



CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St.
PO Box 1995 | Vancouver, WA 98668-1995
www.cityofvancouver.us

Anne McEnery-Ogle, Mayor

Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

November 7, 2022

WORKSHOPS

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

Workshops were conducted in person in the Council Chambers of City Hall. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, or www.facebook.com/VancouverUS.

View the CVTV video recording, including presentations and discussion, for workshops at:
https://www.cvtv.org/vid_link/35127?startStreamAt=0&stopStreamAt=5762

4:00-5:00 p.m. 2023 Washington State Legislative Agenda

Aaron Lande, Program and Policy Manager, 360-487-8612; Brian Enslow, Arbutus Consulting

Summary

Staff led Council through a discussion of the 2023 Washington State Legislative Agenda.

Councilmember Fox was absent for the 2023 Washington State Legislative Agenda Workshop.

5:00-6:00 p.m. 2023-2024 Biennial Budget

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

Summary

Staff led Council through a discussion of the 2023-2024 Biennial Budget.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

REGULAR COUNCIL MEETING

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, 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 Public Hearings were also facilitated via the GoToMeeting conference call.

Vancouver City Council meeting minutes are a record of the action taken by Council. To view the CVTV video recording, including presentations, testimony and discussion, for this meeting please visit:

https://www.cvtv.org/vid_link/35129?startStreamAt=0&stopStreamAt=12865

Electronic audio recording of City Council meetings are kept on file in the office of the City Clerk for a period of six years.

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, and Mayor McEnerny-Ogle

Absent: None

Councilmember Fox attended the meeting remotely.

Approval of Minutes

Minutes - September 19, 2022

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of September 19, 2022.

Minutes - September 26, 2022

Motion by Councilmember Stober, seconded by Councilmember Harless, and carried unanimously to approve the meeting minutes of September 26, 2022.

Community Communications (Items 1-5)

Mayor McEnery-Ogle opened Community Communication and received testimony from the following community members regarding Consent Agenda Items 1-5:

- Kimberlee Elbon, La Center, WA

There being no further testimony, Mayor McEnery-Ogle closed Community Communication.

Consent Agenda (Items 1-5)

Council requested Item 4 be pulled.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve Items 1-3 and 5 on the Consent Agenda.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve Item 4 on the Consent Agenda.

- 1. Interlocal Agreement with Clark Public Utilities (CPU) for Overhead Electric Line Relocation associated with the NE 68th Street transportation project (on NE 68th Street from NE 28th Avenue to St Johns Road. (Project #PRJ072462)**

Staff Report: 158-22

The NE 68th Street transportation project is a joint project between the City of Vancouver and Clark County. The project spans NE 68th Street between Highway 99 and St Johns Road. The City portion of the project is between NE 28th Avenue and St Johns Road.

The City and CPU have been working cooperatively to complete the NE 68th Street transportation project. Relocation is required for CPU facilities. When CPU has facilities located within the right-of-way, CPU is responsible for the cost of relocation to accommodate roadway reconstruction. When the facilities are located in CPU easements, CPU can require reimbursement for the relocation of the facilities. An Interlocal Agreement must be executed to enable the City to reimburse CPU for these costs.

Request: Authorize the City Manager or designee to sign an Interlocal Agreement with Clark Public Utilities for reimbursement of expenses for Overhead Electric Line Relocation – NE 68th Street transportation improvement project, currently estimate to be \$22,947.97 which includes sales tax.

*Ivar Christensen, PE, Senior Civil Engineer, 360-487-7765;
Hassan Abdalla, PE, Engineering Manager, 360-487-7704*

Motion approved the request.

2. Collective Bargaining Agreement with the American Federation of State, City and Municipal Employees (AFSCME), Local 307VC, AFL-CIO

Staff Report: 159-22

The labor agreement between the City and the Collective Bargaining Agreement with the American Federation of State, City and Municipal Employees (AFSCME), Local 307VC, AFL-CIO bargaining unit expired on December 31, 2021. 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 new labor agreement was recently ratified by the AFSCME members and is now being brought to Council for approval.

Request: Authorize the City Manager or designee to sign the January 1, 2022 to December 31, 2024 Collective Bargaining Agreement with the American Federation of State, City and Municipal Employees (AFSCME), Local 307VC, AFL-CIO, by executing the same.

Lisa Takach, Human Resources Director, 360-487-8611

Motion approved the request.

3. Collective Bargaining Agreement with the Joint Labor Coalition (JLC) consisting of Teamsters, Local #58, IAM District Lodge #W24, Plumbers & Steamfitters and Local #290

Staff Report: 160-22

The labor agreement between the City and the JLC bargaining unit expired on December 31, 2021. 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 new labor agreement was recently ratified by the JLC members and is now being brought to Council for approval.

Request: Authorize the City Manager or designee to sign the January 1, 2022, to December 31, 2024, Collective Bargaining Agreement with the Joint Labor Coalition by executing the same.

Lisa Takach, Human Resources Director, 360-487-8611

Motion approved the request.

4. Purchase and Sale Agreement(s) for future Fire Station #6

Staff Report: 161-22

As the City of Vancouver continues to grow, so do the public safety needs of our residents. 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 re-locating Fire Station #6, currently located at 3216 NE 112th Avenue, to a larger property within the service area and ideally in close proximity to the current central station location in order to continue to provide fire and public safety services to this area.

Upon locating a site that met the requirements, the City began negotiating with the owners, who are related, for the purchase of two adjacent parcels comprising the location. The purchase of these parcels will allow for a site that is larger and better situated on the street network than the current site of Fire Station #6. This new location will allow Fire Station #6 to serve the most miles traveled in the fewest minutes of response and will better serve our firefighting and emergency medical incident response requirements.

The combined property consists of approximately 68,389 square feet (1.57 acres) and each Purchase and Sale Agreement is contingent on the City acquiring both properties because the site requires both parcels in order to provide an adequately sized and accessible Fire Station site.

The City was provided a due diligence period and has conducted an investigation of the properties, satisfying that contingency. The Purchase and Sale Agreements contemplate a closing date on or before December 31, 2022.

Request: Ratify the purchase and sale agreement(s) entered into between the City of Vancouver and Mathew Tech and Che Tan; Khuon Lim and Sovanara Meas, co-trustees Lim Family

Revocable Trust to purchase real property at the total purchase price of \$1,250,000 (162631-000 \$575,000 and 162609-000 \$675,000). Authorize the City Manager or designee to execute documents necessary to close this transaction.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for November 7, 2022.

Motion approved claim vouchers in the amount of \$16,608,359.63.

Public Hearings (Items 6-7)

6. Garbage, Recycling and Organics Collection Rate Increases for 2023

Staff Report: 155-22

AN ORDINANCE relating to the collection of solid waste, recyclable materials and organics, and amending certain sections of VMC 6.12 to increase or adjust rates and charges consistent with approved utility user taxes and rates and in accordance with current contracts for the coming year; providing for savings, severability and an effective date.

City Council is the rate-making authority for garbage, residential recycling, and organics collection services within the City of Vancouver. The City contracts with a private hauling company, Waste Connections of Washington, to provide comprehensive garbage, recycling and organics collection services to residents and businesses within city limits. The contract terms authorize Waste Connections to receive annual adjustments to customer rates based on changing operating conditions including:

- an inflation adjustment factor tied to a percentage of the CPI and fuel cost changes over the past year (July through June),*
- disposal tip fee changes scheduled for the coming year,*
- the number of customers served and,*
- fees paid to the City to support solid waste related programs.*

All adjustments to rates are made in accordance with Exhibit D of the contract. Garbage rates also include the City's utility tax that is embedded within them. The City's utility tax does not apply to recycling or organics collection services.

Consistent with the contract, the updated model for 2023 requires an increase of 8.5 percent for most garbage rates, while many recycling, organics and selected other fees, not linked to the disposal tip fee or utility tax, will need to increase by 9.4 percent, effective January 1, 2023. Key reasons for this increase are an 8.586 percent increase in the CPI, a 48.62 percent increase in the diesel fuel index, and a 6.5 percent increase in the disposal tip fee. For the most typical residential customer with 32-gallons per week of garbage, every-other-week recycling and every-other-week organics collection (96-gallons for each) this means a monthly rate increase of 6.6 percent, from \$33.33 per month to \$35.54 per month, this is a net increase of \$2.21 per month.

Inflation Adjustment Factor

Under the contract, collection costs for garbage, recycling and organics adjust at 80 percent of a blended and combined CPI (92 percent) and diesel fuel index (8 percent) – Inflation Adjustment Factor (IAF), which leads to a 9.43 percent increase for the collection and disposal cost component, the City Fee and other miscellaneous fees.

Disposal Tip Fees

On January 1, 2023, the disposal tip fee is scheduled to increase \$6.46 per ton (or 6.5 percent) from \$99.88 per ton to \$106.34 per ton. In addition to the allowed CPI increase on the base tip fee (going from \$98.08 per ton to \$104.40 per ton), this tip fee includes \$0.51 per ton for additional work being done under the Clark County contract by Columbia Resource Company at the Central Transfer and Recycling Station (\$0.14 of this is new for 2023 related to construction access improvements for safety) as well as \$1.43 per ton for a surcharge approved by the Clark County Council in 2017 to make up for lost state funding for regional solid waste programs and planning.

Recycling Fees

The rates proposed for January 1, 2023, include a subsidy or rate-buy down of \$0.72/month per household paid to Waste Connections from the City's Solid Waste Fund to support curbside recycling service provided to individual households (adjusting customer monthly charges from the current fee of \$3.37 to \$2.97, an 11.9 percent decrease). The multi-family recycling collection service fees (increasing from \$1.36 to \$1.49) are based solely on the Inflation Adjustment Factor detailed above, without a subsidy, as well as annual adjustments to the recycling processing surcharges, which were added April 1, 2019 to recover costs associated with the local response to the global market issues and the ongoing need for supplying quality materials to these markets. Based on a review of operational factors, Clark County has indicated that the \$48.56 per ton processing fee in 2022 will be adjusted to \$41.73 on January 1, 2023. The combined impact for the combined curbside recycling fee and processing surcharge components is an 8.3 percent decrease (\$0.34 per month) in curbside recycling charges. The multi-family combined impact for the recycling fee and

processing surcharge is an increase of 15.7 percent (\$0.26/mo).

Organics Fees

The rates proposed for January 1, 2023, include 9.4 percent adjustments to the organics rates which are tied to the Inflation Adjustment Factor. For the standard subscription service of 96-gallons collected every-other-week, the current rate of \$8.05 per month adjusts to \$8.81 per month. Recommended 2023 rates at other levels of service, following the same every-other-week schedule, are \$7.62 for 64-gallon carts, \$6.44 for 32-gallon carts, and \$5.25 for 20-gallon carts.

Contractor Performance

During 2022 the contractor made operational changes to garbage and recycling services provided outside of Vancouver's city limits that resulted in significantly increased call and email volumes to their regional Customer Service call center. These changes had a negative impact to Vancouver customers' ability to experience the level of customer service expected in the City's contract. As a result, and pursuant to Section 3.3.2 of the contract (attached), City staff is currently working with the contractor on a strategy to address this performance concern so that our residents are not "left hanging" when they call in or email the company to address their service, billing or account set-up needs.

Typical Residential Rate Impact

For 2023 overall, the combined typical residential customer rates for 32-gallons of weekly garbage service with recycling and organics collection increases 6.6 percent or \$2.21 per month under the proposed rates. This reflects a \$1.79 increase in garbage charges, a net \$0.34 decrease in the combined recycling collection rate and recycling processing surcharge fees, and a \$0.76 increase in the organics charge. Households that have chosen different service levels may experience slightly different rate impacts.

Staff recommends adjusting customer rates as detailed in the Summary of Proposed 2023 Solid Waste Rates to meet the contractual obligations associated with the defined Inflation Adjustment Factor and anticipated tip fee changes and to set the City Fee amount for the coming year. If approved, all adjustments will be effective January 1, 2023.

Request: On November 7, 2022, subject to second reading and public hearing, approve ordinance.

Julie Gilbertson, Solid Waste Supervisor, 360-487-7162

Julie Gilbertson, Solid Waste Supervisor, provided an overview of the Garbage, Recycling and Organics Collection Rate Increases for 2023.

Mayor McEnerny-Ogle read the Ordinance title into the record. Council

discussed the Item briefly with staff.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Katherine Whitney, Vancouver
- Kimberlee Elbon, La Center, WA

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve Ordinance M-4381.

7. Ordinance amending Section VMC 3.40.070 (A) authorizing the Vancouver Transportation Benefit District to establish up to one-tenth of one percent sales and use tax

Staff Report: 156-22

AN ORDINANCE of the City of Vancouver authorizing the Vancouver Transportation Benefit District Board to establish an up to one-tenth of one percent (.1%) sales and use tax pursuant to RCW 36.73.065(4)(a)(v); adopting legislative findings; amending Section 3.40.070(A) of the Vancouver Municipal Code to reflect recent changes in state law; providing for severability; and setting an immediate effective date.

The City of Vancouver created a transportation benefit district (TBD) in 2015 to generate additional funding for transportation infrastructure in the City. Though the TBD is a separate legal entity with a governing body separate from the City Council, the members of the City Council sit as the governing board of the TBD.

At the time of the Vancouver TBD creation, state law defined the revenue options to fund TBDs as including councilmanic approval for vehicle license fees and a voted option for sales and use tax. During the 2022 legislative session, Senate Bill 5974 increased the maximum transportation benefit district sales tax authority from 0.2 to 0.3% and authorized the TBD governing board to impose 0.1% of the sales tax under councilmanic authority for up to 10 years.

The Vancouver Municipal Code (VMC) chapter 3.40 established the Vancouver TBD and its associated authority. This code needs to be updated to incorporate the new authority granted to the TBD by the State in 2022 before the Vancouver TBD can consider implementing the new sales tax. The amendment to the municipal code falls under the authority of the City Council.

If the City Council approves amendment of VMC 3.40 to authorize the TBD to implement the sales tax, a separate, subsequent action by the TBD is required to implement the tax. The first reading on that action is planned following the City Council meeting on October 24.

Because this new revenue is anticipated as part of the recommended City of Vancouver 2023-24 biennial budget, it is being brought forward to Council (to amend the VMC to authorize the TBD) and the TBD (to enact) in advance of City Council's final action on the budget. This sequencing and timing supports greater predictability in budget adoption and assures procedural compliance with the City Charter and Open Public Meetings Act (OPMA) for both the City Council and the TBD.

The attached ordinance updates the relevant section of the VMC to reflect the recent change in state legislation.

Request: On November 7, 2022, subject to second reading and public hearing, approve ordinance.

Taylor Hallvik, Assistant City Attorney III, 360-487-8521

Mayor McEnemy-Ogle read the Ordinance title into the record.

Eric Holmes, City Manager, explained there was a procedural glitch, and the incorrect Ordinance was attached to the staff report. The other legal notifications and processes were followed correctly. The public hearing would be opened and would continue through the November 14, 2022, City Council Meeting.

Taylor Hallvik, Assistant City Attorney, provided an overview of the Ordinance Amending Section VMC 3.40.070 (A) authorizing the Vancouver Transportation Benefit District to establish up to one-tenth of one percent sales and use tax.

Mayor McEnemy-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Elbon, La Center, WA

There was no further testimony.

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to move the Public Hearing and public testimony to November 14, 2022.

Community Communications (Items 8-9)

This is the place on the agenda where the public is invited to speak

to Council regarding the items listed under Unfinished Business. Members of the public addressing Council are requested to give their name and city of residence for the audio record. Speakers are asked to limit testimony to three minutes.

Unfinished Business (Item 8-9)

8. Appointment of committees to prepare arguments advocating voters' approval and rejection of the Affordable Housing Levy Replacement proposition pursuant to RCW 29A.32.280

Staff Report: 129-22

RCW 29A.32.280 directs a legislative authority submitting a measure to voters to appoint a committee to prepare arguments advocating voters' approval and rejection of the measure. Specifically, RCW 29A.32.280 provides as follows regarding the composition of the committees and the county auditor's role if the legislative authority fails to appoint committees by the resolution submission deadline:

"[...] The authority shall appoint persons known to favor the measure to serve on the committee advocating approval and shall, whenever possible, appoint persons known to oppose the measure to serve on the committee advocating rejection. Each committee shall have not more than three members, however, a committee may seek the advice of any person or persons. If the legislative authority of a unit of local government fails to make such appointments by the prescribed deadline, the county auditor shall whenever possible make the appointments."

At the September 19, 2022, City Council Meeting, Council approved a resolution submitting a ballot proposition to voters that would replace the City's expiring Affordable Housing Levy. Following this action, Council discussed potential committee members to serve on the committee to advocate approval of the Affordable Housing Levy Replacement proposition. Councilmembers Sarah Fox and Kim Harless volunteered to serve on the committee advocating for approval of the proposition. After a brief discussion, Council recommended that staff reach out to Alishia Topper to inquire about her interest in serving on the committee to advocate for approval of the proposition. Alishia Topper indicated that she would be willing to serve on this committee.

Request: *Should council wish to defer selection of a committee to the Clark County Auditor, no action is needed.*

1. By motion, formally appoint a committee to prepare arguments advocating voters' approval of the Council's Affordable Housing Levy Replacement proposition.
2. By motion, formally appoint a committee to prepare

arguments advocating voters' rejection of the Council's Affordable Housing Levy Replacement proposition.

Samantha Whitley, Housing Programs Manager, 360-487-7952

Taylor Hallvik, Assistant City Attorney, provided an overview of the Appointment of committees to prepare arguments advocating voters' approval and rejection of the Affordable Housing Levy Replacement proposition pursuant to RCW 29A.32.280.

Mayor McEnerny-Ogle opened the public hearing and received testimony from the following community members:

- Kimberlee Elbon, La Center, WA
- Katherine Whitney, Vancouver

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve the formal appointment of a committee to prepare arguments advocating voters' approval of the Council's Affordable Housing Levy Replacement proposition. The committee consists of Councilmember Fox, Councilmember Harless, and Alicia Topper.

Councilmember Perez volunteered to be an alternate for the committee if necessary.

Council agreed to have the County Auditor appoint a committee to prepare arguments advocating voters' rejection of the Council's Affordable Housing Levy Replacement proposition.

9. Safe Stay Community 3 Update

Request: Having heard and considered public testimony, direct City Staff to resume processing this potential Safe Stay Community in the manner prescribed by City code.

Aaron Lande, Program and Policy Development Manager, 360-487-8612

Aaron Lande, Program and Policy Development Manager, and Jamie Spinelli, Homeless Response Coordinator, provided an overview of the Safe Stay Community 3 Update.

Mayor McEnerny-Ogle opened the floor for public testimony and received testimony from the following community members:

- Kimberlee Elbon, La Center, WA
- Albert Schlotfeldt, Vancouver
- Terry Phillips, Vancouver
- Katherine Whitney, Vancouver
- James Couch, Vancouver
- Kenneth Williams, Vancouver
- Nancy Schultz, Vancouver
- Thomas Phelan, Vancouver
- Leah Perkel, Vancouver
- Ron Fredericksen, Vancouver
- Tiffany Couch, Vancouver
- Holly Williams, Vancouver
- Tatum Dwyre-Seitz, Vancouver
- Michael Walker, Vancouver
- Peter Bracchi, Vancouver
- Monica Zazueta, Vancouver
- Linda Glover, Vancouver
- Adam Kravitz, Vancouver

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

Council discussed the Item with staff at length.

Motion by Mayor McEnerny-Ogle, seconded by Councilmember Paulsen, and carried 5-2, to direct City staff to resume processing the potential Safe Stay Community 3 location. Councilmembers Fox and Hansen voted No.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

SE 34th Street Safety and Mobility Project Proposed Final Design

Emily Benoit, Senior Planner, provided an update regarding the SE 34th Street Safety and Mobility Project Proposal Final.

Climate Strategies Review

Rebecca Small, Senior Policy Analyst, provided an update regarding Climate Strategies Review.

Adjournment

10:02 p.m.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

STAHANCYK, KENT & HOOK P.C.

Attorneys at Law

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Via Email

October 28, 2022

Eric Holmes
City of Vancouver City Manager
City Hall
415 W. 6th Street, 2nd Floor
Vancouver, WA 98660
Eric.holmes@cityofvancouver.us

Re: Proposed SSC#3 415 W 11th Street, Vancouver, WA 98660

Dear Eric:

In regard to the above- noted matter, please find enclosed herewith Written Testimony of Joel Ken on Behalf of Second Empire, LLC.

Very truly yours,

 for :

Joel Kent

MLP/abs
Enclosure

Cc: Lon Pluckhahn Pluckhahn, Lon.Pluckhahn@cityofvancouver.us
Jamie Spinelli Jamie.Spinelli@cityofvancouver.us
Tyler Chavers Tyler.Chavers@cityofvancouver.us
Kerry Peck Kerry.Peck@cityofvancouver.us

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7 REGARDING:

8 Stay Safe Community No. 3: 415 W. 11th
9 Street, Vancouver, WA 98660

WRITTEN TESTIMONY OF JOEL KENT
ON BEHALF OF SECOND EMPIRE, LLC

10 Comment Period Closing October 28, 2022
11

12 I, Joel Kent, submit the following testimony as owner and representative of Second
13 Empire, LLC the owner of the Charles Brown House at 400 West 11th St. Vancouver,
14 Washington, 98660 situated almost directly across from the proposed location for the Stay Safe
15 Community No. 3("SSC3") at 415 W. 11th St. (the "Proposed Location.").

16 Second Empire, LLC has reviewed the concerns and legal argument set forth by Mr.
17 Schlotfeldt in the *Written Testimony of Albert F. Schlotfeldt on Behalf of the Riverview Tower,*
18 *LLC*. Second Empire, as a local property owner as well as the tenant, Stahancyk, Kent and Hook
19 P.C which operates out of the Charles Brown House have many similar concerns which, despite
20 discussions, remain unanswered.

21 We believe that this process has been rushed, public engagement is less than ideal,
22 especially for a downtown project on private property.
23

1 We support the concept of the SafeStay community and it appears to be a promising tool
2 to assist those in need. Although the service may be needed, the proposed location for SSC3, if
3 not unlawful, is certainly ill advised. Are the property owners aware of potential liability that
4 they may be subjected to? Why has there not been any economic impact study for the placement
5 of this SSC3? The proposed location is antithetical to the efforts to renew and restore our historic
6 building and the downtown in total.

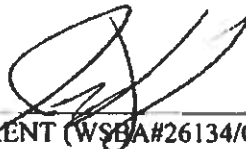
7 We respect the private property owners' desires, but insist that the required regulatory
8 processes for this temporary use are complied with fully. We understand though, that none of
9 this regulatory process has even begun, and that neither party, the property owner or the City are
10 bound by the initial agreement.

11 Given all available information, we would ask that the City suspend making any
12 decisions and direct staff to form a task force to actively pursue other candidate
13 properties. Additionally, we would ask that all operational and enforcement procedures and
14 regulatory processes be published and be a part of ultimate Council approval.

15 Additionally, before any decisions are made, we believe that the master plan for this area
16 that improves public safety, and minimizes crime be explained and published.

17
18 I declare under penalty of perjury under the laws of the state of Washington that the facts
19 I have provided on this form are true.

20 DATED: October 28, 2022.

21
22 
23 JOEL J. KENT (WSBA#26134/OSBA#963262)
Executed in Bend, Oregon

CITY OF VANCOUVER WASHINGTON

REGARDING:

**Stay Safe Community No. 3: 415 W. 11th St.,
Vancouver, Washington 98660**

Comment Period Closing October 28, 2022

WRITTEN TESTIMONY OF ALBERT F.
SCHLOTFELDT ON BEHALF OF THE
RIVERVIEW TOWER LLC.

I, Albert Schlotfeldt, submit the following testimony as legal counsel to and on behalf of Riverview Tower LLC.

Riverview Tower LLC owns the Riverview Bank building located at 900 Washington Street in downtown Vancouver and is situated one block from the proposed location for the Stay Safe Community No. 3 (“SSC3”) at 415 W. 11th St., Vancouver, Washington 98660, Tax Parcel No.’s 51320000, 51310000, 46670000, 46210000, 51330000 (the “Proposed Location”).

The Proposed Location may not lawfully be approved for the SSC3 as it fails to adhere to the requirements of Vancouver Municipal Code (“VMC”) 20.885, VMC 20.265 and VMC 8.22:

- The Proposed Location fails to meet the City of Vancouver (the “City”) selection criteria for stay safe communities.
- Viable alternatives exist to the Proposed Location given 45% of the City outside downtown meets stay safe community selection criteria.
- The economic vulnerability of the City’s downtown area is “high risk”, and

Council-approved placement guidelines must avoid such areas.

- The Proposed Location is likely within 200 feet of a designated sensitive ecological area.
- Both the majority of City residents who support stay safe communities and those who oppose them agree that communities must be established outside downtown:

Community Feedback on Supportive Campsites

- Feedback from multiple platforms
- Majority supportive
 - Significant desire for creation of low-barrier employment opportunities, healthcare services, and community building opportunities on-site
 - Several requests/suggestions for showers, restrooms, laundry
 - In favor of camp concept, but outside of town
- Not Supportive
 - Prefer enforcement
 - Taxpayers should not be responsible for
 - Will draw more homelessness in
 - In favor of camp concept, but outside of town



Supportive Campsites - 6

- Stay safe communities must be built where unsanctioned campsites currently exist, and no sizable campsites exist near the Proposed Location:

Supported Campsites: Location Selection

- Use City-owned properties and partner with churches and/or other willing private property owners
- As close to where camps already exist as possible
- Within a half-mile from transit access
- No more than one per neighborhood or within certain distance from each other
- Prohibit camping within certain radius of a supported campsite and sensitive areas
- Preference will always be for spaces that will provide the least amount of negative impact on environment, residential areas and businesses
- Commitment to community outreach, input and solution-focused participation in selection process



Vancouver Homelessness Plan - 17

- The Proposed Location is subject to a restrictive covenant that prohibits stay safe communities. (See Exhibit "A" attached herewith.)
- The Vancouver City Manager failed to provide notice to all owners and residents of record of property, as shown on the most recent property tax assessment roll, located within 1,200 feet of the proposed SSC3 location upon the City's receipt of the application for the SSC3 operator permit. (See VMC 8.22.070.B.2(a).)

