



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

January 13, 2020 - City Council Meeting Minutes

WORKSHOPS

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

4:00-6:00 p.m. A Stronger Vancouver: Capital Projects and Revenue Options

This workshop was held in the Aspen Room (1st floor) at City Hall.

Summary

Council discussed capital projects included in the Stronger Vancouver project, and provided feedback related to the proposed Operations Center replacement project; replacement and renovation of fire stations; investments in community and neighborhood parks; park land acquisition and associated proposed Park Impact Fee rates; and investments in economic development infrastructure. Council will continue deliberations on capital investments as part of a work session on January 27, 2020.

Video coverage of this complete work session is available to view online [at cvtv.org](http://cvtv.org).

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 6:32 p.m. by Mayor McEnery-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

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

Absent: None

Special Presentation: AWC Recognition of Councilmember Stober for Advanced Certificate of Municipal Leadership

Peter King, CEO of the Association of Washington Cities, presented Councilmember Stober with his Advanced Certificate of Municipal Leadership.

Citizen Communication (Items 1-8)

Prior to opening the Citizen Communication, Mayor McEnerny-Ogle noted there was a request to amend the agenda.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried 6-1, with Councilmember Hansen voting No, to amend the agenda to add discussion of ballot Initiative 976 (I-976) to follow the Citizen Forum.

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

- Vicky Smith, representing Xchange Recovery, provided an overview of the organization's mission and program and spoke in support of Item 7, thanking the City for the proposed shelter funding.
- Glen Yung, Vancouver, spoke regarding Item 1 and stated the contractor for the project did a good job but the City's design should have included a bulb at pedestrian crossings to provide for a shorter distance for pedestrians to cross and add traffic calming at those crossings.

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

Consent Agenda (Items 1-8)

Council requested Item 4 be pulled for discussion as outlined below.

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

1. Completion of Construction, 2019 West Curb Ramps

Staff Report 003-20

Summary

The project constructed 37 ADA-compliant curb ramps.

The original construction contract bid amount was \$327,450.00. Quantity adjustments during construction decreased the contract amount by 2.9% to \$317,884.67. Lee Contractors of Battle Ground, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications.

There was no apprenticeship goal for this project because the bid amount was less than the \$500,000.00 minimum threshold for having an apprenticeship goal.

Request: Accept the 2019 West Curb Ramps Project as constructed by Lee Contractors of Battle Ground, Washington, and authorize release of retainage in the amount of \$15,894.23, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 487-7790

Motion approved the request.

2. Completion of Construction, SE 164th/162nd Ave NHS Resurfacing

Staff Report 004-20

Summary

Lakeside Industries of Vancouver, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications. The original construction contract bid amount was \$1,908,908.00. Quantity adjustments during construction decreased the contract amount by 2.6% to \$1,858,405.86.

There was no apprenticeship goal for this project because federal requirements for grant projects do not allow the inclusion of local agency apprenticeship programs; however, the Washington State Department of Transportation (WSDOT) did set an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 8%. Lakeside Industries achieved an actual UDBE utilization of 15% on the project, exceeding the goal by 7%.

Request: Accept the SE 164th/162nd Ave NHS Resurfacing Project as constructed by Lakeside Industries of Vancouver, Washington, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 487-7790

Motion approved the request.

3. Completion of Construction, Joint Agency Preservation Project

Staff Report 005-20

Summary

Intermountain Slurry Seal of Reno, Nevada, has satisfactorily completed the subject improvements in accordance with the plans and specifications. The original construction contract bid amount was \$2,089,084.55. Quantity adjustments during construction decreased the contract amount by 6.1% to \$1,961,108.67.

There was an apprenticeship goal of 4% of the labor hours for this project, which corresponded to 220 hours of training. The contractor only provided 104 hours of training, and paid a penalty of \$1,155.90 for not meeting the goal.

Request: Accept the Joint Agency Preservation Project as constructed by Intermountain Slurry Seal of Reno, Nevada, and authorize release of retainage in the amount of \$98,113.23 subject to receipt of all documentation required by law.

Chris Fell, Senior Civil Engineer, 487-7790

Motion approved the request.

