



CITY COUNCIL MEETING MINUTES

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

Anne McEnergy-Ogle, Mayor

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

May 13, 2019

City Council Retreat - A Stronger Vancouver

All present

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

2:00-6:00 p.m. - Aspen Room

[public notice](#) | [City Manager memo](#) | [retreat presentation](#)

AGENDA

- Objectives for the session
- Review of A Stronger Vancouver origins and context
- Review of integrated service and revenue package recommendation
- Overview of key decision points:
 - Service package elements
 - Revenue sources
- Review path to action and next steps
- Adjourn

The Regular City Council meeting will take place following the retreat at 6:30 p.m. in the City Council Chambers.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6PM)

COUNCIL REGULAR MEETING (with Citizen Forum)

Pledge of Allegiance

Call to Order and Roll Call

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

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

Absent: None

Proclamations

- Better Hearing Month

Mayor McEnerny-Ogle read and presented a proclamation to Dr. Chris Cox, audiologist, and Linda Schadler, patient care coordinator, proclaiming May 2019 as Better Hearing Month.

- Poppy Days 2019

Mayor McEnerny-Ogle read and presented a proclamation to Connie Jones, President of the American Legion Auxiliary Smith-Reynolds Post 14, proclaiming May 18-31, 2019, as Poppy Days.

- Small Business Month

Mayor McEnerny-Ogle read and presented a proclamation to Gale Castillo, Executive Director of the Hispanic Metropolitan Chamber, proclaiming May 2019 as Small Business Month.

Citizen Communication (Items 1-5)

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

- Christine Wamsley, representing Christensen Group Inc., spoke in support of Item 3 and thanked the City for its work on the project.
- Kathy McDonald, Vancouver, spoke in support of Item 4, stating the proposed development would bring high-wage employers to downtown Vancouver.
- Paul Christensen, Vancouver, spoke in support of Item 4.

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

Consent Agenda (Items 1-5)

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

1. **Bid Award for the SE 164th/162nd Ave NHS Resurfacing Project (Mill Plain to NE 18th St)**

Staff Report 057-19

Summary

The SE 164th/162nd Ave. NHS Resurfacing Project (Mill Plain to NE 18th St.) is being constructed as part of the Pavement Management program. This year's pavement management program includes three separate resurfacing contracts. A total of 24 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 10 lanes miles of paving.

The recommended action in this staff report is to award the SE 164th/162nd Ave NHS Resurfacing Project. The E. Mill Plain Blvd. NHS Resurfacing Project and 2019 Resurfacing Project are both currently scheduled for award on June 3, 2019.

On April 30, 2019, the City received 3 bids for the subject project. The bids ranged between \$1,908,908.00 to \$1,990,990.00. The low bidder was responsive. The bids are as follows:

Summary of Bids	
<u>Bidder</u>	<u>Amount</u>
Lakeside Industries Inc., Vancouver, WA	\$1,908,908.00
Clark & Sons Excavating, Battle Ground, WA	\$1,979,431.00
Granite Construction Company, Vancouver, WA	\$1,990,990.00
Engineers' Estimate	\$2,100,000.00

Due to the federal funding associated with this project, the Washington State Department of Transportation (WSDOT) set an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 8%. Lakeside Industries Inc. has committed to meet this goal. Although this project has not been assigned a federal training requirement, federal guidelines for grant projects do not allow the inclusion of local agency apprenticeship programs. Consequently, there are no City apprenticeship goals for this project.

Request: Authorize the City Manager or designee to award a construction contract for the SE 164th/162nd Ave NHS Resurfacing Project to the lowest responsive and responsible bidder, Lakeside Industries Inc., of Vancouver, WA, Washington, at their bid price of \$1,908,908.00, which includes Washington State sales tax, and same.

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

Motion approved the request.

2. **NE 152nd Ave/NE 43rd Street Sewer Realignment**

Staff Report 062-19

Summary

The NE 152nd Avenue Sewer Re-alignment project is proposed to install 966 lineal feet of 8-inch gravity sewer main to replace an existing 8-inch main that requires extensive monthly maintenance. The existing main over the past several years has required on-going preventative maintenance, flushing and cleaning of the main to ensure that property owners were provided the best sewer service possible. It has been determined that it would be more cost effective to replace and realign the main. In addition, this will reduce the City's liability related to potential sewer backups.