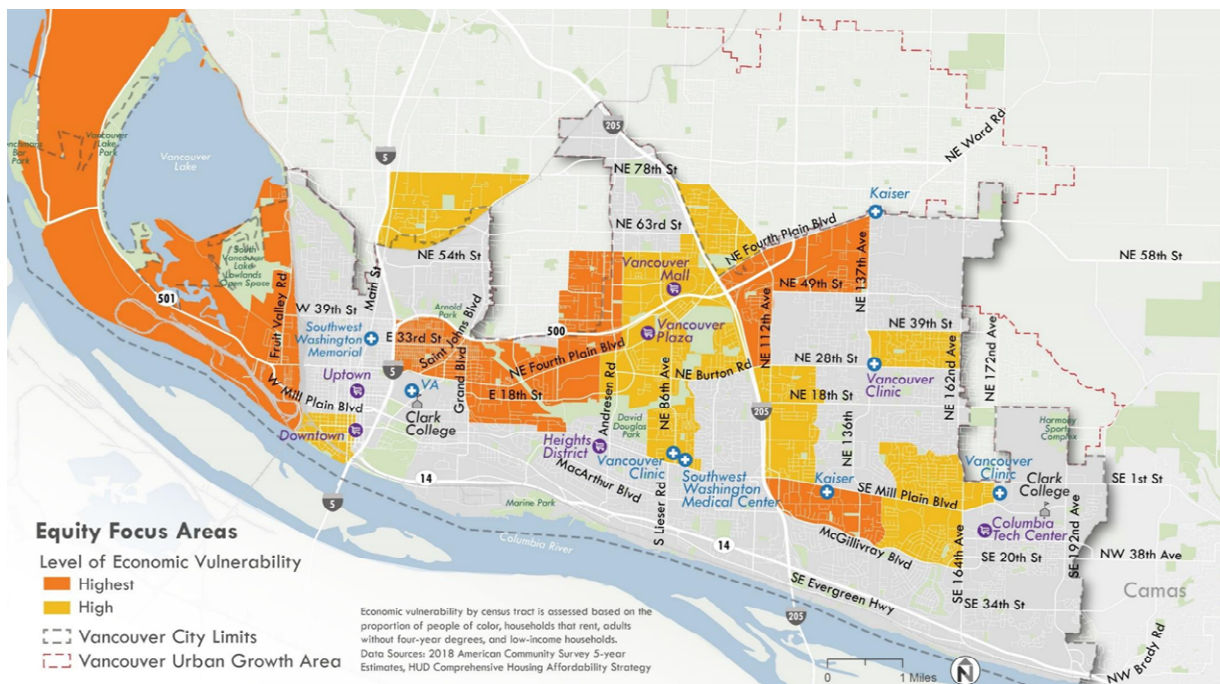
- Crime rates will increase around the Proposed Location if the SSC3 is approved.

**THE PROPOSED LOCATION FAILS TO MEET THE CITY'S SELECTION CRITERIA
FOR STAY SAFE COMMUNITIES.**

Supportive Campsites are not intended to remain in any single location permanently. Therefore, Supportive Campsites must be located at administratively selected sites in accordance with Council-approved placement guidelines.¹

1. City Council-Approved Placement Guidelines Must Avoid areas with Heightened Economic Vulnerability Such as Downtown.

Jonathan Young, City Attorney, confirmed that areas of heightened economic vulnerability, such as downtown, are not proper locations for stay safe communities²:



Stay safe communities must also to be located within .5 miles of public transit.³ Looking

¹ See Jonathan Young's (City Attorney) memo to Eric Holmes (City Manager) dated August 2, 2021 entitled "Supportive Campsite Pilot program – Legal Considerations" at page 3.

² *Id.*

³ See memorandum and attachments from Jonathan Young (City Attorney) to Mayor and City Counsel dated August 16, 2021:

<https://vancouvercity.novusagenda.com/agendapublic/AttachmentViewer.aspx?AttachmentID=4952&ItemID=2106>

1 to the City's site selection reductive maps⁴, while the Proposed Location fails to meet City
2 selection criteria, 45% of Vancouver does. Thus, nearly half of Vancouver is a better alternative
3 for the SSC3.

4 To the extent that a stay safe community *must* be located downtown - which is NOT the
5 case - there already exist viable alternatives on public rights-of-way that, unlike the Proposed
6 Location, are not in the heart of downtown just blocks away from Esther park and the Esther
7 park playground and the 8th St. Farmers Market, which all need to be kept safe for families.
8 Ensuring family wellbeing is not practical with "stay safe communities" due to their low-barrier
9 safety requirements that do not screen potential residents for felony crimes against a person, sex
10 crimes and felony property crimes.

11 What is more, some of these public rights-of-way already house unsanctioned campsites,
12 whereas the Proposed Location does not. Importing the homeless population from the outskirts
13 of downtown to its core plainly lacks common sense.

14 **2. Temporary Use Permit.**

15 Once Council-approved guidelines were established providing policy-level direction on
16 the appropriate locations of City-approved Supportive Campsites, City Staff were to initiate the
17 process of setting up a Supportive Campsite using one of two processes that already exist within
18 the Vancouver Municipal Code: (1) Right-of-way use permits issued under VMC 11.60.060 on
19 City-owned rights-of-way; or (2) Temporary Use Permits issued under VMC 20.885 when
20 Supportive Campsites are to be located outside of the public right-of-way.⁵

21 Here, the Proposed Location is outside of the public right-of-way. Hence, VMC 20.885
22 controls. VMC 20.885.050(D) addresses approval criteria for a temporary building in a
23 commercial zone, requiring, in part, that the use pose no hazard to pedestrians in the area.

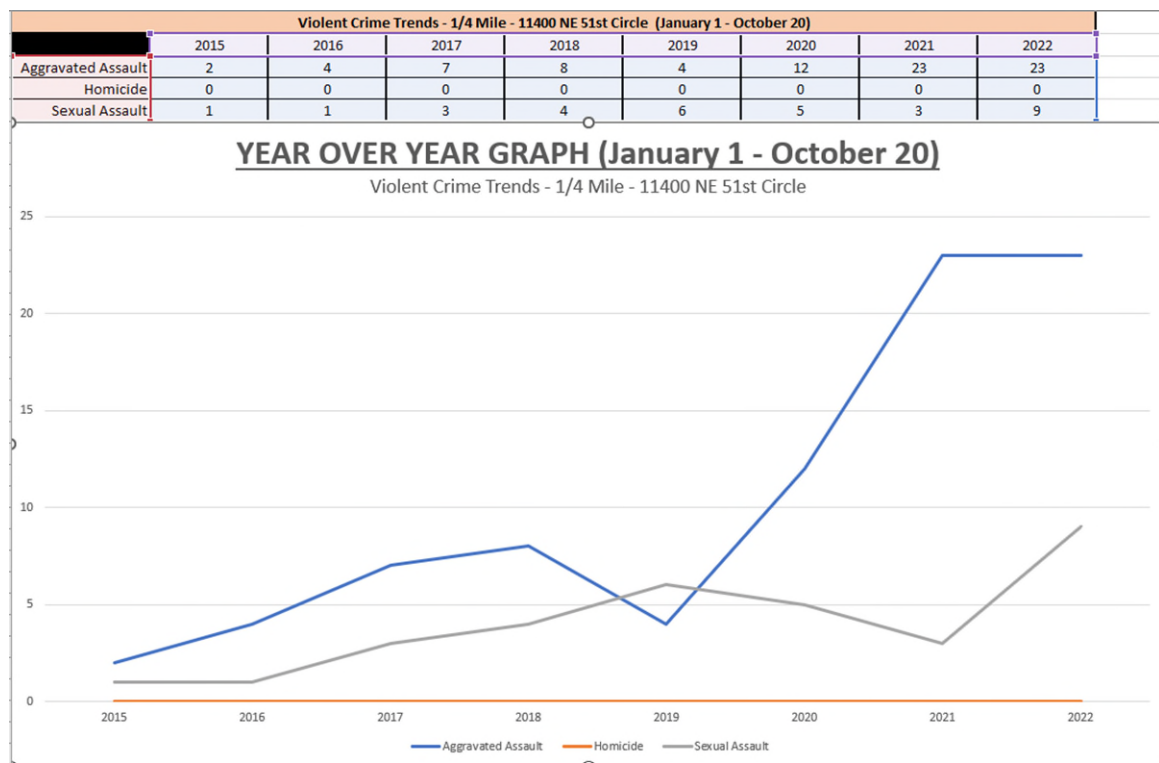
24 There is no reasonable question that SSC3 shall cause an increase in crime if allowed at
25 the Proposed Location, which in turn poses a hazard to pedestrians. The City's plan is just not
26

27 ⁴ <https://vancouvercity.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=6012&ItemID=2133>

28 ⁵ See Jonathan Young's (City Attorney) memo to Eric Holmes (City Manager) dated August 2, 2021 entitled
"Supportive Campsite Pilot program – Legal Considerations" at page 3.

right. Residents of the SSC3 are not required to be clean and sober but are not permitted to do illicit substances at the Proposed Location, so they will do drugs on the street. This will happen all the time. This is a sad fact.

What is more, since the opening of the 51st Circle - Stay Safe Community 1 - to present nine (9) sexual assaults occurred within a ¼ mile radius, which is three times more than the prior year and more than any other year dating back to 2015⁶:



The fact that the City does not intend perform criminal screening of residents is undoubtedly contributing to the rise in crime noted above.

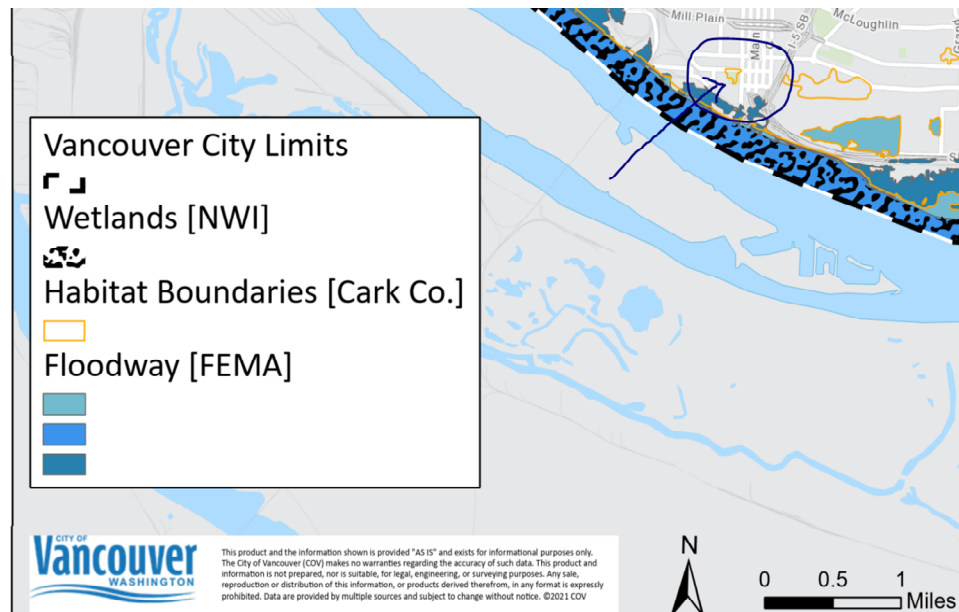
3. The Proposed Location is likely within 200 Feet of a Designated Sensitive Ecological Area; thus, it is not a Proper Site for SSC3.

Pursuant to the City Attorney, camping within 200 feet of designated sensitive ecological

⁶ Data is from Lexis Community Crime Map and the FBI Crime Data Explorer.
WRITTEN TESTIMONY OF ALBERT F. SCHLOTFELDT ON
BEHALF OF THE RIVERVIEW TOWER LLC. – 5

1 areas must be prohibited.⁷ This is consistent with the policy underpinnings of VMC 20.740
2 Critical Areas Protection as well as the City Council's 2021-2022 biennial budget policy
3 directive to further our community's environmental resilience.

4 Here, the Proposed Location is likely within 200 Feet of a designated sensitive ecological
5 area based on the City's Impact Areas map shown below, thus, the Proposed Location is not a
6 proper site for SSC3:⁸



18 **THE PROPOSED LOCATION FOR SSC3 FAILS TO MEET DESIGN REVIEW**
19 **REQUIREMENTS FOR DOWNTOWN VANCOUVER – VMC 20.65.**

20 Provisions of VMC 20.265 apply to projects located in the downtown area:

21 ///

22 ///

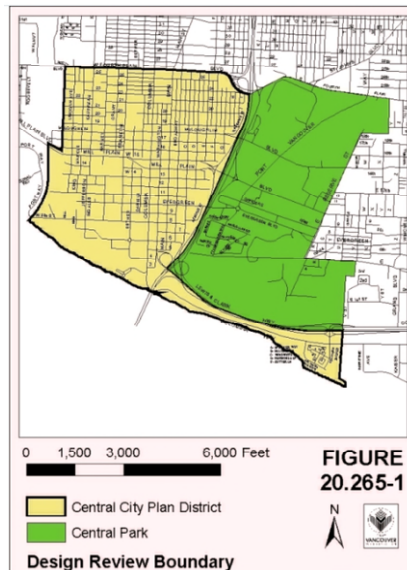
23 ///

24 ///

25 ///

27 ⁷ See Jonathan Young's (City Attorney) memo to Eric Holmes (City Manager) dated August 2, 2021 entitled
"Supportive Campsite Pilot program – Legal Considerations" at page 2 paragraph 2.

28 ⁸ See September 13, 2021 City Council Meeting "Camping Impact Areas Map – Ordinance Option B:
<https://vancouvercity.novusagenda.com/agendapublic/AttachmentViewer.ashx?AttachmentID=6011&ItemID=2133>



Specifically, VMC 20.265 applies to all projects that involve modification of a parking lot located within the area defined above and are subject to approval by the Planning Official. As the Proposed Location is within the downtown corridor and constitutes real property presently being used for vehicle parking, VMC 20.265 applies.

Pursuant to VMC 20.265.040, the Planning Official shall base all reviews on 1) the relationship found to exist between existing structures and open space, and between existing structures and other structures in the vicinity, and the expected effect of the proposed construction upon such relationships; 2) the impact of the proposed construction on adjacent uses; and 3) the protection of neighboring uses from identifiable adverse effects.

Here, the Proposed Location is in historic and commercial district which is antithetical to a stay safe community. For example, Herontide II, LLC is suing the City for injunctive relief, public and private nuisance, and intentional interference with business expectancy regarding the 51st Circle stay safe community. (See Exhibit "B" attached herewith.) Thus, the Proposed Location of SSC3 fails to meet the requirements of VMC 20.265.040 and may not be approved.

What is more, placing a Stay Safe Community in what is essentially the heart of Vancouver will seriously degrade residential areas and downtown businesses. This proposal puts this community two blocks away from Ester Short Park and near many restaurants, offices and other businesses that will be disrupted and or negatively impacted. The Stay Safe Community

1 will also increase the number of homeless in the downtown, which is simply too close to the
2 Farmers Market and Esther Short Park that are intended to be a safe environment for families
3 that visit these places. Esther park is just now rebuilding at over \$1million the playground that
4 was vandalized and 8th St. is already over-burden by the crowds that visit the Famers Market.

5 The placement of this community will affect the desirability of the area, impacting
6 residents, property, and business owners alike. The second Stay Safe Community was opened on
7 April 28, 2022, at 4915 E Fourth Plain Blvd. Running a quick search through a property sale site
8 such as Zillow shows that the value of homes in the area began to trend downwards beginning
9 May of 2022, immediately after the community opened.

10 CONCLUSION

11 For the above reasons, the Proposed Location may not lawfully be approved for the SSC3
12 as it fails to adhere to the requirements of Vancouver Municipal Code (“VMC”) 20.885, VMC
13 20.265 and VMC 8.22.

14 Instead of a true public-private partnership that utilizes highly valuable real property to
15 fund homeless resources (like permanent housing) while also keeping the downtown area safe
16 and thriving, here, the City proposes turning prime real estate into a campsite to relocate and
17 concentrate a homeless population there. This is unconscionable.

18 DATED: October 27, 2022

19
20 

21 _____
22 ALBERT F. SCHLOTFELDT, WSBA #19153
23 Executed in Vancouver, Washington
24
25
26
27
28

EXHIBIT “A”

After Recording Return To:
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668



FIDELITY NATIONAL TITLE COMPANY OF WASHINGTON

01-04552mm

RECORDING COVERSHEET

DOCUMENT TITLE(S):

COVENANT RUNNING WITH THE LAND

REFERENCE NUMBER(S) OF DOCUMENTS ASSIGNED OR RELEASED:

1.

GRANTOR(S): (last name, first name and initial)

1. HASH; MARTIN

GRANTEE: (last name, first name and initial)

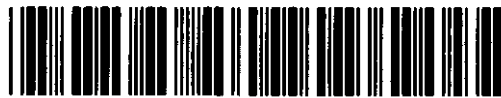
1. CITY OF VANCOUVER

LEGAL DESCRIPTION: (abbreviated; additional legal description is on page(s) _____
of this document)

Lots 3 and 4, Blk 5 Stiles Addn

ASSESSOR'S PROPERTY TAX PARCEL NUMBER(S):

051330-000; 046210-000



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Page: 2 of 10

11/22/2000 03:55P

FIDELITY NATIONAL TITLE

COV

17.00 Clark County, WA

COVENANT RUNNING WITH THE LAND

This is a Covenant to City of Vancouver, Washington, a municipal corporation, hereinafter "City", from MARTIN HASH, purchasers of certain real property in Vancouver, Clark County, Washington, legally described in Exhibit "A" also known as the Columbia Arts Center, hereinafter known as the "Property", whereby MARTIN HASH covenants to City that the Property described herein will be used only in accordance with the terms and provisions of this Covenant and subject to the conditions described herein.

WHEREAS, the City is the owner and fee simple of the property described herein commonly known as the Columbia Arts Center; and

WHEREAS, the property has substantial and important historic, aesthetic, architectural, and cultural character and is potentially eligible for inclusion on a National Register of Historic Places by the United States Department of the Interior and the Clark County Historic Preservation Commission; and

WHEREAS, the City desires to preserve and maintain the historic, aesthetic, and cultural character of the property and to limit certain uses of the property consistent with its characteristics;

NOW THEREFORE, in recognition of the foregoing and in consideration of conveyance of the property by City to MARTIN HASH,

MARTIN HASH hereby covenants and agrees to City on behalf of themselves and all their heirs, assigns, successors and interests, into whose ownership the site may

pass as follows, it being specifically agreed and covenanted that this is a Covenant which touches, concerns, enhances, benefits and runs with the land herein described and which is intended to preserve the aesthetic, architectural and cultural values of the property in perpetuity. The terms and conditions of the Covenant are as follows:

1. Restrictions on alteration and use. Without the express written permission of the City, its successors or assigns, signed by a duly authorized representative thereof, no construction, alteration or remodeling or any other thing shall be undertaken or permitted to be undertaken which would affect either the exterior surfaces or increase the height or alter the exterior façade (including without limitation exterior walls and roofs) or the appearance of the Property as depicted in the photographs attached hereto and incorporated by this reference herein as Exhibit "B" or which would adversely affect the structural soundness of the Property; Provided, however, that the reconstruction, repair, repainting or refinishing of presently existing parts or elements of the Property, damage to which has resulted from casualty loss, deterioration, or wear and tear, shall be permitted without the prior approval of the City, provided that such reconstruction, repair, repainting or refinishing is performed in a manner which will not alter the exterior appearance of the Property as it is as of this date. Exterior changes which require the consent of City shall include, but not be limited to, any substantial structural change or any change in design, color or materials. Replacement of exterior signage shall require the consent of City, but such consent will not be withheld if the proposed signage conforms to VMC Title 20 and conforms to the Downtown Design Guidelines and is consistent with the character of the facade.



The Property may be used for any lawful purpose consistent with the provisions and requirements of the City of Vancouver Zoning Code as amended; Provided, that

MARTIN HASH, its heirs, assigns and/or successors are prohibited from using the Property for any adult entertainment business as that term is defined in the Vancouver Municipal Code.

2. Demolishing the Property. The Property shall not be demolished or partially demolished without the prior written consent of City.

3. Maintenance. MARTIN HASH agrees at all times to maintain the Property and the exterior appearance of the Property (including without limitation the exterior walls and roofs of the Property) in a good and sound state of repair so that no more than minimal deterioration in its present exterior appearance, as depicted in Exhibit "B", shall take place, subject to the casualty provisions set forth in Paragraph 7 herein.

4. Right to Alter the Interior of the Property. It is understood and agreed between the parties that MARTIN HASH may alter the interior of the Property. Nothing in this Agreement shall be deemed to restrict MARTIN HASH's right to make such alterations or modifications as long as such alterations or modifications do not substantially alter the exterior appearance of those areas protected by this Preservation Covenant, as listed in Paragraph 1 herein.

5. Maintenance and Repair of the Property. MARTIN HASH and/or assigns shall be responsible for maintenance, repair, repainting, and refinishing of the Property as necessary to comply with paragraph 3 herein, MARTIN HASH shall



3270384

Page: 5 of 10

11/22/2000 03:55P

Clark County, WA

provide maintenance, repair, repainting, and refinishing of the Property because of wear and tear.

6. Waste. The Grantor agrees not to commit or permit waste (i.e., abuse, unreasonable or improper use or deterioration of the Property.

7. Extinguishment. In the event the Property is destroyed or damaged by fire or other casualty to an extent that the repair or reconstruction of the existing improvements or the façade and exterior surfaces subject to this Covenant is rendered impracticable, in City's reasonable judgment, or in the event a subsequent unexpected change in the conditions surrounding the Property renders it impossible or impractical to continue to use the Property for the purpose of preserving the historic, aesthetic, architectural and cultural value of the Property, the restrictions set forth herein may be extinguished by a judicial proceeding.

8. Inspection. MARTIN HASH hereby agrees that representatives of City, its successors or assigns shall be permitted at all reasonable times to inspect the property. Inspections will normally take place from the street; however, MARTIN HASH agrees that representatives of City, its successors or assigns shall be permitted to enter and inspect the interior of the improvements to the Property to insure maintenance of structural soundness; inspection of the interior will not, in the absence of evidence of deterioration, take place more often than annually. Inspection of the interior will be made at a time mutually agreed upon by MARTIN HASH and City, its successors or assigns, and MARTIN HASH agrees to not withhold consent unreasonably in determining a date and time for such inspection. Other inspections required or permitted by law are in not way limited hereby.



9. Consent, Disapproval, and Appeal. Where the terms of this Agreement require the consent of City, such consent shall be requested by written notice, as provided in Paragraph 12 herein, to City and consent shall be deemed to have been given within thirty (30) days after mailing of the notice by MARTIN HASH or its successors or assigns unless City gives written notice to MARTIN HASH specifying reasons for disapproval.

10. Nature and Duration. The covenants expressed herein shall be deemed to run with the Property in perpetuity and be binding upon MARTIN HASH and the MARTIN HASH's successors and assigns for the benefit of the City.

11. Assignments, Successors, and Assigns. Except as provided in Paragraph 7 herein:

MARTIN HASH agrees that this Covenant will be inserted by it in any subsequent deed or in any legal instrument by which it divests itself of either the fee simple title to or its possessory interest in the Property or any part thereof.

12. Notice. Any notice required hereunder shall be in writing and shall be given by certified or registered mail, with postage prepaid and return receipt requested, addressed to MARTIN HASH, as follows:

MARTIN HASH

2800 E. EVERGREEN

VANCOUVER, WA 98661

Or addressed to the City, as follows:

City Attorney
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668



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Page: 7 of 10
11/22/2000 03:55P
Clark County, WA

FIDELITY NATIONAL TITLE

COV

17.00

13. Construction. This Agreement shall be construed to promote the preservation of the historic, cultural, architectural, and aesthetic character of the Property and to conserve its natural, scenic, and open condition for both this generation and future generations, while maintaining the usefulness of the Property to MARTIN HASH or its successors or assigns.

14. Governing Law. The terms of this Agreement shall be construed in accordance with the laws of the state of Washington.

15. Entire Agreement. This constitutes the entire agreement between the parties.

16. Nonwaiver of Breach Clause. The failure of the City to at anytime enforce any provision of this Agreement shall not be deemed a waiver of its right to later enforce that or any other provision of this Agreement.

17. Legal Remedies. This Covenant may be enforced by the City in any or all of the following ways:

1. By bringing this suit in any court of competent jurisdiction for monetary damages to cover the expected costs of the City's performance of any and all obligations covenanted herein and _____ to be performed by MARTIN HASH.

2. For injunction to cause specific performance of this Covenant or for any appropriate relief as may be deemed desirable by the City.

3. Such other relief in law and equity as the City deems necessary to enforce the terms of this Covenant.



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Page: 8 of 10

11/22/2000 03:55P

Clark County, WA

With regard to any of the aforementioned remedies, MARTIN HASH

agrees to be responsible for any and all attorney's fees and costs expended by the City and enforcing any of these provisions.

18. Filing. A copy of this Covenant will be filed with the Clark County Auditor so that it will appear as a Covenant within the chain of title for the real property described herein.

19. Severability. In the event that any provision of this Covenant is held invalid or unenforceable by any court of competent jurisdiction, such holding shall not affect any other provision, and the other provisions hereof shall continue in full force and effect.

DATED this 22 day of NOVEMBER, 1999, 2000.

GRANTOR:

Martin Hash

MARTIN HASH

By _____

Its: _____

GRANTEE:

CITY OF VANCOUVER, WASHINGTON

APPROVED AS TO FORM:

Ted H. Gathe Brent Boyer
City Attorney Asst. City Atty

STATE OF WASHINGTON

SS

COUNTY OF CLARK

On this 22nd day of November, 2000 personally appeared before me MARTIN HASH to me known to be the individual(s) described in and who executed the within and foregoing instrument and acknowledged to me that (he/she/they) signed the same as (his/hers/their) free and voluntary act and deed for the purposes therein mentioned.

Melissa A Miller

Notary Public in and for the State of Washington,
Residing at Battle Ground
My Commission Expires: 1/29/2003

MELISSA A. MILLER
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JANUARY 29, 2003

THE ABOVE SPACE RESERVED FOR NOTARY SEAL

Fidelity National Title Company of Washington

EXHIBIT "A"

PARCEL I:

BEGINNING at the Southeast corner of Fractional Block 5, STILES ADDITION TO THE CITY OF VANCOUVER, according to the plat thereof, recorded in Volume "G" of Plats, Page 609, records of Clark County, Washington; thence East 100 feet; thence North 100 feet; thence West 100 feet; thence South 100 feet to the point of beginning.

ALSO BEGINNING at a point 95 feet South of the intersection of the West line of Park Street with the South line of 11th Street in the City of Vancouver, said County and State; thence West 100 feet; thence South 5 feet; thence East 100 feet; thence North 5 feet to the point of beginning.

PARCEL II:

Lots 3 and 4, Block 5, STILES ADDITION TO THE CITY OF VANCOUVER, according to the plat thereof, recorded in Volume "G" of Plats, Page 609, records of Clark County, Washington.

EXHIBIT “B”

E-FILED

10-17-2022, 08:10

Scott G. Weber, Clerk
Clark County

23

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF CLARK

HERONTIDE II, LLC

Plaintiff,

vs.

CITY OF VANCOUVER, a Washington
municipality,

Defendant.

No. 22-2-02593-06
[Clerk's Action Required]

COMPLAINT

Plaintiff Herontide II, LLC, ("Herontide II") alleges as follows:

INTRODUCTION

1. This matter concerns access to real property owned by Herontide II. Herontide II is ready to but cannot build apartments on the Property because the City of Vancouver ("City") has blocked and refuses to unblock Herontide II's ingress and egress access.

2. NE 51st Circle is a public right-of-way in Vancouver, Washington. It provides the only public street access to the Herontide II property.

3. In December 2021, the City granted itself an indefinite Right of Way Use and Occupation Permit to exclusively use NE 51st Circle for "Safe Stay" temporary housing for the homeless.

4. Herontide II supports the City's efforts to improve access to housing and the Safe Stay community. In fact, Herontide II has repeatedly offered to partner with the City and

COMPLAINT - 1

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
Pacwest Center
1211 SW Fifth Ave Ste 1900
Portland, OR 97204
Telephone 503.222.9981 Fax 503.798.2900

1 Vancouver Housing Authority to create low-income or homeless housing projects on
2 Herontide II's Property. The Vancouver Housing Authority declined Herontide II's offer and
3 the City has not responded.

