



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

April 5, 2021 - Vancouver City Council Meeting Minutes

WORKSHOPS

Workshops were conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS, or listen via the GoToMeeting conference call.

Councilmember Fox was absent from workshops.

4:30-5:30 p.m. Clark County Public Health - COVID-19 Update

Dr. Alan Melnick, Clark County Public Health Director

Summary

Dr. Alan Melnick, Clark County Public Health Director, provide Council with an update on the COVID-19 pandemic, the local and state public health response, and vaccination efforts.

5:30-6:00 p.m. Metro Update

Lynn Peterson, Metro Council President

Summary

Metro Council President Lynn Peterson provided Council with an overview of Metro's current programs and initiatives.

REGULAR COUNCIL MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda and Public Hearing items were also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted remotely over video conference.

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

Absent: Councilmember Fox

Motion by Councilmember Glover, seconded by Councilmember Stober, and carried unanimously to excuse Councilmember Fox.

Also present on the call were the following: Brian Carlson, Deputy City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Hassan Abdalla, Engineering Manager; Bill Bjerke, Operations Superintendent; Brent Boger, Assistant City Attorney; Teresa Brum, Economic Development Division Manager; Linda Carlson, Property Management Specialist; Chris Christofferson, City Traffic Engineer; Cayla Cothron, Associate Planner; Chad Eiken, Community and Economic Development Director; David Galazin, Assistant City Attorney; Sheryl Hale, Senior Engineering Supervisor; Keith Jones, Senior Planner; Rebecca Kennedy, Long Range Planning Manager; Aaron Lande, Program and Policy Manager; Bryan Monroe, Associate Planner; Natasha Ramras, Chief Financial Officer; Cara Rene, Communications Director; Peggy Sheehan, Community Development Programs Manager; Chris Sneider, Senior Civil Engineer; Dan Swensen, Interim Public Works Director; Andrew Westlund, Assistant Planner; and members of the public.

Approval of Minutes

Minutes - March 8, 2021

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of March 8, 2021.

Minutes - March 15, 2021

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of March 15, 2021.

Minutes - March 22, 2021

Motion by Councilmember Stober, seconded by Councilmember Glover, and carried unanimously to approve the meeting minutes of March 22, 2021.

Community Communications (Items 1-8)

Mayor McEnerny-Ogle opened Community Communications and, receiving no testimony, closed Community Communications.

Consent Agenda (Items 1-8)

Council requested Items 6 and 7 be pulled from the Consent Agenda for separate discussion, as summarized below.

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve Items 1-5 of the Consent Agenda.

Regarding Item 6, Councilmember Hansen asked whether it would be possible to have the offender labor crews work on picking up trash along the freeway onramps.

Mayor McEnerny-Ogle noted that the Washington State Department of Transportation (WSDOT) had previously said they would not be hiring offender labor crews until the pandemic situation was better.

Bill Bjerke, Public Works Operations Superintendent, stated he had reached out to Clark County, as their crews have been recently reinstated in a limited capacity. He said they sometimes will lend out their crews to other jurisdictions upon request when they have capacity to take on additional work. Mr. Bjerke stated he had also reached out to State officials to determine whether City crews could be authorized to work on clean-up on State property at the freeway onramps, but he is waiting for a response.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve Items 6 and 8 of the Consent Agenda.

Regarding Item 7, Councilmember Hansen stated he had watched the Planning Commission discussion about the Shoreline Master Program update, and particularly the issue of the inability to use the Shoreline Management Act to address the adverse impact that unauthorized camping may have on the health of the shorelines. He stated he appreciates staff including the Planning Commission's feedback on this issue in the materials presented to Council. He stated he is concerned that environmentally sensitive areas may be impacted because the

services have not been put in place to assist people who are experiencing homelessness. He stated for that reason he would not be supporting this ordinance at this time.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried 5-1 to approve Item 7 of the Consent Agenda. Councilmember Hansen voted No.

1. Bid Award for the 2021 East Curb Ramps project, per Bid #21-10

Staff Report 047-21

Summary

The City is issuing two separate curb ramp contracts this year as part of its 2021 pavement management program. These contracts include the "2021 East Curb Ramps" and the "2021 West Curb Ramps." The purpose of splitting the work into two contracts is to reduce each contract to a manageable size, which helps expedite ramp construction. From a construction sequencing standpoint, it is far more efficient to construct the new curb ramps in advance of the on-street pavement management resurfacing work.

This staff report and recommended action is to award the 2021 East Curb Ramps contract only. A recommendation for the the west curb ramp project was presented to and awarded by City Council on March 22, 2021.

On March 16, 2021, the City received five bids for the subject project. The bids ranged between \$509,325.00 to \$574,965.00 dollars. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Lee Contractors LLC, Battle Ground, WA	\$509,325.00
Advanced Excavating Specialists (AES), LLC, Longview, WA	\$524,000.00
Clark and Sons Excavating, Inc., Battle Ground, WA	\$532,016.00
Halme Excavating, Inc., Battle Ground, WA	\$537,865.00
NW Construction GC Inc., Battle Ground, WA	\$574,965.00
Engineer's Estimate	\$590,000.00

There is a minimum apprenticeship goal of 3% of the utilized labor hours for this project. Lee Contractors LLC of Battleground, Washington has submitted an Apprenticeship Utilization Plan to meet or exceed this goal by using approximately 100 hours of apprentice time of the estimated total of

2,140 applicable labor hours for the project.