On April 23, 2019, the City received 6 bids for the project. The bids ranged between \$366,066 and \$533,837. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
Bidder	Amount
<i>Folden Construction, Inc., Vancouver, WA</i>	<i>\$366,066.00</i>
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$424,219.94</i>
<i>McDonald Excavating, Inc., Washougal, WA</i>	<i>\$425,327.60</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$465,399.22</i>
<i>Clark and Sons Excavating, Inc., Battle Ground, WA</i>	<i>\$528,078.60</i>
<i>Nyland Inc., Brush Prairie, WA</i>	<i>\$533,836.42</i>
<i>Engineers' Estimate</i>	<i>\$450,000.00</i>

Based on the amount of the bid, this project is below the \$500,000 limit that requires a minimum apprenticeship utilization.

Request: Authorize the City Manager or designee on May 13, 2019, to

award a construction contract for the NE 152nd Avenue Sewer Re-Alignment project to the lowest responsive and responsible bidder, Folden Construction, Inc. of Vancouver, WA at their bid price of \$366,066, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

3. Vigor Lease of City Boat Basin

Staff Report 063-19

Summary

The City is the owner of land and two easement that it first leased to CGI, successor to Christensen Motor Yacht Corporation, Inc. for a term of 60 years, to construct a boat basin and boat launch, as described in Exhibit A to the draft lease, in support of its yacht construction business located at 4400 SE Columbia Way, pursuant to a 1990 Agreement. For many years, Christensen manufactured luxury yachts at their facility and used the boat basin to outfit and launch their vessels, but recently it was announced that the company would be relocating to new facility in Tennessee.

Vigor Industrial, an established steel and aluminum boat building company, recently announced it was negotiating a purchase of the Christensen facility to accommodate their 10-year, nearly \$1 billion contract with the U.S. Army to build next generation landing craft. Vigor has indicated that the Christensen facility will employ 400 skilled workers at full production, and is ideally-suited for their manufacturing needs, but continued access to the City's boat basin for launching and retrieval of their vessels is a requirement of them consolidating two other boat-building facilities in Vancouver.

CGI intends to transfer their lease and all rights and responsibilities to Vigor; however, Vigor has noted that the original lease to CGI references that the boat basin would for "yachts" which Vigor is clearly not intending to manufacture. As such, Vigor has requested that the Basin Lease Agreement be amended to replace "yachts" with "marine vessels." This is the only substantive change that is proposed.

Vigor, upon transfer of the lease by CGI, will assume the lease payments, and may use the basin solely for vessel launching, retrieving, mooring, egress, and ingress and for outfitting, repair, and maintenance of marine vessels in support of operations at 4400 SE Columbia Way. Vigor has indicated there are currently no conflicts between their proposed operations and the existing City fireboat house or use of the basin for the rapid response vessel, and will consent to continued use of the basin by the City fire department, subject to a separate sublease agreement.

Request: Authorize the City Manager or designee to approve the attached amended agreement regarding the lease of the city's boat basin by CGI, which will transfer their lease to Vigor Industrial including rights to use two access easements until November 1, 2056 for purposes of launching, retrieving, storing, and outfitting marine vessels. The only substantive change in the agreement, last updated in 2018, is that, references to "yachts" will be replaced by "marine vessels" in order to make it clear that other types of vessels to be launched, retrieved, etc. by Vigor are not limited to yachts.

*Chad Eiken, Community and Economic Development
Director, 487-7882*

Motion approved the request.

4. Block 10 RFP Process

Staff Report 064-19

A RESOLUTION relating to the disposition of Block 10 and, pursuant to VMC 3.30.060, authorizing the disposition of the property through means of a negotiated sale.

Summary

As discussed with Council at the May 6, 2019 workshop, negotiations with Gramor Development have to date not resulted in attracting a grocery store to a development on Block 10 and - despite best efforts - both City and Gramor have not been able to reach agreement on the terms of a disposition and development agreement. Staff has been following national trends in the grocery industry such as an increase in online ordering of groceries, which has created significant challenges to a grocery store locating in the downtown, at least in the near term.

