



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

December 21, 2020 - 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.

4:00-5:00 p.m. Vancouver Innovation Center Update

Chad Eiken, Community and Economic Development Director, 360-487-7882; Bryan Snodgrass, Principal Planner, 360-487-7946; Ryan Lopossa, Streets and Transportation Manager, 360-487-7706; Julie Hannon, Parks and Recreation Director, 360-487-8309; Marc Esrig and Ronald Schinik, representing New Blueprint Partners

Summary

Staff provided Council with an updated on the proposed zone change, master plan and development agreement for the Vancouver Innovation Center. Representatives from the developer, New Blueprint Partners, provided an overview of the vision for the site.

5:00-6:00 p.m. Community Task Force on Council Representation Final Recommendations

Aaron Lande, Senior Policy Analyst, 360-487-8612; Jeff Swanson, Task Force consultant/facilitator

Summary

City staff and members from the Task Force on Council Representation provided the Council with the task force's final recommendations and range of options for Council consideration.

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 McEnery-Ogle. This meeting was conducted remotely over video conference.

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

Absent: None

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Brian Carlson, Interim Deputy City Manager; Brent Boger, Assistant City Attorney; Teresa Brum, Economic Development Division Manager; Linda Carlson, Property Management Specialist; Chris Christofferson, Traffic Engineer; Chad Eiken, Community and Economic Development Director; John Farra, Assistant City Attorney; Julie Hannon, Parks and Recreation Director; Rebecca Kennedy, Long Range Planning Manager; Aaron Lande, Senior Policy Analyst; Ryan Lopossa, Streets and Transportation Manager; Chris Malone, Public Works Finance and Asset Manager; Kevin McClure, City Prosecutor; Jeff Olson, Vancouver Police Sergeant; Heidi Ondler, Legal Assistant; Natasha Ramras, Chief Financial Officer; Peggy Sheehan, Community Development Programs Manager; Bryan Snodgrass, Principal Planner; Lisa Takach, Human Resources Director; Stephenie Ulrick, Senior Legal Assistant; Michael Whitney, Vancouver Police Commander; and members of the public.

Approval of Minutes

Minutes - November 23, 2020

Motion by Councilmember Glover, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of November 23, 2020.

Minutes - December 7, 2020

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of December 7, 2020.

Citizen Communication (Items 1-7) - see general protocol above

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

Consent Agenda (Items 1-7)

Council requested Item 4 be pulled for separate discussion, as summarized below.

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

1. RegJIN Intergovernmental Agreement – Inquiry Only Participant

Staff Report 188-20

Summary

On June 19, 2018, the City of Vancouver notified the RegJIN User Board of our intent to withdraw from RegJIN effective January 1, 2019.

The selection of the new RMS vendor (Mark43) occurred in 2018, and the Mark43 system went live on November 1, 2020. However, the legacy data migration process will likely not be completed and fully validated before our current agreement with RegJIN expires.

A transition from the current 'Full Entry' Agreement to an 'Inquiry Only' Agreement with the RegJIN system is needed to allow continued validation of legacy RMS data that was transferred into Mark43. Further, once the data migration process is completed, continued partnership with RegJIN will allow a limited number of investigators access to regional police report information that will be valuable in solving local investigations.

Request: Approve and authorize the City Manager or his designee to sign RegJIN Participant Intergovernmental Agreement Regional Partner Agency – Inquiry Only.

Michael Whitney, Vancouver Police Commander, 360-487-7354

Motion approved the request.

2. Speed limit reduction on NE Erwin O Reiger Memorial Hwy

Staff Report 189-20

A RESOLUTION relating to traffic and establishing new speed limits along NE Erwin O Reiger Memorial Hwy, and NW Erwin O Reiger Memorial Highway Spur.

Summary

The Washington State Department of Transportation (WSDOT) and the City of Vancouver Traffic Engineering Staff have investigated the current posted speed limits on NW Lower River Road from W 26th Ave to the City limits. The investigation included collecting traffic counts and speed survey data, site visits and review of current land use.

