



# CITY COUNCIL MEETING MINUTES

Vancouver City Hall – Council Chambers – 415 W. 6<sup>th</sup> Street  
PO Box 1995 – Vancouver, Washington 98668-1995

[www.cityofvancouver.us](http://www.cityofvancouver.us)

Timothy D. Leavitt, Mayor

Jack Burkman · Bart Hansen · Bill Turlay · Anne McEnery-Ogle · Alishia Topper · Ty Stober

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## ***November 14, 2016***

### **WORKSHOPS** (City Council Chambers)

**5:15-6:00 p.m.                      FINAL 2017 STATE LEGISLATIVE AGENDA**

Council met with Mark Brown, Governmental Affairs Liaison

#### **Summary**

The City's Governmental Affairs Liaison presented Council with the final state legislative agenda for 2017. (*Jeanette (Jan) Bader, Program and Policy Development Manager, 487-8606*)

### **COUNCIL DINNER/ADMINISTRATIVE UPDATES**

6:00-6:30 p.m.

### **COUNCIL CONSENT AGENDA MEETING** (City Council Chambers)

#### **PLEDGE OF ALLEGIANCE**

#### **CALL TO ORDER AND ROLL CALL**

The consent meeting of the Vancouver City Council was called to order at 6:31 p.m. by Mayor Timothy Leavitt in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

**Present:** Councilmembers Topper, McEnery-Ogle, Hansen, Burkman, Mayor Leavitt

**Absent:** Councilmembers Stober, Turlay

**Motion** by Councilmember McEnery-Ogle, seconded by Councilmember Burkman, and carried unanimously to excuse Councilmembers Stober and Turlay.

### **CITIZEN COMMUNICATION (ITEMS 1-7)**

Mayor Leavitt opened Citizen Communication and, receiving no testimony, closed Citizen Communication

**CONSENT AGENDA (ITEMS 1-7)**

**Motion** by Councilmember Burkman, seconded by Councilmember McEnery-Ogle, and carried unanimously to approve the Consent Agenda.

**1. NE 136TH/141ST AVENUE SANITARY SEWER IMPROVEMENTS (PROJECT NO. 083442) CONSTRUCTION ACCEPTANCE AND RELEASE OF RETAINAGE**  
(Staff Report 154-16)

**Summary**

*Halme Excavating of Battle Ground, Washington, has completed construction of the NE 136<sup>th</sup>/141<sup>st</sup> Avenue Sewer Connection Incentive Program (SCIP) project. The project installed new sewer pipes to serve 34 properties in the Image and Parkside neighborhoods. During the course of the project, the contractor installed 3,243 feet of 8-inch sanitary sewer gravity mains in Ne 136<sup>th</sup> and NE 141<sup>st</sup> Avenues and NE 36<sup>th</sup> Street.*

*The work was completed satisfactorily in accordance with the plans and specifications. Contract costs are summarized below:*

<b>TOTAL CONTRACT COSTS</b>	
<i>Labor, Equipment and Material</i>	<i>\$467,817.83</i>
<i>Sales Tax</i>	<i>\$28,618.79</i>
<i>Total</i>	<i>\$496,436.62</i>
<i>Retainage</i>	<i>\$23,390.89</i>

*The original contract amount, including sales tax, was \$498,054.86. The final project cost was \$496,436.62, which was \$1,618.24 (under 1%) lower than the original contracted amount. The difference between original contract amount and final contract amount can be attributed to the typical variances in unit prices and/or quantities commonly encountered during construction.*

**Motion** accepted the facilities as constructed by Halme Excavating of Battle Ground, Washington, and authorized release of the retainage in the amount of \$23,390.89 subject to receipt of all documentation required by law. (Sheryl Hale, Sewer Connection Incentive Program Manager, 487-7151)

**2. 98TH & MILL PLAIN SANITARY SEWER IMPROVEMENTS (PROJECT NO. 083469) CONSTRUCTION ACCEPTANCE AND RELEASE OF RETAINAGE**  
(Staff Report 155-16)

