



CITY COUNCIL MEETING MINUTES

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

Anne McEnery-Ogle, Mayor

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

February 11, 2019

WORKSHOPS

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

Councilmember Turlay was absent from workshops

5:30-6:00 p.m. Downtown Parking Strategy Update

*Presenters: Chad Eiken, Community & Economic Development
Director, 487-7882*

Summary

Staff provided Council with an update to the Downtown Parking Strategy and proposed next steps.

COUNCIL DINNER/ADMINISTRATIVE UPDATES (6 PM)

COUNCIL CONSENT AGENDA MEETING

Pledge of Allegiance

Call to Order and Roll Call

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

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

Absent: Councilmember Turlay

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

Citizen Communication (Items 1-5)

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

Consent Agenda (Items 1-5)

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

1. Hearing Examiner reappointments

Staff Report 025-19

Summary

The City of Vancouver currently has contracts with Sharon Rice as Hearings Examiner and Joe Turner as Hearings Examiner Pro Tem to conduct land use hearings as well as code compliance and tree appeals. Both were appointed to one-year terms in February 2018. VMC 2.51 authorizes City Council to appoint hearings examiners to one-year terms. The term for Sharon Rice, Hearings Examiner, and Joe Turner, Hearings Examiner Pro Tem, are about to expire.

Planning and Code Compliance staff have been satisfied with the performance of Ms. Rice over the last year. Ms. Rice conducted 19 hearings in 2018 consisting of 15 land use hearings, three tree appeals hearings and one code compliance appeal hearing. Mr. Turner conducted two hearings in 2018 consisting of two land use cases.

Ms. Rice is currently compensated at the rate of \$165.00 per hour and Mr. Turner is compensated at a rate of \$160.00 per hour. Neither is requesting an increase.

Request: Authorize the City Manager or his designee to sign the amendments to continue Hearings Examiner services for one year with Sharon Rice as Hearing Examiner, and Joe Turner as Hearing Examiner Pro Tem.

Greg Turner, Land Use Manager, 487-7883

Motion approved the request.

2. **Accept and execute a Conservation Futures Interlocal Agreement and Deed of Right for Fenton Community Park, for grant acquisition reimbursement funds**

Staff Report 026-19

Summary

The Clark County Conservation Futures (CF) Program levy was adopted by the Board of County Commissioners in 1985 as authorized by RCW 84.34.200. The primary purpose of the program is to create an interconnected greenway system throughout the County to protect lands valued for habitat, scenic corridors, recreation and other qualities that enhance the environmental integrity and livability of our community. The program has provided more than \$3 million in support of parks and open space within the City of Vancouver alone, including portions of the Burnt Bridge Creek Greenway, East Biddle Lake, Vancouver Lake Lowlands, Mimsi Marsh, Columbia Grove, and Fisher's Landing. These resources allowed the City to leverage local funds to stimulate additional support of park and open space acquisition, development, and resource restoration city wide.

Built into the most recent CF bond completed in 2018 is an annual allocation of \$250,000 for new projects. The rest of the \$7 million in bond revenues were committed to projects approved by County Council in 2017. The city grant application requests the 2019 allocation be awarded to support the Fenton acquisition, and in the event any previously committed projects are not realized, the City asks for the opportunity to apply for additional funding for this project if resources are available.

On January 11, 2019, the Clark County Parks Advisory Board made a determination that the Fenton project is consistent with the goals of the CF Program and forwarded a unanimous recommendation to the Clark County Council for approval of the grant request.

Per the CF grant process, an Interlocal Agreement (ILA) must be executed to accept grant funding. The ILA specifies that the land be retained and managed in a manner consistent with the original intent of the grant program by committing the site to public outdoor recreational and open space purposes in perpetuity by recording a Deed of Right (DOR). The attached Agreement is consistent with standard requirements, and execution will enable Parks staff to initiate the reimbursement process.