4 5. Since at least December 2021, the City has refused to allow Herontide II to use
5 NE 51st Circle.

6 6. To avoid conflict and avoid bothering the Safe Stay community, Herontide II
7 asked to drive across City land, *around* the Safe Stay community (the "bypass" route) – the
8 same route the City was using to work on Burnt Bridge Creek and stormwater maintenance.

9 7. The City said it might agree, but only if Herontide II satisfied several conditions
10 that were not required by law and were not required for City construction vehicles driving in
11 the same location.

12 8. Given these facts, Herontide II has no choice but to seek legal and equitable
13 relief from this Court.

14 **PARTIES AND JURISDICTION**

15 9. Herontide II is a Washington limited liability company licensed to do business
16 in the State of Washington.

17 10. Defendant City is and was at all material times a municipal corporation of the
18 State of Washington.

19 **VENUE AND JURISDICTION**

20 11. This action affects title to real property in Clark County, Washington. This
21 court has jurisdiction over the parties and the subject matter of this dispute pursuant to RCW
22 2.08.010.

23 12. Venue is proper under RCW 4.12.010 and 4.12.025 because the causes of action
24 arise in Clark County, and the real property at issue is situated in Clark County.

25 13. Plaintiff has exhausted all administrative remedies and has complied with RCW
26 4.96.020 as to tort claim filing requirements.

FACTS

14. Herontide II owns real property located at 5264 NE 121st Avenue, in Vancouver, Washington, also known as tax parcel number 158354000 (the “East Parcel”).

15. Herontide II owns real property in Vancouver, Washington known as tax parcel number 157532000 (the “West Parcel”).

16. The East and West Parcels are collectively referred to herein as the “Herontide II Property.”

17. The City owns real property due south of NE 51st Circle, located at 11400 NE 51st Circle, Vancouver, Washington, also known as tax parcel number 162702009, and the land immediately adjacent to its south, known as tax parcel number 162702020. These properties are collectively referred to herein as the “City’s Land.”

18. A copy of a map, showing the relative locations of the Herontide II Property, the City Land, and NE 51st Circle is attached as Exhibit A.

Herontide II’s Construction Permit Applications

19. On or about February 2020, Herontide II notified the City that it wanted to develop the Herontide II Property.

20. The City-approved building plans show construction access to the Herontide II Property would be through NE 51st Circle.

The City’s Use Permit

21. On December 9, 2021, the City granted itself a Type D Long Term Right of Way Use and Occupation Permit (the “Use Permit”) for the exclusive use of a portion of public right-of-way immediately north of the City’s Land and west of Herontide II’s Property, known as NE 51st Circle. A true and correct copy of the Use Permit is attached as Exhibit B.

22. The Use Permit grants the City exclusive use of approximately 350 feet at the east, cul-de-sac end of NE 51st Circle (the “Permit Area”). Exhibit B at 2,6.

23. The Herontide II Property is located adjacent to the east, cul-de-sac end of NE

1 51st Circle. *See* Exhibit A.

2 24. The City closed the Permit Area for all other public use, completely blocking
3 all public street and ingress/egress access to the Herontide II Property, indefinitely.

4 25. The City contracted with the nonprofit, Outsiders Inn, to create the “Safe Stay”
5 Community directly **in** the right-of-way.

6 26. Due to the City’s actions, Herontide II has been and continues to be prohibited
7 from accessing the Herontide II Property from the only public roadway servicing its property.

8 27. The City did not provide sufficient notice or due process to Herontide II or the
9 public regarding its application for the Use Permit and/or the proposed use of the Permit Area.

10 28. The City did not allow anyone other than itself to appeal the Use Permit.

11 29. Right-of-way use permits must conform to VMC Chapter 11 and applicable
12 City Code and regulations. The proposed right-of-way use may not unduly interfere with the
13 rights and safety of the public.

14 30. Under VMC 11.60.120(B)(1), the proposed use of a right-of way must not:

- 15 a. impede reasonable ingress and egress to abutting properties, or
- 16 b. create the imminent possibility of conduct likely to endanger public
17 safety or to result in significant property damage, or
- 18 c. have a significant adverse impact upon residential or business access
19 and traffic circulation in the area governed by the permit.

20 31. Under VMC 11.60.090(E)(6), applications for a right-of-way use permit must
21 include a traffic control plan if the use will affect vehicle or pedestrian traffic.

22 32. Under VMC 11.60.060(B)(4)(b), long term right-of-way use permits may not
23 be issued for any permanent structure in the right-of-way.

24 33. The City violated relevant regulations of City Code, including VMC 11.60.120,
25 11.60.090, 11.60.060, when granting the Use Permit.

26 34. The City exceeded its authority when granting the Use Permit.

COMPLAINT - 4

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
Pacwest Center
1211 SW Fifth Ave Ste 1900
Portland, OR 97204
Telephone 503.222.9981 Fax 503.798.2900

1 35. On or about October 13, 2022, Herontide II submitted a code enforcement
2 complaint to the City regarding these Code violations.

3 The City Refused to Remedy Its Errors

4 36. After Herontide II obtained stormwater and civil permits for the housing
5 development on its property, Herontide II asked the City to restore its access to NE 51st Circle.

6 37. The City declined, stating that traffic through the right-of-way would disturb
7 the tenants of the Safe Stay Community it had created in the middle of the public street.

8 38. The City refused to revoke or even amend the Use Permit.

9 39. As an alternative, Herontide II asked to drive across City Land adjacent to NE
10 51st Circle along the bypass route to access the Herontide II Property. The City declined this
11 request, stating that the use of the unpaved roads by construction vehicles would disturb the
12 twenty tenants of the Safe Stay Community and may result in negative environmental impacts.

13 40. Beginning in July 2022, the City began driving large construction vehicles
14 along the bypass route.

15 41. On August 11, 2022, Herontide II notified the City that it intended to file tort
16 claims against the City for its actions described in this Complaint.

17 42. Also on August 11, 2022, Herontide II again asked to use the bypass route to
18 access its property, in light of the City's use of the same route for a similar purpose.

19 43. In September 2022, the City said it would agree to allow Herontide II to use the
20 bypass route, but only under numerous, conditions – conditions the City had not imposed on
21 itself or its construction vehicles.

22 CAUSES OF ACTION

23 **I. Declaratory and Injunctive Relief**

24 44. Herontide II re-alleges the allegations stated above.

25 45. The City's exclusive use of the Permit Area unduly interferes with Herontide
26 II's access to the Herontide II Property, in violation of applicable law.

1 46. The City's grant of the Use Permit failed to comply with procedural and
2 substantive requirements, including but not limited to VMC 11.60.120, 11.60.090, and
3 11.60.060.

4 47. The City failed to provide Herontide II and the public sufficient due process
5 related to the issuance and appeal of the Use Permit.

6 48. Herontide II seeks an order declaring the Use Permit void *ab initio* pursuant to
7 RCW chapter 7.24 and a mandatory injunction pursuant to RCW chapter 7.40 directing the
8 City to permit Herontide II access to the Herontide II Property through the public right-of-way
9 known as NE 51st Circle.

10 **II. Private Condemnation for Way of Necessity, RCW 8.24.010**

11 49. Herontide II re-alleges the allegations stated above.

12 50. The City's actions have purposefully and intentionally landlocked Herontide
13 II's property.

14 51. Given the facts above and to be proven at trial, it is necessary for the proper use
15 and enjoyment of the Herontide II Property that Herontide II be granted a private way of
16 necessity.

17 52. Herontide II requests an order of private condemnation across NE 51st Circle on
18 the City Land, sufficient in area for the construction and maintenance of such private way of
19 necessity.

20 53. If the Court concludes the private way of necessity should be on City Land, the
21 City should be responsible for any costs associated with providing and permitting such a route,
22 because those costs would not have been necessary but for the City's actions described herein.

23 **III. Inverse Condemnation**

24 54. Herontide II re-alleges the allegations stated above.

25 55. Herontide II has a right and interest to enforce its property rights as the owner
26 of the Herontide II Property.

1 56. The City has engaged in a taking and/or damaging of Herontide II's private
2 property.

3 57. The taking and/or damaging of Herontide II's private property, even if only
4 temporary, occurred without the payment of just compensation to Herontide II.

5 58. The taking and/or damaging of Herontide II's private property without just
6 compensation, temporarily or otherwise, constitutes a violation of Article I, Section 16 of the
7 Constitution of the State of Washington and the Fifth Amendment to the Constitution of the
8 United States of America.

9 59. Herontide II is entitled to just compensation for the temporary taking and/or
10 damaging of Herontide II Property from the date of the issuance of the permit to the date the
11 Use Permit is revoked and its access to NE 51st Circle is restored.

12 60. In the alternative, if the Use Permit is not revoked, Herontide II is entitled to
13 just compensation for the value of the Herontide II Property as a result of the City's permanent
14 taking.

15 61. Herontide II is entitled to interest, costs, and fees pursuant to RCW chapter 8.25
16 in an amount to be determined at trial.

17 **IV. Public Nuisance**

18 62. Herontide II re-alleges the allegations stated above.

19 63. The City's actions and omissions have obstructed a public street, constituting a
20 public nuisance pursuant to RCW 7.48.140.

21 64. The nuisance is continuing.

22 65. Herontide II has been specially damaged because the City's actions cut off the
23 only public street access to Herontide II's property.

24 66. Herontide II is entitled to an award of damages and a warrant of abatement or
25 injunction to prevent the continuing nuisance.

V. Private Nuisance

67. Herontide II re-alleges the allegations stated above.

68. The City's actions and omissions have unreasonably interfered with Herontide II's comfortable use and enjoyment of its private property by obstructing ingress to and egress from the Herontide II Property.

69. The City's actions constitute a nuisance pursuant to RCW 7.48.010 and that nuisance is continuing.

70. Herontide II has incurred money damages as a result of the City's interference with the use and enjoyment of the Herontide II Property, in an amount to be proven at trial.

71. Herontide II is entitled to an award of compensation, and a warrant of abatement or injunction to prevent the continuing nuisance.

VI. Intentional Interference with Business Expectancy

72. Herontide II re-alleges the allegations stated above.

73. Herontide II had a valid business expectancy in its right to exercise all the benefits of real property ownership, including development, access, and use rights.

74. Herontide II had a valid business expectancy that if it complied with applicable codes, it would timely receive approval from the City to develop its Property

75. Herontide II had a valid business expectancy with its investors, contractors and subcontractors, to build apartments on the Herontide II Property.

76. Herontide II had a valid business expectancy in its right to of access to NE 51st Circle as a public right of way and as approved by the City in the approved building permit(s) for the Herontide II Property.

77. The City knew Herontide II wanted, and still wants, to develop its Property and is intentionally interfering with that right, and those business expectancies, through its actions described above.

78. The City acted for the improper purpose of enforcing its invalid Use Permit

1 and denying Herontide II its lawful real property rights.

2 79. The City acted through improper means by approving the Use Permit contrary
3 to controlling law and refusing to modify or terminate the Use Permit when it became aware
4 of the harm it was causing Herontide II.

5 80. As a result of the City's actions, Herontide II incurred actual damages in an
6 amount to be proven at trial.

7 WHEREFORE, plaintiff Herontide II prays for judgment as follows:

- 8 1. For an order granting declaratory relief and an injunction in favor of Herontide
9 II quieting title to Herontide II's access rights to NE 51st Circle, enjoining the
10 City from interfering with those rights; an award of damages; and an award of
11 costs and attorneys' fees;
- 12 2. For an award of damages incurred to be incurred by the City's temporary or
13 permanent taking of private property without compensation, and costs in an
14 amount to be determined by the court;
- 15 3. For a judgment awarding a private way of necessity across NE 51st Circle or
16 the City Land;
- 17 4. For an award of damages incurred or to be incurred by Herontide II as a
18 consequence of the City's conduct, in an amount to be determined by the
19 Court; and a warrant of abatement to prevent the continuing nuisance;
- 20 5. For such other and further relief as the Court deems appropriate.

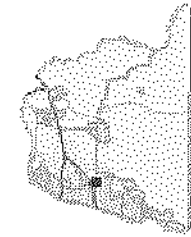
21 Dated this 14th day of October, 2022.

22 SCHWABE, WILLIAMSON & WYATT, P.C.

23
24 By: s/ Maren Calvert
25 Maren Calvert, WSBA #53940
26 Email: mcalvert@schwabe.com
Attorney for Plaintiff



Tax Lot 157532000



Legend

- Taxlots
- All Roads
 - Interstate
 - State Route
 - Arterial
 - Forest Arterial
 - Minor Collector
 - Forest Collector
 - Private or Other

Notes:

752.3 0 376.17 752.3 Feet

WGS_1984_Web_Mercator_Auxiliary_Sphere
Clark County, WA. GIS - <http://gis.clark.wa.gov>

This map was generated by Clark County's "MapsOnline" website. Clark County does not warrant the accuracy, reliability or timeliness of any information on this map, and shall not be held liable for losses caused by using this information.

**Type D Long Term Right of Way Use and Occupation Permit
Pursuant to VMC 11.60.060.B.4**

RECITALS

The following recitals set forth the agreed-upon underlying facts upon which this Permit is based.

A. Description of Permit. This is a Type D Long Term Right of Way Use and Occupation Permit issued to the City Manager's Office of the City of Vancouver, hereinafter referred to as Permittee, and issued by the City of Vancouver, a Washington municipal corporation that is a charter city of the first class, hereinafter referred to as the City, pursuant to Vancouver Municipal Code (VMC) 11.60.060.B.4 and 11.60.110.E, by which said Permittee may utilize certain improved dedicated public rights of way within the area operated by Permittee as a part of the Permittee's "NE 51st Circle Safe Stay Community" project, hereinafter referred to as the Project.

B. Description of Property Subject to Permit. The property subject to the Permit is a portion of under-improved public right of way associated with NE 51st Circle adjacent to the Project. The Project site is located at 11400 NE 51st Circle, in the NW ¼ of Sec. 15, T2N, R2E, Willamette Meridian, more specifically described as:

- Public right-of-way adjacent to County Tax Parcel No. 162702009, legally described and/or depicted on Exhibit A, attached hereto and incorporated herein by this reference.

C. Description of Permittee. The Permittee is the Executive Office of a Washington municipal corporation that is a charter city of the first class. Kerry Peck is hereby designated by the Permittee as contact for all communications regarding this Permit. Permittee shall provide the City with written notice within fourteen (14) days of any change in its designated contact.

Notices shall be mailed to:

City of Vancouver - Office of the City Manager
PO Box 1995
Vancouver, WA 98668
Attn: Kerry Peck, Senior Admin. Assistant
Email: kerry.peck@cityofvancouver.us

D. Final Decision. This Type D Long Term Right of Way Use and Occupation Permit is subject to the approval criteria contained in Vancouver Municipal Code (VMC) 11.60.120. Based upon review of the application materials, the criteria for approval have been satisfactorily met or shall be met as conditioned. This permit request is therefore **approved with conditions**, as described below. This Permit shall become effective as of the date of the last signature hereto below. A 14-day appeal period begins on the effective date. Pursuant to VMC 11.60.190, only the applicant and the city are entitled to an appeal.

PERMIT

The City hereby issues this Type D Long Term Right of Way Use and Occupation Permit to Permittee pursuant to Vancouver Municipal Code (VMC) 11.60.060.B.4 and 11.60.110.E. This Permit authorizes Permittee to utilize certain improved dedicated public rights of way for improvements described on and in locations as provided for in Exhibit B, (the "Encroachments") subject to the following terms and conditions:

1. As shown on Exhibit B, attached hereto and incorporated herein by this reference, the Permittee plans to construct a "safe stay community" with 20 pallet-style structures to serve as shelters and 1 pallet-style structure to serve as an office. The community intends to provide temporary shelter for up to 40 unsheltered citizens. In addition to the shelter structures, the area will include porta-potties, handwashing facilities, a storage shed, fencing, electricity, and water and sewer facilities. Eventually, the porta-potties and handwashing facilities will be replaced with restrooms. The area encompassing these facilities will consist of the under-improved right-of-way for NE 51st Circle, starting from the existing concrete barricades located approximately 350-feet east of 112th Avenue and extending approximately 350-feet further eastward from there.
2. The Permittee is responsible for all design, permitting and construction of the Encroachments. The Permittee assumes total liability and responsibility for maintenance of the Encroachments, and all appurtenances thereof.
3. The City will be responsible for the maintenance of the City-owned utilities installed within the street rights of way. Non-city owned utilities will be the responsibility of the utility owner. To verify the physical location(s) of City owned and non-City owned utilities, contact the Utility Notification Center 1-800-424-5555.
4. Pursuant to this Permit, Permittee has exclusive use of the dedicated right of way subject to the Permit for uses as described and identified on Exhibit B; however, no construction of any Improvements other than other those identified shall be permitted within the Permit area.
5. As a condition of utilizing the right of way as set forth in this Permit, the Permittee is responsible to obtain approval for a Supportive Campsite under VMC 8.22.070. This Permit will expire upon expiration of the permit or approval issued under VMC 8.22.070.
6. The Permittee is a City department. The City maintains insurance sufficient to satisfy the requirements of VMC 11.60.170. It is agreed that no vested or prescriptive rights shall accrue in the Permittee or in their heirs, successors and assigns by virtue of this Permit. This permit shall be in effect until the City and the Permittee mutually agree to terminate, except in accordance with VMC 11.60.150, if the City requires the use of the improved rights of way covered in the Permit for utility or street purposes. In that case, the City will provide

the Permittee twelve month advance written notice. This advance notice requirement shall be waived in the case of emergency, as determined in the sole discretion of the City.

7. This Permit is binding upon the parties. This Permit will be recorded with the real property recordings in Clark County. The exhibits attached to this Permit will be recorded and the Permit as recorded will constitute a memorandum of the complete agreement including the exhibits. The City Custodian of the Records will keep an original of the agreement with all exhibits. The Permittee acknowledges that this permit shall be, at city expense, filed by the city in the real estate records of the Auditor of Clark County.
8. This Permit may be assigned by Permittee to any subsequent owner or management company of the Project upon proof of that entity's compliance with the following insurance provisions. Pursuant to VMC 11.60.170, the Assignee shall provide the City with satisfactory evidence in writing that the Assignee has in force and will maintain in force throughout the duration of the permitted use, commercial general liability insurance satisfactory in form and substance to the City, duly issued by an insurance company authorized to do business in Washington. The policy shall name the City of Vancouver as an additional insured, and apply as primary insurance, regardless of any insurance the City may carry. Also, the policy must include:
 - a. A "cross-liability" (severability of interest) clause; and
 - b. A provision that the City be notified not less than 30 days prior to cancellation of the policy, except in the case of non-payment, when less than 10 days prior notice is required; and
 - c. All policies shall be written on an occurrence form, with the exception of any cyber liability/errors and omissions policy(ies); and
 - d. shall maintain a policy of commercial general liability insurance with the following minimum limits:
 - i. Each occurrence, \$1,000,000.
 - ii. General aggregate, \$1,000,000.
 - iii. Products and completed operations aggregate, \$2,000,000.
 - iv. Personal and advertising injury, each offense, \$1,000,000.
 - v. Excess or umbrella liability coverage at limits of \$5,000,000 per occurrence and annual aggregate.

Permittee shall request assignment in writing not less than 120 days prior to the requested assignment date. As a condition of assignment, the Assignee shall obtain a Supportive Campsite permit under VMC 8.22.070 and agree to defend, indemnify, and hold harmless the City, its officers, employees and agents, for any and all suits, claims, or liabilities caused by, or arising out of, any use authorized by any such permit.

9. The following comments from the City of Vancouver Fire Marshall's Office shall be established as additional conditions of approval under this permit:

- **Property Owner** - City of Vancouver – Right-of-Way
- **Address** – 11400 NE 51st Circle – General site address signage required and individual pods shall be addressed numerically – all signage shall be clearly visible minimum of 4 inches in-height with contrasting colored numbers/letters to background.
- **Staffing 24/7** – Full time staffing, provide weekly inspections of individual pods by Stay Safe Site Manager (Pods remain free of fire hazards/hoarding)
- **Living Area Lighting** – Proposed street lighting package – three (3) street lamps
- **Pod Placement Configuration** – Ten (10) feet separation between pods
- **Emergency Access** – Pavement, emergency gate access shall be a minimum of 20 feet wide to accommodate emergency vehicles, (required Knox entry on two (2) vehicle entry/exit points), a minimum of a 20 foot clear drive through access inside the camp (turn-around – cul-de-sac). Emergency vehicle drive through route shall remain free of storage/debris. Procedurally, the on-site 24/7 management staff person shall open the front gate for emergency vehicles in the event of a emergency prior to arrival.
- **Water Supply** – Hydrant located ~75 feet from proposed pod area
- **Fire and Life Safety Protection Equipment** – Pod equipped with code compliant smoke/CO alarm, pod equipped with front door and with emergency escape kick-out panel
- **Ignition Sources Prohibited** - Signage required inside pods – “No Smoking” – “No Open Flame Usage”
- **Approved Smoking Receptacles Required** – Within the exterior camp/community area, shall provide approved non-combustible containers (ash trays) for residents to extinguish/discard smoking materials. (**if smoking is allowed*)
- **Cooking Prohibited** – Cooking within the pods is prohibited – *Future plan to address communal cooking (shall discuss at a later time with Fire Marshal's Office prior to operationalizing)*
- **Pod Heat** – Pod provided with electric all mount heating unit, use of heating appliance; shall remain clear of combustible storage (signage required – “Per Fire Marshal – Maintain 3 Foot Clearance of Combustibles”)
- **Recreational Fires** – All fires are prohibited.
- **Site Fencing** - Verify area of refuge is adequate per Building Plans Examiner
- **City/Building & Fire Permitting** – Separate permits shall be required and obtained for installation of electrical utilities and acceptance testing of the smoke/CO alarms, verify area of refuge is adequate.

List of Exhibits:

Exhibit A – Property Subject to Permit

Exhibit B – Illustration of the Encroachments

Exhibit C – Critical Areas Statement of Exemption (Staff Report w/Exhibits)

Dated this 9th day of December, 2021

By: _____
Ryan Lopossa, P.E.
Streets & Transportation Manager
City of Vancouver Public Works

[illegible]

I hereby certify that I know or have satisfactory evidence that

Ryan Lopossa
(Print Name)

signed this instrument, on oath stated that (she/he) is authorized to execute the instrument as a

Streets & Transportation Manager of City of Vancouver
(Position/Title) (Name of Corporation)

and acknowledge it to be (her/his) free and voluntary act of such party for uses and purposes mentioned in the instrument.

DATED: December 9, 2021.

NOTARY PUBLIC for the State of Washington,
Residing in the County of Clark
My Commission Expires: Aug 8, 2023

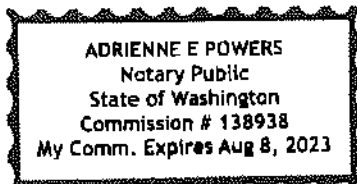


EXHIBIT A

11400 NE 51st Circle

Property subject to the Permit is improved public right of way associated with NE 51st Circle, located in the NW ¼ of Sec. 15, T2N, R2E, Willamette Meridian. The Project site is located at 11400 NE 51st Circle (parcel 162702009).

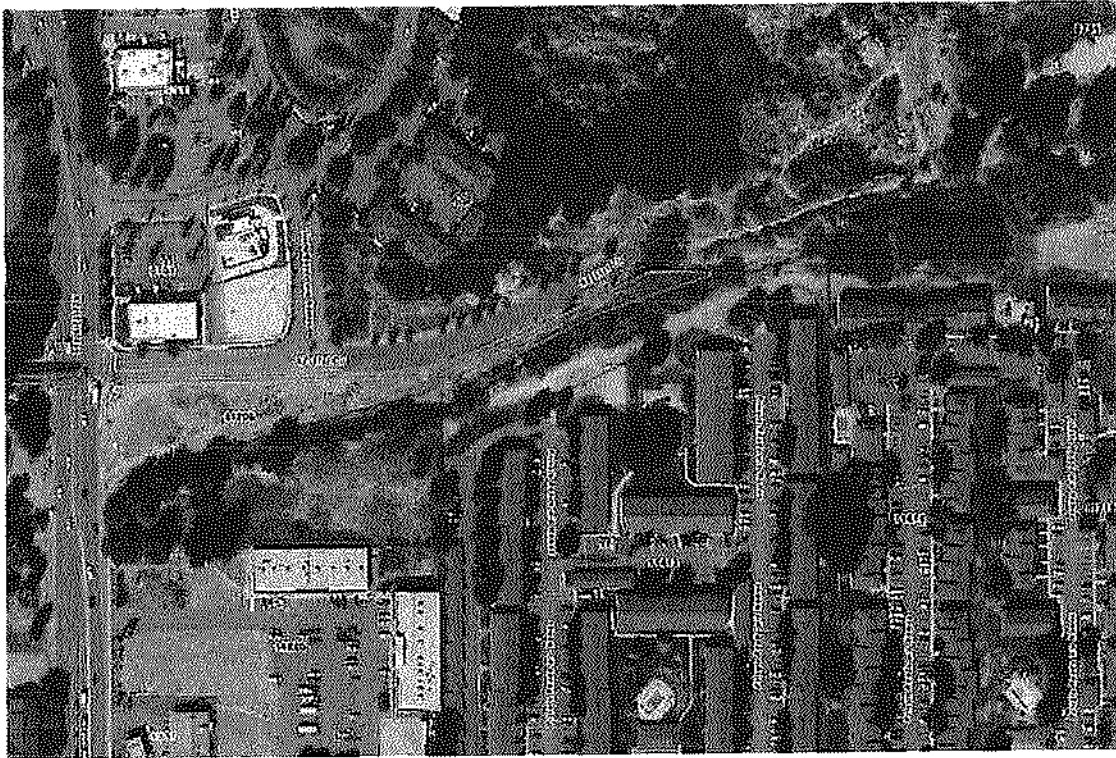


Exhibit C



City of Vancouver • P.O. Box 1995 • Vancouver, WA 98668-1995
www.cityofvancouver.us

**Critical Areas Statement of Exemption
Safe Stay Community
PRJ-167730/LUP-81993**

Date: December 1, 2021

Request: Critical areas statement of exemption for the establishment of a 20-unit safe stay shelter community with accessory structures to be located within NE 51st Circle.

Location: NE 51st Circle adjacent to city-owned parcel 162702009 with the address 11400 NE 51st Circle.

Applicant: Kerry Peck, City of Vancouver, PO Box 1995, Vancouver, WA 98668-1995. 360-487-8616.

Owner: City of Vancouver right-of-way

Decision: Exempt

Applicable Regulations

VMC 20.740.030 Applicability and Exemptions
VMC 20.740.110 Fish and Wildlife Habitat Conservation Areas
VMC 20.740.140 Wetlands

Staff Findings

Burnt Bridge Creek lies approximately 45 feet south of the subject site, although no portion of the site is located within the floodway or floodway fringe as mapped by FEMA. Mapping indicators for wetlands and fish and wildlife habitat exist to the north and south of NE 51st Circle.