Request: Award a construction contract for the 2021 East Curb Ramps project to the lowest responsive and responsible bidder, and authorize the City Manager or his designee to sign a contract with Lee Contractors LLC from Battle Ground, WA, at their bid price of \$509,325.00, which includes Washington State sales tax.

Chris Sneider, Senior Civil Engineer, 360-487-8239

Motion approved the request.

2. Bid Award for the 2021 Pavement Repairs, per Bid #21-11

Staff Report 048-21

Summary

The 2021 Pavement Repairs Project is being constructed as part of the pavement management program. This project involves repairing failed pavement on streets that will receive a preservation treatment in 2021. Preservation treatments include microsurfacing, slurry sealing, chip sealing, and cape sealing. Most of the pavement, on the streets selected for preservation, is in fair condition and is ready for a preservation treatment. However, areas of failed pavement need to be repaired before a preservation treatment may be placed on them. This is work that has been done every year to prepare the streets for preservation.

This project also includes streets that are not receiving a preservation treatment this year. Because of the poor pavement condition, the City is incurring excessive maintenance costs for City crews to do maintenance repairs such as filling potholes and ruts on those streets. It will be more cost effective to do pavement repairs than to continue doing maintenance repairs on them.

The attached vicinity map shows where streets will receive pavement repairs. Corridors include W 16th St, Columbia St, Grand Blvd, Falk Rd, Main St, St James Rd, NE 58th St, NE 94th Ave, NE 98th Ave, NE 112th Ave, NE 59th St, NE 137th Ave and various streets in the Green Meadows Neighborhood Association.

On March 16, 2021, the City received five bids for the subject project. The bids ranged from \$668,754.00 to \$833,833.00 dollars. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	

BIDDER	AMOUNT
<i>Lakeside Industries Inc., Vancouver, WA</i>	<i>\$ 668,754.00</i>
<i>Brix Paving NW, Tualatin, OR</i>	<i>\$ 716,820.00</i>
<i>Central Paving, LLC, Ellensburg, WA</i>	<i>\$ 735,500.00</i>
<i>Clark and Sons Excavating, Battle Ground, WA</i>	<i>\$ 808,738.00</i>
<i>Granite Construction, Vancouver, WA</i>	<i>\$ 833,833.00</i>
<i>Engineer's Estimate</i>	<i>\$ 800,000.00</i>

There is a minimum apprenticeship goal of 3% of the utilized labor hours for this project. Lakeside Industries, Inc. of Vancouver, Washington has submitted an Apprenticeship Utilization Plan to meet or exceed this goal by using approximately 82 hours of apprentice time of the estimating a total of 2,733 applicable labor hours for the project.

Request: Award a construction contract for the 2021 Pavement Repairs Project to the lowest responsive and responsible bidder, Lakeside Industries Inc., of Vancouver, Washington, at their bid price of \$668,754.00, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same.

Chris Sneider, Senior Civil Engineer, 360-487-8239

Motion approved the request.

3. **Bid Award - Central Vancouver North PH2 Sewer Improvements, per Bid #21-07**

Staff Report 049-21

Summary

The Central Vancouver North Phase 2 project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 37 parcels by installing approximately 2,300 linear feet of 8-inch gravity sewer mains in NE 70th St, NE 63rd Ave, NE 62nd Ave, NE 60th Ave and NE 58th Ave.

On March 9, 2021, the City received 6 bids for the subject project. The bids ranged between \$480,000 and \$550,000 with 2 bids determined to be non-responsive. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$488,333.33</i>

<i>Nutter Corporation, Vancouver, WA</i>	<i>\$502,424.22</i>
<i>NW Construction General Contracting, Battle Ground, WA</i>	<i>\$524,845.70</i>
<i>Halme Battle Ground, WA</i>	<i>\$540,383.11</i>
<i>Clark County Paving, Battle Ground, WA</i>	<i>Non-responsive</i>
<i>Folden Construction, Vancouver, WA</i>	<i>Non-responsive</i>
<i>Engineer's Estimate</i>	<i>\$480,000.00</i>

Based on the amount of the bid, this project falls under the \$500,000 policy threshold, so there are no contractual requirements for the contractor to deliver apprenticeship hours on this project.

Request: Award a construction contract for the Central Vancouver North Phase 2 Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, Advanced Excavating Specialists of Longview, WA, at their bid price of \$488,333.33, which includes Washington State sales tax.

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

Motion approved the request.

4. Award of Contracts for On-Call Traffic Engineering Services

Staff Report 050-21

Summary

The City regularly requires the services of professional traffic engineers who are experts in the field of fiber optic design, traffic signal design and street light design. The City has current on-call contracts with firms that provide these professionals to supplement City staff when needed. The current on-call contract will expire on April 17, 2021. Traffic engineering on-call consultants are used for federally funded projects and locally funded projects. Projects include new traffic signals, new fiber optic network design, and new street light installations. In addition to Traffic Engineering and Operations, the following departments will be using the on-call contract: Community & Economic Development, Information Technology, Transportation Development Review, Pavement Management, and Transportation.

The City issued a request for proposals for on-call traffic engineering services on February 3, 2021. On February 24, 2021, the City received three proposals for on-call traffic engineering services. The three firms are: DKS Associates (Portland, OR), Kittelson & Associates, Inc., (Portland,

OR), and Global Transportation Engineering, (Portland, OR).