NW Lower River Road from West 26th Avenue (mile point 2.2) to the NE Erwin O Reiger Memorial Hwy Spur (mile point 5.29) is under the jurisdiction of WSDOT.

The NW Erwin O Reiger Memorial Hwy Spur from its intersection with NW Lower River Road to mile point 6.05 is under the jurisdiction of the City of Vancouver.

The NW Erwin O Reiger Memorial Hwy Spur north of mile point 6.05 is under the jurisdiction of the Washington State Department of Transportation.

Staff is recommending the changes based on the following:

NW Lower River Road has a posted speed limit of 45 MPH from W 26th Ave (mile point 2.2) to NW Lower River Rd (mile point 2.64). Lowering the speed limit to 35 MPH will extend the existing 35 MPH north to the existing 50 MPH zone.

The 50 MPH zone from NW Lower River Rd (mile point 2.64) to NW Erwin O Reiger Memorial Hwy Spur (mile point 5.29) does not currently meet requirements for lowering and will remain posted at 50 MPH.

The NW Erwin O Reiger Memorial Hwy Spur from its intersection with NW Lower River Road to Vancouver Lake Park has a posted speed limit of 50 MPH that extends to the City limits at mile point 6.05. Lowering the speed limit to 35 MPH will improve safety for cyclists and pedestrians who regularly access or cross the highway from the Clark County Rowing Club and Vancouver Lake Park.

Request: Adopt a resolution establishing speed limits of:

- 35 MPH on NW Lower River Road from West 26th Avenue (mile point 2.2) to NW Lower River Rd (mile point 2.64).
- 35 MPH on NW Erwin O Reiger Memorial Hwy Spur from its intersection with NE Erwin O Reiger Memorial Hwy to the City limits at mile point 6.05.

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

Motion adopted Resolution M-4112 approving the request.

3. Land donation - David H. Christensen Trust

Staff Report 190-20

Summary

The family of Mr. Christensen has been working to settle his estate. As they reviewed his property holdings, it was found that he maintained ownership to a small strip of land (Assessor parcel No. 29625-000 – 3,049 square feet) that sits between City right-of-way at 18th & Murton. Upon further research, it was determined that in 1969 when Mr. Christensen donated property for the build-out of Murton Street, this sliver was missed in the transaction. The family would like to donate the property to the City as was originally intended. The City's Transportation Manager is in agreement that this should be City owned right-of-way.

This property has an assessed value of \$494.00. As an aside, the property being donated and the portion of the existing right-of-way just south of it are encumbered with water and sewer utility lines making development economically challenging, as the utilities would have to be relocated.

The parcel submitted for Council review for acceptance of land donation is outlined in an attached map.

Request: On December 21, 2020, accept a donation of land from the

David H. Christensen Trust and authorize the City Manager to execute a deed transferring ownership to the City as public right-of-way.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

4. Approval of Claim Vouchers and Requests for Paid Time Off (PTO) Cash-out

Staff Report 191-20

A RESOLUTION approving the payment of Paid Time Off cash-out requests by City employees

Payment vouchers are presented to Council for approval in the usual manner.

Employees of the City of Vancouver accrue Paid Time Off (PTO) in accordance with City policy as a benefit of employment. The City's leave policies assist in attracting exceptionally talented staff. The City has a longstanding policy that allows employees to cash out unused PTO hours at specified times throughout the year or upon separation from the City.

However, at the onset of the COVID-19 pandemic, the City suspended the provisions for PTO cash-out payments by non-represented employees under City Policy 226-A.2 to maintain closer control over City cash flow due to the projected financial crisis at the national level. The City has since rescinded this provision altogether opting to allow PTO cash-out.