Request: Accept and authorize the City Manager, or his designee, to execute the Conservation Futures ILA and Deed of Right for acquisition of Fenton Community Park.

Monica Tubberville, Senior Planner, 487-8353

Motion approved the request.

3. **Garbage, Yard Debris/Organics and Recycling Collection Rate Modifications and Other Solid Waste Code Updates to be effective April 1, 2019**

Staff Report 027-19

AN ORDINANCE relating to the collection of solid waste, recyclable materials and organics, and Titles 5.94 and 6.12 of the Vancouver Municipal Code; amending Vancouver Municipal Code sections 5.94.020, 6.12.010, 6.12.020, 6.12.110, 6.12.115, 6.12.120, 6.12.130, 6.12.140, 6.12.161, 6.12.190, 6.12.201, 6.12.202, 6.12.203, 6.12.208, 6.12.209, 6.12.210, 6.12.211, 6.12.212, and 6.12.213; providing for severability; and establishing an effective date.

Summary

City Council is the rate-making authority for garbage, residential recycling, and yard debris/organics collection services within the City of Vancouver. The City contracts with a private hauling company, Waste Connections of Washington, to provide comprehensive garbage, recycling and yard debris collection services to residents and businesses within city limits. The existing contract, last updated on June 1, 2009, is scheduled to expire on January 31, 2020. In response to City Council direction, City staff has negotiated with Waste Connections and prepared a draft contract for City Council consideration. The contract is presented as a separate item on the February 25 agenda and a draft of the new contract is attached to the February 11 staff report. If the new contract is approved, then the full set of rate adjustments included in the subject ordinance are needed to implement the new contract on April 1, 2019. If the contract is sent back for revision or a decision is made to issue an RFP, then the ordinance would need to be modified, in which case, staff will come back to a future meeting with appropriate changes focused primarily on the new curbside and multifamily “recyclables processing surcharges”.

Recyclables Processing Surcharge/Reduced Revenue from Sale of Recyclables

The rate change of most consequence to single-family curbside and multi-family recycling customers is a new “recyclables processing surcharge” of \$1.77 per month for single-family households and \$0.78 per month per unit for multi-family complexes. This surcharge is independent of the new Waste Connections contract; however, there is also a \$0.19 per month added cost for single-family curbside recycling that is linked to the new contract and is explained further in the following section below. Clark County is expected to approve a \$68.91 per ton processing fee on

residential recycling tons delivered to the West Van Material Recovery Center effective March 1, 2019. The calculated pass-through surcharge will not apply to City customer bills until April 1; consequently the monthly charge for the remainder of the year will be slightly higher than if the effective date was also on April 1. City staff worked closely with Clark County Public Health, Columbia Resource Company and Waste Connections to review and analyze the rationale and calculations for these surcharges and believes the amount of the fees are reasonable and appropriate to address the need for slower processing speeds and increased staffing at the processing facility as a means of responding to the changes in global recycling markets over the last year and a half. As reported in August when staff previewed this topic, recycling continues to be marketed, mostly domestically; however, revenue is much lower than in the past and this is recognized through changes to the new contract, discussed below, and also is a factor in establishing the new surcharge. Note that the surcharge varies between single-family and multi-family service due to variation in the typical volumes set out on an annual basis (554 pounds per year for single-family and 245 pounds per year for multi-family units).

Currently single-family customers' bills for garbage service include \$3.01 per month for required recycling service. With the change in the contract and as a result of reduced revenue received by the City from the sale of processed materials, the City has reduced its per ton payments to Waste Connections from \$39.50 per ton to \$10.00 per ton of recyclables collected. This increases by \$0.69 per month the portion of collection costs that single-family residents pay; however, Waste Connections has agreed to partially offset the increase by \$0.50 per household per month. So the net increase to the basic single-family fee is \$0.19 per month effective April 1 bringing the cost to \$3.20 per month which is included in the monthly garbage fee tied to the level of service. The recyclables processing fee surcharge discussed above (\$1.77/month) is added to this amount and will be identified separately on the bill – the total single-family recycling charge with the surcharge is \$4.97 per month. For multi-family complexes the recycling fee is currently at \$1.29 per month and does not change because Waste Connections is offsetting the increase by \$0.20; however, the \$0.78 surcharge will bring the total cost to \$2.07 per month for multi-family units.