After reviewing the proposals, staff recommends moving forward with a contract with all three firms. The City intends to execute each contract for five years. Each contract is proposed to not exceed \$1,000,000.00. This will allow other departments to use the on-call contract as needed for large and small projects.

Request: Award contracts to DKS Associates (Portland, OR), Kittelson & Associates, Inc., (Portland, OR), and Global Transportation Engineering, (Portland, OR) for traffic engineering services on an on-call basis. Each contract shall not exceed \$1,000,000.00 for the life of the contract.

Chris Christofferson, City Traffic Engineer, 360-487-7716

Motion approved the request.

5. Amendment to the existing professional services agreement for on-call right-of-way acquisition services with Right-of-Way Associates, Inc.

Staff Report 051-21

Summary

Under Request for Proposals (RFP) #22-13, City Council approved four on-call right-of-way acquisition agreements, each agreement was approved for not-to-exceed \$300,000.00 (Staff Report 076-13, dated August 19, 2013). Under these on-call agreements, transportation staff have been acquiring rights-of-way for street construction projects, which typically require the services of experts in the field of right-of-way acquisition and relocation in order to meet all of the requirements established by the State and Federal granting agencies.

By way of the City Council approved on-call right-of-way agreements roster, Right of Way Associates, Inc. of Beaverton, Oregon, was selected to perform the right-of- way acquisition for the SE 1st Street project. The acquisition negotiations are currently 100% complete; however, due to issues related to the COVID-19 pandemic, it has taken more time and effort than originally projected to complete the acquisitions and certification process. As such, an increase in the contract amount is needed to provide for the work needed to complete the ROW certification process, archiving process, and preparing the the project to move into the construction phase. If approved, the Agreement amount would be increased by \$25,750 for a new total not-to-exceed amount equal to \$325,750.

Request: Approve an amendment to the on-call services agreement with Right of Way Associates, Inc. of Beaverton, OR, and authorize the City Manager or his designee to execute the attached amendment to increase the existing contract by \$25,750 for a total not-to- exceed contract amount of \$325,750.

Leslie Degenhart, Senior Civil Engineer, 360-487-7710

Motion approved the request.

6. Interlocal Agreement for Supervisor Offender Labor Services

Staff Report 052-21

Summary

The City of Vancouver (Public Works/Operations) has contracted with Clark County Corrections for offender labor maintenance services for more than twenty years. This alternative workforce has provided the City with an additional resource to complete non-skilled maintenance tasks at an affordable price.

The attached Interlocal Agreement provides five crews that can be used for up to 988 crew days over the term of the one-year agreement. Activities include, but are not limited to, general litter removal, landscape maintenance and weeding, road right-of-way and median maintenance, general park and recreation area maintenance for four full-time crews. A fifth crew will be assigned to the Greenway Sensitive Lands program for removal of non-native plant species, assistance in plantings, and general shrub bed maintenance generally within the Burnt Bridge Creek Greenway and at other sensitive lands within the City of Vancouver.

Request: Authorize the City Manager or his designee to sign an Interlocal Agreement with Clark County Correction Services for offender crew labor/maintenance services.

Bill Bjerke, Public Works Operations Superintendent, 360-487-8245

Motion approved the request.

7. Periodic review and update to the Vancouver Shoreline Master Program, as required by the Washington State Shoreline Management Act under RCW 90.58.080(4)

Staff Report 053-21

AN ORDINANCE relating to the Shoreline Master Program periodic review as required by Revised Code of Washington (“RCW”) Chapter 90.58, the Shoreline Management Act; amending the City of Vancouver Shoreline Master Program (SMP) Chapter 2 Applicability, Shoreline Permits and Exemptions, Section 2.1 Applicability; Section 2.3 Exemptions from a Shoreline Substantial Development Permit; Chapter 3, Shoreline Master Program Goals and Policies, Section 3.6 Flood Prevention and Flood Damage Minimization; Chapter 4 Shoreline Designations, Section 4.3 Shoreline Designations; Chapter 5 General Shoreline Use and Development Regulations, Section 5.1 General Shoreline Use and Development Regulations; Section 5.3 Critical Areas Protection; Section 5.4 Public Access; Section 5.6 Site Planning and Development; Section 5.7 Vegetation Conservation; Section 5.9 Water Quality and Quantity; Chapter 5A VMC 20.740, Critical Areas Protection; Chapter 6 Specific Shoreline Use Regulations, Section 6.2 Shoreline Use, Modification, and Standards Table 6-1; Section 6.3 Use-specific Development Regulations; Section 6.4 Shoreline Modification Regulations; Chapter 7 Administration and Enforcement, Section 7.1 General Provisions; Section 7.2 Administrative Authority and Responsibility; Section 7.3 Master Program Amendments; Section 7.4 Permitting Procedures; Section 7.5 Enforcement; Section 7.8 Rescission of Permits; Chapter 8, Definitions; and Appendix A Unofficial Shoreline Designation maps; subject to approval by the Washington State Department of Ecology (Ecology); providing for severability; and providing for an effective date.

