July 18, 2016

WORKSHOPS (City Council Chambers)

4:30-6:00 p.m.  EXECUTIVE SESSION re: CITY MANAGER PERFORMANCE EVALUATION

COUNCIL REGULAR MEETING (City Council Chambers).

PLEDGE OF ALLEGIANCE

CALL TO ORDER AND ROLL CALL
The regular meeting of the Vancouver City Council was called to order at 7 p.m. by Mayor Timothy Leavitt in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Stober, Topper, McEnerny-Ogle, Turlay, Hansen, Burkman, Mayor Leavitt
Absent: None

APPROVAL OF MINUTES OF JULY 11, 2016

Motion by Councilmember Burkman, seconded by Councilmember Hansen and carried unanimously to approve the meeting minutes of July 11, 2016.

CITIZEN COMMUNICATION ( ITEMS 1-7)

Mayor Leavitt opened Citizen Communication and received the following testimony:

• Todd Boulanger, Vancouver, spoke in support of Item 5, the Westside Mobility Strategy report, and thanked the City for its work on this issue.

• Tom Paulu, Vancouver, spoke in support of Item 5, but asked why it would take so long to prohibit truck traffic on 39th Street.

• Greg Martin, Vancouver, regarding Item 5, presented a proposed resolution from the Lincoln Neighborhood for the City to consider in prohibiting truck traffic on 39th Street.
• Bob Higbie, Vancouver, regarding Item 5, requested the City work to prohibit freight truck traffic on 39th Street as soon as possible.

• Eileen Higbie, Vancouver, regarding Item 5, requested the City adopt the Westside Mobility Strategy but work to prohibit freight truck traffic on 39th Street as soon as possible.

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

Patrick Sweeney, Transportation Planner, in response to citizen comments regarding truck traffic on 39th street, explained that the plan included a 12-18 month timeframe for prohibit freight truck traffic in an effort to use an abundance of caution regarding how long the process may take. He said WSDOT indicated it could be faster. The first step is for the City Council to approve an ordinance, and staff has begun developing that ordinance for Council consideration in the late summer or early fall. After that ordinance is in place, the Public Works will begin installing signs on 39th Street and WSDOT will have to post information along I-5 and the 39th Street interchange. He stated staff would also conduct outreach with the Port of Vancouver and potentially affected businesses and update online information regarding the City’s arterial roadways.

Council directed staff to expedite this process as quickly as possible.

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

Mayor Leavitt noted that staff had requested Item 3 be remanded for further development.

**Motion** by Councilmember Hansen, seconded by Councilmember Burkman, and carried unanimously to pull Item 3 from the agenda and remand it to staff for further development.

**Motion** by Councilmember McEnerny-Ogle, seconded by Councilmember Stober, and carried unanimously to approve Items 1-2 and 4-7 of the Consent Agenda.

1. **APPROVAL OF PURCHASES FROM PC SPECIALIST FOR IT EQUIPMENT AND SERVICES**

   (Staff Report 100-16)

**Summary**

On Jan. 25, 2016 (SR009-16), the City Council approved a contract for Cisco data communications equipment and associated products and services from PC Specialist dba Technology Integration Group of San Diego, California, through their contract with the State of Washington, Contract #01114 (Master Contract T12-MST-642). The not-to-exceed amount was $750,000 based on current IT and Public Works appropriations. In order to make the additional network segmentation and enhancement changes provided for in the 2016 Winter Supplemental Budget, the not-to-exceed amount for this contract needs to be increased.

**Motion** approved purchases from PC Specialist dba Technology Integration Group of San Diego, California, for Cisco Equipment and associated products and services at an amount not to exceed
$1,900,000, including Washington State sales tax, for the remaining life of this piggyback contract ending August 10, 2017. (Patrick Gilbride, IT Manager, 487-7650)

2. AWARD OF CONTRACTS TO CONSTRUCT REPLACEMENT OF FIRE STATIONS 1 & 2  
(Staff Report 101-16)

Summary
As the City of Vancouver continues to grow, so do the public safety needs of our citizens. As part of our continued efforts to maintain the best public safety policies and practices, the City of Vancouver completed a Long Range Facility Plan for the City’s Fire Department. Upon completion of this plan, it was determined that the City would best be served by maintaining separate fire stations in the areas currently served by Stations 1 and 2. Further, both Stations 1 and 2 were recommended to be rebuilt and moved to locations that more strategically serve the public with improved response times.