Holland Partner Group, a highly-experienced mixed use developer based in Vancouver, has expressed interest in developing Block 10 for an 11-story, 110,000 square foot office tower and a 7-story 126-unit apartment tower with rents at 80% of area median income, with structured parking and ground floor retail space. Over half of the office tower would be occupied by the corporate headquarters of Holland Partners Group, which currently employs 175 people but anticipates significant growth. Holland has also expressed a desire to begin construction by the end of 2019, nearly two years sooner than the Gramor project.

While the City remains committed to locating a full-service grocer in the

downtown, the current uncertainty in the industry warrants reconsideration of the use of Block 10. The proposed development by Holland Partner Group for a corporate headquarters, 126 workforce housing units with supporting ground floor retail will activate this key block of downtown and on a much shorter time frame.

In order for staff to enter into direct negotiations with Holland, City Council would need to adopt a resolution that closes out the prior RFP process and end negotiations with Gramor Development, and authorize staff to begin property negotiations with Holland. The attached resolution would accomplish both actions.

Request: Approve a resolution closing out the Block 10 RFP process and negotiations, and authorize City staff to enter into direct negotiations with Holland Partner Group regarding the development and disposition of Block 10.

Chad Eiken, Community and Economic Development Director, 487-7882

Chad Eiken, Community and Economic Development Director, provided staff comments.

Councilmember Lebowsky stated she supports this resolution and moving forward with development of Block 10, but she wanted to remind the public that the City Council remains committed finding a grocery solution for downtown, as the area remains a food desert. She suggested the Council direct staff to explore potential incentives for attracting a grocery provider, such as impact fee waivers and looking at existing regulatory barriers that could be addressed. She suggested that if such incentives were successful downtown, the City could look at expanding the program to other parts of the city where such a need exists. Councilmember Lebowsky referenced an ordinance from Ridgefield that addresses similar issues.

Mr. Eiken noted Vancouver would want to start with a narrower scope than what is included in Ridgefield's ordinance. He suggested another potential incentive could be looking at how to publicly fund a parking garage for a grocery store.

Councilmember Hansen stated he agrees downtown is a food desert but Block 10 is not the best location for a grocery store. He said that as the density downtown increases, a grocer or developer will approach the City. But he agreed that the City should explore potential incentives.

Councilmember Stober stated that one concern he has is the City trying to dictate too much what a downtown grocer looks like and models other than a traditional grocery store may be better options.

Councilmember Turlay stated that the market will decide the future of grocery shopping and it is premature for the City to dictate that.

Councilmember Paulsen stated he was very supportive of the current action before the Council and with move forward with Block 10. He stated the fact that the City decided to do a direct negotiation with the developer rather than issue another Request for Proposals for the site is an example of Opportunity Zones in action and the fast pace that is required. He noted the Council is still committed to bringing a grocer to the downtown area and suggested the City include access to amenities like a grocer when it is considering affordable housing.

Councilmember Lebowsky stated she supports the Holland Group's proposal for Block 10 and noted it will bring more people downtown. She emphasized the City should do what it can to incentivize grocers, and she stated she also wants to work with Fred Meyer and C-TRAN to work toward some circular transit option between downtown and Grand Central.

Mr. Eiken stated that bringing a grocer to downtown Vancouver continues to be a priority for his department and staff will continue to explore incentives. He noted that C-TRAN does provide shuttle service for some residents. Mr. Eiken stated the City will begin working in earnest on negotiations with Holland Group for their proposal and expected to bring a disposition and development agreement to the Council for consideration by the end of summer.

Motion adopted Resolution M-4007 approving the request.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for May 13, 2019.

(Copy available upon request.)

Motion approved the claim vouchers for May 13, 2019, in the amount of \$2,357,492.84.

Public Hearing (Item 6)

6. Condemnation Ordinance

Staff Report 060-19

AN ORDINANCE relating to transportation and streets and sidewalks; declaring the public necessity for and providing for the acquisition by the City of Vancouver by eminent domain of certain property described herein located

along S.E. Mill Plain Blvd. between SE 105th Ave and SE 107th Ave, to construct street improvements and related facilities within the City of Vancouver, Washington; authorizing the City Attorney to prosecute eminent domain proceedings and to stipulate in mitigation of damages; providing for payment for such property; and providing for an immediate effective date.

