



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

December 14, 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.

Councilmember Lebowsky absent from workshops.

Mayor McEnerny-Ogle arrived at 4:32 p.m. Mayor Pro Tem Linda Glover opened workshops.

4:30-5:30 p.m. City of Vancouver Climate Strategy

Aaron Lande, Senior Policy Analyst, 360-487-8612

Summary

Staff provided a recap of proposed climate strategy goals and options for Council discussion and feedback.

5:30-6:00 p.m. Development Agreement for Vancouver Clinic at Columbia Palisades

Keith Jones, Senior Planner, 360-487-7887

Councilmember Stober recused himself from this discussion as his husband

is employed by the Vancouver Clinic.

Summary

Staff provided an overview of a proposed Vancouver Clinic facility to be built within the Columbia Palisades development and a request for a development agreement for that project.

COUNCIL CONSENT AGENDA 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 CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Citizen Forum was also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The consent agenda 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 Fox, Paulsen, Glover, Stober, Hansen,
Mayor McEnerny-Ogle

Absent: Councilmember Lebowsky

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

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; Chad Eiken, Community and Economic Development Director; Julie Hannon, Parks and Recreation Director; Aaron Lande, Senior Policy Analyst; Natasha Ramras, Chief Financial Officer; Bryan Snodgrass, Principal Planner; and members of the public.

Citizen Communication (Items 1-5) - see general protocol above

Council requested Items 2 and 4 be pulled for separate discussion.

Mayor McEnerny-Ogle noted Item 2 pertains to her neighborhood association, and as such she would recuse herself from discussion and action on that item. Mayor McEnerny-Ogle left the meeting at 6:32 p.m. Mayor Pro Tem Glover presided over testimony, discussion and action on Item 2.

Mayor Pro Tem Glover opened Citizen Communications for Item 2 and received the following testimony:

- Glen Yung, Vancouver, expressed concerns that not enough information has been provided about the proposed land exchange, potential impacts to the neighborhood and mitigation of traffic safety issues. He requested Council delay action on this item until further information can be provided to the Council and the public.
- Mark Didrickson, Vancouver, echoed Mr. Yung's comments and concerns. He expressed concerns regarding traffic safety and stated not enough detail has been provided about the site plan and the school district's proposed use for the park land to fully understand potential impacts or benefits.
- Terry Ibert, Vancouver, expressed similar concerns and asked whether the land swap is of equivalent benefit to the school district and the neighborhood and what the urgency of the exchange is. He expressed concerns that little information had been provided regarding the school's broader plans for the site.

There being no further testimony, Mayor Pro Tem Glover closed testimony on Item 2.

Julie Hannon, Parks and Recreation Director, stated the City has been in ongoing discussions with the school district about this property since early 2019. The district has been exploring options for increased parking at the Vancouver School for Arts and Academics (VSAA) and staff did not feel comfortable with two previous options presented. Staff felt the current proposal is a good compromise as all park amenities would still be covered, and there may be some excess land not used by the school that could be utilized to expand the park. She noted staff has heard a lot of concerns from neighbors regarding traffic on F Street, and part of the City's motivations have been to ensure mitigation of that in discussions with the school district.

Councilmember Hansen stated he believes this should be a workshop discussion and expressed some concerns about the lack of detail provided to the Council and the public about the plans for the school's intentions at the site.

Councilmember Fox expressed similar concerns noting the Council has received little information about what the final configuration of the property would be. She stated she would like to see this item delayed until more information is provided.

Councilmember Stober stated he would like staff to bring back information comparing traffic on F Street at Shumway Park versus traffic along Kauffman near John Ball Park to give a relevant comparison of the impact to a site like what is proposed. Councilmember Stober expressed concerns that the Council is again being dragged into a dispute between the school district and a neighborhood and is stepping into what is already a toxic relationship between VSAA and the Shumway Neighborhood Association. He stated this project would be a good opportunity for conversations between the parties regarding how to achieve mutual benefits, such as taking steps to relieve street level parking pressure. He expressed concerns

about a lack of information regarding the school's plans for the site, and he supported remanding the item for further development before Council takes action on the proposal.

Councilmember Paulsen agreed and stated more information is needed regarding how the proposal benefits all parties.

Mayor Pro Tem Glover agreed and stated she also would like to see the school and the neighborhood association have further discussions.

Councilmember Hansen noted there are significant challenges at the school during pick-up times and urged the school to be creative in finding solutions to accessing the parking lot.

Mayor McEnerny-Ogle returned at 6:59 p.m.

Mayor McEnerny-Ogle opened Citizen Communications for Item 4 and received the following testimony:

- Glen Yung, Vancouver, stated he was surprised the previous proposal regarding the length of the comment period for Type III quasi-judicial land use applications had not moved forward to first reading, as Council had lengthy discussion on that issue at its previous workshop. He stated it seems that process may need a broader evaluation as well.

There being no further testimony, Mayor McEnerny-Ogle closed Citizen Communication for Item 4.