Organics Rates

A key new service in the contract is for expansion of the existing subscription-based every-other-week yard debris program (offered at the curb for residential customers) to include food scraps. This will be implemented six months after the new contract starts (October 1) allowing six months for planning, and development of outreach information. The fee for Organics collection (combined food scraps and yard debris) will be the same \$7.43 per month as the current yard debris only program (96-gallon volume). Rates will also be offered for reduced volumes of residential

organics: \$6.43 per month for 64-gallons, \$5.43 for 32-gallons, and \$4.43 for 20-gallons. Once full Organics collection is offered the current “on-call” yard debris option/rate will no longer be offered. Commercial and multi-family Organics collection service at the curb will also be offered, beginning October 1, with the every-other-week option rate set at \$8.26 per month and a weekly option rate set at \$16.52 per month. Additional fees established for container garbage service will apply for those commercial or multi-family customers opting not to set carts at the curb. New drop box hauling rates, \$105.86 for non-compacted and \$117.62 for compacted, are also established for commercial customers selecting that service option, other existing drop box fees would apply when used.

Optional Commercial Recycling Pilot Program

The City has worked with Waste Connections over the last ten years to implement and expand a popular optional pilot commercial recycling program and has fully subsidized recycling service with carts, or up to a 3 cubic yard container, at a cost of \$26.00 per month per business serviced. With the new contract, the City’s pilot program is being modified and the City subsidy will reduce to \$15.00 per month so that the participating businesses, if they choose to continue the service, will be asked to pay the balance, around \$11.00 per month; however, that fee may go up or down throughout the year in response to market fluctuations and material processing costs.

Services to Customers in Space Constrained areas – Space Saver and Seven Day Service Rates

Areas in Vancouver that include the historic downtown and newer mixed use zones aim to maximize space and create areas that are pleasant for both living, working and recreating. These designs may result in enclosures or garbage rooms in densely developed areas that lack sufficient space to store and service larger volume garbage containers. With less room, customers may require more frequent collection of a smaller-sized container(s). This design results in higher costs under the regular container rate schedule. New rates are established with the new contract to provide “space saver” rates for those locations where solid waste storage is identified as a significant challenge; thereby reducing the disincentive that some generators have reported under the existing linear rate structure. The rates are intended to encourage frequent removal of garbage and discourage storage of large containers in areas where aesthetics are important due to the mixed use design. The space saver rates offer an average of 14 percent savings over the regular container rates but still require the businesses to pay a 10 percent premium (embedded in the rates being adopted) over what they would pay with a larger container and less frequent pickups, were the site conducive to using a larger container. Effective January 1, 2020, commercial container rates will increase by 0.5

percent to offset the cost of efficiently servicing the space constrained locations. It is anticipated that the space saver rates will apply to 10 percent of the customers. New rates for sites requiring seven days per week service are also created through the ordinance. Under the new contract, Waste Connections agrees to collect on Sundays where this is required to best meet customer needs.

Summary

Other changes within the code either refine definitions or provide needed clarifications to be consistent with terms of the proposed new Contract for Waste Connections of Washington. There are also a few other minor housekeeping changes unrelated to the contract. These are shown as edits to the existing code within the ordinance.

Staff recommends modifying customer rates as detailed in the ordinance. Unless noted within the sections (as for organics services) all adjustments will be effective April 1, 2019.

Request: On Monday, February 11, 2019, approve ordinance on first reading, setting date of second reading and public hearing for Monday, February 25, 2019.

Tanya Gray, Solid Waste Supervisor, 487-7163

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

Motion approved the request.