**Summary**

*AES of Longview, Washington, has completed construction of the 98<sup>th</sup> & Mill Plain Sewer Connection Incentive Program (SCIP) project. The project installed new sewer pipes to serve 27 properties in the Marrion, Vancouver Heights and North Garrison Heights neighborhoods. During the course of the*

*project, the contractor installed 2,786 feet of 8-inch sanitary sewer gravity mains in Mill Plain Blvd, NE 5<sup>th</sup> Street, NE 82<sup>nd</sup> Ave and Lieser Rd.*

*The work was completed satisfactorily in accordance with the plans and specifications. Contract costs are summarized below:*

<b>TOTAL CONTRACT COSTS</b>	
<i>Labor, Equipment and Material</i>	<i>\$570,159.81</i>
<i>Sales Tax</i>	<i>\$41,952.20</i>
<i>Total</i>	<i>\$612,112.01</i>
<i>Retainage</i>	<i>Bond</i>

*The original contract amount, including sales tax, was \$610,401.42. The final project cost was \$612,112.01, which was \$1,710.59 (under 1%) more than the original contracted amount. The difference between original contract amount and final contract amount can be attributed to the typical variances in unit prices and/or quantities commonly encountered during construction.*

*An apprenticeship goal of 3% was required with the solicitation of this project. The contractor, AES, exceeded the required goal with an apprenticeship utilization of 16% recorded on the Apprenticeship Verification Form submitted.*

**Motion** accepted the facilities as constructed by AES of Longview, Washington, and authorized release of the retainage bond subject to receipt of all documentation required by law. *(Sheryl Hale, Sewer Connection Incentive Program Manager, 487-7151)*

**3. PROFESSIONAL SERVICE AGREEMENT FOR THE WATER STATION 1 PHASE 2 RESERVOIR AND SECURITY UPGRADES PROJECT**  
(Staff Report 156-16)

**Summary**

*Water Station 1 has been used as a water production site since the late 1800s and is currently the largest and most productive water station in the City of Vancouver water system. The site has a well pumping capacity of 34 million gallons per day and is the backbone of Vancouver's water supply system. It has more than twice the production capacity as the next largest well field in the Vancouver system. In 2015, Water Station 1 supplied approximately 30% of Vancouver's water use demands.*

*In 2005, a facilities master plan was prepared for Water Station 1 in order to define required improvements needed to secure, upgrade and maintain this vital resource. This facilities master plan was approved in January of 2006.*

*The overall project objectives are to replace aging facilities and components at Water Station 1 to ensure reliability and increase efficiency. The project has been divided into phases. New facilities that are currently being constructed with Phase 1 include a new booster pump station, an operations support*

*center, a new treatment building, emergency power, upgraded electrical systems, upgraded control panels, and an upgraded system-wide control system.*

*Phase 2 will include the replacement of two existing concrete water storage reservoirs as well as one elevated steel reservoir. One of the existing ground level reservoirs was constructed in 1909. The other ground level reservoir and the elevated reservoir were both constructed in 1937. None of these reservoirs was built to current seismic standards. Seismic evaluations were recently completed on the existing reservoirs and deficiencies were found. An initial seismic evaluation on one of the reservoirs indicated that seismic upgrades would save significant money when compared to replacement. A recent evaluation of this reservoir provided by CH2M indicated that the cost to seismically retrofit the reservoir would be too high, so both existing reservoirs and the elevated steel reservoir are planned for removal and replacement with this project. The new reservoirs will not only increase the water storage capacity at this site but will also improve the reliability of the water system. Security and fencing improvements will also be included in the Phase 2 project in order to protect this vital facility.*

*For Phase 2, the City invited professional engineering firms with experience in water station design to submit statements of qualifications for providing professional services on June 1, 2016. Qualifications were received from three firms; CH2M Engineers, HDR Engineering, and OBEC Consulting Engineers. The submittals were evaluated by a selection committee and CH2M Engineers was selected based on their extensive experience with water system reservoir design.*

*The scope of work covered by this professional services agreement is the final step in designing the improvements for Phase 2. This scope includes development of final design plans, construction documents and specifications required to make needed improvements. Total Phase 2 construction costs are anticipated to be \$14 million with completion in 2020.*