The proposed improvements are all located on the pavement of NE 51st Circle except for two short sections of fencing at the east and west ends of the subject site. This proposed fencing is located partially on pervious areas that exist from the pavement of the street to the existing fence that runs east-west along the north side of the right-of-way.

Per VMC 20.740.110A.1.e(1)(A), when impervious surfaces from previous development completely functionally isolate the Riparian Management Area or the Riparian Buffer from the waterbody, the regulated riparian area shall extend from the ordinary high-water mark to the impervious surfaces. If the waterbody is not completely physically isolated, but is completely functionally isolated, the Planning Official may adjust the regulated riparian area to reflect site conditions and sound science.

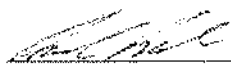
Per VMC 20.740.140C.1.b(i)(E), areas which are completely functionally separated from a wetland and do not protect the wetland from adverse impacts may be excluded from buffers otherwise required.

Based on the code sections above, the proposed improvements, being on the pavement of NE 51st Circle, are functionally isolated from any habitat or wetlands to the north or south of the street. Therefore, the improvements are not proposed within wetlands, habitat or associated buffers.

Regarding the proposed fencing within pervious areas located between the pavement of NE 51st Circle and the existing fence running east-west along the north side of the right of way, the proposed fencing is outside the mapped habitat on the north side of the street, and, based on VMC 20.740.140C.1.b(i)(E) above, functionally separated from the mapped wetland by the existing fence.

Conclusion

Based on the findings above, the proposal is found to be exempt from the provisions of the City of Vancouver's critical areas ordinance.



Andrew Reule, Senior Planner

December 1, 2021

Date

Exhibits

- 1 Application
- 2 Applicant's narrative
- 3 Site plan

c: Ryan Lopossa, Streets and Transportation Manager
Eric Hahn, Senior Transportation Engineer

EXHIBIT 1



Planning Permit Application

LAND USE PRELIMINARY APPLICATION (LUP)

415 W 6th ST ~ Vancouver, WA 98660, P.O. Box 1995 ~ Vancouver, WA 98668, Phone (360) 487-7800

Email completed application to aplans@cityofvancouver.us

REVIEW TYPE (Check one review and one process type)				
Review Type: ☐ Type I ☐ Type II ☐ Type III ☐ Type IV ☐ Tree Removal Only (nuisance or hazard)				
Process Type: ☐ Standard ☐ Streamline (Type II Applications only - Pre-submittal Meeting required)				
USE				
☐ Single-Family	☐ Commercial	☐ Multi-family	☐ Industrial	☐ Residential
☐ Duplex	☐ Wireless Communications Facility (new) see VMC 20.890			
PROJECT INFORMATION				
Site Acres:	Disturbed Acres:	Zoning:	Sewer: ☐ Septic ☒ Public	Water: ☐ Well ☒ Public
Proposed # of Lots: 7 Dwelling Units: 20 pallet shelters				
Non-Residential Bldg. Square Footage:		Ground Floor: 64 sq ft		Total of All Upper Floors:
Hard Surface Area Square Feet - New: 14,000		Replacement:		Total:
PROJECT NAME AND LOCATION				
Proposed project name: Safe Stay Community				
Project site address: 11400 NE 51st Circle			Parcel #(s):	
PROJECT DESCRIPTION				
(Briefly describe the proposed project. Provide more detail in project narrative)				
this is a 20 shelter safe stay community for the unhoused. This is a supported community for the unhoused to live in shelters while waiting for permant housing. This location will have 20 shelter units of 64 sq ft , one office space, portable restrooms and handwashing station.				
PRIMARY APPLICANT			CONTACT	
Business Name: City of Vancouver			Business Name: City of Vancouver	
Contact Name: Kerry Peck			Contact Name: Kerry Peck	
Address: PO Box 1995			Address: PO Box 1995	
City/State/Zip: Vancouver, WA 98668-1995			City/State/Zip: Vancouver, WA 98668-1995	
Phone: 487-8616			Phone: 487-8616	
Email: kerry.peck@cityofvancouver.us			Email: kerry.peck@cityofvancouver.us	
ELECTRONIC PLANS SUBMITTER (required) (responsible for ePlans uploading and correspondence)			OWNER (attached additional sheets for multiple owners)	
Name:			Name:	
Address:			Address:	
City/State/Zip:			City/State/Zip:	
Email (required):			Email:	
Phone:			Phone:	
ONLINE PAYMENT				
Existing ePermits User Name:			Request an ePermits Account	
REQUIRED SIGNATURES				
As evidenced by my signature below, I/we agree that City of Vancouver staff has my/our full permission to enter upon the subject property at any reasonable time to consider the merits of the application, to take photographs and to post public notices.				
Applicant Signature:			Date:	
Property Owner Signature:			Date:	

LUP APPLICATION SUB TYPES

Please check all applicable applications and information where necessary

☐ Airport Height Overlay District
☐ Archaeological Pre-determination
☐ Binding Site Plan
☐ Boundary Line Adjustment # of lots to be adjusted:
☐ Comprehensive Plan Amendment (Including Zone Map Amendment with Comp Plan)
☐ Conditional Use Permit ☐ Initial (Type III) (Comm. Centers, Group Meal Service, Shelters) ☐ Major Modification (Type III) ☐ Minor Modification (Type I) Engineering Review Required ☐ Yes ☐ No
☐ Covenant Release
☒ Critical Areas (not used when in Shoreline) Check one → ☐ Duplex/Single Family ☐ All Other Uses Check one → ☐ Permit ☒ Statement of Exemption (No Fee) Check the applicable critical area(s) ☐ Fish & Wildlife ☐ Frequently Flooded ☐ Geological Hazards ☐ Wetlands ☐ Minor Exception (not common) ☐ Reasonable Use (not common)
☐ Design Review ☐ Exterior Modification Only ☐ All Others
☐ Development Agreement ☐ Initial ☐ Modification ☐ Extension
☐ Historic Preservation
☐ Legal Lot Determination # of lots to be reviewed:
☐ Master Plan/Public Facilities MP ☐ Conceptual (without Site Plan Review) ☐ Detailed (with Site Plan Review) ☐ Hybrid (Some areas with Site Plan Review)
☐ Planned Development ☐ Commercial ☐ Residential ☐ Mixed Use* *Ground Floor SF: 64 sq ft Upper Floor SF:
☐ Plat Alteration
☐ Post Decision Review/Modification (Includes Planned Development/Master Plan Modifications) ☐ Type I ☐ Type II ☐ Type III Engineering Review Required ☐ Yes ☐ No

☐ Road Modification ☐ Minor (Administrative) ☐ Technical (Minor) ☐ Major (Design) Submitted: ☐ Before ☐ After Decision (submitted after decision is not common)
☐ Shoreline Permits ☐ Substantial Development Permit ☐ Shoreline Permit Exemption (no fee) ☐ Shoreline Conditional Use ☐ Shoreline Variance
☐ Site Plan Review ☐ Type I ☐ Type II Check Use Type below ☐ Residential ☐ Non-Residential ☐ Qualified Planned Action ☐ Unoccupied Commercial/Utility Structure ☐ Commercial Pad ☐ Land Extensive Stormwater ☐ Yes ☐ No Transportation ☐ Yes ☐ No
☐ State Environmental Policy Act (SEPA) ☐ Check if for Single-Family Residential house (only) ☐ Residential Site Plan Review (SPR) ☐ Grading Only ☐ Subdivision or Planned Development ☐ Non-Project Actions (not common) ☐ All Other (Includes Comm/Indust SPR) ☐ Qualified Planned Action (When more than one applies check All Other)
☐ Subdivision/Short Subdivision ☐ Short Subdivision (2-9 lots) ☐ Subdivision (10+ Lots)
☐ Temporary Use ☐ Commercial/Industrial ☐ Unforeseen Emergency ☐ Seasonal or Special Event ☐ Model Home or Sales Office
☐ Tree Plan Enter Tree Plan Level (1 to 7): (Tree Removal for nuisance or hazard tree(s) is Level 3)
☐ Variance ☐ Check if for Single Family Residential house ☐ Type I - # requested: ☐ Type II - # requested: Stormwater ☐ Yes ☐ No Transportation ☐ Yes ☐ No
☐ Zoning Certificate
☐ Zoning Map Amendment (Not Involving Comprehensive Plan Amendment)
☐ Zoning Verification

EXHIBIT 2

Safe Stay Community Narrative:

The COV has contracted with a nonprofit, Outsiders Inn, to operate a Safe Stay Community (SSC) at (address). The SSC will consist of 20 small shelter units that house up to 40 total individuals, 1 office unit, restrooms, dumpster w/regular trash service, a storage shed, and a canopied/tented community space. Each unit will have power, heat, beds, emergency egress, windows and a lockable door. The site will be fenced and have gates for emergency vehicle access on both ends.

The purpose of this SSC is to provide a safer and more sanitary place for individuals experiencing unsheltered homelessness to stabilize and work to resolve their homelessness. Outsiders Inn will staff the site 24/7 and ensure safety, cleanliness, and code of conduct expectations are adhered to. Outsiders Inn has a specific application and referral process for admission, and will work with outside service providers to ensure connection between residents and needed services/supports. Outsiders Inn will also work to engage the surrounding community and participate in neighborhood meetings. Contact info that can be used by neighbors and other community members will be made available to the public for any questions, concerns, volunteer opportunities, etc. Per the amended camping ordinance, no unsanctioned camping will be allowed within 1000 feet of the SSC, and that will be regularly monitored and enforcement by the City's HART team. Outsiders Inn also has an outreach team/program, and that team will focus some of their outreach efforts on the neighborhoods surrounding the SSC to offer services, refer to open SSC units, and connect folks with other resources.



From: [Nathalie Dart](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Please Vote in Favor of Safe Stay Community #3
Date: Sunday, November 6, 2022 6:55:46 PM

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear City Council,

Please vote in favor of Safe Stay Community #3. I am a resident renting an apartment in the Shumway neighborhood and have seen people in our community struggling with houselessness, food insecurity, and mental health issues. I support the proposed Safe Stay Community #3 located at 415 W. 11th St., 98660 and think it will have a positive impact on the residents of our community that need it most and the community at large. I have been following the updates The City of Vancouver has shared about the two other communities already in existence and think the success of the program is evident. I'm grateful and proud to live in a community where we prioritize the vulnerable and meet people where they are at.

Sincerely,
Nathalie Dart

From: [Amanda Rose Ratcliffe](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Stay Safe Community
Date: Monday, November 7, 2022 11:11:33 AM

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello City Council,

I lived in downtown Vancouver, Washington for several years. I am a social worker and did my own outreach for the people living on the streets. I learned from the people who were homeless that they were desperate for a safe place to stay. One person shared with me the reason he used drugs was to cope with living on the streets. I would take his calls late at night as he cried. He was scared. He talked about wanting sobriety and to work. Yet without a place to live, he struggled to apply for jobs, to feel like a human.

Many of us have no idea what it's like to be homeless. People don't choose their situations. When I really started to learn about the people living on the streets in downtown Vancouver, I learned oftentimes they experienced adverse childhood trauma.

We must have empathy. Listen to their stories, their past and present. They are people deserving of a safe place to live. Without that Safe Stay Community, the problems will only continue to get worse.

I hope everyone reading this can take a minute to imagine. Imagine the people living on the streets once were children. Imagine them as children, lost, broken, and in need of love. They are children of God. Let's treat them as such. Stay Safe Community is a blessing, and I'm thankful for the angels working on the ground to help the lost souls find a safe place to heal.

Thank you City Council for listening

A. Rose Ratcliffe

From: [Friends for Homes](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Stay Safe Community
Date: Monday, November 7, 2022 11:36:59 AM

You don't often get email from [REDACTED]. [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To the Vancouver City Council,

I and others who lived in downtown Vancouver would often do outreach to people living on the streets. We would set up music and dance at Esther Short Park. There was a person who had filth on his clothes, stunk, and looked seemingly scary. We put on music, and he danced with us. He came up to me and gave me big hug. I was not scared. I was not repulsed. I felt his need for love and acceptance. I gave him a big hug back. We saw them as people who are of need of love.

Beneath the disheveled look and seemingly scary appearance, they are people who deserve a safe community to heal, to recover, and to receive love.

Stay Safe Community is a common sense approach.

Thank you for your logical and rational thinking!

Friends for Homes

From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Written comments for City Council meeting Safe Space Encampment
Date: Friday, November 4, 2022 9:33:06 PM

Hi Sarah,

Please see the comments below for the 11/7 council meeting.

Thank you!
Stephanie

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995
P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

-----Original Message-----

[REDACTED]
Sent: Friday, November 4, 2022 6:51 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Written comments for City Council meeting Safe Space Encampment

[REDACTED] Learn why this is important at
<https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Council members and Mayor,

I am a survivor of domestic abuse, and for that reason, wish to remain anonymous.

I've struggled for weeks to gather the courage to tell my story and as to why I am concerned about the Safe Space placement.

Many years ago I was attacked and beaten unconscious, only to awaken to a broken jaw and a shattered life for myself and my two small boys.

In addition to that trauma, I am also hearing impaired. As a hearing impaired person I can not tell where sounds come from and if someone is behind me, the noise sounds like it's coming from in front of me.

I can't ride a bike or electric bike because of this and often walk to work. My travels to and from work are right past the proposed site.

Over the last few years, I've been accosted a couple of times when out walking in the daylight. Had it not been for the employees at Heathen Brewery during one of these encounters, I'm not sure what would have happened.

The point is, why are you putting this in the historic downtown area where you want to encourage people to walk and bike? It seems counterintuitive.

Whoever is giving you the crime stats about the one on 4th plain is not being honest. I know for a fact a large

business across from it is looking for a new location due to the increase in theft, garbage, rodent activity and their employees being accosted and vehicles damaged.

Consider all your options and all the people you represent, not just the few. Please reconsider.

Respectfully,

Sent from my iPhone

From: [Miya](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, November 7, 2022 10:21:16 AM

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City Council Contact Form

Submitted date: Monday, November 7, 2022 - 10:21am

Contact Information

First name:

Miya

Last name:

Zimmermann

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98661

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

Good morning,

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit county residents and business owners alike, and has my full support.

Upload a file:

From: [Joey](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, November 7, 2022 10:22:47 AM

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City Council Contact Form

Submitted date: Monday, November 7, 2022 - 10:22am

Contact Information

First name:

Joey

Last name:

Zimmermann

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98661

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

Good Morning,

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Dominic](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, November 7, 2022 11:02:45 AM

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City Council Contact Form

Submitted date: Monday, November 7, 2022 - 11:02am

Contact Information

First name:

Dominic

Last name:

Ferchaud

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98663

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

Please make public camping in Vancouver illegal again no more safe pods and especially near Vancouver public schools. My experience as of late with homeless people near high school is I've seen open drug use , fights and garbage piles . Children walking through all of this to get to school . A letter went out to parents that two men offered drugs to a minor walking to school which was near the high school . I'm afraid that ignoring this will affect and has affected our children's safety so please don't disregard this message thank you

Upload a file:

From: [Jesse D. Conway](#)
To: [City of Vancouver - Office of the City Manager](#)
Date: Monday, November 7, 2022 10:39:55 AM

You don't often get email from jesse@conwaylaw.net. [Learn why this is important](#)

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Hello –

These are comments for the City Council Meeting tonight. I would like to comment on the proposed Stay Safe Community. I work and own the building at 1014 Franklin St. This area of downtown is historic and very unique. Many of us have worked very hard in maintaining and restoring our properties in this area. As a result this local area has thrived. Placing a homeless shelter in the middle of this vibrant business area is not a good idea. I have spoken with many of my clients and others and if such a shelter is placed it will deter them from coming to this area. In addition to being a deterrent for business, it will be an enormous aesthetic set back to the area. I have seen many local business grow and create jobs which helps those willing to work to better their circumstances. The City of Vancouver would be shooting themselves in the foot if they proceeded to place this homeless shelter in the middle of downtown when there are several better suited areas to do this. Please make a wise long term decision here. Thank you.

Jesse

Jesse D. Conway
Attorney At Law

[REDACTED]
Vancouver, WA 98660
Telephone: (360) 906-1007
Fax: (360) 906-8155
[REDACTED]

Notice: This email transmission may contain information that is protected by the attorney-client privilege. If you are not the intended recipient, you are hereby notified that any disclosure, or taking of any action in reliance on the contents, is strictly prohibited. If you have received this transmission in error please contact Jesse D. Conway at (360) 906-1007 or 1014 Franklin St., Vancouver, WA 98660.

From: [j.mayo](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Support for Safe Stay
Date: Monday, November 7, 2022 7:22:53 AM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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Good morning,

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit city residents and business owners alike, and has my full support.

Sincerely,

Jillian Mayo
Hough Resident

From: [Brittany Miller](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Please Vote in Favor of Safe Stay Community #3
Date: Sunday, November 6, 2022 10:46:55 PM

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Dear City Council,

Please vote in favor of Safe Stay Community #3. I am a resident renting an apartment in the Arnada neighborhood and have seen people in our community struggling with houselessness, food insecurity, and mental health issues. I support the proposed Safe Stay Community #3 located at 415 W. 11th St., 98660 and think it will have a positive impact on the residents of our community that need it most and the community at large. I have been following the updates The City of Vancouver has shared about the two other communities already in existence and think the success of the program is evident. I'm grateful and proud to live in a community where we prioritize the vulnerable and meet people where they are at.

Best,
Brittany Miller

From: [Ashley Blose](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Proposed Safe Stay Community #3, Downtown
Date: Sunday, November 6, 2022 10:17:38 PM

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To Whom it May Concern:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit city residents and business owners alike, and has my full support.

Regards,
Ashley Blose,
Vancouver Resident

From: [Lanette Pieterse](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Support for stay safe community #3
Date: Sunday, November 6, 2022 9:46:42 PM

[You don't often get email from [REDACTED] Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

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Hello,

Would like to voice my support for the third stay safe community at the intended location. As a resident in the Hudson Bay area and a frequent visitor to downtown I believe this to be best for our community and our houseless neighbors.

Thank you for your consideration, I do understand the the comment period is closed and regret not having added my support earlier.

Warm regards,

Lanette Pieterse

From: [E Kearney](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Safe stay community.
Date: Sunday, November 6, 2022 9:34:08 PM

You don't often get email from [REDACTED] [Learn why this is important](#)

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I implore you to approve a safe stays community in the downtown area. I help direct two family shelters for a local non-profit. Providing safe transitional housing for our unhoused neighbors will actually make a difference in this crisis. More sweeps will only leave people more desperate and will push some over the edge as even their meager means of survival is stripped away from them. We know the definition of insanity is continuing to do what doesn't work. The answer to houselessness is affordable housing and safe transition spaces. Please show the courage to move forward for the benefit of our suffering neighbors and our neighborhoods.

From: [Ian Bader](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Stay Safe Agenda Item
Date: Sunday, November 6, 2022 8:04:06 PM

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I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit city residents and business owners alike, and has my full support.

From: [Nate Russell](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: VOTE YES: Safe Stay Community #3
Date: Sunday, November 6, 2022 6:54:28 PM

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Hello,

I want to formally support the Safe Stay Community #3 at 415 W 11th Street, 98660. I am a resident of the Shumway neighborhood in Vancouver, and I have seen firsthand the many citizens struggling with houselessness, mental health, and disenfranchisement within this community. I believe projects like the Safe Stay Community #3 will give members of the community that are struggling a safe and stable base for them to get back on their feet and gain some dignity and independence, things that all members of our society should have available to them! It is an absolute shame that we live in a country with such wealth and opportunity, yet people are still living on the streets with empty stomachs.

Sincerely,

Nate Russell

Sent from [Mail](#) for Windows

From: [Kyle](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, November 6, 2022 8:03:11 PM

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City Council Contact Form

Submitted date: Sunday, November 6, 2022 - 8:03pm

Contact Information

First name:

Kyle

Last name:

Roslund

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98661

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Tasia](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, November 6, 2022 12:27:24 PM

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City Council Contact Form

Submitted date: Sunday, November 6, 2022 - 12:27pm

Contact Information

First name:

Tasia

Last name:

Markus

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98660

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

Hello members of the City Council,

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site

would benefit city residents and business owners alike, and has my full support.

Thank you,
Tasia Markus
Upload a file:

From: [Kelsi](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, November 6, 2022 10:11:18 AM

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City Council Contact Form

Submitted date: Sunday, November 6, 2022 - 10:11am

Contact Information

First name:

Kelsi

Last name:

Collins

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98682

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Kailee](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, November 6, 2022 9:07:55 AM

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City Council Contact Form

Submitted date: Sunday, November 6, 2022 - 9:07am

Contact Information

First name:

Kailee

Last name:

Myets

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98675

Inquiry Information

Subject:

Recipient:

All of Council

Message:

As someone who has lived, worked, and gone to school downtown, the reality of what walking downtown is like is not lost on me. Because of that, I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to this city to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit city residents and business owners alike, and has my full support.

Thank you so much for your time.

Upload a file:

From: [Alera](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, November 6, 2022 8:25:25 AM

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City Council Contact Form

Submitted date: Sunday, November 6, 2022 - 8:25am

Contact Information

First name:

Alera

Last name:

Saul

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98663

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

Dear city council members,

I am writing to urge you to support expanding the stay safe housing program and creating a stay safe community in the downtown area.

I live near downtown in rosemere neighborhood and I see the increasing homeless population in this area. Providing these individuals with stable housing helps them get jobs and access other community resources which require addresses.

In addition to that, creating this hosting development will increase the safety of the downtown area and help local business.

Thank you for your time and consideration,

Alera Saul

Upload a file:

From: [LES](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 8:05:05 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 8:04pm

Contact Information

First name:

LES

Last name:

WOLF

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98664

Inquiry Information

Subject:

Recipient:

All of Council

Message:

My concern regarding the location selected for the third "safe stay" project.

Upload a file:

From: [Joseph](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 2:00:03 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 1:59pm

Contact Information

First name:

Joseph

Last name:

Kalister

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98664

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit county residents and business owners alike, and has my full support.

Upload a file:

From: [Sharon](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 1:58:54 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 1:58pm

Contact Information

First name:

Sharon

Last name:

Kalister

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98664

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Dave](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 1:54:48 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 1:54pm

Contact Information

First name:

Dave

Last name:

Pickering

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98683

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Ameet](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 1:54:01 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 1:53pm

Contact Information

First name:

Ameet

Last name:

Brahmavar

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98685

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

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Upload a file:

From: [Sydney](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, November 5, 2022 1:50:23 PM

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City Council Contact Form

Submitted date: Saturday, November 5, 2022 - 1:50pm

Contact Information

First name:

Sydney

Last name:

Brahmavar

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98663

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I support the proposed Safe Stay Community number three at the proposed site, and think it would be a disservice to not move forward with the plan. This location is the best option available that's both financially viable for the city, as well as being close enough to transit and services for the unhoused community members residing there.

Safe Stay sites reduce unsafe camping on the street, provide necessary services to our houseless neighbors, and improve the cleanliness and walkability of the neighborhood. This Safe Stay site would benefit county residents and business owners alike, and has my full support.

Upload a file:

From: [Jean M. Avery](#)
To: [City Council](#)
Subject: Nov. 7 public comment re Stay Safe
Date: Saturday, November 5, 2022 7:15:03 AM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

To Madam Mayor and Council Members:

I wish to comment on the proposed Stay Safe site in downtown Vancouver. I personally do not think this is the "best use" of this location.

I recently walked through this historic part of Vancouver while touring Heritage Trees. This part of Vancouver may be Vancouver's choicest neighborhood. I certainly can see why nearby residents and business owners object to this proposal.

As Vancouver seeks to encourage more walking, our downtown IS walkable: from the historic district through Esther Short park, to the new Waterfront, over the Convergence bridge, and along Officers Row.

Let's showcase Vancouver's re-emerging downtown and find a more suitable location for the next Stay Safe community.

Jean M. Avery
Vancouver resident
Hike leader with Parks and Recreation

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Fwd: Doctors issue CVD Vaxx danger warnings
Date: Monday, November 7, 2022 8:55:28 AM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Read this and please send it to the councils and Dr. MELNECK. Thanks from Wynn

----- Forwarded message -----

From: Jonathan Otto <[REDACTED]>
Date: Mon, Nov 7, 2022, 8:24 AM
Subject: Doctors issue CVD Vaxx danger warnings
To: <[REDACTED]>

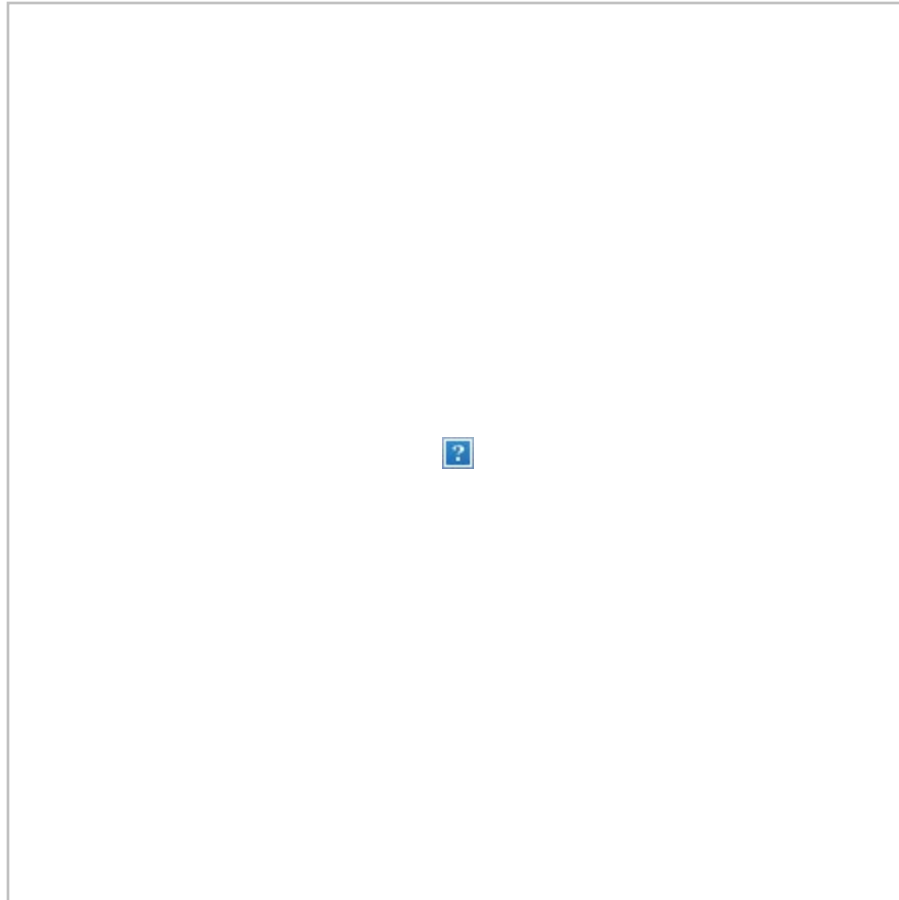
Hey Wynn,

If you've been following the news lately, you may already know that Fauci recently admitted that COVID-19 vaccines **do not** protect "*overly well*" against C0V!D infection.

This came after he was under fire for getting C0V!D even though he received the jab and a booster shot. And naturally, the public wanted an explanation.

Fauci claims that the C-19 shot's sole purpose is to keep people

from being hospitalized from COVID complications, particularly in older people...