Summary

The periodic review proposal includes text changes in strikethrough/underline format and associated map changes to ensure the SMP stays current with changes in laws and rules, remains consistent with other city plans and development regulations, and is responsive to changed circumstances, new information, and improved data. The proposed amendments are summarized below, and the full detailed list can be found in the Summary of Proposed Amendments provided as an attachment to this staff report:

State Legislative Amendments

- *Revise cost thresholds for shoreline permit exemptions.*
- *Add new shoreline permit exemption to comply with the Americans with Disabilities Act and state law.*
- *Clarify process, definitions, and/or references to comply with state law.*
- *Update wetlands regulations to align with Ecology’s most recent critical areas guidance.*

Additional Amendments

- *Fix errors and address issues of clarity, consistency, redundant or inaccurate language and/or process and relevancy of regulations.*
- *Expand sections of the SMP related to mitigation for adverse impacts to shallow-water habitat to include creation, enhancement, and/or*

payment of mitigation bank credits.

- *Replace existing terms of “extreme edge or bank” with specific and defined terms to clarify under what circumstances revetments can be located partially below the Ordinary High Water Mark (OHWM), that they are not considered fill, and when and how adverse impacts to shallow-water habitat require mitigation.*
- *Remove provisions from the frequently flooded areas section not required to be included in the SMP, and include a soft reference to the Title 20 critical areas regulations.*
- *Update SMP Chapter 5A to be consistent with VMC Title 20 Critical Areas Protection code updates since 2012, and amend for applicability and permitting in shoreline jurisdiction.*
- *For all other shorelines within City limits not included in the area along the Columbia River from Wintler Park to the Vancouver Flushing Channel, maintain the full extent of the 100-year floodplain in shoreline jurisdiction for conservancy designations, and apply minimum jurisdiction (200 feet from ordinary high water mark) in High Intensity and Medium Intensity designations to allow for reasonable use of land and development where intended. Update Shoreline Designation Maps to reflect this proposed change to shoreline jurisdiction.*
- *Change structural shoreline stabilizations to a permitted use in High Intensity designations (currently a conditional use) to eliminate undue process on properties that already have developed shorelines.*
- *Allow a signage master plan or sign program to be developed through a Special Sign District Process in order to supersede SMP requirements, where appropriate.*
- *Clarify the relationship between critical areas regulations and their applicability in shoreline jurisdiction for ease of use by both applicants and planning officials.*
- *Only require mailings for shoreline statement of exemptions that require a federal permit.*
- *Make height limitation 35' for non-water-oriented commercial uses in Medium and High Intensity designations to be consistent with the allowance for other uses.*
- *Change non-water oriented institutional uses in High and Medium Intensity designations to a permitted use to reduce undue process while maintaining provisions that encourage water-oriented uses, where feasible.*
- *Include allowances for non-water-oriented commercial uses per state law to provide flexibility where appropriate or where water-oriented uses are not feasible.*
- *Defer to the review and approval under federal requirements for disposal of dredging material and encourage environmentally sound beneficial uses, when feasible.*
- *Make amendments to address non-substantive items that will improve readability and usability for both applicants and planning officials.*

On February 9, 2021, the Planning Commission held a public hearing on the SMP periodic review and, by a vote of 5-1, forwarded a recommendation to Council to approve the periodic review and proposed amendments to the Vancouver Shoreline Master Program as outlined in this staff report. They requested that staff, in forwarding their recommendation, notify Council about a challenge they have identified with the way shoreline regulations are currently applied to unauthorized camping in shoreline jurisdiction. In summary, they feel that it is difficult to support regulations that are not universally applied to all members of the population, and some Commissioners stated that it is bad policy to enact laws and regulations that are not applied evenly. The Commission acknowledged that the issue of houselessness is not easily resolved, and additionally wished to convey to Council that this note does not dilute the recommendation to approve the proposed amendments or the overall quality of the periodic review process. More detail on Commission deliberation can be referenced in the meeting minutes.

On the issue of unauthorized camping along shorelines, provisions exist in the SMP that give the Shoreline Administrator some enforcement authority for violations in shoreline jurisdiction, and this is generally understood to apply to uses or activities that require a permit under a jurisdiction's Shoreline Master Program. The City has consulted with the Washington State Department of Ecology on this issue, and while they recognize that unauthorized camping is an issue that impacts shoreline health, their guidance is that this is a larger social issue that impacts more than just shorelines and the Shoreline Management Act is not intended to nor is it the appropriate place to address it. In addition, the City Attorney's Office has determined that local jurisdictions are constrained in their ability to address these activities in the same way as other code enforcement issues. The City of Vancouver is bound by the Ninth Circuit Martin v. City of Boise case which restricts clearing houseless encampment sites where the individuals do not have a meaningful alternative, such as a shelter space or legal place to camp. Although project staff have found that the SMP is not the appropriate forum to address this issue, community concerns about adverse environmental impacts caused by unauthorized camping have been raised during the periodic review process.

Request: On Monday, April 5, 2021, approve ordinance on first reading, setting date of second reading and public hearing for Monday, April 19, 2021.

Cayla Cothron, Associate Planner, 360-487-7899

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

Motion approved the request.

8. **Approval of Claim Vouchers**

Request: Approve claim vouchers for April 5, 2021.

Motion approved claim vouchers for April 5, 2021, in the amount of \$10,579,885.50.

Public Hearings (Items 9-13)

9. **Approval of Disposition Real Property located at 900 West Evergreen Blvd. and approval of Purchase and Sale Agreement**

Staff Report 054-21

A RESOLUTION of the City of Vancouver authorizing disposition of certain real property located at 900 West Evergreen Blvd.