RFQ #7-15 “Fire Station Design Services” was issued last year and property was purchased at Main Street and 4th Plain for Replacement Fire Station 1 and at Norris Road and 4th Plain for Replacement Fire Station 2 in response to the Council’s approval for the appropriation of funds. Mackenzie Engineering was awarded the project and since worked with City staff and stakeholders in the development of the project design. The public and other major stakeholders provided significant input on the concept design. The selected concept benefited from the robust input provided by the stakeholders at the Vancouver Fire Department, Public Works, City IT, and Community and Economic Development departments as well input received from the public and review authorities during permitting.

Invitation to Bid #16-8 was issued on May 20, 2016. The Invitation to Bid documents included an 8% Apprenticeship Utilization Requirement. The City received three contractor bids by the bid solicitation close on June 30, 2016. City staff and key stakeholders met to review the bids and to provide a recommendation for award. A recommendation for awarding the Fire Station 1 & 2 base bid and alternate 1 was determined. The Base Bids plus the recommended accepted alternate ranged between $10,861,680 and $11,717,179. The bid results are as follows.

**SUMMARY OF BIDS**

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Base Bid</th>
<th>Alternate Bid</th>
<th>Award Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corp Inc. Construction, Salem, OR</td>
<td>$10,840,000</td>
<td>$21,680</td>
<td>$10,861,680</td>
</tr>
<tr>
<td>Emerick Construction Co., Tualatin, OR</td>
<td>$10,862,764</td>
<td>$44,227</td>
<td>$10,906,991</td>
</tr>
<tr>
<td>Skyward Construction, Ridgefield, WA</td>
<td>$11,668,562</td>
<td>$48,617</td>
<td>$11,717,179</td>
</tr>
<tr>
<td>Engineers’ Estimate</td>
<td>$10,472,507</td>
<td>$30,412</td>
<td>$10,502,919</td>
</tr>
</tbody>
</table>

Corp Inc. Construction was determined to be the lowest responsive and responsible bidder and their bid was within the expected range of the engineer’s estimate. The Engineers Estimate had a range between $10,502,919 and $11,132,249 for the Base Bid and accepted Alternate. The contract with Corp Inc. Construction is written for $10,861,680.00 to include the acceptance of the base bid and alternate 1.
Corp Inc. Construction acknowledges the City’s desire for Apprenticeship Utilization on this project and is anticipating meeting and exceeding the 8% goal. An estimated breakdown of the apprenticeship utilization for this project has been attached to this staff report.

**Motion** awarded a contract to the lowest responsive and responsible bidder, Corp Inc. Construction of Salem, Oregon, and authorize the City Manager or his designee to execute a contract for the Vancouver Fire Department Replacement Fire Station 1 and 2 Project, in the amount of $10,861,680, which includes Washington State Sales tax. *(Jonathan Sears, Capital Project Manager, 487-8319)*

3. Agreement and Addendum to the Fire Services Transition Agreement with Fire District No. 5

(Staff Report 102-16)

**Summary**

In 1994, Fire District No. 5 entered into a service contract with the City of Vancouver to provide emergency and prevention services to the citizens of the District. All employees, equipment, and assets of the District were transferred to the City at that time. Today, the District continues to provide safety, prevention, and community outreach, as well as operate the Northwest Training Center located in Orchards, while the City provides fire suppression, emergency medical response, special operations, and marine/aircraft rescue and firefighting to citizens of both the City and the District.