Coincidentally during the period the PTO cash-out policy was suspended earlier in 2020, the City became aware of new guidance from the Internal Revenue Service (IRS) that informed a modification to the PTO cash-out policy and process. This guidance indicates that a policy that allows up to a certain number of hours to be cashed out prior to Council authorization may create a tax liability to the individual employees whether they elect to cash out PTO or not. Moving forward, the administrative policy has been amended to address this, allowing PTO cash-outs once per year upon approval of City Council.

As all non-represented employees were required to take two weeks of unpaid furlough earlier this year (or a proportionate pay reduction) in response to the pandemic, many employees have taken less PTO during 2020 and their PTO banks have grown. Employee PTO banks represent a

future liability that the City has the capacity to pay down at present day values upon request of employees.

Request: On December 21, 2020, approve Cash Out of the PTO hours specified in Attachment A to the staff report concurrent with approval of payment vouchers.

Jonathan Young, City Attorney, 360-487-8500

Councilmember Fox expressed concerns that so many City employees would have so much unused paid time off available, noting it is important for employees to use their available leave for both emotional and physical health. She urged the Council and City managers to set a goal of encouraging staff to feel comfortable and supported in taking personal time off in 2021.

Motion approved the request.

5. Appointment to the Planning Commission

The Planning Commission (PC) serves as a volunteer advisory body and makes recommendations to the City Council on the topics related to the future growth and development of Vancouver.

Council Subcommittee 2 recently interviewed four candidates, including one seeking reappointment, for one full-term position on the commission and recommends the reappointment of Marjorie Ledell; with a term beginning immediately and expiring December 31, 2024.

Request: Reappoint Marjorie Ledell to the Planning Commission, term beginning immediately and expiring December 31, 2024.

Council Committee 2

Motion approved the request.

6. Appointment to the Culture, Arts and Heritage Commission

The Culture, Arts and Heritage Commission (CAHC) is nine-member volunteer citizen's group responsible for undertaking, assisting with and facilitating the development and promotion of a thriving cultural, art and heritage environment in the city through programs, ownership of buildings and public art, and community partnerships.

Committee 1 interviewed three applicants for one full-term position, and they recommend the appointments of Alicia Nilo; with a term beginning immediately and expiring December 31, 2023.

Request: Appoint Alicia Nilo to the Culture, Arts, and Heritage Commission, term beginning immediately and expiring December 31, 2023.

Council Committee 1

Motion approved the request.

7. Appointment to the City/County Telecommunications Commission

The City/County Telecommunications Commission (TCC) serves in an advisory capacity to the Vancouver City Council and the Clark County Council on matters related to telecommunications and cable television. The commission makes reports, monitors compliance with the city and county cable franchise agreements, and establishes rules and regulations regarding cable television and associated telecommunications issues.

Mayor McEnery-Ogle interviewed two candidates, including one seeking reappointment, for one full-term position on the TCC and recommends the reappointment of Douglas Green; with a term beginning immediately and expiring December 31, 2023.

Request: Reappoint Douglas Green to the Telecommunications Commission, term beginning immediately and expiring December 31, 2023.

Council Committee - Mayor

Motion approved the request.

Public Hearings (Items 8-11) - see general protocol above

8. Multifamily Tax Exemption: Aegis DA Amendment

Staff Report 192-20

A RESOLUTION of the City Council of the City of Vancouver approving an amended agreement with East Evergreen Apartments LLC for limited property tax exemption.

Summary

The general intent of multifamily tax exemption ordinance is to encourage development that provides places to live closer to employment, shopping, entertainment and transit services and encourage affordable housing

opportunities.

An application for the Aegis multi-family tax exemption was initially approved by City Council on September 17, 2018. The Applicant is requesting to amend the approved development agreement.