Summary

Council approved an ordinance (M-3923) which allows for disposition of real property that has been declared surplus. The ordinance has 2 steps; first Council must declare the property as surplus and second Council approves the disposition of the property. This action is step two of the process.

The City of Vancouver utilized this property for public safety (Fire Station) upon its purchase in 1968 until 2018 when a new station was constructed.

With the re-location of Fire Station #1, the property is no longer being put to any municipal use by the City of Vancouver. Disposition of this site to West Evergreen LLC will provide fair market value to the City of Vancouver and further the goal of making downtown a vibrant destination.

The City was approached by Josh Oliva, whose family controls adjacent parcels and other properties in the immediate vicinity of the site, to purchase and renovate the building and property for creative office use, as part of a broader plan to revitalize other properties in their control for offices and residences, resulting in a more active entrepreneurial district.

The City's surplus and disposition regulations permit direct negotiations with abutting property owners of city property to be disposed. City staff is recommending approval of disposition of the property and approval of a purchase and sale agreement with West Evergreen LLC. As part of the due diligence, asbestos was discovered on the site and it was determined that the roof needed replacement. With this information, the appraiser reviewed

the appraisal and reduced the value to \$1,255,000. The negotiated sale price of \$1,325,000 exceeds adjusted appraised value.

The parcel submitted for Council review for approval of disposition is attached in a detailed report and a map is attached. This parcel is identified as City of Vancouver Old Fire Station #1.

Request: On Monday, April 5, 2021, following a public hearing, adopt a resolution approving disposition of the real property located at 900 West Evergreen Blvd. and approve Purchase and Sale Agreement between City of Vancouver and West Evergreen LLC.

Linda Carlson, Property Management Specialist, 360-487-8423; Chad Eiken, Community and Economic Development Director, 360-487-7882

Linda Carlson, Property Management Specialist, provided an overview of the proposed disposition of property and purchase and sale agreement.

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

Motion by Councilmember Glover, seconded by Councilmember Paulsen, and carried unanimously to adopt Resolution M-4122 approving the request.

10. Creating a refund process for business license surcharge fees for eligible businesses for 4/1/2021 – 3/31/2022

Staff Report 046-21

AN ORDINANCE regarding the Business License Fee Surcharge (VMC 5.04.095) program; providing for refunds of the business license fee surcharge for new business license applications and annual license renewals for eligible businesses; providing for implementation of such refund program; defining eligibility criteria; providing for an immediate effective date; and providing for a sunset date on March 31, 2022.

Summary

The City generates approximately \$5.5 million annually from the business license fee and surcharge (BLS) program. The revenue is dedicated to funding existing police officer positions and funding the increased level of street pavement management program.

Effective 4/1/2021, all businesses will be required to continue registration

and payment of City business license fees through Washington State Department of Licensing.

From 4/1/2021 through 3/31/2022, businesses in several eligible categories will receive a refund from the City for 2021 fees and surcharges already paid. Eligible businesses will be required to complete a City of Vancouver BLS Refund application form to receive the refund. The State of Washington's application processing system has limited flexibility and cannot accommodate significant deviations from the current program. Refund applications will, therefore, be processed manually by the City of Vancouver Business License division in the Finance department.

The eligibility for this program targets businesses that have traditionally served large numbers of consumers indoors, simultaneously. Specifically:

- Restaurants, Taverns, Breweries, Wineries and Distilleries;*
- Fitness and Training Facilities;*
- Movie Theatres, Theaters & Performing Arts; and*
- Bowling Facilities.*

Specific Washington State Guidance documents that identify which businesses are included in the above categories are identified in attachments A-E to the attached Ordinance.

These businesses are among those most severely impacted by the pandemic, are likely to remain subject to some of the longest restrictions and are particularly well-situated to utilize BLS savings to support increased consumer safety.

Request: On Monday, April 5, 2021, subject to second reading and public hearing, approve the ordinance.

Natasha Ramras, Chief Financial Officer, 360-487-8484

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

Natasha Ramras, Chief Financial Officer, provided an overview of the proposed refund process.

Councilmember Stober asked whether any business categories not proposed to be included for refund eligibility had contacted the City since the City announced the program. Ms. Ramras stated dry cleaning businesses had approached the City, but they are not included under the state guidelines as a type of business that serves a large number of customers in an enclosed space.

Mayor McEnemy-Ogle asked how eligible businesses would be notified about

the program. Ms. Ramras explained that all businesses have to complete a renewal application through the State of Washington, and the City would also have a website with a form for businesses to complete to request the refund. She stated the City could put a notification on the State's website that directs businesses to the City's form and information about the refund process.

Councilmember Paulsen asked staff to explore using the City's various communications channels to do more pro-active outreach to eligible businesses as well.

Councilmember Lebowsky left the meeting at 6:59 p.m.

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

- Glen Yung, Vancouver, thanked the City for offering this program. He stated that those businesses that are in a more stable situation are able to pay their fair share now, but those still struggling are able to get some relief through this program.

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

Motion by Councilmember Glover, seconded by Councilmember Paulsen, and carried unanimously to approve Ordinance M-4333.

11. 2021 CDBG / HOME Funding Allocation and Action Plan Approval

Staff Report 055-21

A RESOLUTION relating to the adoption of the City's Community Development Block Grant (CDBG) and HOME Investment Partnerships Annual Action Plan for the 2021 program year; authorizing the City Manager to execute agreements on behalf of the City of Vancouver consistent with the CDBG and HOME Investment Partnerships Annual Action Plan; providing for severability and an effective date.