4. Bid Award for Mill Plain and 104th Ave Transportation Project

Staff Report 006-20

Summary

This section of Mill Plain Boulevard at I-205 experiences the highest daily traffic volumes in Vancouver. With less than 200 feet between the signalized intersections of Southeast 104th and 105th Avenues, options for improving traffic flow through signal timing alone are extremely limited. Traffic conflicts occur between vehicles queuing at the southbound I-205 ramp and vehicles heading east on Mill Plain Boulevard. Similarly, more storage is needed at the eastbound left-turn lane to the northbound I-205 ramp to reduce the conflicts of left-turning vehicles blocking eastbound vehicles.

On December 10, 2019, the City received 7 bids for the subject project. The bids ranged between \$3.65 million and \$5.19 million. The low bidder, Rotschy, Inc., was responsive.

Due to the federal funding associated with this project, the Washington State Department of Transportation (WSDOT) set an Underutilized Disadvantaged Business Enterprise (UDBE) goal of 7% and a training goal of 400 hours. Rotschy, Inc. from Vancouver, Washington, has committed to meet these goals. There are no City apprenticeship goals because federal guidelines for grant projects do not allow the inclusion of local agency apprenticeship programs.

Request: Award a construction contract for the Mill Plain Boulevard – 104th to NE Chkalov Drive project to the lowest responsive and responsible bidder, Rotschy, Inc. of Vancouver, Washington, at their bid price of \$3,648,294.06, which includes Washington State Sales Tax, and authorize the City Manager or designee to execute the same.

Jeff Schmidt, PE, Senior Civil Engineer, 487-7709

Councilmember Fox asked whether the City could include an apprenticeship requirement on the local match portion of the funding for this project even though federal funding is included.

Dan Swensen, Engineering and Construction Services Manager, explained that is not possible. Any federal funding in a project creates a situation where the entire project must be handled under the same standards and federal regulations. The federal agencies set training goals similar to the City's apprenticeship goals, and they pull from different agencies' projects within the entire region to meet those targets.

Motion approved the request.

5. Bid Award - NE 32nd Street Sewer and Water Improvements

Staff Report 007-20

Summary

The NE 32nd Street project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 16 parcels by installing 515 lineal feet of 8-inch gravity sewer mains and 495 lineal feet of shared pressure mains in NE 32nd Street.

The project will also replace an old substandard 2-inch water main servicing the properties with an 8-inch ductile iron water main and will also add a fire hydrant.

On December 17, 2019, the City received 12 bids for the subject project.

The bids ranged between \$296,000 and \$491,000. The low bidder was responsive.

The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$296,599.80</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$313,051.22</i>
<i>Civil Works NW, Inc., Vancouver, WA</i>	<i>\$336,895.80</i>
<i>Lee Contractors, LLC, Battle Ground, WA</i>	<i>\$345,966.53</i>
<i>Halme Excavating, Inc., Battle Ground, WA</i>	<i>\$348,511.06</i>
<i>Parker Pacific Excavation, West Linn, OR</i>	<i>\$369,354.27</i>
<i>Catworks Construction, Vancouver, WA</i>	<i>\$396,478.64</i>
<i>Clark and Sons Excavating, Inc, Battle Ground, WA</i>	<i>\$429,940.86</i>
<i>Laneco, Portland, OR</i>	<i>\$466,680.48</i>
<i>NW Construction General Contracting, Battle Ground, WA</i>	<i>\$491,219.02</i>
<i>C&R Tractor and Landscaping, Kelso, WA</i>	<i>\$571,961.82</i>
<i>Magna Construction Services, Inc.,</i>	<i>Non-responsive</i>
<i>Engineers' Estimate</i>	<i>\$390,000</i>

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

Request: Award a construction contract for the NE 32nd Street Sewer and Water Improvements project to the lowest responsive and responsible bidder, Advanced Excavating Specialists of Longview, WA at their bid price of \$296,599.80, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

6. Temporary Construction and Tieback Easement Agreement

Staff Report 008-20

Summary

The owners of Block 20 are currently working on the grading and

construction of the site. The grantees in the agreement are: TC Waterfront LLC, CG Waterfront LLC and JSP Waterfront LLC. Because of the soil conditions and approved building footprint, both a tieback easement and a construction easement are needed.