The requested changes include:

- Reducing the commercial retail space from 12,808 to 7,016 square feet*
- Increasing the residential units from 140 to 147*
- Eliminating a free standing pedestrian canopy*

Amended Aegis Project Description:

- 2 buildings of 5 and 6 stories / 162,854 sq. ft. residential development in VCCV sub-district*
- **147 apartment units** including studio, 1 bedroom and 2 bedroom units.*
- **7,016 sq. ft. commercial space***
- 151 parking spaces available on-site*
- Total estimated development cost of \$41.36 million*

For this project the Applicant choose to provide public benefit elements in lieu of affordable housing units. The public benefits included providing:

- New development in a low/moderate income neighborhood*
- Public plaza space with public art and historical information*
- A LEED certified building*

The Applicant's request to reduce commercial area and increase residential units was a result of the loss of a prospective commercial tenant. Without a specific committed tenant, the applicant believes the larger commercial space would be vacant for a long period of time making it economically not viable. The applicant believes that there is more demand for apartments than commercial space in the area at this time.

The request to eliminate the freestanding canopy results from several issues. The applicant has noted that:

- The structural requirements for the canopy resulted in a bulkier design than preferred.*
- The canopy would partially obstruct views of the historic Academy building.*
- The freestanding canopy might create shelter for unwanted camping.*
- The cost of the canopy was significantly increasing the cost of the plaza as a whole. The canopy resources could be more effectively focused on other elements of the plaza including public art.*

Request: On Monday, December 21, 2020, subject to public hearing, adopt a resolution authorizing the City Manager or his designee

to sign the Amended Multi-Unit Housing Limited Property Tax Exemption Agreement with East Evergreen Apartments LLC.

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

Peggy Sheehan, Community Development Programs Manager, provided an overview of the proposed amendments to the development agreement and an update on the proposed project. Ms. Sheehan noted that Aaron Wigood, representing the applicant, was available to address questions.

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

- Glen Yung, Vancouver, expressed his concerns about the MFTE program as a whole, and especially regarding the vagueness of the public benefit definition and requirement. He expressed concerns about the proposed changes to this project because of the reduction in the commercial space planned.
- Terry Ibert, Vancouver, expressed concerns about a lack of information regarding why the amendments are needed for this project at this time and the projected profitability of the project. He stated more time and information is needed before Council is asked to make a decision on the proposed amendments.

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

Councilmember Fox expressed concerns regarding the reduction of commercial space on the ground floor and asked whether live/work units could be built on that floor to provide some flexibility and at least an option for some commercial use. She also asked what the developer was proposing to include as a public benefit in exchange for removing the canopy from the public pavilion, as originally proposed.

Mr. Wigood stated the developer is not proposing to eliminate all ground-floor commercial space, noting there will still be about 6,700 square feet available. He explained the proposal is to remove the commercial space on the north side of the project, as that side faces a mostly residential neighborhood and the lack of foot traffic would make the viability of commercial uses difficult. Regarding the removal of the canopy, Mr. Wigood stated the developer was concerned the covered pavilion would attract overnight camping, and the design of the canopy had become much bulkier than originally envisioned due to structural requirements. He stated the developer had proposed allocating the originally \$25,000 proposed for the canopy to the public art portion of the project.

Councilmember Stober stated this project has been particularly troublesome,

and he had previously expressed displeasure with the design elements of the building. He stated if the developer was willing to change the exterior design so that it blends better with the existing Academy building, he would be better able to support the proposed amendments.

Councilmember Glover stated she believes eliminating the canopy is the right decision if the design would need to be bulky. She noted there is an abundance of retail space in the downtown area, and what downtown businesses need are more opportunities for people to live downtown and patron their businesses. She stated she would support reallocating the funding for the canopy to the public art portion of the public benefit for this project.

Councilmember Fox asked staff for more information pertaining to how well live/work units have worked in the downtown area. Chad Eiken, Community and Economic Development Director, stated the City Center Redevelopment Authority had reviewed the proposed amendments to this project, and agreed that it would be extremely difficult to fill the ground floor with retail tenants.

Mr. Wigood stated the developer would love for that northern end of the project to be very active with restaurants, but he thinks if it was developed as retail space it would sit vacant. Regarding the design aesthetics of the project, he stated it is a very subjective element of a project and the developer has spent a lot of time trying to make it as pleasing as possible.