Summary

The Department of Housing and Urban Development (HUD) requires an annual Action Plan that outlines how the City intends to allocate its CDBG and HOME resources. The proposed draft of the 2021 Action Plan is attached and available at www.cityofvancouver.us/cdbg.

CDBG and HOME awards made through the 2021 Action Plan process must be consistent with the goals and objectives included in the City's

2019-2023 Consolidated Plan related to Affordable Housing, Public Services, Economic Development, and Public Facilities and Infrastructure.

The City allocates the majority of its annual CDBG and HOME funding to community partners through a competitive application process as described in the 5-year Consolidated Plan. The following describes the 2021 Action Plan process and funding recommendations.

Responding to COVID-19

The revised recommendations focus on vulnerable community members and/or the broader economic downturn caused by the pandemic. For a description of how each project contributes to the COVID-19 response, see the project descriptions attached to the resolutions. The agencies have confirmed their ability to implement the projects under the public health emergency conditions in place now and will serve additional people or households where increased funding has been recommended.

Separate from the 2021 CDBG and HOME funds, the City has received an additional \$1,127,065 in CDBG funds (CDBG-CV) from the second round allocated under the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. See the “CDBG Coronavirus Response” staff report dated April 5, 2021 for the proposed use of CDBG-CV funds.

2021 Funds available

An estimated \$1,306,414 in CDBG and \$688,711 in HOME funds is available for the 2021 program year starting July 1, 2021 and ending June 30, 2022. While 2021 entitlement amounts have been confirmed by HUD, available funds are subject to change based on program income and spending from previous years’ projects.

Application and prioritization process

The application process for 2021 CDBG and HOME funds began in October of 2020. A 27-person volunteer committee composed of community representatives and City staff completed the prioritization process. The committee reviewed grant proposals, attended applicant presentations, scored and prioritized the projects, and suggested funding options.

2021 CDBG awards

Proposed funding awards for 2021 CDBG (\$1,306,414) which supports the following priorities. A list of funding awards and project descriptions are attached.

- **Public services (\$200,701, 15%):** Case management for homeless and at-risk youth; homeless outreach; housing intake and diversion services; and financial literacy/first-time homebuyer education.
- **Business assistance (\$77,200, 6%):** Technical assistance, grants and loans for small business owners. (Note: CDBG-CV funding will provide an additional \$390,577)
- **Public Facilities Improvements (\$25,000, 2%).**
- **Housing services (\$124,118, 10%):** Case management to help households experiencing or at risk of homelessness find and maintain rental housing. Paired with HOME-funded rental assistance.
- **Administration and Implementation (\$329,395 25%):** Staff and administrative costs to carry out the CDBG program and projects. The amount of CDBG funds that may be used for administration is capped by federal guidelines.
- **City housing rehab program (\$250,000, 19%):** Loans to low-income homeowners to assist with needed repairs that address health, safety and livability issues.
- **City Set-Aside for Fourth Plain Commons Community Center (\$300,000, 23%).**

2021 HOME awards

Proposed funding awards for 2021 HOME (\$688,711) supports the following priorities. A list of funding awards and project descriptions are attached.

- **Rental assistance (\$499,840, 73%):** Assistance with security deposits, rent and utilities to help households experiencing or at risk of homelessness afford housing. Paired with CDBG-funded housing services.
- **Housing projects (\$120,000, 17%):** Construction of multifamily housing for seniors and low-income families. These projects will now be funded through the Affordable Housing Fund.
- **Administration (\$68,871, 10%):** Staff and administrative costs to carry out the HOME program and projects. The amount of HOME funds that may be used for administration is capped by federal guidelines.

Request: On Monday, April 5, 2021, following a public hearing, adopt a resolution approving and adopting the 2021 Community Development Block Grant and HOME Investment Partnerships Action Plan, and authorizing the City Manager to execute agreements on behalf of the City of Vancouver, consistent with the 2021 CDBG and HOME Council approved funding awards.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

Peggy Sheehan, Community Development Programs Manager, provided an overview of the proposed 2021 CDBG, HOME, and Affordable Housing Fund funding package (Items 11-12).

Councilmember Stober stated he appreciates the City sets aside a portion of funding in order to potentially fund additional projects that may come along later in the year. He noted that one of the components of the City's anti-displacement strategy was the creation of a community land bank to ensure the land that homes sit on remains affordable into the future regardless of surrounding redevelopment. He asked how the City is making land bank decisions and creating a framework for that.

Ms. Sheehan stated the Proud Ground project proposed for funding in this cycle follows that land bank model.

Mayor McEnerny-Ogle opened the public hearing for Item 11 and received the following testimony:

- Carmen Castro, representing the Hispanic Metropolitan Chamber of Commerce, thanked the City for its collaboration and described the work the Chamber has done over the past year to help businesses survive the pandemic.
- Lynn Renken, representing Mercy Corps NW, provided the Council with some highlights of the organization's work in Vancouver and Clark County during the pandemic.
- John McDonagh, representing the Greater Vancouver Chamber of Commerce, thanked the Council and staff for consideration of funding the Chamber's proposal.
- Dave White, representing New Life Friends Church/Lord's Gym Recovery Program, summarized the organization's program and talked about the people it has served.

