—even with decreasing numbers of users. As a result, the Portland Police Bureau has hired a consultant to assist their agency with the replacement of the RegJIN software system. It is anticipated that the existing RegJIN system will cease to exist in the summer of 2021. As a result of the factors above, in 2018, the City of Vancouver provided notice of intent to terminate participation in the RegJIN project to the Portland Police Bureau.

Selection of Mark43. *After conducting an internal needs assessment, a competitive request for proposals (RFP) was developed and published. RFP responses were reviewed and rated by representatives of VPD and other key City stakeholders with diverse skills, experiences, and RMS needs. Vendor performances were evaluated by relevant users including Command members, Patrol officers and Records staff. Following review of vendor proposals and staff feedback, the Executive Steering Committee recommended the selection of Mark43 as the next VPD records management system vendor. Following several months of negotiations, Mark43 and City staff developed a tentative agreement pending City Council's approval. In recognition of City Charter provisions, this agreement (which could last fifteen years or longer if all renewal term option periods are exercised by the City) is accompanied by an enacting Ordinance.*

Agreement Overview.

- **General Provisions.** *If approved, Mark43 would provide a combination of professional services (e.g., computer interface development and data migration), subscriptions and technical support to a cloud-based Software as a Service Records Management System (SaaS Services).*
- **Cost.** *The City would pay \$1,278,116 for the initial 5-year Term of this agreement for professional services and SaaS services. This covers implementation costs as well as the subscription costs, but is exclusive of applicable taxes (e.g., sales and use taxes). Following the initial agreement term, the City will be responsible for pass-through costs of \$16,500 per year for a third-party system ("CommSys") that facilitates Mark43's connection to state and federal criminal justice databases.*
- **Duration.** *After the initial 5-year term, the City will have the option of exercising up to two additional 5-year renewal periods. The annual*

subscription fee (\$217,651.20) would be discounted by 10% during the first 5-year renewal term option period (adjusted annual total: \$195,886.08). During the second 5-year renewal term option period, Mark43 will be allowed to increase the subscription fee by 4.5% on a year-over-year basis for years 11-14, with no increase allowed in year 15. Thereafter, the agreement will renew on a year-to-year basis unless renegotiated.

Request: On Monday, June 17, 2019, subject to second reading and public hearing, approve the ordinance authorizing the City Manager or designee to sign an agreement with Mark43, Inc. of New York, NY, in an amount not to exceed \$1,278,116.00 exclusive of applicable taxes.

Jonathan Young, Chief Assistant City Attorney, 487-8500

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

Vancouver Police Chief James McElvain, Policy Sgt. Jeff Olson, and Chief Assistant City Attorney Jonathan Young provided staff comments.

Chief McElvain provided an overview of the history and background of the police records management system and the procurement process for this contract.

Mr. Young provided a summary of the proposed contract details and timeline for system implementation.

Councilmember Stober asked if any other jurisdictions are using the Mark43 system, and whether the system has the ability to integrate with other regional agencies' records systems. Mr. Young stated that, while the system has not been on the market as long as some others, it has been utilized by some larger jurisdictions, such as the DC Metro police department, Seattle, King County, and Clackamas County. He explained the system has the ability to anonymize data and the potential to harness the value and benefits of big data in the future.

Sgt. Olson explained that the City continues to work toward data sharing with partner agencies in the region and is in negotiations with Clark County to exchange licenses to each agency's records system, and Portland is looking at an opportunity that would allow information sharing across all regional agencies.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve Ordinance M-4268 authorizing the City Manager or designee to sign an agreement with Mark 43, Incl. of New York, NY, in an amount not to exceed \$1,278,116.00 exclusive of applicable taxes.

6. **Extension of Temporary Moratorium on Self-Storage Structures**

Staff Report 072-19

AN ORDINANCE continuing a temporary moratorium for the duration of six additional months upon the acceptance and processing of applications for permits for the development or expansion of self-service storage structures in the Community Commercial (CC), General Commercial (GC), Office Commercial Industrial (OCI) and Light Industrial (IL) zoning districts as defined in Vancouver Municipal Code Title 20, and establishing an immediate effective date.

Summary

The current moratorium prohibits the acceptance and processing of applications for permits for the development or expansion of self-storage structures until June 17, 2019. The moratorium has provided time to begin an analysis and develop recommended updates to standards and locations for siting storage facilities. The storage analysis and recommendations will also be informed by the Commercial Corridors Strategy, a larger review begun in March 2019 to examine areas in and near five major corridors in an effort to facilitate efficient urban density economic development and housing on and near major corridors through appropriate uses, building orientation, parking and other provisions. Extending the storage moratorium until December 17, 2019, will allow completion of the analysis and recommendations according to the enclosed workplan. Recent staff activities towards this goal include initial outreach to local storage businesses, and research of industry trends, other jurisdictions' approaches, and existing conditions locally.

Self-Storage Zoning Standards General Workplan

- | | |
|------|--|
| 2019 | • Complete inventory of existing local storage facilities |
| Q1 | • Initiate Commercial Corridors Strategy |
| | • Conduct storage stakeholder outreach |
| 2019 | • Identify storage industry trends, and land use regulatory approaches from comparable jurisdictions |
| Q2 | |
| 2019 | • Draft initial recommendations |
| Q3 | |
| 2019 | • Planning Commission and City Council worksession and public hearing |
| Q4 | |

Request: On Monday, June 17, 2019, subject to second reading and public hearing, approve ordinance.

Bryan Snodgrass, Principal Planner, 487-7946

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

Bryan Snodgrass, Principal Planner, and Cayla Cothron, Associate Planner, provided staff comments.

Mr. Snodgrass provided background on the moratorium and an overview of the upcoming work plan for the remainder of the year.

Councilmember Paulsen asked staff how certain they were that the work plan could be accomplished on time so the moratorium would not need to be extended again. Mr. Snodgrass stated he was confident staff could complete the work and resolve the moratorium before this proposed extension expires, barring any unforeseen issues that may need to be addressed.

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

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried 5-2, with Councilmembers Turlay and Hansen voting no, approved Ordinance M-4269.

Communications

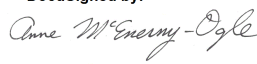
A. From the Council

B. From the Mayor

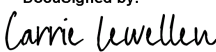
C. From the City Manager

Adjournment

7:13 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

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Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy 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.