Councilmember Hansen stated he was supportive of having retail space on the ground floor, noting that while the space might not be needed immediately, it may be needed in the future. He expressed concerns that by converting that space to residential, it will not be taken off the tax rolls for eight years under the abatement. He noted this is difficult for Council because it is not the first time a developer has come to them requesting changes, but he is concerned because the changes are long-term for Vancouver.

Mr. Wigood noted that the commercial space is not a part of the public benefits offered by the project. It is a part of this presentation now because the developer wanted to make Council aware of all the changes being made.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky to adopt the resolution.

Councilmember Fox stated she wanted to amend the proposal to ensure the \$25,000 for the canopy is reallocated to the public art portion of the project. City Attorney Jonathan Young confirmed that is included in the development agreement amendment.

Councilmember Paulsen noted this project highlights the tension regarding the public benefit option of the MFTE program and that is why it is important it is going to be part of the program review in 2021. He stated he also would like to see retail space on the ground floor, but he also wants to see the supply of multifamily housing units increased downtown, which is the ultimate goal of the program.

Motion carried 6-1 to adopt Resolution M-4113 approving the request.
Councilmember Stober voted No.

9. **Multifamily Tax Exemption: Timber House Apartments
Waterfront Block 3**

Staff Report 193-20

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with TIMBER OP LLC for an 8 year property tax exemption with public improvements for the abutting property located at 500 W Columbia Way in Vancouver, Washington.

Summary

The applicant is requesting an 8-year exemption with development agreement for providing public improvements in lieu of affordable units. The proposed project will take place at 500 W Columbia Way.

The developer is proposing an 8-story building containing a total of 220 units with 223 on-site parking spaces. The estimated development cost is \$79 million.

Unit types will include:

72 Studio units	\$1,425 mo.
94 1BR/ 1BA units	\$1,725 mo.
6 1BR/ 1BA Townhomes	\$2,500 mo
49 2BR/ 2BA units	\$3,175 mo.
6 3BR/ 2BA units	\$3,600 mo.

For the public benefit component the applicant is proposing to provide:

- Public Art- Gateway element up to \$150,000 working with Cultural Arts Commission*
- Providing more parking spaces required by zoning code without using allowable reductions.*
- Resulting in 4 additional parking spaces above code requirement with a construction cost value of \$93,648*
- Enhanced building materials (Public plaza materials) \$135,000*
- Portland Loo funding for Esther Short Park \$100,000*

Over 20 years (allowing development with the exemption) the project is estimated to generate nearly \$7.46 million in taxes benefiting all taxing

districts (ports, county, city, etc.) with \$812,816 specifically generated for the City of Vancouver. Potentially foregone revenue is estimated at \$2,726,000 for all taxing districts and \$845,000 specifically for Vancouver. Without the exemption the site might forego the higher developed site tax revenues as well as affordable residential housing units. Following the exemption period the project will return to the tax rolls at full value.

The project design was presented to the City Center Redevelopment Authority on Thursday November 19, 2020. The CCRA forwarded a unanimous recommendation of approval to City Council.

Request: On Monday, December 21, 2020, following a public hearing, adopt a resolution approving an agreement with Timber Op LLC and authorizing the City Manager or designee execute a multi-family housing limited property tax exemption agreement and take any and all action necessary to enforce the terms thereof.

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

Ms. Sheehan provided an overview of the proposed project and MFTE request. She noted Mark Heffernon and Seth Henderson, representing the applicant, were available to address questions.

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

- Mark Heffernon, representing the applicant, stated the project is about the community, and the developer intends to own and manage the property. He noted the building will include a public art program to highlight local artists. He stated he is aware the MFTE program is scheduled to be reviewed and undergo changes, and he requested Council review this project and application in the context of the current regulations in place.
- Glen Yung, Vancouver, stated he only sees one true public benefit being offered by this project, the building of the Portland Loo in Esther Short Park. He stated the public art proposal is more of a benefit for the developers, as it will attract people to their project. He requested more discussion on the cost for providing services to this building once it is occupied in comparison to the public benefit being provided. He expressed concerns about the MFTE program as a whole.
- Terry Ibert, Vancouver, asked whether this and other projects would be built without the MFTE program, and also expressed concerns about what the cost of City services would be. He requested more information on the specifics of the project and the financials and asked Council to

defer a decision on this application until that information is available.