*An additional third phase, currently scheduled to begin in 2022, will include replacing three existing wells.*

**Motion** authorized the City Manager or his designee to execute a professional services agreement between the City of Vancouver and CH2M Engineers for an estimated amount not to exceed \$2,305,577. (Tyler Clary, Water Engineering Program Manager, 487-7169; Michelle Henry, Civil Engineer, 487-7155)

#### **4. COLLECTIVE BARGAINING AGREEMENT WITH VANCOUVER POLICE COMMAND UNIT** (Staff Report 157-16)

##### **Summary**

*The labor agreement between the City and the Vancouver Police Command bargaining unit will expire on December 31, 2016. The parties were able to work through a collaborative process and consensual decision making on many of the provisions for a new three-year agreement. The labor agreement is being brought to Council for approval.*

*Key Points of the agreement:*

*2017 – 3% wage adjustment (to maintain contractual differential between Guild and Command Groups);  
2018 – 3% wage adjustment (to maintain contractual differential between Guild and Command Groups);  
2019 – 3% wage adjustment (to maintain contractual differential between Guild and Command Groups);  
New employees may begin using PDO (Paid Days Off) hours as soon as they become available; No  
significant benefits changes.*

**Motion** authorized the City Manager or his designee to sign the 2017-2019 Collective Bargaining Agreement with the Vancouver Police Command Unit. *(Suzi Schwabe, Human Resources Director, 487-8408)*

**5. AMENDMENTS TO COUNCIL POLICY 100-32, COUNCIL MEETINGS**  
(Staff Report 158-16)

**A RESOLUTION** amending Council Policy 100-32 City Council Meetings to provide that Citizen Forum may not be used for the purpose of engaging in political campaigning.

**Summary**

*Council Policy 100-32 as currently written does not address campaigning during Citizens Forum. The proposed change to this policy would (1) prohibit speakers from speaking “in favor or opposition to any ballot measures or candidate for elected office”; (2) make several edits to eliminate redundancies in the Councilmembers’ ability to place matters on the agenda; and (3) make some cleanup edits.*

*RCW 42.17A.555 prohibits the use of public facilities for the purpose of campaigning. Public facilities may be used as a “neutral forum” to discuss ballot measures and candidates; however, to qualify as a neutral forum, there must be equal opportunity for both sides of ballot measures and all candidates to present their views. Citizen Forum does not qualify as a neutral forum because there is not prior notice to all sides and it does not provide a fair opportunity for opposing sides to present their view. Thus, use of the meeting room during Citizen Forum should be restricted to prohibit campaigning. This position has been confirmed with the PDC and MRSC. Having a clear policy on this point would assist Council in maintaining order during meetings.*

*The policy as currently written allows an item to be placed on the agenda by two Councilmembers, “Council consensus”, “a majority of Council” and by a “Council Committee”. The proposal is to simplify Section 5.6.3.1 to provide that “any two or more Councilmembers” may place an item on the agenda.*

**Motion** adopted Resolution M-3912 modifying Council Policy 100-32 Council Meetings. *(Bronson Potter, City Attorney, 487-8500)*

**6. PROPOSED CHANGES TO MULTI-FAMILY TAX EXEMPTION PROGRAM (MFTE)**  
(Staff Report 159-16)

**AN ORDINANCE** related to multi-family property tax exemption, amending Vancouver Municipal Code Sections 3.22.020 and 3.22.040; and providing for an effective date.

**Summary**

Responding to the Affordable Housing Task Force’s recommendations regarding the MFTE program, City staff proposed changes at a September 19<sup>th</sup> City Council workshop to allow the program to be used citywide in adopted subareas, create a tiered affordability approach with eight-, ten- and twelve-year options, and eliminate the current exemption for market-rate only housing.

Council expressed concerns about removing the market rate-only option as well as expanding the program to other areas without having a better understanding of how the incentive might impact housing development. Based on Council’s input, staff has revised the proposed MFTE changes as summarized below. If the ordinance is approved, the proposed start date for the new program guidelines is January 2, 2017.