Staff from both the Parks and Recreation and Public Works Departments have agreed to the terms of the agreement and have worked with the City's legal staff and the grantees on the agreement.

The agreement language ensures the utilities are tested during the period of time when the tiebacks are being installed. Additional language is included to ensure the landscaping will be returned in its previous established state once the construction easement is no longer necessary.

Request: Authorize the City Manager or his designee to execute the Temporary Construction and Tieback Easement Agreement with Grantees for Block 20.

Julie Hannon, Parks and Recreation Director, 487-8309

Motion approved the request.

7. Affordable Housing Fund - 2019 Shelter Awards

Staff Report 009-20

A RESOLUTION relating to low-income housing; providing for adoption of the 2019 shelter funding awards for the Affordable Housing Fund and authorizing the City Manager or designee to execute the same.

Summary

The current shelter system in Vancouver and Clark County includes six year-round shelters providing approximately 200 beds, plus Winter Hospitality Overflow and emergency shelters for part of the year. Additional capacity is needed to meet the current demand for overnight shelter.

The Administrative and Financial Plan for the Affordable Housing Fund allocates a small portion of funds (5% or \$300,000 annually) to shelter projects. Previous awards have been made for capital improvements to maintain existing shelters. This year, staff released a request for projects that increase the capacity of the shelter system. Six proposals were received.

A review committee has recommended Affordable Housing Funds be awarded to four of the six projects. The proposed \$475,412 in awards would support the following:

- *X-change Recovery: \$84,226 for additional staff allowing 18 beds in existing transitional homes to be reserved for homeless individuals for one year. The full request was \$121,802; the committee recommended a partial award in order to support other projects.*
- *St. Paul Lutheran Church: \$180,949 for additional staff to add 6 beds at overnight Winter Hospitality Overflow (WHO) Shelter (increase from 24 to 30 beds) for one year. Increased staffing would also allow agency to increase service from 5 months to year-round.*
- *Share: \$200,237 for additional staff to increase operating hours from overnight to 24 hours at 18-bed Women's Housing and Transition (WHAT) Shelter for one year.*
- *Council for the Homeless: \$10,000 to add 60 vouchers to existing short-term motel shelter program and fund staff to help participants move to longer-term shelter or housing (\$6,000 for vouchers and \$4,000 for staff). The full request was \$50,000; the committee recommended a partial award in order to support other projects.*

If approved, staff anticipates executing these contracts in early 2020. Please note that St. Paul Lutheran Church has an additional need for approximately \$15,000 for windows; staff is working to locate other funding for this request.

At the December 16, 2019, workshop about the proposed shelter awards, Council requested information regarding the current housing market, housing and homeless needs, and the City's strategy for allocating Affordable Housing Funds to address those needs. Staff will provide additional information to Council in 2020 as part of a review of the City's housing and homelessness resources.

Request: Adopt a resolution approving the 2019 Affordable Housing Fund shelter awards totaling \$475,412 and reallocating \$175,412 in unspent implementation funds to the shelter projects and authorizing the City Manager or designee to execute agreements for the same.

Peggy Sheehan, Community Development Programs Manager, 487-7952

Motion adopted Resolution M-4057 to approve the request.

8. Approval of Claim Vouchers

Request: Approve claim vouchers for January 13, 2020.

Motion approved claim vouchers for January 13, 2020, in the amount of \$25,484,017.91.

Citizen Forum

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

- Lauren Lindeman, Vancouver, representing the Maplewood Neighborhood, expressed concerns about observing apparent public drug and alcohol use by clients of the Navigation Center and urged the City to take measures to enforce the Center's code of conduct and mitigate such behavior.
- Arlene Rupp, Vancouver, spoke in opposition to a replacement I-5 bridge with light rail and advocated instead for a new bridge connecting east Vancouver and Troutdale.
- Adam Aguilera, Vancouver, urged the City Council to support Clark College faculty who were currently striking.
- Clifford McFall, Vancouver, stated he has been visiting the Navigation Center to speak to clients about their most pressing needs and reported housing, shelter for women who are experiencing homelessness, and ensuring shelter and Navigation Center hours coincide with transit options to be the highest priorities.
- Teresa Hardy, Vancouver, spoke in support of increases to Park Impact Fees as Parks and Recreation staff have recommended to the Planning Commission.
- Glen Yung, Vancouver, stated he was encouraged by the discussion Council had during their work session about A Stronger Vancouver, especially regarding the Park Impact Fees and including commercial projects as part of that fee structure to alleviate some of the impact to affordable housing projects. He stated he would like to hear further discussion regarding the estimated costs to replace the City's Operations Center.
- Alona Steinke, Vancouver, urged the Council and City to set climate action goals to move toward becoming climate neutral in the near future.
- Cathryn Chudy, Vancouver, urged the Council to recognize the emergency of climate change and take action to set meaningful targets to transition to a 100 percent renewable energy economy in Vancouver.
- Don Steinke, Vancouver, urged the Council to adopt an energy policy that would limit or prohibit future capital projects from using fossil fuels and commit to reaching clean energy goals.