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

Councilmember Paulsen asked to whom the four additional parking spaces being proposed as a public benefit would be available. Mr. Heffernon stated the developer is proposing using a structured parking system, and the additional spaces would be accessible to tenants of the building and would thereby further relieve the on-street parking system by keeping those vehicles off the street.

Councilmember Fox asked what kind of environmental efficiency elements would be included in the project. Mr. Heffernon stated the building will achieve certification through Green Globe, and it will provide an outdoor experience on the second-floor roof deck.

Councilmember Stober asked whether electric vehicle charging stations would be included in the parking structure and how difficult it would be to add additional EV infrastructure in the future if the demand for it increased. Mr. Heffernon stated the project will include some capacity for EV stations. Mr. Henderson stated the developers are proposing 6 percent capacity being dedicated to EV stations upon initial occupancy of the building, with up to 10 percent capacity being available. He stated if demand increased beyond that, they may need to upgrade the transformer to support it.

Councilmember Stober noted that the City can include the value of new construction as part of the annual property tax levy. He asked when the value of an MFTE project is considered new construction and eligible to be included in that levy. City Manager Eric Holmes stated an MFTE project is added to the tax base at the end of the approved exemption period and is considered at the new construction value at that time.

Councilmember Glover stated this is an exciting development for the Waterfront, and stated she is glad the developer is using enhanced building materials. She stated public art on a building is a public benefit, as it enhances the experience of walking through canyons of buildings. She stated there are a lot of questions regarding the MFTE program, and it feels like developer are trying to work within the current parameters. She stated there is a lot the Council needs to address, but they should not be subjecting each developer to that broader discussion.

Councilmember Fox asked at what point does staff decide on the ratio of the value of the proposed public benefit of a project to the amount of the tax exemption to the developers. Mr. Eiken stated there is nothing spelled out in the code of what is an appropriate ratio. Staff looks at precedent from previous projects and takes each application on a case-by-case basis when negotiating with a developer. He noted that staff is also frustrated with how loosely defined the public benefit is in the City code.

Councilmember Fox stated she does recognize this project will provide public benefits, but she is struggling with the \$845,000 tax exemption, noting the City could purchase Portland Loos on its own and provide other services with the amount of money that is being exempted. But she stated she recognizes these are the rules that are currently in place and it seems everyone is working in good faith.

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to adopt Resolution M-4114 approving the request.

10. **2020 Second Supplemental Budget**

Staff Report 186-20

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

Summary

The second supplemental of 2020 includes mostly administrative items, such as accounting true-ups and dissolution of several funds that are no longer needed.

The recommended expenditure appropriation increases for the City's Operating and Capital funds included in the 2020 Second Supplemental Budget total \$18.2 million. All of the increase in appropriation is on the operating side; the recommended changes in the Capital budget and supporting transfers offset each other. The net impact on all City resources is a decrease of \$5.9 million; the net impact on the General Fund is a \$0.3 million increase.

The total Operating budget appropriation change in the General, Street and Fire funds represents an increase of \$0.3 million. The remaining \$17.9 million increase relates to changes in other funds.

Adjustments to the General, Street and Fire funds include an increase of \$0.2 million for the 2017-19 Citywide Cost Allocation Plan true-up entry and minor other items.