If this is his stance, then WHY do the global government and health authorities continue pushing the jab on those who are in low-risk categories?

[READ MORE HERE](#)

Multiple studies have shown that children, in particular, have a **very low risk of dying** from the infection.

Research Square published an article confirming that “*Deaths in children and young people (CYP) following SARS-CoV-2 infection are rare.*”

Researchers also noted that the findings of this study should be

used to “*guide families, clinicians, and policymakers about future shielding and vaccination.*”

[READ THE STUDY HERE](#)

What’s **extremely concerning** is that the jab is completely unnecessary, as proven by studies, for children and young people...

And yet, they are proving to be extremely lethal. But the government continues to move forward with putting the C-19 clot shot on the childhood vaccine schedule?

This is diabolical to me.

And, the media continues trying to cover this up.

But there are now **numerous doctors speaking out about their concerns about the jab**... They’re seeing the dangerous side effects *firsthand*!

Just last month, Dr. Nick Coatsworth, a public administration and practising infectious diseases physician issued a warning about the C-19 vaccine for children...

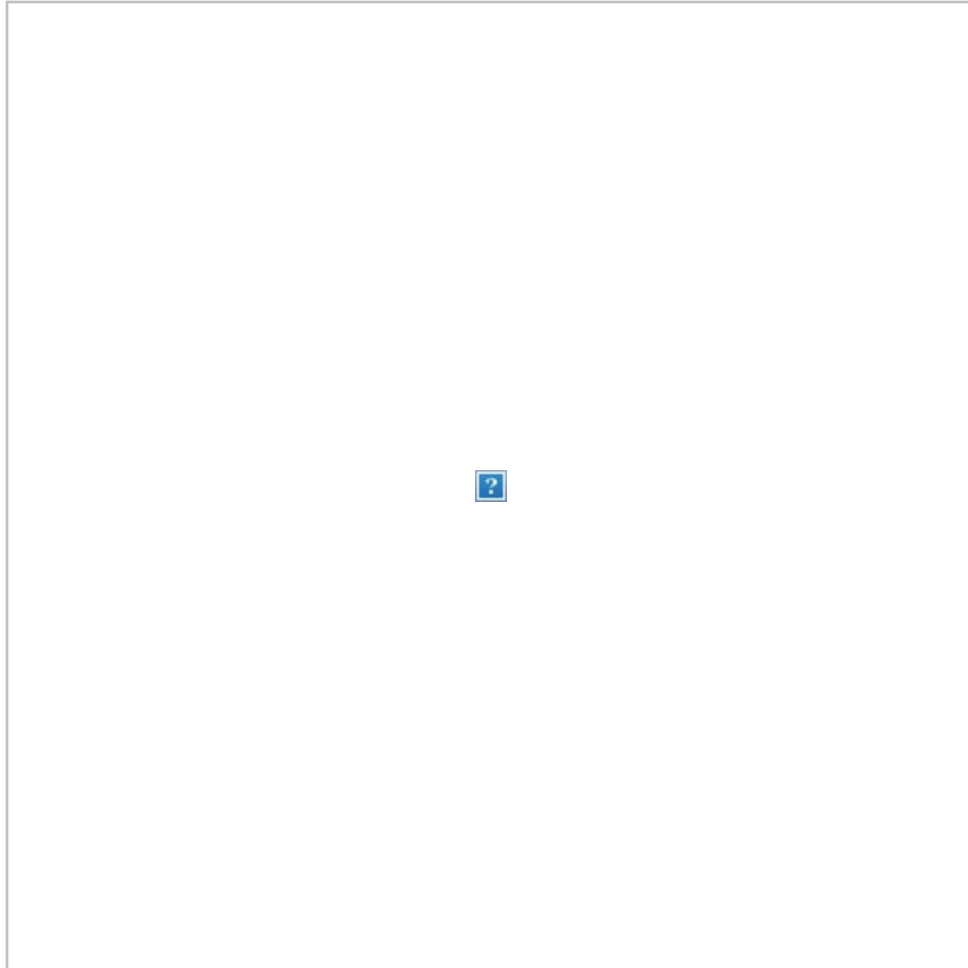
He additionally demanded a review over the myocarditis side effects that he’s seeing in children who have been vaxxed.

He further stated that “*If you’re a healthy child or teenager, the benefit of the Covid vaccine just isn’t there, Covid itself is not going to kill you in that age group.*”

[READ THE STORY HERE](#)

Another top doctor also issued a warning last month as his concerns grow over the high-risk of death that the C-19 shot poses to young men.

Surgeon General, Dr. Joseph A. Ladapo went to *Twitter* to share his concerns with the public after an analysis they conducted showed *“an increased risk of cardiac-related death among men 18-39”*.



According to the self-controlled case series study...

There was an 84% increase in the *“relative incidence of cardiac-related death among males 18-39 years old within 28 days”* after receiving mRNA vaxxes, Pfizer-BioNTech or Moderna.

The study also cautioned that, *“the risk associated with mRNA vaccination should be weighed against the risk associated with COVID-19 infection.”*

[READ THE STUDY HERE](#)

And of course, the media and global government **will do anything to hide the truth** and have responded by trying to discredit the study.

But we KNOW that the *real-life* evidence proves this is true.

This is what has prompted doctors to look into the dangers after all...

One way to prove this is by going to *Google*, and again, typing in “died suddenly” and going to the news tab... The results are chilling.

And, how else can we explain the alarming rise in daily reports of young people and children *dying suddenly*?

Stew Peters’ latest documentary, ***Died Suddenly*** shares insight into the long, stringy and rubbery amyloid clots that embalmers are finding in those who are vaxxed, and who died unexpectedly.

[WATCH THE TRAILER HERE](#)

There are so many concerns about the REAL dangers of the so-called C0V!D “vaccine”.

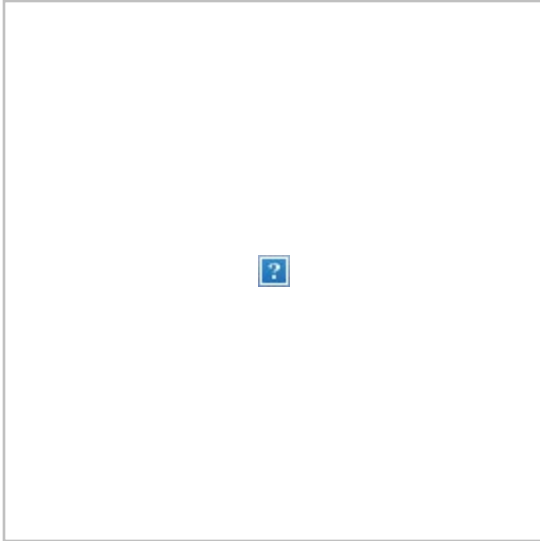
And while people are still very afraid of getting the “C-19 virus”, which we KNOW is envenomation...

A large number of doctors and health experts have found that **early treatment dramatically lowers the risk of death** from infection.

So I urge everyone to ask themselves whether getting the jab is really worth the life-threatening risks?

It’s time to share and acknowledge the TRUTH.

Jonathan Otto



This email was sent to 1955wcg@gmail.com by
jonathan@healthsecret.com

1708 Montilla, StSantee, CA 92071

[Unsubscribe](#)

From: [Cook, Nena](#)
To: [Dollar, Sarah](#)
Subject: FW: PeterBracchi City Council 2022 11 07 Safe Stay Community 3 Update
Date: Monday, November 7, 2022 7:22:44 AM
Attachments: [PeterBracchi City Council 2022 11 07.pdf](#)

Sarah,

I assume you received this too, but wanted to send it just in case. Thanks!!

From: [REDACTED]
Sent: Sunday, November 6, 2022 6:18 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Cc: Cook, Nena <Nena.Cook@cityofvancouver.us>
Subject: PeterBracchi City Council 2022 11 07 Safe Stay Community 3 Update

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Here is my document for presentation to city council on Nov 7th and as a Public Record for the Meeting.

Thanks, Peter

Peter Bracchi

November 7th, 2022, Vancouver City Council Meeting, Speaking Notes 9) Safe Stay Community 3 Update

I approve the location of the downtown 3rd Safe Site if City Council will consider the following:

The Residents of the Men's Share House, the area Business and Homeowners have been discriminated against and have suffered the loss of Safety, Cleanliness and use of the Public Streets and Sidewalks over the Last 6 years. Martin v. City of Boise decision has no effect on laws prohibiting drug dealing, violent criminal activity, and conduct that poses environmental and health hazards. See included PDF below.

- 1) Expand City Ordinance as to: No Camping around the Shelter for Single Men 1115 W 13th Street.
- 2) Determine if the City is Creating Discriminating Laws/City Codes with regard to Geographic Areas or Social Economic Status?
- 3) When is the use of Officer Discretion considered Discrimination, or a Legal Abuse and a threat to the rule of law?

Email From FOIA Freedom of Information Act

From: [Chavers, Tyler](#)
To: [Eiken, Chad](#); [Sheehan, Peggy](#); [King, Dave](#)
Subject: RE: Share Encampment (criminal enforcement of ordinance)
Date: Wednesday, February 22, 2017 3:44:00 PM

All,

While I do not have a crystal ball, and cannot tell what will happen in the future as we change our approach to the current short-term management of the homeless issue specifically around the Share House, I wanted to weigh in with my "boots on the ground experience". A few thoughts on the assumptions outlined below.

1) I am not sure 'defensible' is as weighty as other side effects changing the approach will have (like spreading the problem around a much larger/dispersed area, or driving them into the areas much harder to get at to clean up, attitude that we have declared war on the homeless from some folks, etc). Currently, all misdemeanor crimes except for domestic violence crimes, are discretionary. Officers have discretion (use their judgment) as to whether to use arrest as a tool, or simply as leverage to gain compliance. Officers are using discretion across the city with regard to the homeless. Saying otherwise opens the city to unnecessary liability and is untrue. I am unaware of any legal rulings with regard to 'where' discretion is exercised- more liberally applied in some areas than others. This already happens with all kinds of crimes, code violations, etc. Different geographical, socio-economic areas are treated differently because of discretion. On that note, Chief McElvain spent considerable funds putting the entire department thru 2 rounds of Blue Courage training. The fundamental component of Blue Courage is about officer's using wise judgment (discretion) with regard to using the law, and to what ends. Once quote from that training was, "Are you willing to commit an injustice in order to follow the policy or an area of law where discretion exists?" The question was rhetorical to make the point that sometimes the best course of action is arrest, and sometimes it is not.



Breaking the Legal Paralysis: Combatting California's Homelessness Crisis After *Martin v. City of Boise*¹

Billy Cole, Theane Evangelis, and Bradley J. Hamburger



William F. Cole currently serves as an Assistant Solicitor General for the State of Texas, where he represents the State, its agencies, and its officers in complex and high-profile appellate matters. Mr. Cole was previously an associate in the Los Angeles office of Gibson, Dunn & Crutcher LLP, where he practiced in the Appellate & Constitutional Law and Class Actions practice groups. He graduated from the University of Pennsylvania Law School in 2015, and served as a law clerk to the Honorable Edith H. Jones of the U.S. Court of Appeals for the Fifth Circuit.



Bradley J. Hamburger is a partner in the Los Angeles office of Gibson, Dunn & Crutcher. He practices in the firm's Class Actions, Appellate and Constitutional Law, and Labor and Employment practice groups, and focuses on complex litigation and class actions in both trial courts and on appeal. Mr. Hamburger has defended clients in class actions and appeals across numerous substantive areas of law, including employment, consumer fraud, anti-trust, and products liability. Mr. Hamburger graduated from Harvard Law School in 2009, and served as a law clerk to the Honorable James V. Selna in the U.S. District Court for the Central District of California.



Theane Evangelis is a partner in the Los Angeles office of Gibson, Dunn & Crutcher LLP. She serves as Co-Chair of the firm's global Litigation Practice Group and previously served as Co-Chair of the firm's Class Action Practice Group. Ms. Evangelis is also a member of the Appellate, Labor and Employment, Media, Entertainment, and Technology, and Crisis Management Practice Groups. She joined Gibson Dunn after serving as a law clerk to Justice Sandra Day O'Connor during October Term 2004. Ms. Evangelis has served as lead counsel in a wide range of bet-the-company appellate, constitutional, class action, labor and employment, media and entertainment, and crisis management matters in trial and appellate courts across the country.

I. INTRODUCTION

Despite billions of dollars in allocated resources, the construction of brand new shelters, and relaxed enforcement of “quality-of-life” ordinances, the crisis of homelessness gripping the State of California has only grown more acute in recent years. More than a thousand persons experiencing homelessness died in 2020 in Los Angeles alone. And a proliferation of dangerous encampments throughout cities has contributed to a sharp uptick in crime affecting homeowners, business owners, and persons experiencing homelessness alike.

What has contributed to the rapid deterioration of conditions on the streets of the Golden State? In this article, we argue that for years municipalities have pursued a failed litigation strategy—consisting of entering into broad, sweeping settlements following setbacks in the course of litigation—that has resulted in entrenching the ever-worsening conditions playing out daily in our cities, and in Los Angeles in particular. That litigation strategy, and the concomitant retreat from enforcement of decades-old, ordinary, municipal laws, reached its apotheosis in

the wake of the Ninth Circuit's decision in *Martin v. City of Boise*, which held that municipalities could not issue criminal citations to persons sleeping in public spaces if that jurisdiction has fewer shelter beds available than persons experiencing homelessness.

Following *Martin*, what can be done in cities that currently lack enough space in shelters to house their entire population of persons experiencing homelessness, but that still wish to ensure that public spaces remain safe and sanitary for all residents? We propose that such cities simply take the courts at their word with respect to the limited scope of the *Martin* decision, mount a defense to their laws regulating public health and safety, and refuse to capitulate during the course of litigation. Even under *Martin*, the vast majority of ordinances regulating the public's use of city streets, sidewalks, and other public areas remain fully constitutional and enforceable—particularly those imposing time, manner, and place restrictions—and cities should not retreat from their defense. Furthermore, *Martin* has no effect on laws prohibiting drug dealing, violent criminal activity, and conduct that poses environmental and health hazards. Enforcement of municipal law remains an important tool for cities to use in combatting the multi-dimensional problem of homelessness and thereby wresting back their city streets from the scourge of crime, violence, and disease, thus making those cities safer for all citizens—especially those experiencing homelessness. While *Martin* does create a significant hurdle to curbing the homelessness crisis, it does not mean that municipalities must give up in the face of an increasing threat to public safety. As shown below, elected officials can find no refuge in the *Martin* decision to justify further inaction in addressing the homelessness crisis, which has torn the social contract asunder.

II. A CRISIS OF MONUMENTAL PROPORTIONS

The crisis of homelessness gripping the State of California is monumental. The most recent count, conducted in 2019, revealed that the number of unhoused Californians is in excess of 150,000 persons, which represents more than a quarter of the *entire country's* homeless population—double what one would expect in a State that contains roughly twelve percent of the country's population.² Over 66,000 of those individuals reside in Los Angeles County alone.³ And the coronavirus pandemic with its attendant economic downturn promises to make this crisis more acute still. By one estimate, the effects of the pandemic-driven downturn will cause “chronic homelessness” to increase by 68% in California and by 86% in Los Angeles County over the next four years.⁴

The most troubling aspect of this crisis is the fact that persons experiencing homelessness are at particular risk of death, injury, and disease. In Los Angeles County, deaths among

persons experiencing homelessness have been on the rise every year since 2014, skyrocketing from 630 in 2014 to 1,267 in 2019.⁵ Preliminary estimates for last year predict another grim milestone for Los Angeles County, with deaths among persons experiencing homelessness up over 26% through July 2020.⁶ Orange County has been on a similar trajectory, with 330 persons experiencing homelessness dying in 2020, up from just over 200 the year before.⁷ And in San Francisco, deaths among persons experiencing homelessness jumped by 123% in 2020, from 91 persons between January and September 2019 to 203 persons between January through September 2020.⁸

For those living on the streets, trapped in encampments, violence and anarchy reign supreme. In San Francisco's Tenderloin District, violent crime is up 24% with the number of tents packing the streets rising from 173 on March 13, 2020, to 416 in early June 2020.⁹ Drug dealing and use continues unabated to such a degree that there have been reports of “line[s] of people stretch[ing] down” the streets of San Francisco in what looks “like a soup kitchen line,” but which in reality is a line to acquire narcotics.¹⁰ Indeed, “[i]n the Tenderloin, SOMA, and Mid-Market neighborhoods, the homeless congregate in open-air drug markets; dealers wear gloves and masks and sell heroin, fentanyl, and methamphetamine in broad daylight.”¹¹ Residential neighborhoods have not been spared: “longtime residents describe the environment as ‘apocalyptic,’ with encampments, trash, and drug havens in every corner.”¹²

Los Angeles is no different. In the Skid Row neighborhood of downtown Los Angeles “street gangs from South Los Angeles . . . control the markets for meth, heroin, prostitution, cigarettes, and stolen goods.”¹³ This is lucrative business: “the sales of meth, heroin, and cocaine on Skid Row add up to a \$200 million annual enterprise, fueling a massive black market in everything from stolen bicycle parts to human organs.”¹⁴ As a consequence of this criminal activity, crimes *against* persons experiencing homelessness in Los Angeles increased by 24% in 2019, with a 19% increase in serious violent crime, including homicide, rape, robbery, aggravated assault, burglary, motor vehicle theft, larceny-theft, and arson.¹⁵ In Los Angeles in 2020, “fires related to homeless [we]re up 82% over the last year,” with many of the fires attributable to arson being committed by one person experiencing homelessness against the tent of another, often due to disputes over money and drugs.¹⁶

The encampments in which many unhoused persons reside have also contributed to a burgeoning public-health crisis, serving as incubators for diseases such as typhus, typhoid fever, and tuberculosis.¹⁷ In Los Angeles, mountains of trash, rotting food, and human waste around encampments have contributed to a rodent infestation that, in turn, has precipitated a sharp rise

in flea-borne typhus—up from eighteen cases in 2009 to 174 in 2018.¹⁸ These problems have only gotten more severe in recent months, as the Los Angeles City Sanitation Department has reportedly ceased conducting regular cleanups of encampments due to the coronavirus pandemic, and “[t]he result is that some city streets are littered with months of uncollected trash that’s not only attracting rodents and fleas—a longstanding problem—but now maggots are covering some sidewalks and entering buildings.”¹⁹

These public-health problems are not unique to Los Angeles. In Orange County, a February 2018 clean-up of a two mile-long encampment along the Santa Ana River that hosted more than 700 people uncovered “404 tons of debris, 13,950 needles, and 5,279 pounds of waste,” including human waste, propane, and pesticides.²⁰ And in San Francisco, hundreds of thousands of used needles litter the city’s streets—“164,264 needles [were recovered] in August [2018] alone.”²¹ Along with these syringes, so much human waste has accumulated on the streets that the city has established a “proactive human waste” unit to clean it up daily, appropriating over \$830,977 to tackle the city’s “feces problem.”²²

Local residents, business owners, and visitors have not been spared from the chaos on the streets. During 2020, the number of encampments swelled throughout Los Angeles, popping up everywhere from empty parking lots to freeway overpasses, from beaches to golf courses.²³ Residents who live near these encampments complain about a proliferation of trash, drug use, and tents.²⁴ One business owner complained about individuals tapping into his restaurant’s water and electricity supply.²⁵ A local resident reported observing a woman who routinely fights with her boyfriend in public while naked.²⁶ A local homeowner has likewise described “several incidents when I am afraid to leave my home” including an “incident with someone very high and mentally unstable on my driveway when I came home from grocery shopping that I was afraid to get out of my car and unload my groceries into my OWN HOME.”²⁷ That resident stated that, as a consequence of this conduct, “I fear for my life.”²⁸

Still another resident described an encounter with an individual who threatened to kill her and then went “on a spree and smash[ed] the windows, hoods, and roofs of at least half a dozen cars—with his body.”²⁹ Yet another said that “her 14-pound dog was attacked by a resident’s much larger dog as they walked past [a] shelter entrance.”³⁰ And conditions have deteriorated so much on the world-famous Venice Beach boardwalk that the owner of a Ben and Jerry’s ice cream shop has decided to close the business due to the proliferation of drugs

and crime, which make it impossible to attract customers or to provide a safe work site for employees.³¹

III. LEGAL IMPEDIMENTS TO CHANGE

The crisis of homelessness afflicting cities throughout California is complex, multifaceted, and has no quick fixes. But the legal impediments currently in place operate only to entrench the status quo and hinder necessary change. Sadly, this status quo is in large part the product of a self-inflicted wound, as municipalities—most notably Los Angeles—have capitulated to lawsuits designed to restrict their ability to enforce basic public safety laws. Indeed, over the past two decades, a combination of lawsuits, court decisions, and subsequent legal settlements have effectively created a de facto constitutional right to camp in public spaces and to store in that encampment unlimited amounts of personal property. This web of legal precedents and settlements has created municipal paralysis, leaving California’s local governments unable or unwilling to act and resulting in the abandonments of large swaths of cities to encampments that breed violence, crime, and disease.

A. *Jones v. City of Los Angeles*: Constitutionalizing the Right to Public Camping in Los Angeles

The story begins in 2006 with *Jones v. City of Los Angeles*.³² In *Jones*, six persons experiencing homelessness sued the City of Los Angeles, alleging that the City’s enforcement of municipal ordinances prohibiting “sit[ting], l[y]ing, or sleep[ing] in or upon any street, sidewalk or other public way” violated the Eighth Amendment of the United States Constitution, which prohibits “Cruel and Unusual Punishment.”³³ The United States District Court for the Central District of California granted Los Angeles’s motion for summary judgment, reasoning that enforcement of this commonplace municipal ordinance did not violate the Eighth Amendment because the ordinance penalized the plaintiffs for their “conduct,” not for the “status” of being homeless, as the plaintiffs had argued.³⁴

But in a first-of-its-kind opinion, the United States Court of Appeals for the Ninth Circuit reversed the district court’s decision.³⁵ Over a dissent, the panel majority held that “so long as there is a greater number of homeless individuals in Los Angeles than the number of available [shelter] beds, the City may not enforce” its public-camping ordinance “at all times and places throughout the City against homeless individuals for involuntarily sitting, lying, and sleeping in public.”³⁶ The court reasoned that persons experiencing homelessness “are in a chronic state that may have been acquired ‘innocently or involuntarily’” and that “sitting, lying, and sleeping . . . are universal and unavoidable consequences of being human.”³⁷ As

a result, the Ninth Circuit held, because “human beings are biologically compelled to rest,” “criminalizing sitting, lying, and sleeping . . . criminaliz[es]” the plaintiffs’ “status as homeless individuals.”³⁸ Accordingly, the court held that the Eighth Amendment prohibits the State both from “making it an offense to be idle, indigent, or homeless in public spaces” and “criminaliz[ing] conduct that is an unavoidable consequence of being homeless—namely sitting, lying, or sleeping on the streets of Los Angeles’s Skid Row.”³⁹

The *Jones* decision portended a sea change in the law for cities within the Ninth Circuit’s jurisdiction, most of which have had public-camping ordinances on the books for decades with nary a concern about their constitutionality. The broad rationale of the Ninth Circuit’s decision would have likely swept each of these ordinances off the books, but for the fact the parties in *Jones* entered into a settlement agreement following the Ninth Circuit’s decision, which resulted in the Ninth Circuit vacating its decision in *Jones*.⁴⁰ While the Ninth Circuit’s order vacating its opinion in *Jones* meant that cities throughout the Ninth Circuit would no longer be bound by the court’s sweeping and unprecedented decision, Los Angeles, as party to the settlement, would be. The settlement agreement essentially bound Los Angeles to the core holding of the *Jones* opinion. Indeed, the City agreed that it would not enforce its public-camping ordinance between the hours of 9:00 p.m. and 6:00 a.m.⁴¹ And the City further promised that this policy of nightly non-enforcement would remain in effect until the City constructed an additional 1,250 units of permanent supportive housing for persons experiencing homelessness.⁴² Thus, following the *Jones* settlement, the Ninth Circuit’s holding that cities may not prohibit public camping effectively became the law, at least in Los Angeles.