Councilmember Paulsen expressed concerns about the impact of the request in Ordinance A to change the Comprehensive Plan and zoning map designations on the balance of land for jobs to housing. He stated it seems the Gregory Landing project could move forward under the current zoning designation, and there is not a scarcity of 3-4 bedroom housing. He stated he would not be supportive of that change.

Councilmember Stober asked whether the remainder of the ordinance could move forward if Council removed the request to change the map designations from Ordinance A. City Attorney Jonathan Young confirmed Council could amend the ordinance to remove that request and the remainder of the ordinance could move forward to second reading and public hearing on December 21 as scheduled.

Motion by Councilmember Stober, seconded by Councilmember Paulsen to amend Ordinance A of Item 4 to remove the change of Comprehensive Plan and zoning map designations for the property at 7401 NE 18th Street.

City Manager Eric Holmes stated the amendment would essentially strike Sections 2 and 3 of Ordinance A. He asked for clarification as to whether Council wished staff to complete analysis on these issues in order for this request to come back for consideration as part of the current annual review cycle, or set the request aside for

now, and the applicant could pursue the request as part of the 2021 annual review cycle if desired.

Councilmember Stober stated he did not believe there would be time for staff to complete the desired analysis for Council to reconsider the request as part of the current cycle.

Mr. Holmes stated staff would come back to Council with information regarding the scope of what such analysis would require.

Motion to amend Ordinance A of Item 4 approved unanimously.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve the amended Ordinance A of Item 4 for second reading and public hearing on December 21, 2020.

Consent Agenda (Items 1-5)

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to approve Items 1, 3, 4 Ordinance B, and 5 of the Consent Agenda.

Councilmember Stober requested a vote on Item 2 to reflect Council's direction to remand the item to staff.

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to remand Item 2 to staff for further development. Mayor McEnerny-Ogle recused.

1. Award of grant funds from the PEG Capital Support Fund

Staff Report 184-20

A RESOLUTION relating to cable television and to the award of Public, Educational and Governmental ("PEG") capital contribution funds to The Vancouver Educational Telecommunications Consortium ("TV ETC") and Clark Vancouver Television ("CVTV") respectively, the designated educational and government access providers for the City of Vancouver.

Summary

The franchise agreements between the City of Vancouver, Clark County and Comcast Corporation provide for a capital contribution in the amount of \$1/month per subscriber for support of Public, Education, and Government (PEG) access and monthly transport costs for public I-NET users. This contribution may only be awarded to designated access providers and iNET users.

The Vancouver Educational Telecommunications Consortium (“TV ETC”), the Designated Access Provider for Education and Clark/Vancouver Television (“CVTV”), the Designated Access Provider for Government submitted applications for PEG capital support funds under the requirements established by the City/County Telecommunications Commission (“Commission”). In total, thirteen proposals were received totaling \$448,592. Estimated funds available for distribution in 2020 are approximately \$600,000. The grant applications were reviewed by outside technical experts and the PEG Committee, a subcommittee of the Commission.

The Telecommunications Commission through Resolution 2020-03 (attached) recommends that Vancouver City Council award PEG Capital Support Funding as follows:

<i>Applicant</i>	<i>Total Amount Requested</i>	<i>Total Amount Funded</i>
<i>TV ETC</i>	<i>\$333,949.32</i>	<i>\$329,745.56</i>
<i>CVTV</i>	<i>\$114,643.00</i>	<i>\$114,643.00</i>
<i>Total PEG Access Capital Grant Funds</i>	<i>\$448,592.32</i>	<i>\$444,388.56</i>

Request: On December 14, 2020, adopt a resolution, under the terms of the interlocal agreement between the City of Vancouver and Clark County, awarding from the PEG Capital Support Funds of \$329,745.56 to TV ETC and \$114,643.00 to CVTV. (Note: Under the terms of the Interlocal agreement between the City and the County, both Councils must approve the grants for funds to be awarded.)

Aaron Lande, Senior Policy Analyst, 360-487-8612

Motion adopted Resolution M-4111 to approve the request.

2. Property exchange between the City of Vancouver and the Vancouver School District (VSD) sites known as Shumway Park and the Vancouver School of Arts and Academics (VSAA)

Staff Report 185-20

Summary

SAA is undergoing significant expansion as well as corresponding parking capacity needs. VSD approached the City to discuss the project in 2019 and a revised site plan including a like-for-like property exchange proposal

was agreed upon to provide a better parking solution for VSD to address neighborhood concerns regarding traffic congestion while retaining the size and function of Shumway Neighborhood Park. The boundary adjustment replaces VPS's original proposal that located school parking on three sides of the current park ownership by relocating parking down-slope and west of the park to provide more visible connection to the adjoining neighborhood along F Street. Both parties support the equal area property exchange and believe the reconfiguration will result in minimal changes, if any, in park function.

The VSAA project in its total scope has gone through a land use application review process and the contractor, Woodburn Construction, has pulled a building permit to begin work on the school building and grounds. At this time, a condition of the building permit is that no work will be done in the park area until this property exchange is approved by City Council. The pending exchange agreement as well as the site plan will ensure that public access to the adjoining school "track and open space" area will continue in perpetuity. The track area is scheduled to be replaced with a walking path, including access from the park on the north with ADA ramp accommodations, as well as from the southern park boundary.