The remaining appropriation increase relates to changes in other operating City funds. Major changes are summarized below:

- Additional budget appropriation for the 2017-19 Citywide Cost Allocation Plan True-Up resulting in a \$7.2 million dollar adjustment largely due to a change in accounting representation that differed from prior years.*

- *Increase in the appropriation of the City's Self-Insured Health Fund of \$6.2 million, due to payment of several very large medical claims. A large portion of that amount, approximately \$4.2 million, has been reimbursed by the City's stop/loss insurance carrier.*
- *Additional budget appropriation of \$1.5 million added to the School District Impact Fee Fund due to a stronger construction economy than originally budgeted. This increase is fully offset by the revenue from developers.*
- *Increase of \$1.0 million in the Risk fund appropriation adjusting for a \$0.5 million increase in the cost of City's insurance premiums and \$0.5 million for unemployment insurance to be fully reimbursed by the CARES grant for pandemic-related leaves.*
- *Increase of \$0.4 million in the Grounds & Facilities Fund for increased costs related to pandemic-related janitorial services, increases in security contract rates, increases in natural gas and electrical/lighting supplies and mold testing at the City's Fire Stations.*
- *Increase of \$0.4 million in the Tennis Center Fund to record the USTA's expenses for the year.*

The total net Capital Budget appropriation of \$0.02 million (including internal transfers) is included in the Second Supplemental of 2020. Expenditures by project are outlined in Attachment C to the ordinance. Following are some of the changes to projects included in the Supplemental:

- *Parks capital projects totaling \$0.4 million for:*
 - *True-up of three projects; Columbia Waterfront Trail, First Place Park Playground Improvements and Clearmeadows Park Development all to be funded with parks impact fees.*
- *A reduction of \$0.8 million in the Surface Water Management operating fund cash transfer to the capital fund to closer represent the support expected to fund capital projects.*
- *Appropriation to transfer the remaining \$0.2 million to the Transportation Capital Fund from the TIF – I205/Mill Plan Overlay fund. An appropriation to transfer \$0.2 million from the 2011 Transportation Bond Capital fund to Transportation Capital Fund. Both funds are being closed at the end of 2020.*

Request: On Monday, December 21, 2020, subject to second reading and public hearing, approve ordinance.

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

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

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed supplemental budget.

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

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to approve Ordinance M-4324.

11. Fall 2020 Comprehensive Plan and Zoning Code Map and Text Changes

Staff Report 187A-20

A. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Appendix E; and Vancouver Municipal Code 20.150, 20.210, 20.245, 20.410, 20.430, 20.440, 20.740, and 20.915; providing for severability; and establishing an effective date.

B. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Municipal Code 20.210, 20.265, 20.320, 20.510, 20.525, 20.690, 20.770, 20.885, 20.890, 20.945, 20.960; providing for severability; and establishing an effective date.

Summary

Council is requested to review and make final determinations on the proposed text changes (see attached Ordinance A) as follows:

Comprehensive Plan Text Amendment

Amend Appendix E of the Comprehensive Plan to adopt by reference the 2021-2030 Parks, Recreation, and Natural Areas Capital Facilities Plan. The Planning Commission unanimously recommended approval at an October 13 public hearing for which no public testimony was received. The Parks Capital Facilities Plan has also been recommended by the Parks and Recreation Advisory Committee. It will become part of the overall update of the Parks Comprehensive Plan in 2022.

Zoning Code Text Amendments

Six changes were unanimously recommended by the Planning Commission at an October 13 public hearing, with no public testimony received. These are changes to floodplain standards and related definitions; changes to decision making procedures and conditional use permit standards to recognize electronic application submittals; changes to Planned Development standards to fully incorporate changes made in 2019; and changes to footnotes in the single family, commercial and industrial zoning use tables.

Council has also reviewed removal of outdated pronouns in the zoning code (see attached Ordinance B), and is requested to amend VMC Title 20 in 36 locations to eliminate references to "his" in describing the role of Planning Director or Planning Official; to be replaced with the title of the official being referenced or gender neutral they/them pronouns as appropriate.

Request: On Monday, December 21, 2020, subject to second readings and public hearing, approve the ordinances.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor McEnerny-Ogle read the titles of the ordinances into the record.