4. Appointments to the Salary Review Commission

Request: Appoint Gail Czech and Briana Rygg to the Salary Review Commission, terms beginning immediately and expiring Dec. 31, 2022.

Councilmembers Turlay, Stober, Lebowsky

Motion approved the request.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for February 11, 2019.

(Copy available upon request.)

Motion approved claim vouchers for February 11, 2019, in the amount of \$4,859,020.66.

Citizen Forum

Mayor McEnerny-Ogle opened the Citizen Forum at 6:33 p.m. and received the following testimony:

- Thom McCarthy, Vancouver, expressed concerns about a milfoil invasion in the lake and requested the City's support in addressing the issue
- Ted Gathe, representing Friends of Vancouver Lake, presented Council with a diagram outlining the milfoil problem in Vancouver Lake and explained that Friends of Vancouver Lake is advocating to State agencies that work to be completed to address the issue this year. He requested the Council's support in the group's advocacy efforts.
- Alan Stewart, director of the Vancouver Lake Rowing Club and representing Friends of Vancouver Lake, expressed concerns about the milfoil invasion of Vancouver Lake and the economic impact it could have by severely limiting aquatic activities that bring in large groups of people.
- Stephen Wille, Vancouver, expressed concerns about the ecological changes of Vancouver Lake in recent years and urged the Council to support the development of a lake management plan.
- Dale Chambers, Vancouver, stated housing needs to be provided for Clark County jail inmates who have no housing to transition to after being released.
- Jennifer Benak, Kalama, Washington, urged the Council to pass an ordinance banning the sale of puppies in retail stores.
- Richard Benak, Kalama, Washington, urged the Council to pass an ordinance banning the sale of puppies in retail stores.
- Scott Weston, resident of the Hough Neighborhood, spoke in opposition to the proposals in the Westside Bike Mobility project, expressing concerns about the elimination of on-street parking.
- Monica Omelina, resident of the Hough Neighborhood, spoke in opposition to the proposals in the Westside Bike Mobility project, expressing concerns about the elimination of on-street parking and changing the historic character of the neighborhood.
- Shawn Brownfield, Vancouver, spoke in support of the Westside Bike Mobility project in general and protected bike lanes.

- Scott Murphy, Vancouver, expressed concerns about the data informing the Westside Bike Mobility project and about the potential elimination of on-street parking in the Hough Neighborhood. He urged the City to exercise more sensitivity to the parking situation in the neighborhood as the project moves forward.
- Julie Glasgow, Vancouver, spoke in support of increased safety for cyclists but expressed concerns about the current proposals in the Westside Bike Mobility project and the potential elimination of on-street parking.
- Devin Bowen, Ridgefield, Washington, spoke in support of the Westside Bike Mobility project and the City planners working on the project. He encouraged the Council to move the project forward, recognizing there will be further revisions to the proposals.
- Scott Yeager, Vancouver, spoke in support of the Westside Bike Mobility project in general and protected bike lanes, noting that Vancouver is currently not a safe place for cycling.
- Steve Valenta, Vancouver, spoke in support of the Westside Bike Mobility project and the promotion of new options for people to travel to downtown Vancouver.
- Jason Poindexter, Vancouver, spoke in support of the Westside Bike Mobility project, and stated any opportunities to lesson unsafe conditions for Vancouver residents should be seriously considered.
- Luke Kelly, Vancouver, cited statistics that cycling is down in Portland and Seattle, and urged the City to find more of a balance without eliminating on-street parking before making an investment in bike facilities.
- Steve Hennessy, Vancouver, expressed concerns about the public outreach surrounding the Westside Bike Mobility project and what seems like a lack of transparency to the neighbors of the impacted areas.
- Miltie Lloyd, Vancouver, spoke in opposition to the proposals in the Westside Bike Mobility project, expressing concerns about the elimination of on-street parking and the lack of neighborhood representation on the planning committee for the project.
- Mary Lou Putnam, Vancouver, expressed support for the development of protected bike facilities in west Vancouver, but expressed concerns about the confusion in the neighborhood and the elimination of on-street parking.
- Steve Putnam, Vancouver, expressed concerns about the public outreach surrounding the Westside Bike Mobility project and what seems like a lack of transparency to the neighbors of the impacted areas.
- Glen Young, Vancouver, expressed concerns about the public outreach

surrounding the Westside Bike Mobility project and what seems like a lack of transparency to the neighbors of the impacted areas.