Summary

The City is currently advancing the design and right-of-way acquisition phases for the Mill Plain Boulevard Safety Improvement Project between 104th Avenue and Chkalov Drive. The project will improve safety and reduce congestion for travel along the corridor in the vicinity of the I-205 interchange. The \$4.6 million project includes \$4.2 million in grant funding and \$400,000 in local street funding. The construction grant funds must be obligated by August 2019 or these fund will be forfeited by the City.

Improvements along the south side of Mill Plain Boulevard between 104th Avenue and 107th Avenue necessitate right-of-way acquisitions from multiple parcels. The City has successfully negotiated property acquisitions with all but two of these parcels. The owners of the remaining two parcels have yet to agree to the City's offers. Therefore, it is recommended that we advance the eminent domain right-of-way acquisition process into the condemnation phase. Initiating that phase requires the City Council to designate the project as a Public Use, Necessity and Convenience.

Request: On May 13, 2019, subject to second reading and public hearing, approve the ordinance.

Ryan Lopossa, Streets and Transportation Manager, 487-7706

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

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

City Manager Eric Holmes noted that this item had been previously brought before Council under executive session.

Mr. Lopossa provided an overview of the proposed action, including the scope, status and budget, right-of-way acquisition status, conditions and improvements of the current area, the legal process for condemnation, and next steps for the project. He noted that the City is very close to finalizing negotiations with one of two remaining property owners and he was optimistic a deal would be arrived at with the final property owner as well. But given the window for bidding and construction on the grant-funded project, the City felt it was prudent to initiate condemnation proceedings in the event negotiations are not successful.

Councilmember Stober asked what benefits the property owner would experience if the City initiates the condemnation process. Mr. Lopossa explained that the City can ask the property owner for permission to do work on their property, and if the condemnation process is initiated after that permission is granted, the property owner could get court and attorney fees covered in any settlement if it gets to that point.

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 approved Ordinance M-4267.

Citizen Forum

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

- Dale Chambers, Vancouver, stated that City streets and sidewalks need to be improved, parks need to be better maintained, and Vancouver needs more transit options, local jobs and a new I-5 bridge to address congestion.
- Carmen McKibben, Vancouver, thanked the City for its leadership in acquiring a grant for the Fourth Plain Community Commons. Regarding A Stronger Vancouver, she stated she agreed something needs to be done to address the City's structural deficit but urged the City to think about impacts to individual people, especially the elderly disabled and communities of color.
- Aaron Babcock, Longview, Washington, spoke regarding federal, state and county constitutional issues.
- Debra Kalz, Vancouver, expressed concerns regarding insufficient disabled parking for people who need to find spaces large enough to accommodate a van with a ramp for a motorized mobility scooter.
- Glen Yung, Vancouver, stated he sat in on a portion of the Stronger Vancouver retreat earlier in the day and requested the City develop real-life examples of the impacts of the potential proposed scenarios.
- Megan Linder, Battle Ground, Washington, expressed concerns with how local news sources have depicted officer-involved shootings with rhetoric that leads to negative conclusions regarding the police department

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

Communications

A. From the Council

B. From the Mayor

Mayor McEnerny-Ogle invited C-TRAN CEO Shawn Donaghy to provide an overview of proposed changes to C-TRAN's Route 39 near the Rose Village Neighborhood.

Mr. Donaghy reported on the proposed changes and potential mitigation options.

C. From the City Manager

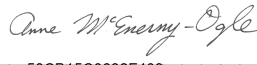
a. A Stronger Vancouver retreat recap

Mr. Holmes provided a summary of the Council retreat held earlier that day regarding A Stronger Vancouver. He reported that staff completed delivery of the Executive Sponsors Council's recommendation to Council, including a detailed review of the projects, programs, projected outcomes and methods of funding. Staff and Council also reviewed key policy questions that Council will consider and address in the coming months and an overview of a potential work program for Council to reach an action point.

Mr. Holmes reported that Council has requested to see a revised and extended work plan that would put action on track for later this fall. Council directed staff to schedule time over the early summer for Council to work toward initial refinements of the package, including consideration of a community engagement strategy that would include a round of community engagement in late summer on the refined package, including a range of forums and opportunities to raise citizen awareness and gather input. Such engagement would dovetail with a broader community awareness and education strategy after Council adoption of a package and would include case examples of the outcomes and impacts of a potential package.

Adjournment

7:59 p.m.

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:
Natasha Ramras
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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.