Bryan Snodgrass, Principal Planner, provided an overview of the proposed Comprehensive Plan and Zoning Code text amendments in front of Council for final consideration.

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

- Steve Horenstein, representing Ginn Development Group, noted the annual review previously included one site-specific zoning change request from Ginn, and his client was confused as to why it had been removed on first reading. He requested the map change be reconsidered by Council and allowed to go to a public hearing.

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

Councilmember Paulsen responded to the public testimony, noting he has no reason to oppose the site-specific request moving forward to public hearing procedurally; he explained his objection at the first reading was strictly on the issue itself and not on the process. He stated if other Councilmembers supported moving it forward to a hearing, he would as well.

Councilmember Lebowsky agreed she would support it moving forward in terms of the process.

City Attorney Young stated that would constitute a change in substance to what is currently in front of Council and would require Council to hold an additional

reading and public hearing at a subsequent meeting.

Mayor McEnerny-Ogle asked whether Council could approve what is currently before them and consider the site-specific map change request separately. Mr. Young advised that as it was a part of the annual Comprehensive Plan review, it would be appropriate to amend the entire package and bring it back with the map change included.

Council spoke at length regarding the most appropriate process moving forward.

Motion by Councilmember Paulsen to amend Ordinance A to add back in the site-specific request.

Mr. Holmes clarified for the record that the intent of the motion is to consider on second reading and public hearing the Comprehensive Plan and Zoning Code amendment to change the designation from community-commercial to a Urban High Density R-22 residential designation on a 2.6-acre undeveloped property at 7401 NE 18th Street.

Councilmember Paulsen amended his motion to include the description provided by the City Manager above. Motion seconded by Councilmember Lebowsky.

Councilmember Stober stated Council had discussed removing this request from the annual review as there was information Council had requested regarding the balance of inventory of housing to commercial land in the city, and staff had intended on bring that information back to Council at a later date. He asked when this site-specific map change would need to be adopted. Mr. Young stated the Comprehensive Plan and zoning code only needs to be amended once per year, and the effective date of the proposed map change should coincide with the effective date of the text amendments being proposed if Council wished to include it in this year's review.

Mr. Holmes stated that in past years, when there have been questions about specific requests within the package of annual review proposals, the Council has taken some serial actions within a close timeframe in order to delve deeper into those questions, which usually have pertained to such site-specific designation requests. He noted staff will not be able to have the longitudinal analysis referenced by Councilmember Stober completed in time for Council to consider it in the context of the subject map change in early January.

Mr. Young advised the Council they need to vote on the motion before them, and then there would be two options available to them moving forward: The Council could vote to approve and push forward an entire package of material into January, or they could vote in opposition to the current motion to amend the ordinance, and strike it down so they could then bring a new motion forward to approve the ordinances before them as written, and direct staff to return with a separate ordinance in January to consider the site-specific map amendments.

Motion to amend Ordinance A failed 0-7.

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve Ordinance M-4325 (A) and Ordinance M-4326 (B).

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to direct staff to bring forward at its next meeting the previously proposed amendments to the Comprehensive Plan and zoning code maps for the parcel at 7401 NE 18th Street.

Communications

A. From the Council

B. From the Mayor

a. Interstate Bridge Replacement Program - Executive Sponsors Group Update

Aaron Lande, Senior Policy Analyst, provided Council with a summary of the November 30 meeting of the Interstate Bridge Replacement Program Executive Sponsors Group.

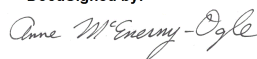
C. From the City Manager

a. Driving While License Suspended in the Third Degree (City Attorney briefing)

City Attorney Jonathan Young provided Council with an overview of a pilot program to change the approach of the City Attorney's Office in its prosecution practices relative to the crime of Driving While License Suspended in the Third Degree in an effort to address systemic inequities.

Adjournment

9:11 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:
Natasha Ramras
BCF0734E40E94AE...

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.