- Lori Pugh, representing the Clark County Veterans Assistance Center, spoke in opposition to the proposals in the Westside Bike Mobility project, expressing concerns about the elimination of on-street parking, which she stated would put the Assistance Center out of business if it was implemented.
- Rachel Ferraris, resident of the Carter Park Neighborhood, spoke in support of protected bike lanes but expressed concerns about proposed elimination of on-street parking.
- Bryan Miller, resident of the Hough Neighborhood, stated he had mixed-feelings about the proposal from the Westside Bike Mobility project, as he is a supporter of the cycling community and a proponent of separated bike lanes, but he feels the plan has not considered impacts to livability and respecting the host neighborhoods through which the bike lanes would run. He encouraged the City to revisit the plan and find other options.
- Ken Williams, Vancouver, expressed broad support for the Westside Bike Mobility project, noting that Complete Streets and this project are about building opportunities for alternate modes of transportation, such as mobility scooters, not just bikes. He stated the City owns the streets and allocates the usage and therefore must make the difficult decision on this project.

Michael McClafferty, resident of Hough Neighborhood and business owner in Uptown Village, stated he had mixed-feelings about the proposal from the Westside Bike Mobility project, as he is a supporter of the cycling community and active in Uptown Village, but he expressed concerns about the public outreach surrounding the Westside Bike

- Mobility project and the lack of transparency for the neighbors who will be impacted.

Jan Verrinder, Vancouver, spoke in support of the Westside Bike Mobility project and the planning team working on it. She stated a lot of new cyclists would like to ride but are afraid to because of the lack of

- safety. She urged the Council to support this project as a step toward implementing the City's Complete Streets policy.

Gail Bosshart, resident of the Carter Park Neighborhood, stated she

- supports protected bike lanes but urged the City to work with everyone and find a balanced solution.

Nancy Carter, Vancouver, noted that the Hough Neighborhood is listed by Washington State as a historic neighborhood, and she expressed concerns that the addition of barriers for protected bike lanes would

- detract from the historic character of the neighborhood. She urged the City to find an equitable solution that does not leave out the residents.

Westside Bike Mobility project, especially potential elimination of off-street parking, and expressed concerns about how C-TRAN bus routes could be impacted by the elimination of the parking.

- Jennifer Hatcher, Vancouver, expressed concerns about the public outreach surrounding the Westside Bike Mobility project and urged the City to enforce speed limits along Columbia rather than installing bike facilities.
- Cameron Preas, resident of Hough Neighborhood, stated he supports safe bike facilities but they need to be balanced with parking needs. He urged the City to include all stakeholders in the planning process to find a compromise.
- Madeleine von Laue, Vancouver, spoke in support of the Westside Bike Mobility project and the planning team working on it. She stated that a lack of parking can be mitigated, and that cyclists have a right to have equal access to public streets.
- Chandra Runnels, Vancouver, stated that safety for cyclists is important but the impacts to residents living along the proposed routes in the Westside Bike Mobility project need to be considered. She also expressed concerns about the studies being referenced in the project and urged the City to find better comparables.
- Justin Forsman, Vancouver, expressed concerns about the use of glyphosate for vegetation management in parks, and about potential implementation of 5G technology by wireless providers.

There being no further testimony, Mayor McEnerny-Ogle closed the Citizen Forum at 8:19 p.m.

Adjournment

8:20 p.m.

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Anne McEnerny-Ogle, Mayor

Attest:

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