		<b>Current Program</b>	<b>Revised Staff Proposal</b>
<b>Market Option</b>	<b>Rate</b>	Market Rate Option: 8 Year Exemption with no income/rent limit; no other requirement for, enhanced design, public amenities, etc.	Retain Market Rate Option, but make each project subject to Council approval of a Development Agreement, which could require: <ul style="list-style-type: none"> <li>▪ Enhanced design features and/or materials</li> <li>▪ Public art or facilities (e.g. plaza)</li> <li>▪ Additional or structured parking</li> <li>▪ Enhanced landscaping</li> <li>▪ Enhanced infrastructure (e.g. wider sidewalks), undergrounding utilities, etc.</li> <li>▪ Homeownership component</li> <li>▪ LEED or similar energy efficiency</li> <li>▪ Consistency with the Subarea Plan in which project is located</li> </ul>
<b>Affordable Option</b>	<b>Rate</b>	Affordable Rate Option: 12-year exemption if 20% of units are available to renters or owners earning a maximum of 115% AMI	Tiered approach: <ul style="list-style-type: none"> <li>▪ 8-year option: 20% of units @ 100% of AMI</li> <li>▪ 10-year option: 20% of units @ 80% of AMI</li> <li>▪ 12-year option: 20% of units @ 60% of AMI</li> </ul>
<b>Geographic Areas</b>		Limited to City Center and Fourth Plain Subareas	Expand to other adopted planning subareas deemed appropriate for multi-family housing (e.g. Section 30, Riverview Gateway, 112 <sup>th</sup> Ave., Fruit Valley); projects outside of the downtown would not be reviewed by the City Center Redevelopment Authority. Areas will be approved by Council.

<b>Evaluation Criteria</b>	<i>In addition to affordability criteria, projects evaluated based on need for incentive in order to make the project feasible</i>	<i>In addition to affordability criteria, evaluate projects based on effect of deferred tax proceeds (property, sales, utilities, etc.)</i>
<b>Administrative Fee</b>	<i>None</i>	<i>\$500 annual monitoring fee per project to offset administrative costs to ensure continued compliance with program</i>

**Motion** approved ordinance on first reading, setting date of second reading and public hearing for Monday, November 21, 2016. (Peggy Sheehan, Community and Economic Development Programs Manager, 487-7952)

#### **7. APPROVAL OF CLAIM VOUCHERS**

**Motion** approved claim vouchers for November 14, 2016, in the amount of \$2,944,164.97.

#### **WALK-ON ITEM: APPOINTMENT TO THE PARKING ADVISORY COMMITTEE**

**Motion** by Councilmember McEnery-Ogle, seconded by Councilmember Burkman, and carried unanimously appointed Stephanie Rice to the Parking Advisory Committee for a mid-term position beginning immediately and expiring July 31, 2019.

#### **WALK-ON ITEM: RE-APPOINTMENT TO THE PDX CITIZEN NOISE ADVISORY COMMITTEE**

**Motion** by Councilmember McEnery-Ogle, seconded by Councilmember Burkman, and carried unanimously reappointed Mike Yee to the PDX Citizen Noise Advisory Committee for a full term beginning immediately and expiring Nov. 30, 2019.

### **CITIZEN FORUM**

Mayor Leavitt opened the Citizen Forum and received the following testimony:

- Gary Akizuki, Treasurer for the Bring Vancouver Home campaign, thanked the City Council for placing the affordable housing fund proposition on the ballot for the most recent election. He thanked the citizens of Vancouver for supporting the measure.

There being no further testimony, Mayor Leavitt closed the Citizen Forum.

#### **ADJOURNMENT**

6:37 P.M.

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Timothy D. Leavitt, Mayor

Attest:

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R. Lloyd Tyler, City Clerk  
By: Carrie Lewellen, Deputy City Clerk

Meetings of the Vancouver City Council are electronically recorded on audio and videotapes. The audio tapes are kept on file in the office of the City Clerk for a period of six years.



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