B. *Lavan & Mitchell*: Establishing a Constitutional Right to Store Property in Public Spaces

Whereas the *Jones* case achieved, in effect, the establishment of a de facto constitutional right to camp in public spaces—albeit only in Los Angeles and only through a court-approved settlement agreement—the next constitutional frontier was fast approaching. The epicenter of this litigation was, again, Los Angeles. In *Lavan v. City of Los Angeles*, eight persons experiencing homelessness sued the City of Los Angeles alleging that the City’s seizure and destruction of their personal property, left unattended in public areas, violated their Fourth Amendment right to be free of unreasonable searches and seizures and their Fourteenth Amendment “procedural due process” rights.⁴³ The district court agreed with the plaintiffs and issued an injunction prohibiting the City from (a) seizing property in Skid Row “absent an objectively reasonable belief

that it is abandoned, presents an immediate threat to public health and safety, or is evidence of a crime, or contraband” and (b) “destr[oying] [such] seized property without maintaining it in a secure location for a period of less than 90 days,” “[a]bsent an immediate threat to public health or safety.”⁴⁴

Over a dissenting opinion, the Ninth Circuit affirmed. The panel refused to apply the Fourth Amendment’s traditional “reasonable expectation of privacy” test and instead held that “by seizing and destroying [Plaintiffs’] unabandoned legal papers, shelters, and personal effects, the City meaningfully interfered with [Plaintiffs’] possessory interests in that property.”⁴⁵ To avoid the question whether it was reasonable for the City to *seize* items left unattended on the street, the court collapsed the inquiry and concluded that “even if the seizure of the property would have been deemed reasonable had the City held it for return to its owner instead of immediately destroying it, the City’s destruction of the property rendered the seizure unreasonable.”⁴⁶ The court further held that “homeless persons’ unabandoned possessions are ‘property’ within the meaning of the Fourteenth Amendment,” and that the City violated the plaintiffs’ Fourteenth Amendment procedural due process rights by failing to provide them with “notice” and an “opportunity to be heard” before it “seized and destroyed their property.”⁴⁷

While the court in *Lavan* was careful to disclaim the notion that the case “concern[ed] any purported right to use public sidewalks as personal storage facilities,”⁴⁸ litigants and lower courts did not see it that way. Four years later, four plaintiffs sued the City of Los Angeles, alleging that the City had been engaged in a pattern and practice of unconstitutionally seizing their property incident to arrest in violation of the Fourth and Fourteenth Amendments.⁴⁹ The district court agreed, applied *Lavan*, and issued a preliminary injunction enjoining the City from “[c]onfiscating property in Skid Row or its surrounding areas, incident to an arrest or as part of a cleanup of an area where homeless people are located, absent an objectively reasonable belief that it is abandoned, presents an immediate threat to public health or safety, is evidence of a crime, or is contraband.”⁵⁰

The City subsequently filed a motion for clarification, seeking further guidance from the district court on the scope of its injunction. In particular, the City sought clarity as to whether the injunction prohibited the City from seizing “bulky items”—such as sofas, appliances, and sheds—that were left unattended on the streets, given that a recent amendment to the Los Angeles Municipal Code specifically authorized the City to seize and destroy such items.⁵¹ The court “determined that it need not provide clarification” on that issue but went on to state that “[t]here is no exception [in its injunction] for bulky items” and if

a bulky item “does not pose” an “immediate threat to public health or safety” “then it must not be seized.”⁵²

Thereafter, Los Angeles settled *Mitchell*. Through the May 2019 settlement agreement, the City promised that, for a three-year period, it would not “seize property as part of a cleanup of an area where homeless people’s property is located, absent an objectively reasonable belief that it is abandoned, presents an immediate threat to public health or safety, is evidence of a crime, or is contraband.”⁵³ The City further agreed that it would provide “at least 24 hours advance notice” of any encampment clean up and then “provide a 30-minute warning and opportunity for individuals to remove property when a cleanup is imminent on any block about to be cleaned.”⁵⁴ As the Los Angeles Times summarized, as a result of this settlement persons experiencing homelessness “now have the right to keep a nearly unlimited amount of possessions with them on the sidewalks of skid row.”⁵⁵

C. *Martin*: The Return of Jones

While the effects of *Jones* and *Mitchell* settlements may have been cabined to Los Angeles, it would not stay that way for long. In *Martin v. City of Boise*, six persons experiencing homelessness sued the City of Boise, Idaho, alleging that their citations under Boise’s public-camping ordinances violated the Eighth Amendment’s Cruel and Unusual Punishment Clause.⁵⁶ The United States District Court for the District of Idaho granted the City of Boise’s motion for summary judgment on jurisdictional grounds, holding that the plaintiffs lacked standing to pursue these Eighth Amendment claims.⁵⁷

But the Ninth Circuit reversed. After disposing of the standing issue, the panel proceeded to the merits of the plaintiffs’ Eighth Amendment claim—even though it was not addressed by the district court in the first instance. Expressly invoking the since-vacated *Jones* decision, the court held: “we agree with *Jones*’s reasoning and central conclusion . . . and so hold that an ordinance violates the Eighth Amendment insofar as it imposes criminal sanctions against homeless individuals for sleeping outdoors, on public property, when no alternative shelter is available to them.”⁵⁸ From a smattering of plurality, concurring, and dissenting opinions in a 1960s United States Supreme Court case, the Ninth Circuit distilled the principle that “the Eighth Amendment prohibits the state from punishing an involuntary act or condition if it is the unavoidable consequence of one’s status or being.”⁵⁹ The Ninth Circuit reasoned that sleeping, lying, and sitting in public “is involuntary and inseparable from status—they are one and the same, given that human beings are biologically compelled to rest, whether by sitting, lying, or sleeping.”⁶⁰

Apparently recognizing the startling breadth of the legal principle just announced, the Ninth Circuit immediately set to work trying to cabin its holding. Declaring that its “holding is a narrow one,” the court stated that it was “in no way dictat[ing] to the city that it must provide sufficient shelter for the homeless, or allow anyone who wishes to sit, lie, or sleep on the streets . . . at any time and at any place.”⁶¹ The court further explained in a footnote that its holding “does not cover individuals who *do* have access to adequate temporary shelter, whether because they have the means to pay for it or because it is realistically available to them for free, but who choose not to use it.”⁶² And in that same footnote the court stated that it did not mean to “suggest that a jurisdiction with insufficient shelter can *never* criminalize the act of sleeping outside,” noting that “[e]ven where shelter is unavailable, an ordinance prohibiting sitting, lying, or sleeping outside *at particular times or in particular locations* might well be constitutionally permissible,” along with “an ordinance barring the obstruction of public rights of way or the erection of certain structures.”⁶³ Instead, the court claimed that it “[h]eld only” that “as long as there is no option of sleeping indoors, the government cannot criminalize indigent homeless people for sleeping outdoors, on public property, on the false premise they had a choice in the matter.”⁶⁴

Following the panel’s decision, the City of Boise filed a petition for rehearing *en banc* asking the full Ninth Circuit to rehear the case, but that petition was denied over two separate dissents. The principal dissent, authored by Judge Milan D. Smith and joined by five other judges, explained that the panel’s decision “conflicts with reasoning underlying the decisions of other appellate courts” that have rejected Eighth Amendment challenges to laws banning similar purportedly involuntary conduct.⁶⁵ Judge Smith’s dissent also emphasized the consequences of the court’s decision, which “leaves cities with a Hobson’s choice: They must either undertake an overwhelming financial responsibility to provide housing for or count the number of homeless individuals within their jurisdiction every night, or abandon enforcement of a host of laws regulating public health and safety.”⁶⁶ But as Judge Smith explained, this choice is illusory: “Given the daily fluctuations in the homeless population, the panel’s opinion would require this labor-intensive task be done every single day,” which is “impossible” since even with thousands of volunteers devoting countless hours, it still takes three days to perform an annual count in Los Angeles—and even then “not everybody really gets counted.”⁶⁷

Following the Ninth Circuit’s refusal to rehear the case, the City of Boise sought review in the United States Supreme Court. In addition to pointing out that the Ninth Circuit’s decision was inconsistent with the decisions of other federal courts of appeals and a decision from the California Supreme Court, the City

explained how the Ninth Circuit's decision, if left undisturbed, would undermine the ability of state and local governments to protect public health and safety and would be unworkable in practice.⁶⁸ The City's petition for certiorari was supported by a diverse range of amici, including seven states, forty-one cities and counties from California, eight municipal, county, or regional organizations collectively representing tens of thousands of cities, towns, and counties, five law enforcement groups, three homelessness services providers, and eleven business groups.⁶⁹ According to the *New York Times*, the twenty amicus briefs supporting the City's certiorari petition "may have set a record for the number of such filings at this stage of a Supreme Court case."⁷⁰ Yet on December 16, 2019, the Supreme Court denied the City of Boise's certiorari petition without comment.⁷¹

IV. A PATH FORWARD

In the wake of the U.S. Supreme Court's refusal to hear *Martin v. City of Boise*, many cities, feeling as if they have little choice in the matter, have simply given up enforcement of their public-camping ordinances, with some going so far as establishing *city-sanctioned* encampments.⁷² This is not the answer. A policy of non-enforcement is precisely what has led to—and exacerbated—the ever-worsening conditions on city streets throughout California. And what is truly cruel and unusual is consigning those experiencing homelessness to living in dangerous encampments under the misguided notion that the U.S. Constitution *requires* cities to stand on the sidelines, powerless to address their unchecked growth and the dangerous conditions that have arisen around them.

While the homelessness crisis is undoubtedly a multivariate problem—implicating issues of housing,⁷³ mental illness,⁷⁴ and addiction⁷⁵—to break the legal paralysis and ensure that city streets are safe and sanitary for all, enforcement of longstanding municipal laws regulating public health and safety must be part of the equation. After all, it is axiomatic that the law has both "direct" and "indirect" effects on the behavior of those subject to it, shaping their conduct accordingly.⁷⁶ The current state of affairs perfectly illustrates this principle, with the erosion of the social contract in our cities dovetailing with the non-enforcement of municipal law.⁷⁷ It is no answer to say that encampments should be permitted under some flawed conception of "liberty." The statistics described above paint a clear picture: the unhoused living in encampments stare down death, violence, and disease on a daily basis.⁷⁸

Importantly, the *Martin* decision does not stand in the way of local governments taking concrete and meaningful steps to restore safe, clean public spaces to their cities, while at the same time protecting the rights of all citizens. Indeed, the

Ninth Circuit in *Martin* took pains to emphasize that local governments may enforce ordinances "prohibiting sitting, lying, or sleeping outside *at particular times or in particular locations*."⁷⁹ The same is true, the court noted, of "an ordinance barring the obstruction of public rights of way or the erection of certain structures."⁸⁰ Likewise, where an individual does "have access to adequate temporary shelter . . . but . . . choose[s] not to use it," ordinances regulating public camping may be enforced.⁸¹ Furthermore, *Martin* concerned only the constitutionality of ordinances imposing *criminal* penalties, such as misdemeanors; it says nothing about the constitutionality of ordinances imposing civil penalties for public camping.⁸² Accordingly, post-*Martin*, local governments can and should rely on time, manner, and place restrictions to regulate and contain the explosive growth of encampments. Moreover, there is nothing in *Martin* that prevents local governments from distinguishing between camping and other illegal conduct, such as drug dealing, assaults, theft, pollution, and other violent criminal activity when seeking to enforce the law. With *Martin* on the books, municipal governments should be *more* vigilant than ever in policing and prosecuting such conduct to secure the public health and safety. A failure of enforcement under these circumstances cannot be laid at the feet of the Ninth Circuit's decision in *Martin*; the responsibility lies solely with elected officials.

To be sure, any ordinance should be carefully crafted and narrowly tailored with the advice of counsel. And municipalities should be prepared to defend those ordinances in court against a constitutional challenge. But local governments should not be hamstrung by the Ninth Circuit's decision in *Martin*, which styled itself as a modest and "narrow" decision that merely declared unconstitutional a broadly-worded ordinance attaching criminal penalties to unauthorized public camping. Some cities have already recognized this. In San Rafael, California, for instance, the City has observed that the *Martin* decision does not forbid cities from regulating encampments through time, manner, and place restrictions.⁸³ So too has the City of Arcadia, which has signaled an intent to update its public-camping laws to "identify allowable places, times, and manners for involuntary camping."⁸⁴

Federal district courts have also recognized the limits of the *Martin* decision. In *Young v. City of Los Angeles*, for example, the court rejected a plaintiff's argument that he had stated an Eighth Amendment claim under *Martin* based on the allegation that "the City had been depriving him of his right to sleep on public streets in Los Angeles for the past three years by taking down encampments and forcing him to move."⁸⁵ The court explained that, under *Martin* "the Eighth Amendment only bars the City from criminally prosecuting Plaintiff for sleeping on public streets when he has no other place to go to" and that

“[c]ourts following *Martin* have declined to expand its holding beyond the criminalization of homelessness.”⁸⁶ While the plaintiff alleged that “officers have written false tickets or reports regarding Plaintiff failing to take down a tent or that Plaintiff was loitering,” such allegations were insufficient because “Plaintiff does not allege he was criminally prosecuted or sanctioned based on these false tickets or reports.”⁸⁷ Furthermore, the court added that “it is all not clear whether the laws these citations were based on would be barred by the Eighth Amendment because an ordinance that prohibits tenting or loitering at particular times or particular locations may be permissible.”⁸⁸

Young is not an outlier. Other federal district courts in California are in agreement about the limited scope of *Martin*. For example, in *Le Van Hung v. Schaaf*, a district court in the Northern District of California held that the City of Oakland did not run afoul of *Martin* by “clean[ing] and clear[ing]” a park where an encampment was located.⁸⁹ The court noted that cleaning and clearing a park did not require the City to arrest the plaintiffs, and “while *Martin* limits localities’ ability to arrest their homeless residents for the act of living in the streets when there is nowhere else for them to go, it does [not] create a right for homeless residents to occupy indefinitely any public space of their choosing.”⁹⁰

Similarly, in *Housing is a Human Right Orange County v. County of Orange*, a district court in the Central District of California held that the City of San Clemente could not be held to have violated *Martin* based upon the allegation that its officers threatened persons experiencing homelessness with arrest.⁹¹ Mere threats were insufficient: the *Martin* decision “require[s] the initiation of the criminal process to state a claim for damages for an Eighth Amendment violation.”⁹² And in *Mahoney v. City of Sacramento*, a district court in the Eastern District of California held that Sacramento did not violate *Martin* by removing a portable toilet from an encampment, reasoning that “it is not a necessary corollary that the same right” to “engag[e] in involuntary, life-sustaining actions on public property” is at issue with respect to “the removal of [a] portable toilet.”⁹³

As the foregoing authorities indicate, local governments should not retreat from enforcement of municipal law in the wake of *Martin*. Nor does *Martin* mean that cities should capitulate in the face of setbacks during litigation, as the City of Los Angeles arguably did in *Jones* and *Mitchell*. In addition to entrenching and exacerbating the status quo, these settlements have operated in practice to blur accountability by “providing politicians some cover for their lack of solutions, [and] allowing them to ‘hide behind a federal judge.’”⁹⁴ But the public must be able to hold elected officials accountable at the ballot box, and the pattern of

litigation followed by settlement simply allows elected officials to pass the buck by laying the blame for inaction on the federal courts. There should be no such excuses after *Martin*. After all, federal district courts in California have taken the Ninth Circuit at its word and interpreted *Martin* narrowly, affording the government ample room to manage the homelessness crisis. And *Martin* certainly provides no grounds for local governments to abdicate their responsibility to vigorously enforce the portions of its criminal and civil code outlawing violent crime, drug dealing and use, and conduct creating environmental or other public health hazards. To be sure, the *Martin* decision is likely to be wielded by some to thwart city efforts to tackle the complex issue of homelessness.⁹⁵ But as post-*Martin* decisions indicate, local governments may find an ally in California’s federal courts, and they should not shrink from their duties to protect the rights of all residents to have safe and sanitary public areas.

Endnotes

- 1 Theane Evangelis and Bradley J. Hamburger are appellate and general litigation partners in the Los Angeles office of Gibson, Dunn & Crutcher LLP. William F. Cole is an associate in the Los Angeles office of Gibson, Dunn & Crutcher LLP who practices in the Appellate and Constitutional Law practice group. Ms. Evangelis, Mr. Hamburger, and Mr. Cole were counsel to the City of Boise in the United States Supreme Court in *Martin v. City of Boise*.
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First name:

Mark

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Street address:

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ZIP code:

98663

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Subject:

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RE: City's plan for reducing its carbon footprint

Dear Councilors:

Earlier this year, I sent a letter to the council regarding a proposal for a subsidy program for solar power collectors for homeowners. As a satisfied owner of a small solar array, I can vouch for the fact that it does significantly reduce my power bill, especially in the summer. Small scale solar electric generation would also be a great way for the City to attempt to meet its ambitious goals for carbon-footprint reduction in the short term. I hope the City will consider this program when it adopts its plan this fall.

Seattle City Light had a program in the 1980s to assist homeowners with some of the up-front costs of solar hot water systems, which was the predominant home solar model at the time. I know it was certainly a motivating factor in my decision to install solar hot water back then. The same would be true if the City would create a subsidy program to the installation of solar electricity generating panels. A side benefit would be increased business for Washington based panel manufacturers and local solar contractors.

Another idea the City should adopt to reduce its carbon footprint would be to phase out the use of 2 cycle gas engine leaf blowers and lawn trimmers. These devices are notorious for the amount of pollution their engines emit, and also because of the noise pollution factor. A phase out of these devices would aid the City's goal in reducing air pollution in the City. Electricity powered devices are readily available to take the place of these smoke belchers.

Sincerely yours,

Mark W. Muenster
Attorney at Law

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); [Harris, Rep. Paul](#)
Subject: Fwd: Homeland Security's 'Expansive' Censorship Plan + No Pandemic Amnesty + More
Date: Thursday, November 3, 2022 1:37:17 PM

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----- Forwarded message -----

From: Wynn Grcich <[REDACTED]>
Date: Thu, Nov 3, 2022 at 1:33 PM
Subject: Fwd: Homeland Security's 'Expansive' Censorship Plan + No Pandemic Amnesty + More
To:

Send this to the city councils and Dr. Melneck. I am sending this to Rep. Harris to know these jabs harm children. The need this jab and boosters off the school scheualing.
Please confirm my email and put it on public record, Please
Wynn

----- Forwarded message -----

From: Children's Health Defense <[REDACTED]>
Date: Wed, Nov 2, 2022 at 2:09 PM
Subject: Homeland Security's 'Expansive' Censorship Plan + No Pandemic Amnesty + More
To: Wynn Grcich <[REDACTED]>

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November 2, 2022



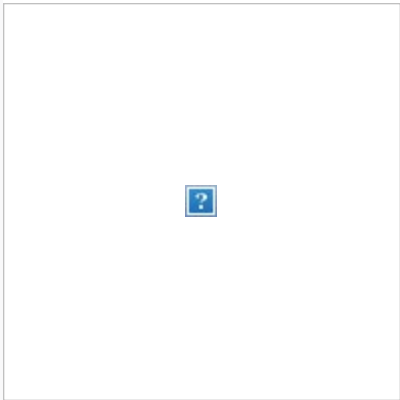
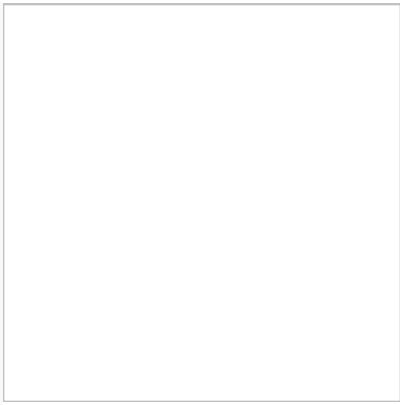


TOP NEWS OF THE DAY

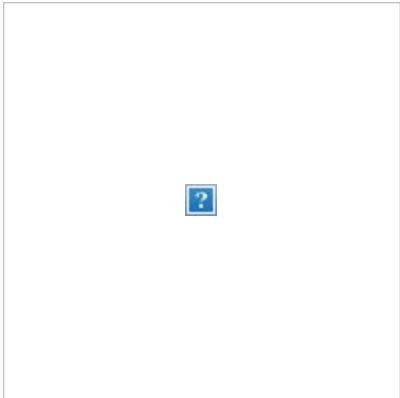


Leaked Documents Reveal Homeland Security's 'Expansive' Influence Over Social Media Censorship

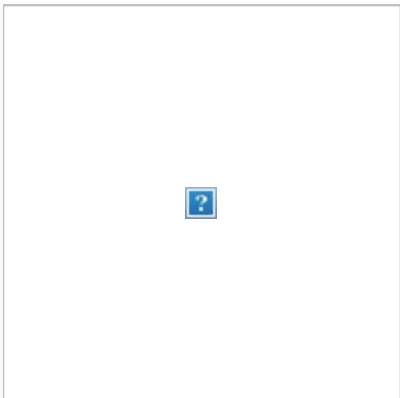
No 'Pandemic Amnesty,' We Want Accountability



4 Reasons the Official COVID Narrative Is Falling Apart



100,000+ Demand Global Moratorium on 'Unlawful' Surveillance Technology



Pfizer Announces 400% Increase in COVID Vaccines on Same Day CDC Adds COVID Shots to Childhood Schedule



‘Tripledemic’ Fear Porn + Inhalable Vaccines Coming Soon: ‘This Week’ With Mary + Polly



Heart Inflammation Risk in Children Elevated After Pfizer’s COVID Vaccine: Study + More



DC Council Votes to Delay Students’ Coronavirus Vaccine Requirement + More

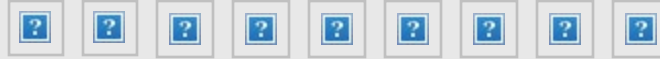
You Make It Possible

Children's Health Defense depends on generous donations from our community. Large or small, every donation gets us closer to achieving our goals.

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Work for CHD



Children's Health Defense | ChildrensHealthDefense.org

Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable, and establish safeguards to prevent future harm.

Children's Health Defense

852 Franklin Ave., Suite 511
Franklin Lakes, New Jersey 07417

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From: [City Council](#)
To: [Dollar, Sarah](#)
Subject: FW: Letter: Consider options for downtown
Date: Thursday, November 3, 2022 8:09:45 AM

From: Jean M. Avery <[REDACTED]>
Sent: Wednesday, November 2, 2022 6:52 AM
To: City Council <council@cityofvancouver.us>
Subject: Letter: Consider options for downtown

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<https://clbn.us/VuZU9>

I agree with this writer: Please consider other options for downtown Vancouver (besides a Stay Safe shelter).

An arts/community center would be a wonderful asset to our downtown.

Jean M. Avery
Vancouver

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: ban Round up in Clark County and Vancouver
Date: Thursday, November 3, 2022 12:19:29 AM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I had asked Clark County to Ban Round Up.
Send this half of the article to the councils.

Give this to all council members and Dr. Melneck. Confirm you got this email.
Wynn Grcich

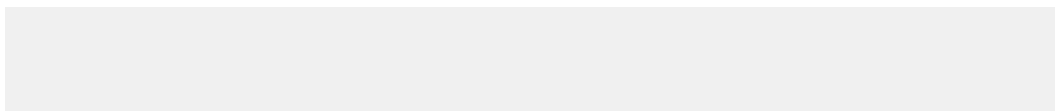
Monsanto to Pay \$275 Million for Children's Brain Damage

Analysis by [Dr. Joseph Mercola](#) [Fact Checked](#)

November 03, 2022

[Previous](#)

[Next](#)



STORY
AT-A-

monsanto to pay 275 million for brain damage



GLANCE

A Washington court recently awarded 13 adults and children \$275 million for neurological damage caused by PCBs produced by Monsanto; in total there are 200 students, parents and teachers filing suit for physical damage

Before Monsanto voluntarily stopped using them in 1977, there were an estimated 1.5 billion pounds of PCBs produced and used; exposure has also been linked to diabetes, liver toxicity, cancer and deficits in neurological and immune system function

The herbicide Roundup is Monsanto's flagship product, the active ingredient in which is glyphosate. The industrial chemical changes the soil microbiome by killing beneficial bacteria and promoting soil pathogens

The altered soil microbiome negatively impacts the nutrient value of crops. Glyphosate in plants can alter the human gut microbiome, and increases in use are well correlated with an increase in breast cancer, pancreatic cancer, kidney cancer, thyroid cancer, liver cancer, bladder cancer and myeloid leukemia

Monsanto, now owned by Bayer, is best known for its flagship product Roundup,¹ the active ingredient in which is glyphosate. Monsanto-Bayer has been the defendant in thousands of cases alleging Roundup caused the plaintiffs' cancers. However, the most recent personal injury lawsuit verdict addressed the release of polychlorinated biphenyls (PCBs) from fluorescent light ballasts produced by the company.²

According to the National Ocean Service,³ production of these chemicals began in the 1920s with an estimated 1.5 billion pounds used in products such as television sets, refrigerators or other electrical appliances until 1977, when Monsanto voluntarily stopped using them in the U.S. after the chemical had been studied and the consequences understood. Before then it was also used to spray dirt on the road to reduce dust.

Chemically, some PCBs can degrade in the environment, but the speed of the breakdown depends on each product's chemical makeup and the conditions where it's found. Typically, PCBs require sunlight or soil microorganisms to break down.

According to the CDC,⁴ the chemicals are known to cause harmful effects. However, the CDC lists health conditions such as acne and rashes, and suggests it could trigger gastrointestinal discomfort, depression, fatigue or irritation to the nose and lungs.

According to a paper in Environmental Health Perspectives,⁵ studies began emerging in the 1960s that confirmed PCBs contaminated the environment and had a negative impact on human health. In addition to skin conditions listed by the CDC, exposure has also been linked to diabetes, liver toxicity, cancer, and deficits in neurological and immune system function.

\$275 Million Verdict Against Monsanto —

PCB Contact at School

The story of the latest lawsuit filed by the parents and children of Sky Valley School in Monroe County begins with the Bayer pharmaceutical company, best known for making Bayer aspirin.⁶ Today, it's one of the largest corporations in the world, having posted revenue of \$41 billion in 2017, despite lawsuits at the time that were filed for device injury and drug problems.

In June 2018, Bayer completed the acquisition of Monsanto,⁷ creator and producer of the glyphosate-based herbicide Roundup. However, Monsanto didn't just produce the herbicide and genetically modified Roundup-ready seed. Before they started into agriculture products, they also manufactured styrene, an ingredient in the production of synthetic rubber, during World War II.⁸

The recent lawsuit was the fourth in a series alleging that PCBs released by products manufactured by Monsanto and installed in Sky Valley School caused neurological damage in six adults and seven children. The court awarded \$275 million for their exposure, which included \$55 million for compensation and \$220 million in punitive damages. In a statement, Bayer announced they would challenge the verdict, saying:⁹

"We respectfully disagree with the divided jury verdict reached in this 13-plaintiff case and plan to pursue post-trial motions and appeals based on multiple errors and the lack of proof at trial."

Although Bayer claims there was a lack of proof and there were errors in the trial, three past trials alleging the same damage also found against Monsanto for the plaintiffs. According to the Seattle Times,¹⁰ an additional 16 personal injury lawsuits are awaiting trial from the same school and alleging that exposure to PCB caused injuries.

In total, there have been more than 200 students, teachers,

and parents from the education center that have sued over the contamination. The plaintiffs claim that PCBs cause neurological problems, cancer, hormonal diseases, skin lesions and other illnesses.

The court commonly awards compensatory damages to help the plaintiffs pay for economic and non-economic damages. Washington state often does not award punitive damages, which can be levied against a defendant when the actions are particularly malicious or intentional.

However, the plaintiff's attorneys argued that Monsanto is headquartered in Missouri, and while the lawsuit was in Washington the laws of Missouri applied to this personal injury case. Rick Friedman, an attorney representing the Sky Valley plaintiffs, told the Seattle Times:¹¹

"PCBs are a systemic poison, which means they attack all the bodily systems. Everybody had different exposures, because it was a constantly changing environment. I think the different amounts reflect the various juries' assessments of how badly hurt each person is."

Cancer, Endocrine Disruption and More Are Monsanto's Legacy

By far, Monsanto is best known for their Roundup-ready seed and the herbicide. Health aside, there's evidence the weed killer is not nearly as effective as it used to be, due to its repetitive application on farm fields.¹² However, from the public health perspective, according to polls, the No. 1 reason¹³ that people spend the extra money for organic food is to avoid pesticide chemicals like glyphosate.

In 2015, glyphosate was identified by the International Agency for Research on Cancer (IARC) as a probable human carcinogen,¹⁴ yet despite its waning effectiveness in the fields, it continues to be the most heavily used pesticide in

agricultural history and data show that usage continues to grow.¹⁵

There is ample research to show that glyphosate harms health in a wide variety of ways. This research has also underpinned personal injury lawsuits against Monsanto, one of which ultimately awarded \$81 million to a couple who claimed exposure to the weed killer caused both to develop Non-Hodgkin lymphoma.¹⁶

In June 2022, the 9th Circuit Court of Appeals ruled¹⁷ that the EPA approval for glyphosate in 2020

From: [Wynn Grich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); electmichellebelkot@gmail.com; Paul.Harris@leg.wa.gov
Subject: Clark County Today Published this today give to council members and Dr. Melneck
Date: Monday, October 24, 2022 3:54:47 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

The ballots are out and they are due Nov. 8th. Before you give Rep Paul Harris your vote, **have him repeal his fluoridation bill HB 1684**. The **side effects** of drinking the poison sodium fluoride are: CANCER, crippling bone diseases, ADHD youths, Alzheimer's in adults, increase in Down Syndrome babies, and lowers IQs.

Buy water filters. Eat in restaurants with filtered water. Eat organic food, hopefully watered with well water and not sprayed with fluoridated pesticides. Tea and grapes have the most fluoride on them. Once again, buy organic.

A public hearing at the council chambers, for Rep. Paul Harris about his fluoridation bill, would be the best thing to do. Ask your councils to do this and Dr. Melnick, our so-called county doctor. We need to know why Harris' sudden interest in our teeth. Who lobbied him to write his fluoridation bill? Can Harris explain the side effects of drinking poison?

Why would anyone want to re-elect a person who would poison you and your family, until death. Drinking poison every day, all day long, does NOT prevent cavities. Low doses of poison are accumulative. Poisoned water affects and medications you are taking. Every pill you take is swallowed with poisoned water!