The 1994 service contract was updated in 1998 and in 2005. The Fire Department Services Agreement has been updated and streamlined to ensure efficient and focused services to the District and its residents by the City’s Fire Department. The Agreement provides an overview of the services to be provided and the funding by the City and the District. The funding methodology has been updated to reflect 2016 as the “base year” for funding calculations. Under the provisions of the Agreement, the City and the District work together to develop the Fire Department budget, with ultimate authority to adopt the budget resting with City Council.

Once City Council and the District Commissioners approve the updated agreement, ultimate responsibility for the agreement rests with the City Manager who has delegated authority to the City Fire Chief to implement the agreement on an operational basis. The Fire Chief coordinates and communicates with District Commissioners and the District Administrator on an ongoing basis.

In addition to the updated Fire Department Services Agreement, the terms and provisions of the Fire Services Transition Agreement have been amended to reflect the continuity of the Agreement under the updated Fire Department Service Agreement. The Transition Agreement was originally entered into between the City and the District to confirm the District’s support of the City’s annexation efforts. Both the updated Fire Department Services Agreement and the Addendum to the Fire Services Transition Agreement are being presented to City Council for approval.

**Motion** remanded the item to staff for further development. *(Joe Molina, Vancouver Fire Chief, 487-7201; Lloyd Tyler, Chief Financial Officer, 487-8469)*
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4. RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH VANCOUVER POLICE OFFICER’S GUILD
(Staff Report 103-16)

Summary
The labor agreement between the City and the Vancouver’s Police Officer Guild bargaining unit will expire on December 31, 2016. The parties were able to work through a collaborative process to come to mutual agreement that meets the interests of both parties. The labor agreement incorporating all of these factors is being brought to Council for approval.

- **Wages:**
  2017 – 3% wage adjustment
  2018 – 3% wage adjustment
  2019 – 3% wage adjustment

- **Benefits:**
  - Life Insurance Increase maximum from $50,000 to $100,000.
  - City pickup of employee share for the first six months while unable to work of LEOFF-II Supplement for Officers assaulted with intent and suffering great bodily.

Motion authorized the City Manager or his designee to sign the 2017 – 2019 Collective Bargaining Agreement with the Vancouver Police Officer’s Guild. (Suzi Schwabe, Human Resources Director, 487-8408)

5. ADOPTION OF THE WESTSIDE MOBILITY STRATEGY (WMS) FINAL REPORT
(Staff Report 106-16)

A RESOLUTION adopting the Westside Mobility Strategy Final Report.

Summary
This project’s research, analysis, and community engagement highlights a need and opportunity to embrace a principle of balanced mobility: an approach that views transportation planning and decision-making as inextricably linked to broader goals and values, including land use and economic vitality, neighborhood livability, and multi-modal connectivity and safety. To achieve balanced mobility, the WMS Final Report will guide transportation planning, engineering, maintenance, rehabilitation and paving project development, infrastructure investments, and development review in the project study area.

The eight project mobility goals are listed below. Please see the Westside Mobility Strategy Final Report for rationale on the mobility goals, associated recommendations and action plan.

1) Create a Systematic Plan to Increase Safety
2) Manage Arterials to Preserve Neighborhood Livability
3) Develop Efficient and Reliable Freight Routes
4) Retrofit Main Street to Promote Vitality and Safety
5) Complete Key Connections in the Bikeway Network
6) Make Walking Safe and Convenient for All
7) Build Partnerships for Regional Projects
8) Monitor Performance of Streets

The development of the WMS was informed by a review of existing City, Port of Vancouver, and regional planning documents, an extensive traffic data analysis, travel demand modeling, and a thorough community engagement process. Phase 1 of the planning process was designed to uncover insights related to how people and goods move across the westside neighborhoods currently and project into the future. Phase 2 identified and tested the effectiveness of improvements to the transportation network.

The project team employed a range of methods to build awareness of the project and solicit feedback from the community and stakeholders. Table 1 in the Westside Mobility Strategy Final Report summarizes each of these methods and tools and a timeline displays when each of these activities took place during the planning process.