- Michael Martin, Vancouver, representing Fair Vote Washington, spoke in support of Washington State HB 1722 related to local options for cities and counties to implement ranked choice voting in local elections.

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

WALK-ON DISCUSSION: Impacts of I-976

City Manager Eric Holmes presented Council with short-term and long-term options and a recommendation for the City's response to I-976, which were included in the original presentation for the afternoon's work session on A Stronger Vancouver (slides 10-11).

City Attorney Jonathan Young reported a trial court had issued a stay of I-976 implementation via a preliminary injunction. A full hearing will be conducted, likely in March, and then the parties will be able to appeal any decision to the Washington Supreme Court. He stated the Supreme Court likely would not issue a ruling until November of this year.

Mr. Holmes stated that discussion regarding street funding in the context of the Stronger Vancouver initiative has been very limited to date because the City had a funding mechanism in place approved under the Street Funding Initiative, namely the vehicle license tab fee. Because of this, there has been no real engagement with the public so far regarding what revenue tools could be used to replace that funding. Due to this, and the timeline for legal decisions, Mr. Holmes recommended the Council wait for the results of court rulings and potential legislative action regarding I-976. If replacement revenue will be required after those decisions, he recommended the Council engage the community in 2021 regarding street funding options.

Councilmember Paulsen stated the first question for Council is to interpret the message from the public in the passage of I-976 and determine whether the public wants to fund streets before the City discusses how to fund that gap. He stated the purpose of the Stronger Vancouver initiative was in part to provide more predictability in the tax environment and begin to close the structural deficit in the City's budget, and given that the Council is on target to potentially put a portion of the initiative before the voters before the courts and the State come to any resolution on I-976, he stated the Council may need to discuss whether the initiative can move forward at this point.

Councilmember Stober stated he does not feel comfortable shelving the Stronger Vancouver initiative for another year but he also does not think the City can be ready to put street funding on a ballot in November without further input from the public. And he stated that even if I-976 is ruled unconstitutional, he is not sure the City should rely on the license tab fee as a funding tool, given the public feedback through the vote on I-976.

Councilmember Glover agreed but also noted that the City has been working on

Stronger Vancouver initiative for two years with little discussion regarding streets funding, and the City will lose public trust if the message is changed so late into the discussions.

Councilmember Lebowsky stated she sees I-976 and streets funding as a separate discussion from Stronger Vancouver, and agreed the City should respect voter intent and needs to engage with the public regarding streets funding. She stated the City may need a different process to solicit public feedback, and if the public is unhappy with license tab fees as a source for funding streets, then the City should discuss alternative methods.

Councilmember Paulsen stated he was comfortable with such a proposal so long as the Council and City are clear that street funding would be a separate and different discussion and process from the Stronger Vancouver initiative to determine the public's appetite for funding streets and the method for doing so.

Council discussed appropriate timing for when such an engagement effort should occur.

Mayor McEnery-Ogle noted she did not want to see another engagement process overlapping and potentially interfering with the Stronger Vancouver process. She noted that the comments from Council seem to concur with the City Manager's recommendation to wait until decisions have been made by the courts and at the State level and begin discussions in 2021 regarding how the City should fund streets, given the public response to I-976.

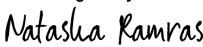
Adjournment

7:41 p.m.

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Anne McEnery-Ogle, Mayor

Attest:

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Natasha Ramras, City Clerk

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