Fluoridation doubles breast cancer death rates. Chlorine causes breast cancer, bladder cancer, rectal cancer and reproduction malfunction. Adding poisonous fluoridation chemicals increase breast cancer death rates. I put on public record many water and health studies at Clark County Council and Vancouver city council.

Call Rep. Harris complain about his fluoridation bill 3360-786-7976. Email; PaulHarris@leg.wa.gov Ask Harris how drinking the poisonous ingredient in rat poison cures cavities?

Research and use critical thinking. **Portland doesn't fluoridate.**

www.fluoridealert.org. www.fluorideactionnetwork.org.
<http://www.advancedhealthplan.com/fluoride.html>

 [https://www.youtube.com > watch?v=ClqK7XvfLg0](https://www.youtube.com/watch?v=ClqK7XvfLg0)

[Dr. Dean Burk - Fluoride causes cancer - YouTube](#)

5.75K subscribers Dr. **Dean Burk** co-authored one of the most frequently cited papers in the history of biochemistry, "The Determination of Enzyme Dissociation Constants," published in the...

 [https://www.youtube.com > watch?v=L8AMCScE9dw](https://www.youtube.com/watch?v=L8AMCScE9dw)

[Dr. Dean Burk - Fluoride causes cancer - YouTube](https://www.youtube.com/watch?v=L8AMCScE9dw)

<http://systembreakdown.net> Dr. **Dean Burk** co-authored one of the most frequently cited papers in the history of biochemistry, "The Determination of Enzyme Diss...

 [https://www.bvtridandi.com > dr-russell-blaylock-fluorides-deadly-secret](https://www.bvtridandi.com/dr-russell-blaylock-fluorides-deadly-secret)

[Dr. Russell Blaylock - Fluoride's Deadly Secret](https://www.bvtridandi.com/dr-russell-blaylock-fluorides-deadly-secret)

Blaylock highlights how independent study after study has shown that **fluoride** increases cancer rates, increases bone disorders, which as **Blaylock** points out is a good way of increasing mortality rates amongst the elderly, and also leads to profound neurological disorders. **Blaylock** highlights the research of Phyllis Mullenix, Ph.D, who during ...

 [https://www.youtube.com > watch?v=WFpbwsITZtI](https://www.youtube.com/watch?v=WFpbwsITZtI)

[Blaylock: Fluoride's Deadly Secret \(Full Length • HD\) - YouTube](https://www.youtube.com/watch?v=WFpbwsITZtI)

Dr. Russell Blaylock M.D. is a retired neurosurgeon and author whose trailblazing research has tirelessly documented the fact that there is an epidemic of neurological disorders in the...

 [https://www.goodreads.com > videos > 11936-fluoride-s-deadly-secret](https://www.goodreads.com/videos/11936-fluoride-s-deadly-secret)

[Fluoride's Deadly Secret Video \(Author: Russell L. Blaylock\) - Goodreads](https://www.goodreads.com/videos/11936-fluoride-s-deadly-secret)

Dr. Russell Blaylock M.D. is a retired neurosurgeon and author whose trailblazing research has tirelessly documented the fact that there is an epidemic of neurological disorders in the western world which are directly connected to toxins in our environment, and how this relates to the larger global eugenics program behind population reduction.

 [https://envirocentersoco.org > updates > 2013 > 12 > setback-for-sonoma-county-fluoridation-plans](https://envirocentersoco.org/updates/2013/12/setback-for-sonoma-county-fluoridation-plans)

[Setback for Sonoma County fluoridation plans - Enviro Updates](https://envirocentersoco.org/updates/2013/12/setback-for-sonoma-county-fluoridation-plans)

In an unprecedented 5-0 City Council vote on November 12, Cotati joined a growing number of college towns including Davis, California, and Portland, Oregon, voting to keep **fluoridation** chemicals out of their water supply. Cotati is one of nine major cities and water districts supplied by the **Sonoma** County Water Agency SCWA.

My sister and I helped get fluoridation stopped in Sonoma, CA. It can be done!

With knowledge you have facts and power. Wisdom is knowing what to do with it. You can make Harris stop adding poison to our water, especially when he works for us! Or does he? Harris is asking for your vote.

From: [Wynn Grich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); Paul.Harris@leg.wa.gov
Subject: Fwd: REMINDER: TSCA Lawsuit Hearing on Wednesday
Date: Tuesday, October 25, 2022 11:52:46 PM

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Give this to the county council and Vancouver council and Dr. MELNECK

----- Forwarded message -----

From: Fluoride Action Network [REDACTED] >
Date: Tue, Oct 25, 2022, 10:32 AM
Subject: REMINDER: TSCA Lawsuit Hearing on Wednesday
To: Wynn Grich [REDACTED] >



Dear Friends,

IMPORTANT REMINDER: The next status hearing for our [federal TSCA lawsuit](#) against the US Environmental Protection Agency (EPA) to end the use of fluoridation chemicals will be held TOMORROW, on **Wednesday, October 26th at 3:30PM (US Pacific) / 6:30 (US Eastern)**.

Watch the trial live on Zoom:

<https://cand-uscourts.zoomgov.com/j/1619911861?pwd=TjVma1lnMIJINHR3ZE9QMkFjNkFndz09>

Webinar ID: 161 991 1861

Password: 912881

We're expecting this hearing to be more than an update from both parties. FAN's attorneys filed a motion asking the Court to take the case out of abeyance and either restart it with an abbreviated second trial to review the latest scientific studies, or to make a final ruling. We feel there is enough evidence available from the publicly available draft NTP reports and from other materials since the trial in June 2020 to complete the case and for the Court to render a decision. We're confident the evidence is also strongly in our favor, including from the NTP's review.

It's time for justice to be served, and we're hoping that Wednesday's hearing will bring us closer to that end.

Thank you for your continued support,

Stuart Cooper

Executive Director

[Fluoride Action Network](#)

[See all FAN bulletins online](#)

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Fluoride Action Network

Exeter, New Hampshire

info@fluoridealert.org

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From: [Delapena, Amanda](#)
To: [Dollar, Sarah](#)
Subject: FW: 34st Improvement Project
Date: Wednesday, October 26, 2022 9:14:36 AM

Hi Sarah,

This is regarding the 34st street mobility project on the agenda for Comms on 11/7. Written comment for Council consideration.

Amanda Delapena

From: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Sent: Monday, October 24, 2022 3:33 PM
To: City Council <council@cityofvancouver.us>
Subject: FW: 34st Improvement Project

Hello,

We received the following email in the CMO inbox. Please let us know if you would like us to forward elsewhere.

Thank you!

City Manager's Office
CITY OF VANCOUVER
P.O. Box 1995 • Vancouver, WA 98668-1995

P: 360.487.8600 | F: 360.487.8625
www.cityofvancouver.us

From: Sara Schmit [REDACTED]
Sent: Monday, October 24, 2022 1:09 PM
To: City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: 34st Improvement Project

You don't often get email from [REDACTED] [Learn why this is important](#)

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello, I wanted to make some comments on the 34st street project and wasn't sure if it has been addressed yet to the city council or when it will be in the future.

It is a common misconception that removing a lane of traffic increases congestion on roads like 34th st, In fact, data shows us removing a lane in favor of connectors to pedestrian, transit, and active mobility networks already in place reduces congestion and improves emergency vehicle response

times. Improvement made to 34th are said to only delay vehicle traffic 40 seconds at the intersections of 162nd and 192nd and this is if driver behavior does not change after the improvements are made. Most likely it will, as safer infrastructure will now be in place to accommodate the growing trend of active mobility users.

When I was arrested for driving while suspended I was couch hopping, staying with a friend in the St. Johns area of Vancouver and commuting to Camas for work. Without a vehicle, I moved in with another friend who lived at the Heritage Green apartments on 162nd and 34th st so I could “easily” walk to the Fisher’s Landing Transit Center and take the bus to Camas. Eventually I went back to school and attended both the Clark College Downtown campus and the Columbia Tech Center taking the bus from the Transit Center and walking from that corner. During this time I would almost be hit everyday crossing the road at 34th st and 162nd. This was 13 years ago and I can’t even begin to fathom what it is like now with what we know about decreased driver awareness and increased speed.

One of the greater points I’d like to make is that if I hadn’t been able to make this walk and ride the bus to my job, and ride the bus to school, and eventually cycle to those places, my already spiraling life at that time would have most likely gone completely down the drain. We cannot use transportation elitism, value speed over safety, and continue to put those transitioning out of poverty at risk.

There are residents that live in this neighborhood that do not agree with these changes. They see the removal of a lane as something that will increase congestion despite what data shows us about the positive effects of lane removal and increasing active mobility. I wonder if any of these residents are renters. This area is home to large apartment complexes that may include residents who live there because of their proximity to transit and active mobility options. There are homeowners who live there that want these changes as well. I respect everyone’s right to an opinion, but I don’t agree that just because you own a home in a high income neighborhood on a street that multiple users need access to for work and education, means your voice should be louder than others. Especially when it is more misinformed than the planners who utilized actual data.

I implore you as council members to recognize the need to approve this project for the greater good of everyone in the community.

Thank you

Sent from [Mail](#) for Windows

From: [Wynn Grich](#)
Subject: Fwd: REMINDER: TSCA Lawsuit Hearing on Wednesday
Date: Wednesday, October 26, 2022 2:03:54 PM

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----- Forwarded message -----

From: **Wynn Grich** <[REDACTED]>
Date: Wed, Oct 26, 2022 at 1:55 PM
Subject: Fwd: REMINDER: TSCA Lawsuit Hearing on Wednesday
To:

----- Forwarded message -----

From: **Wynn Grich** <[REDACTED]>
Date: Tue, Oct 25, 2022 at 11:56 PM
Subject: Fwd: REMINDER: TSCA Lawsuit Hearing on Wednesday
To:

----- Forwarded message -----

From: **Wynn Grich** <[REDACTED]>
Date: Tue, Oct 25, 2022, 11:52 PM
Subject: Fwd: REMINDER: TSCA Lawsuit Hearing on Wednesday
To: Dollar, Sarah <Sarah.Dollar@cityofvancouver.us>, Rebecca Messinger
<Rebecca.Messinger@clark.wa.gov>, <Paul.Harris@leg.wa.gov>

Give this to the county council and Vancouver council and Dr. MELNECK

----- Forwarded message -----

From: **Fluoride Action Network** <info@fluoridealert.org>
Date: Tue, Oct 25, 2022, 10:32 AM
Subject: REMINDER: TSCA Lawsuit Hearing on Wednesday
To: Wynn Grich <[REDACTED]>



Dear Friends,

IMPORTANT REMINDER: The next status hearing for our [federal TSCA lawsuit](#) against the US Environmental Protection Agency (EPA) to end the use of fluoridation chemicals will be held TOMORROW, on **Wednesday, October 26th at 3:30PM (US Pacific) / 6:30 (US Eastern)**.

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[https://cand-uscourts.zoomgov.com/j/1619911861?
pwd=TjVma1lnMIJINHR3ZE9QMkFjNkFndz09](https://cand-uscourts.zoomgov.com/j/1619911861?pwd=TjVma1lnMIJINHR3ZE9QMkFjNkFndz09)

Webinar ID: 161 991 1861

Password: 912881

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Thank you for your continued support,

Stuart Cooper

Executive Director

[Fluoride Action Network](#)

[See all FAN bulletins online](#)

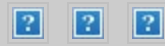
Make A Tax Deductible Donation Today!

Fluoride Action Network

Exeter, New Hampshire

info@fluoridealert.org

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From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Watch "[LIMITED TIME ONLY [Ⓢ]]" Full Episode: What Are They Hiding?—Dr. Robert Malone on the Pfizer Documents" on YouTube
Date: Friday, October 28, 2022 9:50:33 AM

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<https://youtu.be/yZfBC6Pnblo>.

Send to councils and Dr. MELNECK

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); Paul.Harris@leg.wa.gov
Subject: Fwd: 45 Deaths Reported After New Boosters + Dr. Nass on Maine's 'Kangaroo Court' + More
Date: Friday, October 28, 2022 2:38:58 PM

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Give this to the councils and Dr. MELNECK. CONFIRM TO ME THAT YOU DID THIS.
please put thos on public record

----- Forwarded message -----

From: **Children's Health Defense** <team@childrenshealthdefense.org>
Date: Fri, Oct 28, 2022, 2:11 PM
Subject: 45 Deaths Reported After New Boosters + Dr. Nass on Maine's 'Kangaroo Court' + More
To: Wynn Grcich [REDACTED]

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October 28, 2022

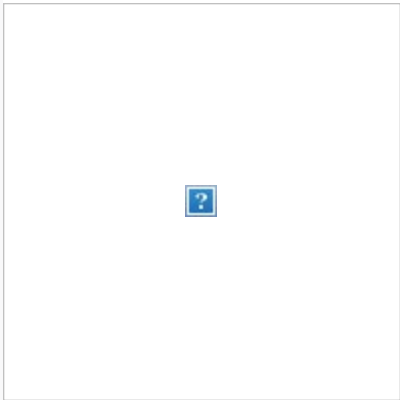
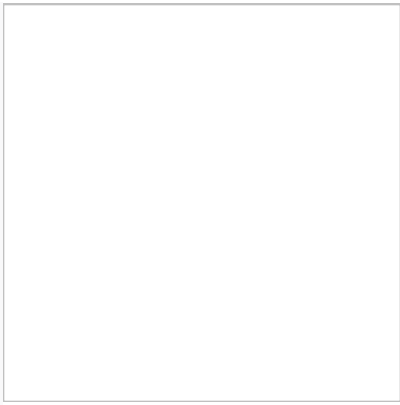


TOP NEWS OF THE DAY

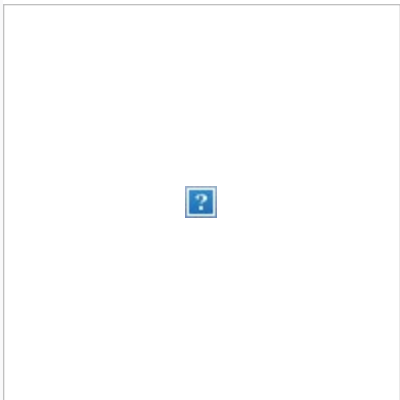


**45 Deaths, 5,000+ Adverse Events
Following Updated Booster Shots
Reported to VAERS, CDC Data Show**

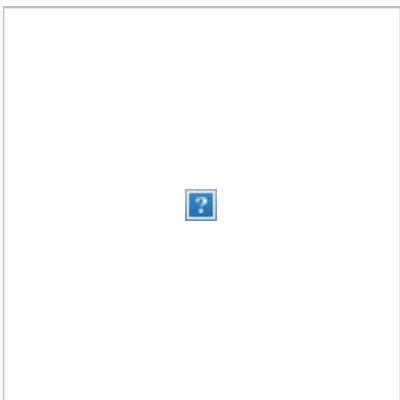
**Dr. Meryl Nass Compares Maine Medical
Board Hearings on Her Suspension to a
'Kangaroo Court'**



**Systemic Reactions to COVID Vaccines
Now Being Sold to Public as a ‘Feature’**



**CDC Used Same PR Firm as Pfizer,
Moderna — Prompting Demand for
Transparency**



**‘Substantial Evidence’ COVID Virus
Escaped From Wuhan Lab**



India Orders Farmers, Agrichemical Companies to Stop Using Glyphosate Weedkillers



Last Chance to Apply to CHD's 2023 Fellowship Program



EU Regulator Recommends Adding Heavy Periods to Side Effects of mRNA COVID Shots + More



Buffalo Teens Killed in Car Crash Connected to TikTok Trend + More

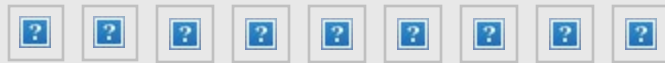
You Make It Possible

Children's Health Defense depends on generous donations from our community. Large or small, every donation gets us closer to achieving our goals.

[Listen to what RFK, Jr. has to say.](#)

[Become a Member](#) | [Donate Now](#)

[Work for CHD](#)



Children's Health Defense |

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#); electmichellebelkot@gmail.com
Subject: Fwd: Recent Fluoridation Related Accidents
Date: Sunday, October 30, 2022 4:10:34 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

----- Forwarded message -----

From: **1955wgcg via PrintFriendly** <no-reply@m.printfriendly.org>
Date: Sun, Oct 30, 2022 at 3:52 PM
Subject: Recent Fluoridation Related Accidents
To: <>

Please send this to both city of Vancouver and county councils, plus Dr. Melneck. This kind of accidents could happen here.

You tube: [Dr Russell Blaylock Fluorides Deadly Secret Part](#)

776 views 11 years ago



[IntelCommunity](#)

See my channel for more IMPORTANT information !!! Dr. Russell Blaylock M.D. is a retired neurosurgeon and author whose . You Tube

1955wgcg@gmail.com sent you an article please confirm that you did this and have this on public record at the next council meetings, Wynn Grcich

Print out the fluoridation accidents for public record

Recent Fluoridation Related Accidents

2019 – Newport, Rhode Island A fluoridation chemical overfeed occurred, increasing fluoride levels in the public drinking water to at least 2.16mg/L; three times higher than the already excessive levels found in artificially fluoridated water. City and Water Department officials waited over a month to notify residents. 2019 – Sandy, Utah A snowstorm led to a fluoridation overfeed that...

[Read More](#) | [Print & PDF](#)

From: [Wynn Grich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Fwd: FDA "Approved" Drugs Killed 273 people yesterday! (details inside)
Date: Monday, October 31, 2022 1:51:58 PM

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----- Forwarded message -----

From: **Charlene & Ty @ TTAV** <info@thetruthaboutvaccines.com>
Date: Mon, Oct 31, 2022 at 8:17 AM
Subject: FDA "Approved" Drugs Killed 273 people yesterday! (details inside)
To: [REDACTED] >

Wynn,

For just about as long as pharmaceutical drugs have existed, so have side effects. Some of these are mild and considered worth the risk. Others are far more dangerous and even lethal.

The worst part? Many times, the manufacturers **KNEW** that the drugs were dangerous and sold them anyway. And the FDA is well aware of the deaths that some of these "killer drugs" are causing. They even admit, on their own website, that over 100,000 Americans die every year from ADR ("Adverse Drug Reactions"). **Check it out!**



If you do the math, that's an average of **273 people every day** that **die** from FDA "approved" drugs! **Let that sink in!**

People who take Zantac or similar drugs to combat heartburn may be unknowingly giving themselves cancer. In 2019, the FDA announced that it had detected a **cancer-causing** contaminant called N-nitrosodimethylamine, or NDMA, in ranitidine heartburn medications. We put together an article about these "killer drugs" and you can [read it here](#).

Here are just a few examples of blatant Big Pharma corruption and cover ups...

In 2013, Pfizer agreed to a \$964 million settlement for selling insulation laden with asbestos. That same year, Pfizer withdrew “between \$400,000 and a million dollars” worth of ads from Harper’s Magazine following an unflattering article on their depression medication.

In 1994, Pfizer agreed to pay \$10.75 million to settle claims by the United States Department of Justice that the company lied to get approval for defective heart valves that killed roughly 500 people.

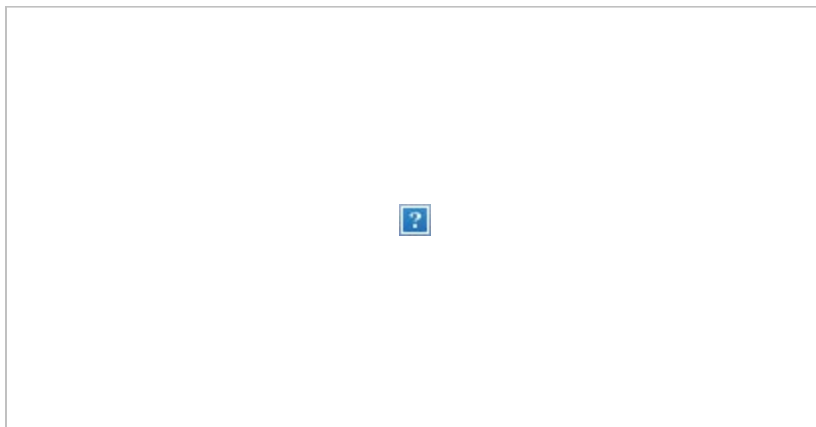


In 1996, an outbreak of measles, cholera, and bacterial meningitis occurred in Nigeria. Pfizer representatives and personnel set up a clinical trial and administered an experimental antibiotic, trovafloxacin, to approximately 200 children. Local officials reported that more than fifty children (over 25%) died in the experiment, while many others developed mental and physical deformities.

We could continue, but you probably see the pattern here. Pfizer doesn’t care if their products are safe, as is clearly evidenced by the **carnage that their covid-19 vaccines have created**. They’re willing to bribe doctors and silence the opposition to sell more products. They’re willing to **KILL CHILDREN** to make a buck.

>> [Read the entire article here](#) <<

The sad truth is that the examples above are just a small glimpse into the evil inner workings of a medical mafia that’s willing to do anything and everything to make an extra buck. So we decided to put together a collection of true stories from the past several years exposing the corruption and conflicts of interests. We’ve compiled these stories in a 75-page eBook – ‘[Big Pharma EXPOSED!](#)’ -- which you can get as a **FREE** gift, right now.



>> [CLICK HERE TO DOWNLOAD](#) <<

When you download the eBook, you'll automatically reserve your **FREE** "front row seat" to watch our eye-opening, 9-episode docu-series – **PROPAGANDA EXPOSED!** **[UNCENSORED]** – beginning November 9th.

To Your Health & Liberty,



P.S. [Click here to watch the trailer.](#)



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This email was sent to 1955wcg@gmail.com
by info@thetruthaboutvaccines.com
PO Box 530, Portland, TN 37148
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From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Watch "Pfizer did not know whether Covid vaccine stopped transmission before rollout" on YouTube
Date: Tuesday, November 1, 2022 3:58:49 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.

<https://youtube.com/shorts/FO--XPTjDLE?feature=share>. Send to council and Dr.
MELNECK.

Submitted to Vancouver City Council on
Oct. 24, 2022 a Monday to be put on
Public Records - Kimberlee Elbon

310

ICLEI USA Members

4,091

Technical support interventions provided to members in 2020

390

GHG inventories created in ClearPath in 2020

1-75 - ICLEI inhumane corruption
76-83 - Council(MANIC INTERFERENCE:
when a (or more) Council members
Cross the Line. ①



(<https://iclei.org/>)

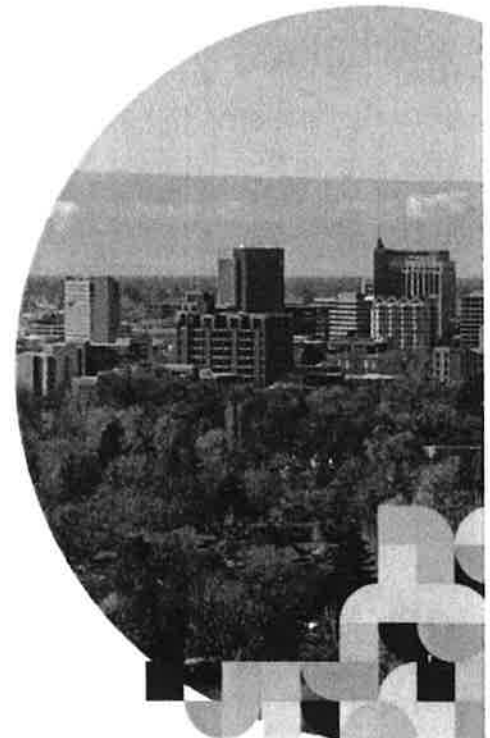
Science-Based Targets for U.S. Communities

✉ iclei-usa@iclei.org(<https://iclei.org/author/iclei-usaiclei-org/>)

📅 December 17, 2021(<https://iclei.org/2021/12/17/>)



Science-Based Targets for U.S. Communities



Science-based targets (SBTs) are climate goals in line with the latest climate science. They represent your community's fair share of the ambition

necessary to meet the Paris Agreement commitment to keep warming below **1.5 °C**. To achieve this goal, the Intergovernmental Panel on Climate Change (IPCC) states that we must reduce global emissions by **50% by 2030** and achieve **climate neutrality by 2050**. This is why SBTs are often presented as 2030, or interim, targets. Equitably reducing global emissions by 50% requires that high-emitting, wealthy nations reduce their emissions by more than 50%.

Science-based targets build internal and external support needed to achieve ambitious greenhouse gas reductions and boost public confidence in local climate action. They show local governments what reduction is needed by 2030 and 2050, spurring innovation and collaboration.

Participation in the Race to Zero, (<https://icleiusa.org/race-to-zero/>) a global campaign led by the United Nations climate champions and in partnership with ICLEI, C40, CDP, World Resources Institute and more, requires cities to set a 2030 target, which “reflects maximum effort toward or beyond a fair share of the 50% global reduction in CO₂ by 2030 identified in the IPCC Special Report on Global Warming of 1.5 °C.”

Calculating a Science-Based Target

1. **Understand** science-based targets by reading the Science-Based Target (SBT) guidance (<https://sciencebasedtargetsnetwork.org/take-action-now/take-action-as-a-city/>) developed by the partners of the Science Based Targets Network. This guide provides a valuable background to the Who, What, Why, and How of SBTs.
 - **ICLEI USA support:** By joining the ICLEI150 in the Cities Race to Zero, you will receive technical assistance to further understand and develop your community's SBT. Together, we will set an interim 2030 target that reflects maximum effort toward or beyond a fair share of your community's emissions reductions by 2030.
 - As an ICLEI USA member, you can access our “Science-Based Targets Guidance for Inventories” through the ICLEI Community (<https://community.icleiusa.org/s/login/>).

2. **Develop** or update your SBT utilizing one of the methodologies discussed in the guidance (<https://sciencebasedtargetsnetwork.org/take-action-now/take-action-as-a-city/>).
 - **ICLEI USA support:** By joining the ICLEI150 in the Cities Race to Zero, our technical experts will calculate your community's SBT based on a completed 2015 or newer community greenhouse gas inventory in ClearPath, our climate planning tool. If you do not have an applicable inventory, ICLEI USA will help you to create or update one.
 - Using your community's 2030 science-based target and greenhouse gas profile, as well as our knowledge of your community priorities, ICLEI USA will develop high-impact actions to achieve your 2030 target. Once identified, ICLEI USA will provide technical assistance and workshops to help your team begin implementation.
 - *ICLEI USA's calculation methodology is based on the World Wide Fund for Nature's (WWF) One Planet City Challenge (https://wwfint.awsassets.panda.org/downloads/wwf_opcc_assessment_framework_and_technical_details_2021_04_08.pdf) (OPCC). ICLEI USA chose this methodology because it is most compatible with our local governments' current methodologies, making it easier to integrate the target into current and future greenhouse gas emissions reduction strategies.*
3. **Report** your target by disclosing it in the CDP-ICLEI Questionnaire (<https://www.cdp.net/en/cities-discloser>). If your community does not have a target, please indicate why you have not yet set one in your response. The CDP will contact you following the disclosure deadline to support you with next steps in setting your target.
 - **ICLEI USA support:** By joining the ICLEI150 in the Cities Race to Zero, ICLEI USA will amplify your progress through our media and partner channels. Additionally, reporting your progress allows ICLEI USA and your team to co-develop the next steps in your Race to Zero journey.
4. **Receive** feedback from CDP and ICLEI USA, who will check targets for alignment with a fair share of emissions reduction in line with limiting

global warming to 1.5 °C.