Motion adopted Resolution M-3900 approving the Westside Mobility Strategy. (Patrick Sweeney, Transportation Planner, 487-7954)

6. APPOINTMENT OF PRO AND CON STATEMENT COMMITTEES FOR AFFORDABLE HOUSING FUND BALLOT MEASURE

Motion appointed John Deeder, Stacey Graham, and Andy Silver to the Pro Statement Committee and Lyn Ayers, Ceci Ryan Smith and Stephen Smith to the Con Statement Committee for the Affordable Housing Fund Ballot Measure.

7. APPROVAL OF CLAIM VOUCHERS FOR JULY 18, 2016

Motion approved claim vouchers for July 18, 2016, in the amount of $3,854,788.46.

PUBLIC HEARINGS (ITEM 8)

8. AMENDMENTS TO VMC 20 PROHIBITING CRUDE OIL STORAGE FACILITIES AND OIL REFINERY FACILITIES
(Staff Report 099-16)

Sandra Towne, Planning Manager, provided staff comments.

Mayor Leavitt read the title of the ordinance into the record.

AN ORDINANCE of the City of Vancouver, prohibiting new or expanded crude oil facilities in the City of Vancouver; providing for severability, and providing for an effective date.

Summary
The Planning Commission forwards a recommendation of approval by a 5-0 vote to the Vancouver City Council for adoption of the following code amendments. Note that City staff recommends an alternative bulk crude oil storage definition adjusted from the Planning Commission’s recommended definition.
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- Amend VMC 20.440.030-1 Industrial Zoning Districts Use Table – to prohibit bulk crude oil storage facilities and to prohibit expansion of existing bulk crude oil storage facilities
- Amend VMC 20.440.030-2 North American Industry Classification System (NAICS) Table for Industrial Uses – to prohibit oil refineries
- Amend VMC 20.150.040A, Definitions Meanings of Specific Words and Terms A through D – to add a definition of bulk crude storage
  - Planning Commission recommended definition (underlined text is Planning Commission added text) - Bulk Crude Storage. Bulk crude storage and handling facility, means any structure, group of structures, equipment, or device that stores or transfers any naturally occurring liquid petroleum extracted from geological formations beneath the earth’s surface which requires further refinement before consumer use, including but not limited to; conventional crude oil, extra heavy oil, and oil sands/bitumen. Crude oil does include but is not limited to conditioned, degassed, and stabilized crude.. The term does not include facilities that store and handle finished products derived from petroleum.
  - City Staff recommended definition - Bulk Crude Storage. Bulk crude storage and handling facility, means any structure, group of structures, equipment, or device that stores or transfers any naturally occurring liquid petroleum extracted from geological formations beneath the earth’s surface which requires further refinement before consumer use, including but not limited to; conventional crude oil, extra heavy oil, and bitumen. The term does not include facilities that store and handle finished products derived from petroleum including but not limited to asphalt.
- Amend VMC 20.150.040D, Definitions Meanings of Specific Words and Terms M through P - to add the official North American Industrial Classification System (NAICS) definition of petroleum/oil refineries.
  - Petroleum/Oil Refinery. An industry engaged in refining crude petroleum/oil into refined petroleum/oil. Petroleum/oil refining involves one or more of the following activities: 1) fractionation; 2) straight distillation of crude oil; and 3) cracking.

Ms. Towne provided background information and an overview of the proposed regulations.

Mayor Leavitt opened the public hearing and received the following testimony:

- Dan Serres, Hood River, Oregon, representing Columbia Riverkeeper, spoke in support of the ordinance, and recommended the City take future action to incorporate these regulations into the City’s Shorelines Master Plan.

- Maria McCormick, Mosier, Oregon, spoke in support of the ordinance, and noted that Vancouver’s actions regarding crude oil storage and transport will help protect along the Columbia River Gorge in Oregon and Washington.

- Don Steinke, Vancouver, spoke in support of the ordinance.

- Russell Freeland, Vancouver, spoke in support of the ordinance.
• Nancy Schultz, Vancouver, representing the Hough Neighborhood Association, spoke in support of the ordinance.