- Adam Neiffer, representing CrossFit Fort Vancouver, spoke in support of the proposed funding awards and also the recent acquisition of the Howard Johnson hotel by the Vancouver Mall to serve as a shelter for people who are experiencing homelessness.
- Meaghann Ande, representing the Clark County Continuum of Care, expressed support for the proposed projects but requested the City require all funded programs coordinate services through the Council for the Homeless Housing Management Information System (HMIS) to ensure the best coordination of services across the community.
- Cindy Muse, representing St. Andrew Lutheran Church, spoke regarding the church's programs in supporting people experiencing homelessness, and echoed the request to require funded programs to coordinate services through the HMIS.

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

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to adopt Resolution M-4123 approving the request.

12. **2020 and 2021 Affordable Housing Fund Project Awards**

Staff Report 056-21

A RESOLUTION relating to low-income housing; providing for adoption of 2020 and 2021 funding awards for the Affordable Housing Fund and authorizing the City Manager to execute agreements on behalf of the City of Vancouver consistent with Affordable Housing Fund 2020 and 2021 Council approved funding awards; providing for Severability and an Effective Date.

Summary

Council action is requested to approve proposed Affordable Housing Fund awards for three temporary shelter services projects and 11 housing production and preservation projects.

Proposed 2020 and 2021 Temporary Shelter Services Awards

The Affordable Housing Fund Administrative and Financial Plan includes an annual allocation of \$300,000 for temporary shelter projects and services to prevent or address homelessness. The City released a request for applications in October 2020 for eligible projects, combining 2020 and 2021 funds for a total of \$600,000 for temporary shelter projects. These projects provide temporary shelter, case management and services to help participants work toward self-sufficiency.

The City received three applications, from Outsiders Inn, Share's Women's Housing and Transition (WHAT) program and XChange Recovery. A review committee made up of 27 community members and City employees has recommended awards of \$202,277 for Outsiders Inn, \$200,250 for Share and \$197,473 for XChange Recovery. The three projects would serve an estimated 300 individuals in shelter and another 300 through street outreach. See attached summaries for a detailed description of each project.

Proposed 2020 and 2021 Temporary Shelter Services Projects

<i>Project</i>	<i>Sponsor</i>	<i>Award</i>	<i>Individuals Served</i>
<i>Outsiders Inn at St. Paul Shelter</i>	<i>Outsiders Inn</i>	<i>\$202,277</i>	<i>175</i>
<i>Share's WHAT Shelter</i>	<i>Share</i>	<i>\$200,250</i>	<i>75</i>
<i>From Homeless to Recovery and Sustainability</i>	<i>Xchange Recovery</i>	<i>\$197,473</i>	<i>50 housed 300 outreach</i>
<i>Temporary Shelter Award Totals</i>		<i>\$600,000</i>	<i>600</i>

Proposed 2020 and 2021 Housing Production and Preservation Awards

Proposed awards totaling \$5.625 million would support 11 housing production and preservation projects that were prioritized by the prioritization committee.

The \$5.625 million to support these projects is available from 2020 and 2021 levy years. There is also an additional \$2.295 million reserved for eligible low-income housing tax credit projects, project cost over runs due to increased cost and other projects. Mercy-PeaceHealth Family Housing and Central Park Place were selected as Federal Low-Income Housing Tax Credit Projects.

The projected outcome of the Affordable Housing Fund awards is 421 units (279 new, 142 preserved) serving households earning up to 50% AMI. Of these 421 units, 107 will be City covenanted to maintain affordable housing stock. Two of the projects (Mercy-PeaceHealth Family Housing, and Central Park Place) previously received Affordable Housing Fund awards

and require the additional funding to move forward. The City will place affordability covenants on additional 50% AMI units for projects that receive an increased award. See attached summaries for a detailed description of each project.

Proposed 2020 and 2021 Housing Production and Preservation Projects

<i>Project</i>	<i>Sponsor</i>	<i>Award</i>	<i>Total Units</i>	<i>City Units</i>
<i>65th Avenue Apartments</i>	<i>Ginn Gives</i>	<i>\$975,000</i>	<i>50</i>	<i>13</i>
<i>138th Ave Townhomes</i>	<i>Ginn Gives</i>	<i>\$225,000</i>	<i>9</i>	<i>3</i>
<i>Recovery Home for Mothers</i>	<i>Lifeline Connections</i>	<i>\$125,000</i>	<i>9</i>	<i>9</i>
<i>PeaceHealth Family Housing</i>	<i>Mercy Housing</i>	<i>\$200,000</i>	<i>69</i>	<i>3</i>
<i>Permanently Affordable Homeownership</i>	<i>Proud Ground</i>	<i>\$250,000</i>	<i>3</i>	<i>3</i>
<i>Second Step Housing - Acquisition</i>	<i>Second Step Housing</i>	<i>\$900,000</i>	<i>26</i>	<i>26</i>
<i>Property Acquisition for AFH housing SMI homeless individuals</i>	<i>The Minority Coalition</i>	<i>\$300,000</i>	<i>3</i>	<i>3</i>
<i>Fruit Valley Commons- Modernization</i>	<i>Vancouver Housing Authority</i>	<i>\$700,000</i>	<i>18</i>	<i>18</i>
<i>31st St. Tiny Home Project</i>	<i>Vancouver Housing Authority</i>	<i>\$250,000</i>	<i>4</i>	<i>4</i>
<i>Central Park Preservation</i>	<i>Vancouver Housing Authority</i>	<i>\$200,000</i>	<i>124</i>	<i>5</i>
<i>Fourth Plain Commons</i>	<i>Vancouver Housing Authority</i>	<i>\$1,500,000</i>	<i>106</i>	<i>20</i>
<i>Housing Project AHF Fund Totals</i>		<i>\$5,625,000</i>	<i>421</i>	<i>107</i>

Request: On Monday, April 5, 2021, following a public hearing, adopt a resolution adopting the proposed 2020 and 2021 Affordable Housing Fund awards for temporary shelter services, housing production, and housing preservation, and authorizing the City Manager to execute agreements on behalf of the City of Vancouver, consistent with the Affordable Housing Fund 2020

and 2021 Council approved funding awards.

