

**CLARK COUNTY COUNCIL
COUNCIL TIME
MINUTES OF APRIL 18, 2018**

The Board convened in Conference Room 698, 6th Floor, Public Service Center, 1300 Franklin Street, Vancouver, Washington. Chair Boldt, Councilor Julie Olson, Councilor Jeanne Stewart, Councilor Quiring and Councilor Blom present.

12:30pm.

Old Business

Approval of minutes for April 11, 2018

ACTION: Moved by Councilor Olson to **APPROVE** the minutes for April 11, 2018. Councilor Blom seconded the motion. Councilor Quiring abstained. Councilor Olson, Councilor Blom, and Councilor Stewart voted aye. Motion carried.
Councilor Boldt was absent for this part of the meeting.

New Business

Marlia Jenkins shared the agenda for the Clark County Corrections Facility Advisory Commission. They will be meeting the 2nd and 4th Tuesday of every month. The first meeting will be an orientation meeting, review the agenda and get them up to speed. Eric Jensen is the facilitator, and he interviewed all appointed individuals. He will give a summary of those interviews and the commission will discuss their top priorities with the new jail. The website is up and on the county council page. They will tour the Washington County and Clark County jails. Councilor Olson would like to see an official invitation for the tour of Washington County.
Councilor Boldt arrived.

ACTION: Moved by Councilor Olson to **ADD** Austin Heritage for development and proposed right of way dedications as a New Business item for potential action. Councilor Blom seconded the motion. All aye/motion carried.

Councilor Stewart is concerned about making motions or changes to the agenda mid-meeting, for the sake of individuals having all the information prior to the meetings. The council asked Taylor Hallvik for his input, to which he thought that it was okay. Emily Sheldrick mentioned that she forgot to add an item to the New Business, as the Cowlitz Indian Tribe agreement expires today. Councilor Olson clarified there was no real decisions being made, it was merely deciding whether or not to put something on the docket or not. Stewart hopes that this not happen again in the future.

ACTION: Moved by Councilor Blom to **ADD** Cowlitz Indian Tribe as a New Business item for potential action. Councilor Olson seconded the motion. All aye/motion carried.

Cowlitz Indian Tribe Law Enforcement

Emily Sheldrick presented a document which stated that the council is agreeing to the provisions, which is holding as a placeholder so services can still be provided while the county and the tribe discuss potential changes to the agreement. The tribe has already approved the one year extension, but they did not have a document. Emily created the document for Jim Rumpeltes to sign.

ACTION: Moved by Councilor Quiring to **ACCEPT** the one year extension draft. Councilor Blom seconded the motion. All aye/motion carried.

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Councilor Blom stated that he agreed with Councilor Stewart's sentiments but there is a time sensitivity issue in this particular instance, which is why he is comfortable with action being taken with no notice. Councilor Quiring also shared that this has been brought up in one-on-ones with Emily, and negotiations will take place before the year is finished. Councilor Stewart said that in this instance, everything remains the same with the exception of the timeframe.

Austin Heritage: Development and Proposed Right-of-Way Dedications

Taylor Hallvik presented. This is in relation to the Austin Heritage development, and whether to add 137th to the docket for consideration to be added to the capital facilities plan in early 2019. This is in relation to a developer's agreement, in which the developer was offering certain things in exchange to be included on the docket for inclusion on the CFP. The consideration was reviewed, and most recently the staff put together a memo that outlined the value of that consideration, specifically right-of-way dedications and if they are needed now or in the future. The right-of-way dedications are not currently deemed necessary per the developer's plan, but it is consideration that could be looked at. The recommendations and discussion points focus on what the values of DA should be now or later, based upon the docket analysis.

Lindsay outlined three options – one, do nothing. Two, proceed forward with the developer agreement to get the road on the CFP for the short term, which would entail negotiating the DA without really knowing when the road would qualify for the CFP. And third (which is listed as option #1), to put it on the docket, do a traffic analysis, have a better idea of when the road would qualify for the CFP on its own, which would take longer and thus making getting to a DA take longer as well. Councilor Olson said with option B they could put a cap on the tip credits. Taylor mentioned whatever that number, it would be unknown what the impact of those tip credits would be until after the docket analysis. Councilor Quiring was concerned that it seems like this road took precedence over other roads in the area. The question is at what point the county attaches a dollar value, to where it goes to docket or gets added to the CFP. The primary staff recommendation is to put it on the docket, do the analysis, get the information, and then determine eligibility for tip credits based on that information. Councilor Stewart agreed, so it doesn't look like the county is rearranging the capital development plan to benefit this particular development. Councilor Stewart would like to see the county offer equity equally for all developers and developments. Councilor Quiring said that if they develop to the north end, they might have to add a right-of-way anyway. Councilor Blom said that he was under the impression that they were given consideration related to what they were already required to do. Any additional consideration would be a roll of the die to see if the council gets the area to the north later. Councilor Blom would like to see additional research. Councilor Boldt would like to look at a rough draft of the DA, to which Councilor Olson agreed. Councilor Blom asked what the timeline looked like for the additional analysis. Taylor said it could be done fairly quickly for option two; the county would just have to decide on a number. For the traffic analysis under option three, it could take several months. Councilor Blom asked for an option 1.5, where the council doesn't start on a DA immediately, but they don't wait until the very end when they put it on the docket. Ideally get some information over the next 2-4 months. Taylor said 1.5 sounds very similar to option 2. Councilor Boldt would like to start on a DA and get a rough draft. Councilor Olson agreed to look at a draft. Taylor clarified that this would be a draft framework, to get the idea out there but leave some blanks. Councilor Blom asked Emily if it was acceptable to make a motion to put this on Tuesday's hearing agenda under separate business, to give proper notice that they are considering amending the docket. Emily said that there was time. Councilor Stewart said that either decision puts it on the docket – the first decision allows ranking criteria analysis for inclusion, and lays groundwork for the impact. Councilor Stewart would like to