• Linda Garcia, Vancouver, spoke in support of the ordinance.

• Jared Smith, Vancouver, representing ILWU Local 4, spoke in support of the ordinance, noting that the city is not just saying no or limiting a specific commodity but limiting the companies that deal with the commodity.

• Deborah Romerain, Portland, Oregon, spoke in support of the ordinance.

• Eric LaBrant, Vancouver, spoke in support of the ordinance, and encouraged the City to also consider build on this momentum and consider future similar regulations regarding LNG and coal handling facilities.

• Anita Thomas, Vancouver spoke in support of the ordinance.

• Alona Steinke, Vancouver, read a statement for Arlene Burns, the Mayor of Mosier, Oregon, which supported this ordinance and thanked the City of Vancouver for its actions regarding crude oil transport and facilities, noting that a larger city like Vancouver can do much more than small towns sitting along the rail tracks.

• Marjorie Kircher, Portland, Oregon, spoke in support of the ordinance.

• Vaughn Henderson, Vancouver, spoke in support of the ordinance.

• Kaitlyn Beck, Vancouver, spoke in support of the ordinance.

• Peter Teneau, Portland, Oregon, spoke in support of the ordinance.

• Edith Gillis, Vancouver, spoke in support of the ordinance.

• Janet Liu, Vancouver, spoke in support of the ordinance.

There being no further testimony, Mayor Leavitt closed the public hearing.

Mayor Leavitt asked staff if there are intentions to update other City codes and plans with these regulations where they might apply. Ms. Towne said not currently, as the City will need to hire outside experts to consult. A work program will need to be developed.

Councilmember Turlay stated that he does not believe man-made global warming is a problem, but he would support this ordinance because it is about community safety, not climate science, and he has heard this strong message from the community.
Councilmember Burkman stated that Vancouver has a diverse Council with varying opinions and he stated that he does believe climate change is a problem and that it is man-made.

Councilmember Hansen thanked the community for its participation on this issue.

Councilmember Topper stated that this action is proof that citizens’ voices really do matter. She stated she also believes man-made climate change is a real problem.

Councilmember McEnerny-Ogle stated that the Council has been considering this issue for several years, and over the course of that time, the citizen participants have always been very respectful and the community has had a great discussion. She stated there is still an air quality problem seen in increased cases of asthma in the neighborhoods near the railroad tracks, and she requested the Council’s representative on the Southwest Clean Air Agency board ask if more air monitoring can be done in these locations.

Councilmember Burkman thanked everyone who testified and thanked the Planning Commission for all of the work and heavy lifting it has done on this issue.

Councilmember Stober stated he is supportive of this action and noted that he is an Eagle Scout and has learned that humans should lessen our impact on the world where we can so we can make a more beautiful place for future generations.

Mayor Leavitt stated he appreciated the testimony form a diverse group of participants and he noted that passage of this ordinance sends an important message. He said it is a value proposition that Vancouver is standing on, communicating that we can do better and we will do better in Vancouver. He said he suspects this is the first step of others the Council will take in the future to support that message.

Motion by Councilmember McEnerny-Ogle, seconded by Councilmember Turlay, and carried unanimously to approve Ordinance M-4170. (Sandra Towne, Planning Manager, 487-7947; Brent Boger, Assistant City Attorney, 487-8500)

**COMMUNICATIONS**

A. From the Council
   a. **Solid Waste Advisory Commission Update**

   Councilmember Stober recommended the Council appoint a staff member to sit on the SWAC, rather than assign a Councilmember to that position due to the highly technical nature of that body’s work. He recommended that Rich McConaghy, the City’s Solid Waste Manager, be appointed as the City’s representative as he regularly attends the meetings already.

   Council concurred with Councilmember Stober’s recommendation to appoint Mr. McConaghy.
B. From the Mayor
C. From the City Manager

ADJOURNMENT

8:58 P.M.

______________________________
Timothy D. Leavitt, Mayor

Attest:

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

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