*Peggy Sheehan, Community Development Programs
Manager, 360-487-7952*

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

- Victor Caesar, representing the Vancouver Housing Authority, thanked the City for consideration of funding VHA's proposed projects.
- Adam Kravitz, representing OutsidersInn, thanked the City for the funding it had received last year and for consideration of funding this year. He provided the Council with details about the organization's work.
- Vicky Smith, representing the xChange Recovery program, provided information about the organization's programs and introduced staff members who had gone through the program.
- Steve Rusk, representing the Salvation Army, spoke regarding the impact this funding has on individual people, and thanked the City for consideration.
- Katie Ullrich, representing Proud Ground, provided a description of the organization's programs and thanked the City for consideration.
- Linda Marousek, representing St. Paul Lutheran Church, spoke in support of the application of OutsidersInn and stated she believes that program has saved lives during the pandemic.

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

Motion by Councilmember Paulsen, seconded by Councilmember Stober, and carried unanimously to adopt Resolution M-4124 approving the request.

13. 2020 Action Plan Amendment for CDBG-CV Funds

Staff Report 057-21

A RESOLUTION relating to the adoption of the City of Vancouver Community Development Block Grant COVID-19 (CDBG-CV) funding allocation plan for inclusion in the 2020 Action Plan; authorizing the City Manager to execute agreements on behalf of the City of Vancouver consistent with the CDBG and

HOME Investment Partnerships Annual 2020 Action Plan, providing for severability and an effective date.

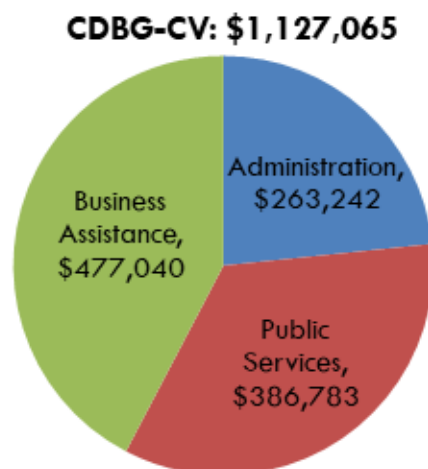
Summary

Separate from the 2021 CDBG and HOME entitlement, the City has received an additional \$1,127,065 in CDBG funds (CDBG-CV) from the second round of funding allocated under the federal Coronavirus Aid, Relief and Economic Security (CARES) Act. The CDBG-CV funds must be used to prevent, prepare for, or respond to COVID-19 and its community impacts.

Staff have completed a competitive application process starting October 16, 2020, and ending December 7, 2020. Applications submitted during that time were reviewed, scored and prioritized by a committee of 27 community members and City staff. The following recommendations are based on those prioritizations.

Proposed CDBG-CV funding priorities

*Based on emerging community needs and feedback from City leadership and external stakeholders, staff is proposing to spend the \$1,127,065 in CDBG-CV funds for public services and small business assistance as described in the chart below. Projects have been reviewed and prioritized to move forward to contracting upon Council approval. The chart below illustrates how CDBG-CV funds will be used. **See attached list of CDBG-CV project recommendations for additional details about each project.***



Award process

The application process for 2021 CDBG, CDBG-CV, HOME and AHF

began in October of 2020. A 27-person volunteer committee composed of community representatives and City staff completed the prioritization process. The committee reviewed grant proposals, attended applicant presentations, scored and prioritized the projects, and suggested funding options. Projects recommended for CDBG-CV are able to move forward with contracting upon Council and HUD approval.

Request: On Monday, April 5, 2021, following a public hearing, adopt a resolution approving and adopting the 2020 Action Plan amendment to include the CDBG-CV funding priorities, and authorizing the City Manager to execute agreements on behalf of the City of Vancouver, consistent with the CDBG-CV Amendment Council approved funding awards.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

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

- Dakima Hicks, owner of Dakima Maria Makeover Studio, spoke regarding the impact of the pandemic on her business and the support she has gotten from Mercy Corps NW. She spoke in support of the organization's funding application.
- Francisco Bueno, representing the Boys & Girls Club of Southwest Washington, thanked the City for considering the organization's funding request and spoke regarding the impact the program has on youth in the community.

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

Motion by Councilmember Glover, seconded by Councilmember Hansen, and carried unanimously to adopt Resolution M-4125 approving the request.

Communications

A. From the Council

B. From the Mayor

a. Interstate Bridge Replacement Program - Executive Steering Group Update

Aaron Lande, Program and Policy Manager, and Rebecca Kennedy, Long Range Planning Manager, provided an update on the last meeting of the Interstate Bridge Replacement Program Executive Steering Committee.

C. From the City Manager

Adjournment

8:00 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 video. The audio files are kept on file in the office of the City Clerk for a period of six years.