The property is classified as a neighborhood park in the parks inventory and consists of a small playground, gazebo and several picnic tables. All amenities, with the exception of one picnic table will remain undisturbed by the property exchange. The one impacted picnic table will be replaced by VSD at a preferred location identified by the neighborhood association when the parking lot construction is completed. The park will remain open and available to the public during construction.

While Chapter 3.30 of the Vancouver Municipal Code establishes a uniform policy and procedure governing the disposition of real property that is surplus to the needs of the City, there are several exceptions to the application of this chapter. VMC 3.30.020(B)(3) provides, in part, that "intergovernmental transfers that are subject to RCW Chapter 39.33 [and] RCW 43.09.210" are not subject to the requirements of VMC Chapter 3.30. The proposed property exchange is between two governmental agencies where no monetary compensation is involved, and the parcels being swapped are of equal size and value, situated in the same location. Accordingly, the proposed transfer is subject to RCW Chapter 39.33 and RCW 43.09.210, instead of the City's disposition and sale process contained in VMC Chapter 3.30.

Vancouver School District was the lead agency for the State Environmental Policy Act (SEPA) for this project. Following the proposed property boundary realignment, a revised checklist and Notice of Application were circulated to include the revised site plan proposal. No comments were received regarding the park realignment component, and no appeals were

submitted. The district found that the proposal would not result in probable significant adverse environmental impacts provided that specified mitigation measures were employed. A Mitigated Determination of Nonsignificance (MDNS) was issued on May 13, 2020, including a requirement for VSD to work with the City to support provision of recreational opportunities and connectivity between Shumway Park and open space on the District's property.

The Parks and Recreation Advisory Commission heard presentations on the proposal on two occasions. The first presentation and discussion were at the regular meeting on November 18, 2020. At that time, the PRAC called a special meeting, completed on November 23, 2020, to ensure they could hear the neighborhoods comments regarding the property exchange. The meeting concluded with PRAC forwarding a recommendation to City Council to approve the property exchange between the City and Vancouver School District.

Request: Approve the real property exchange agreement with Vancouver Public Schools and authorize the City Manager to execute the same.

Julie G. Hannon, Parks and Recreation Director, 360-487-8309

Item remanded to staff for further development.

3. 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 14, 2020, approve ordinance on first reading, setting date of second reading and public hearing for Monday, December 21, 2020.

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

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

Motion approved the request.

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

Staff Report 187-20

A. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Comprehensive Plan and zoning map designations for property at 7401 NE 18th Street, tax lot 29378002; text of Vancouver Comprehensive 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 map corrections and text changes (see attached Ordinance A):

Comprehensive Plan/Zone Map Amendment – Gregory Landing

Change designations from Commercial/CC to Urban High Density/R-22 on a 2.6-acre undeveloped property at 7401 NE 18th Street. The Planning Commission unanimously recommended approval at a public hearing on October 27, finding that the application demonstrated there is sufficient existing commercial development and land in the surrounding area, and the proposed change would allow for likely future development of attached 3-4 bedroom townhomes which would expand rental opportunities for families in the area. Citywide there were 533 acres of vacant or underutilized commercial land in 2018 according to Clark County modeling data. One person testified at the Planning Commission hearing requesting more information about community benefits and how to ensure they are realized by future development that occurs following zone changes.

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 14, 2020, approve ordinances on first reading, setting date of second readings and public hearing for Monday, December 21, 2020.

Bryan Snodgrass, Principal Planner, 360-487-7946

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

Motion approved Ordinance 4B for second reading and public hearing on December 21, 2020.

Motion approved Ordinance 4A as amended above for second reading and public hearing on December 21, 2020.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for December 14, 2020.

Motion approved claim vouchers for December 14, 2020, in the amount of \$11,872,751.41.

Citizen Forum - see general protocol above

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

- Brittney Samaduroff, Battle Ground, Washington, representing DC Visitation, stated she is a visitation supervisor for foster children, and noted there is no emergent placement program in Clark County for children ages 12-17 in foster care, and requested assistance in creating such a program.
- Don Steinke, Vancouver, urged the City to require the installation of electric vehicle infrastructure as part of new developments in the city.
- Alona Steinke, Vancouver, thanked the City for its work on climate strategy, and urged the City to aim high in setting emissions reduction targets.
- Cathryn Chudy, Vancouver, urged the City to aim high in setting emissions reduction targets.
- Rick Marshall, Vancouver, thanked the City for its regional leadership on the climate crisis, and urged the City to aim high in setting emissions reduction targets.
- Peter Fels, Vancouver, urged the City to tie development agreements with its work on climate action and incentivize clean energy building. He urged the City to eliminate development code vesting from agreements on such projects as the Columbia Palisades.

- Glen Yung, Vancouver, thanked staff for improved responsiveness on recent issues he had asked about.

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

Adjournment

7:34 p.m.

DocuSigned by:

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Anne McEnerny-Ogle, Mayor

Attest:

DocuSigned by:

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Natasha Ramras, City Clerk

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