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see a deep analysis with a proper cause and effect outline. The current rate in the tip district is \$336 in the Orchards district. Every million added, adds \$2.5 dollars. Councilor Stewart wanted to know if this was given priority, what the impact would be on other projects. Jim Rumpeltes mentioned that putting this on a Tuesday hearing with some more information with public input, as suggested by Councilor Blom.

ACTION: Moved by Councilor Blom to **ADD** Austin Heritage for development and proposed right of way dedications to a Tuesday hearing in the future. Councilor Quiring seconded the motion. All aye/motion carried.

Staff Reports

Ann Christian presented a short summary regarding the work session on indigent defense. This work session was cancelled due to snow in February. It will be Heather Carol, one of the indigent defense contractors, Judges Johnson and Nichols, and Ann that present next Wednesday. The two issues that will be discussed are the workload of the indigent defense system, and potentially adding staff attorneys and what rate is paid to the private contracted attorneys. They will be discussing the overall workgroup, where Clark County is in regards to public defense today, what challenges Clark County continues to face, and the delivery of the DA contractors or whether it's a public defender office (i.e., county employees).

Jim Rumpeltes brought up cottage housing – it is on the agenda for council time next week. They will be discussing code modifications suggested by engineering and a question of the intent of the code, and if the council will be making any adjustments or changes to the code. No changes would be made to the code during council time – just a discussion of whether or not the code needed to change.

Council Report

Councilor Boldt mentioned that Councilor Olson and he met with the north county representatives for fireworks, and will be having a larger discussion regarding consistency at the fireworks stakeholder meeting tomorrow. Councilor Boldt also brought up potentially bringing down Mike Burgess to wrap up – Councilor Quiring said no, and Councilor Stewart said she would need to think on why they would be bringing him down. Councilor Blom said a recap might be good and what his plans are to be an effective voice for us going forward. Councilor Boldt asked that to be set up.

Councilor Boldt mentioned WASAC hired an attorney for indigent defense. When heard that ACLU and the county are friendly, it is due to the issue of requesting state funding.

Report from Task Forces, Commissions and Boards

None.

Lindsay Shafar Report on Policy Issues

Lindsay mentioned the Economic Agriculture Analysis – she is going to put together a draft RFP. The Ag update isn't until May 2019. She mentioned it might be good to have that data in the assessment, but it would push the timeline. The council would like as much information as possible to add to the comp plan, so Lindsay will assemble an 18 month timeline.

VBLM – Lindsay asked if that was a work session, with speakers from the BIA, DEAB and SWAC, the council would like to get on the schedule. Councilor Quiring said yes. Councilor Olson would like clarifications on assumptions.

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Gary Albrecht is doing a work session on the complete streets program. It is typically an ordinance that would include wider sidewalks and bike lanes. The planning commission is holding a public hearing on May 17, and Gary would like to hold a work session prior to that date. Councilor Boldt recommended setting a date for a Tuesday afternoon, since there is not a Wednesday available between now and the May 17 hearing date. Councilor Stewart asked about budget for road expansions – bottom line, there is not.

The freight rail advisory committee next meeting scheduled for April 18 at 6:00pm at the CASEE center, and cannabis work session tentatively scheduled for May 30th from 5pm-7pm.

Councilor Blom asked for an update on the opioid legislation over the next 2-4 weeks. Emily said that we are officially in multi district.

Legislative Update – none.

The Council adjourned Council Time at 1:35pm for two executive sessions: One on pending litigation and one on personnel issues for 30 minutes with action afterwards.

The council re-adjourned at 2:14pm.

ACTION: Moved by Councilor Blom to **AUTHORIZE** the defense in indemnification of the current and former Clark County employees and officials in Michael Lynch vs Clark County and others, per Clark County code 2.97.025. Councilor Quiring seconded the motion. All aye/motion carried.

The Council adjourned at 2:15pm.

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BOARD OF COUNTY COUNCILORS

Marc Boldt, Chair

Jeanne E. Stewart, Councilor

Julie Olson, Councilor

John Blom, Councilor

Eileen Quiring, Councilor

ATTEST:

Rebecca Tilton, Clerk of the Council

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Note: The audio recording for Board Time meetings can be accessed on the county website (clark.wa.gov/thegrid) on The Grid.