5. **Disclose** annually to monitor progress against your target.

- **ICLEI USA support:** ICLEI USA will keep its members and ICLEI150 participants up to date in case targets need to be adapted to current climate science. Communities should also keep targets up-to-date based on progress.

ICLEI USA's Science-Based Target Methodology

As the basis of its method, the World Wide Fund for Nature's (WWF) One Planet City Challenge (https://wwfint.awsassets.panda.org/downloads/wwf_opcc_assessment_framework_and_technical_details_2021_04_08.pdf) (OPCC) proposes to reduce baseline (2018) per capita emissions (scope 1 & 2) by 50%. This is then adjusted by Human Development Index correction factors to adjust for a jurisdiction's fair share of emissions. This means jurisdictions in countries with higher HDIs (higher socio-economic development) must pursue stronger reductions and more ambitious High Impact Actions (HIAs) by 2030, allowing still-developing cities with lower HDIs to reduce less by the same year.

The foundation of ICLEI USA's SBT calculation is based on the OPCC methodology. However, our methodology is adapted to fit our diverse network of local governments.

Key Differences in ICLEI USA's Methodology:

- Baseline years range from 2016-2019
 - *Justification: Many local governments produce inventories every 2-5 years. We prefer the SBT baseline emissions to be precisely calculated rather than extrapolated based on a 2018 normalization.*
- Minimally-compliant inventories must be compliant with ICLEI USA's *U.S Community Protocol* (https://drive.google.com/file/d/1dDh2WXs4PQyuL_KKYvTO3DDOgaNOFyCo/view?usp=sharing) (USCP) or the GPC (<https://ghgprotocol.org/sites/default/files>)

5

/standards_supporting/GPC_Executive_Summary_1.pdf) Basic reporting level.

- *Justification: Many local governments within ICLEI USA's network build inventories in compliance with the U.S. Community Protocol. Other local governments build inventories in compliance with the GPC Basic reporting level. The GPC Basic reporting level requires all activities required by the U.S. Community Protocol, except the use of energy in potable water and wastewater treatment and distribution.*
- 2030 absolute emissions reduction target considers population growth. Communities may use/accept both per-capita and absolute emissions targets.
 - *Justification: Population growth can have a significant impact on future emissions. Absolute emissions targets offer a more definitive reduction regardless of population impacts and or external impacts (e.g. tourism).*

Race to Zero

Race To Zero (<https://racetozero.unfccc.int/>) is a global campaign established by United Nations Climate and UK COP26 Climate Champions during Fall 2020 in order to rally ambitious leadership from all sectors of society — businesses, cities, regions, investors — in order to secure a future of warming that exceeds no more than 1.5 °C.

The science shows us that governments are crucial partners in solving the climate emergency but that they must strengthen their contributions to the Paris Agreement in order to unlock a healthy, resilient, zero carbon recovery that prevents future threats, creates decent jobs, and unlocks inclusive, sustainable growth. Although the Race to Zero was born out of the galvanizing sense of urgency leading into COP26, the imperative for communities to reach climate neutrality will continue for decades to come. ICLEI USA invites all our members to do this work with us, join the ICLEI150 in the Race to Zero (<https://icleiusa.org/race-to-zero/>), and access our dedicated technical support program to reach your 2030 and 2050 climate goals.

Need more support?

Contact us (<https://icleiusa.org/about/contact-us/>)!

All ICLEI Members

- City of Rockland, ME, United States

City of Rockland, ME, United States

Lisa Weastkaemper Title: Mayor Population: 7146 Member since: 01.03.2020

- City of Piedmont, CA, United States

City of Piedmont, CA, United States

Robert McBain Title: Mayor Population: 11353 Member since: 11.01.2007

- City of Beacon, NY, United States

City of Beacon, NY, United States

Title: Population: 14523 Member since: 01.05.2019

- Town of Dedham, MA, United States

Town of Dedham, MA, United States

Title: Population: 24729 Member since: 18.07.2008

- City of Lander, WY, United States

City of Lander, WY, United States

Melinda Cox Title: Councilmember Population: 7458 Member since: 01.06.2021

- City of Baltimore, MD, United States

City of Baltimore, MD, United States

Title: Population: 622793 Member since: 22.10.2012

- City of McCall, ID, United States

City of McCall, ID, United States

Robert Giles Title: Honorable Mayor Population: 3470 Member since: 01.10.2020

- City of Binghamton, NY, United States

City of Binghamton, NY, United States

Richard C. David Title: Mayor Population: 45672 Member since: 01.01.2010

- City of New Haven, CT, United States

City of New Haven, CT, United States

Justin Elicker Title: Mayor Population: 130768 Member since: 01.01.2019

- City of Boynton Beach, FL, United States

City of Boynton Beach, FL, United States

Steven B. Grant Title: Mayor Population: 69654 Member since: 25.04.2008

- City of Hattiesburg, MS, United States

City of Hattiesburg, MS, United States

Toby Barker Title: Mayor Population: 45951 Member since: 01.02.2019

- City of Miami, FL, United States

City of Miami, FL, United States

Francis Suarez Title: Mayor Population: 417650 Member since: 07.05.2007

- City of Moscow, ID, United States

City of Moscow, ID, United States

Bill Lambert Title: Mayor Population: 23800

- City of Riverside, CA, United States

City of Riverside, CA, United States

William Bailey III Title: Mayor Population: 324722 Member since: 12.09.2007

- City of Creve Coeur, MO, United States

City of Creve Coeur, MO, United States

Barry L. Glantz Title: Mayor Population: 16759 Member since: 07.05.2008

- City of New Rochelle, NY, United States

City of New Rochelle, NY, United States

NULL

Noam Bramson Title: Mayor Population: 77062 Member since: 06.01.2009

- City of Ashland, OR, United States

City of Ashland, OR, United States

John Stromberg Title: Mayor Population: 21639 Member since: 20.02.2007

- City of Cincinnati, OH, United States

City of Cincinnati, OH, United States

John J. Cranley Title: Mayor Population: 297517 Member since: 28.04.2008

- Village of Pleasantville, NY, United States

Village of Pleasantville, NY, United States

Peter Scherer Title: Mayor Population: 7150 Member since: 01.01.2019

- Borough of Glen Rock, NJ, United States

Borough of Glen Rock, NJ, United States

Title: Population: 11829 Member since: 01.04.2019

- City of Flagstaff, AZ, United States

City of Flagstaff, AZ, United States

Paul Deasy Title: Mayor Population: 68785 Member since: 16.06.2008

- Summit County, UT, United States

Summit County, UT, United States

Tom Fisher Title: County Manager Population: 40307 Member since: 05.07.2007

- City of Alexandria, VA, United States

City of Alexandria, VA, United States

Justin Wilson Title: Mayor Population: 150575 Member since: 07.04.2008

- City of North Miami, FL, United States

City of North Miami, FL, United States

Smith Joseph Title: Mayor Population: 62435 Member since: 18.10.2007

- City of Tempe, AZ, United States

Global 

Our Members

ICLEI Members are committed local and regional governments, representing diverse communities the world over. They guide our efforts to make sustainability fundamental to all development and to scale up sustainable urban development worldwide. ICLEI Members steer the direction of our work, shape our strategy and support the mission, mandate and principles set in our statutes. They are eligible to vote and take part in our network-wide governing bodies.

Membership is open to all local and regional governments, as well as to their global, regional, national and subnational associations. They contribute an annual membership fee that varies regionally and according to population and gross national income per capita.

SEARCH OUR MEMBERS



About us

ICLEI – Local Governments for Sustainability is a global network of more than 2500 local and regional governments committed to sustainable urban development. Active in 125+ countries, we influence sustainability policy and drive local action for low emission, nature-based, equitable, resilient and circular development.

We bring sustainability to a rapidly developing urban world.

ICLEI makes sustainability an integral part of urban development and creates systemic change in urban areas through practical, integrated solutions. We help cities, towns and regions anticipate and respond to complex challenges, from rapid urbanization and climate change to ecosystem degradation and inequity.

The local and regional governments in our network confront these challenges by incorporating sustainability into day-to-day operations and policy. We invest in the capacity and knowledge needed to design solutions and make decisions informed by data, scientific evidence and local realities and pressures. Our five pathways towards low emission, nature-based, equitable, resilient and circular development are designed to create systemic change.

We work in cities, towns and regions of all sizes, with varying capacities and challenges. Many have set and reached ambitious targets and are at the forefront of sustainability, pioneering new solutions and challenging the status quo. Others are taking early steps towards transformation, strengthening their systems and capacities to achieve sustainability goals.



Across the world, ICLEI brings the latest global knowledge and solutions to the local context.

The ICLEI network is united for worldwide action.

Our Members and team of experts work together through peer exchange, partnerships and capacity building to create systemic change for urban sustainability.

ICLEI creates connections among the local, regional, national and global governmental levels. We advocate for robust national and global sustainability policies that reflect the interests of local and regional governments and their communities.

ICLEI forges strategic alliances with international organizations, national governments, academic and financial institutions, civil society and the private sector. We create space for innovation within our multi-disciplinary teams and work alongside our partners to create new ways to support sustainable development at the urban scale.

We impact global sustainable development.

When a pioneering group of local and regional governments founded ICLEI, they took action before sustainability was widely viewed as fundamental to development. For decades, our efforts have continued to put sustainability at the top of the agenda for local and regional governments across the world. Over time, ICLEI has expanded and developed, and we are now working in over 125 countries, with global experts in more than 24 offices.

Through our collective efforts to build a sustainable urban world, ICLEI is shifting the trajectory of global development.



ICLEI World Secretariat

Kaiser-Friedrich-Str. 7

53113 Bonn

Germany

Tel. +49-228 / 97 62 99-00

Email:

Membership inquiries: membership@iclei.org

Communications inquiries: media@iclei.org

Climate inquiries: carbons@iclei.org

Events inquiries: capacity.center@iclei.org

General inquiries: iclei.ws@iclei.org

Website: www.iclei.org



ICLEI – Local Governments for Sustainability is a global network working with more than 2,500 local and regional governments committed to sustainable urban development.



Contact Us

Kaiser-Friedrich-Str. 7

53113 Bonn | Germany

Tel. +49-228 / 97 62 99-00

What we do

ICLEI works at multiple scales, building connections across local, regional, national and global actors and policies. We create systems change, developing integrated solutions along five interconnected development pathways that transform urban areas.

ICLEI experts are on the ground, working alongside local and regional governments to anticipate and respond to complex challenges, from urbanization and climate change to ecosystem degradation and inequity. We invest in the capacity and knowledge needed to design solutions to these challenges and make decisions informed by data, scientific evidence and local realities and pressures.

ICLEI leads knowledge exchange and sparks city-to-city and city-to-region connections worldwide. Peer exchange and capacity building are at the heart of what we do.

At the national and global scales, we push for robust policies that reflect the interests of local and regional governments and apply global policy to sustainable urban development strategies at the subnational level.

ICLEI forms strategic alliances with international organizations, national governments, academic and financial institutions, civil society and the private sector. We create space for innovation and lead our partners to build new ways to support sustainable development at the urban scale.



Local and regional governments and ICLEI

Local and regional governments across the ICLEI network are committed to building a sustainable urban future.



The ICLEI network

Local and regional governments across the ICLEI network represent a diversity of cities, towns and regions around the globe. Collectively, they form a dynamic force advancing sustainable urban development worldwide.

The ICLEI Network is made up of our Members, who serve in governance roles, elect our leadership, and engage in ICLEI's activities, advocacy and mission, and ICLEI Network cities and regions, which are subnational governments actively engaged in ICLEI activities. You can search for these activities in the Activities Database.

Our growing network reaches:

2500+

cities, towns and regions

125+

countries worldwide

25+

percent of the global urban population

20+

percent of the global population



Our pathways, our approach

ICLEI engages at the local to global levels, shaping policy and sparking action to transform urban environments worldwide. We build connections across levels of government, sectors and stakeholder groups, sparking city-to-city, city-to-region, local-to-global and local-to-national connections. By linking subnational, national and global actors, policies, commitments and initiatives, ICLEI strengthens action at all levels, in support of sustainable urban development.

At the subnational level, ICLEI drives change along five interconnected pathways that cut across sectors and jurisdictional boundaries. This design enables local and regional governments to develop solutions in a holistic and integrated way, creating change across entire urban systems.

These pathways, outlined below, are part of the ICLEI Malmö Commitment and Strategic Vision 2021-2027, which guides the work of the ICLEI network. The pathways were originally released as part of the ICLEI Montréal Commitment and Strategic Vision 2018-2024.

You can read more about the ICLEI Malmö Commitment and Strategic Vision in ICLEI in the Urban Era.



Global advocacy at ICLEI

ICLEI aims to build a global policy environment that supports local and regional governments in their efforts to scale up sustainable urban development worldwide.

Through our advocacy, we have reshaped the global sustainability landscape to ensure local and regional governments are recognized, engaged and resourced, and demonstrated their crucial role in translating global policy into action.

Members of the ICLEI network are an integral part of our global advocacy. They represent ICLEI in intergovernmental processes and national dialogues that form the basis for implementing the global sustainable development agenda.

ICLEI is active in efforts to advance the new global sustainable development agenda – including the 2030 Agenda for Sustainable Development, the Paris Climate Agreement and the New Urban Agenda.

Global 

1 November 2021

RELEASE: COP26: Cities, regions and other subnationals urge nations to embrace multilevel collaboration as the new normal in the upcoming decade for ambitious climate action

[Press releases](#)Share 

Starting from COP26 in Glasgow, cities and regions of the world invite all nations to deliver multilevel collaboration action, as our collective responsibility and beacon of hope in order to avoid climate disasters rapidly driving our world

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Global 

especially in working across all levels of government.

Of the second round of Nationally Determined Contributions (NDCs), only 80 countries have so far been found to be more ambitious than the first round. They all have something in common: Countries with more ambitious climate goals seized the opportunity of engaging all levels of governments.

The US is one such nation. “We are very excited to see the Biden Administration step up and say that not only are they in, but they are willing to work in a multilevel fashion for all of us to succeed in this. And I think that this really excites us, that we can make progress, that from the national level, to the state level, to the county level to the local level, we're all in this. We all see the opportunity. We need to share our best practices, we need to declare a climate emergency at all levels,” said **Frank Cownie, Mayor, Des Moines, US and ICLEI President**.

The press conference included the announcement of **LGMA Glasgow Time4MultilevelAction Roadmap: Implement multilevel action in the age of climate emergency**, and the **two-week agenda of the Multilevel Action Pavilion at COP26 Blue Zone**, hosted by the Scottish Government and convened by ICLEI. 

The speakers also emphasized that cities need to approach climate action in an inclusive way. In Glasgow, **Susan Aitken, Council Leader, Glasgow City Council, Scotland, UK**, emphasized that her government is learning from history to transition her city in a just and equitable way.

“True leadership is bringing our citizens along with us on every step of the journey, and helping them to understand why bold actions, which are sometimes taking place at a pace and a scale that we've never really done before, why it's so

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Paulo's former Mayor, and am well aware of the challenges of sustainable development in cities adjusting economic growth, with job creation, income distribution, and access for the most vulnerable to urban public goods and services. Now, as a governor of the state of San Paolo, I participate in the movement of subnational governments. We are 10 governors right now here in the COP26, and San Paolo reaffirms its leadership position in the face of global warming challenges and announces an ambitious agenda to come back to climate change with our common and shared responsibilities," said Mr. Doria.

The national government of Japan emphasized that working regionally can accelerate the path towards climate neutrality. "We announced a commitment of carbon neutrality by 2050. But 90% of the Japanese local governments have already committed to become a zero-carbon city by 2050 - on their own. Now, we cannot wait for regional carbon neutrality until 2050. Rather, we have to create a carbon neutrality region much faster and replicate them, in a so-called decarbonization domino effect," said **Ryuzo Sugimoto, Director, International Cooperation and Sustainable Infrastructure office, Global Environmental Bureau, Ministry of the Environment, Japan.** 

The press conference also recognized that the first day of COP26 fell on World Cities Day, which is an international day organized by UN-Habitat.

"UN-Habitat supports member states in enhancing the urban dimension of the NDCs. We also work directly with cities to build capacities for a zero carbon resilient and socially inclusive, urban future. We support the goal of multilevel governance for climate action, in particular the role that cities, towns and local governments play. World Cities Day may fall on the start of COP26 more by coincidence than by design, but we hope that this is a good omen for elevating

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(EL/EPP), President of the European Committee of the Regions (CoR), Governor of Central Macedonia Region, Greece and Greek Ambassador of the Covenant of Mayors.

“Over one thousand cities have committed to more ambitious climate actions through the Race to Zero, but they all need collaboration with national and global partners to fully deliver on these commitments,” said Nigel Topping, High Level Champion for Climate Action, COP26, UNFCCC. “At the same time, the most ambitious national governments know that they cannot deliver on the Paris agreement without multilevel partnership. We applaud all those governments - national and subnational - that are already showing that the way forward through this crisis is through meaningful and impactful collaboration.”

THE MULTILEVEL ACTION PAVILION at COP26

The Multilevel Action Pavilion at COP26 is the home for subnationals, including cities, towns and regions, at COP26 in the Blue Zone. This year, the Pavilion is both in-person and – for the first time ever – also an online pavilion to ensure everyone can attend regardless of travel restrictions, funding and summit accreditation requirements. Members attending virtually will have direct access to all of the same events right here.

For more information about The Multilevel Action Pavilion at COP26, please visit <https://www.cities-and-regions.org/multilevel-action-pavilion/>. The full Pavilion event program is available for download [here](#).

The Multilevel Action Pavilion is supported by major contributions from COP26, The Local Governments and Municipal...

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NOTE TO EDITORS

About the LGMA

At the Earth Summit in 1992, nine stakeholder groups, including local authorities, were designated as essential partners in society for the implementation of the global sustainability agenda. The Local Governments and Municipal Authorities (LGMA) Constituency has represented networks of local and regional governments at the processes under the United Nations Framework Convention on Climate Change (UNFCCC) since the first Conference of Parties (COP) in 1995. ICLEI – Local Governments for Sustainability acts as the LGMA Focal Point. This year's COP features 400+ representatives from the LGMA, who are participating in 200+ events.

About ICLEI - Local Governments for Sustainability

ICLEI – Local Governments for Sustainability (known as "ICLEI") is a global network of more than 2,500 local and regional governments committed to sustainable urban development. Active in 125+ countries, we influence sustainability policy and drive local action for low emission, nature-based, equitable, resilient and circular development. Our Members and team of experts work together through peer exchange, partnerships and capacity building to create systemic change for urban sustainability. For more information about ICLEI, please visit: <https://iclei.org/>.

CONTACT

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Global 



World Secretariat (Bonn, Germany)

Phone: +49 (0)177 190 2830 | Email: ariel.dekovic@iclei.org |

Skype: ariel.dekovic.iclei

ICLEI – Local Governments for Sustainability is a global network working with more than 2,500 local and regional governments committed to sustainable urban development.



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ICLEI has nearly 500 staff in more than 20 offices around the world, offering expertise that positions local and regional governments to advance sustainable urban development along our five pathways.



Current openings at the ICLEI World Secretariat

Head of Global Communications [Parental Leave Cover]

The successful candidate will lead the Global Communications Team at the ICLEI World Secretariat team based in Bonn, Germany for a 10-month duration.

Application Deadline: 17 December 2021

[LEARN MORE](#)

Intern – Circular Development Team (Circular Cities) (mandatory internship)

The position is open to eligible and qualified Master's students who must complete a mandatory internship as part of their studies.

Application Deadline: 17 December 2021



LEARN MORE

Intern – Nature-based Solutions, Circular Development Team (mandatory internship)

The position is open to eligible and qualified Master's students who must complete a mandatory internship as part of their studies.

Application Deadline: 17 December 2021

LEARN MORE

Junior Officer Sustainable Mobility - focus e-mobility

The position is open to eligible and qualified candidates with a university degree in a relevant field, such as urban governance/planning/design; transport planning/management/policies; environmental science/policies; civil engineering or comparable.

Application Deadline: 9 January 2022

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GEOENGINEERING

Geoengineering is the artificial modification of Earth's climate systems through two primary ideologies, Solar Radiation Management (SRM) and Carbon Dioxide Removal (CDR).

CARBON DIOXIDE REMOVAL (CDR)

Carbon Dioxide Removal (CDR) and sequestration. This is artificial trees, ocean fertilization etc. These projects are declassified for the most part. This method of geoengineering IS NOT the focus of this website.

SOLAR RADIATION MANAGEMENT (SRM)

Solar Radiation Management (SRM), controlling sunlight before it reaches the planet.

STRATOSPHERIC SULFATE AEROSOLS GEO-ENGINEERING (SAG-SRM)

The ability of stratospheric sulfate aerosols to create a global dimming effect has made them a possible candidate for use in geoengineering projects [1] to limit the effect and impact of climate change due to rising levels of greenhouse gases. [2] Delivery of precursor sulfide gases such as hydrogen sulfide (H₂S) or sulfur dioxide (SO₂) by artillery, aircraft [3] and balloons has been proposed.

Tom Wigley calculated the impact of injecting sulfate particles, or aerosols, every one to four years into the stratosphere in amounts equal to those lofted by the volcanic eruption of Mount Pinatubo in 1991, but did not address the many technical and political challenges involved in potential geoengineering efforts. If found to be economically, environmentally and technologically viable, such injections could provide a "grace period" of up to 20 years before major cutbacks in greenhouse gas emissions would be required, he concludes.
Direct delivery of precursors is proposed by Paul Crutzen. This would typically be achieved using sulfide gases such as dimethyl sulfide, sulfur dioxide (SO₂), carbonyl sulfide, or hydrogen sulfide (H₂S). These compounds would be delivered using artillery, aircraft (such as the high-flying F15C) or balloons, and result in the formation of compounds with the sulfate anion SO₄²⁻.
According to estimates by the Council on Foreign Relations, "one kilogram of well placed sulfur in the stratosphere would roughly offset the warming effect of several hundred thousand kilograms of carbon dioxide."

"CHEMTRAILING" (not a scientific term)

Chemtrailing is the public's term for the CLASSIFIED ONGOING artificial modification of Earth's climate systems using reflective nano-materials (aerosols) to reflect sunlight. The aerosols are dispersed via jet aircraft trails that expand into reflective artificial clouds. As noted above, the "chemtrails" term is not a scientific term and is thus used to discredit the validity of the anti-geoengineering effort. This term is not helpful to the cause of exposing and halting climate engineering and thus should be avoided.





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Extensive List Of Patents



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United States Patent and Trademark Office

- 0462795 – July 16, 1891 – Method Of Producing Rain-Fall
- 1103490 – August 6, 1913 – Rain-Maker
- 1225521 – September 4, 1915 – Protecting From Poisonous Gas In Warfare
- 1338343 – April 27, 1920 – Process And Apparatus For The Production of Intense Artificial Clouds, Fogs, or Mists
- 1619183 – March 1, 1927 – Process of Producing Smoke Clouds From Moving Aircraft
- 1665267 – April 10, 1928 – Process of Producing Artificial Fogs
- 1892132 – December 27, 1932 – Atomizing Attachment For Airplane Engine Exhausts
- 1928963 – October 3, 1933 – Electrical System And Method
- 1957075 – May 1, 1934 – Airplane Spray Equipment

(35)

- 2097581 – November 2, 1937 – Electric Stream Generator – Referenced in 3990987
- 2409201 – October 15, 1946 – Smoke Producing Mixture
- 2476171 – July 18, 1945 – Smoke Screen Generator
- 2480967 – September 6, 1949 – Aerial Discharge Device
- 2550324 – April 24, 1951 – Process For Controlling Weather
- 2582678 – June 15, 1952 – Material Disseminating Apparatus For Airplanes
- 2614083 – October 14, 1952 – Metal Chloride Screening Smoke Mixture
- 2633455 – March 31, 1953 – Smoke Generator
- 2688069 – August 31, 1954 – Steam Generator – Referenced in 3990987
- 2721495 – October 25, 1955 – Method And Apparatus For Detecting Minute Crystal Forming Particles Suspended in a Gaseous Atmosphere
- 2730402 – January 10, 1956 – Controllable Dispersal Device
- 2801322 – July 30, 1957 – Decomposition Chamber for Monopropellant Fuel – Referenced in 3990987
- 2881335 – April 7, 1959 – Generation of Electrical Fields
- 2908442 – October 13, 1959 – Method For Dispersing Natural Atmospheric Fogs And Clouds
- 2986360 – May 30, 1962 – Aerial Insecticide Dusting Device
- 2963975 – December 13, 1960 – Cloud Seeding Carbon Dioxide Bullet
- 3126155 – March 24, 1964 – Silver Iodide Cloud Seeding Generator
- 3127107 – March 31, 1964 – Generation of Ice-Nucleating Crystals

(36)

- 3131131 – April 28, 1964 – Electrostatic Mixing in Microbial Conversions
- 3174150 – March 16, 1965 – Self-Focusing Antenna System
- 3234357 – February 8, 1966 – Electrically Heated Smoke Producing Device
- 3274035 – September 20, 1966 – Metallic Composition For Production of Hydrosopic Smoke
- 3300721 – January 24, 1967 – Means For Communication Through a Layer of Ionized Gases
- 3313487 – April 11, 1967 – Cloud Seeding Apparatus
- 3338476 – August 29, 1967 – Heating Device For Use With Aerosol Containers
- 3410489 – November 12, 1968 – Automatically Adjustable Airfoil Spray System With Pump
- 3429507 – February 25, 1969 – Rainmaker
- 3432208 – November 7, 1967 – Fluidized Particle Dispenser
- 3441214 – April 29, 1969 – Method And Apparatus For Seeding Clouds
- 3445844 – May 20, 1969 – Trapped Electromagnetic Radiation Communications System
- 3456880 – July 22, 1969 – Method Of Producing Precipitation From The Atmosphere
- 3518670 June 30, 1970 – Artificial Ion Cloud
- 3534906 – October 20, 1970 – Control of Atmospheric Particles
- 3545677 – December 8, 1970 – Method of Cloud Seeding
- 3564253 – February 16, 1971 – System And Method For Irradiation Of Planet Surface Areas
- 3587966 – June 28, 1971 – Freezing Nucleation

(34)

- 3601312 – August 24, 1971 – Methods of Increasing The Likelihood of Precipitation By The Artificial Introduction Of Sea Water Vapor Into The Atmosphere Winward Of An Air Lift Region
- 3608810 – September 28, 1971 – Methods of Treating Atmospheric Conditions
- 3608820 – September 20, 1971 – Treatment of Atmospheric Conditions by Intermittent Dispensing of Materials Therein
- 3613992 – October 19, 1971 – Weather Modification Method
- 3630950 – December 28, 1971 – Combustible Compositions For Generating Aerosols, Particularly Suitable For Cloud Modification And Weather Control And Aerosolization Process
- USRE29142 – May 22, 1973 – Combustible compositions for generating aerosols, particularly suitable for cloud modification and weather control and aerosolization process
- 3659785 – December 8, 1971 – Weather Modification Utilizing Microencapsulated Material
- 3666176 – March 3, 1972 – Solar Temperature Inversion Device
- 3677840 – July 18, 1972 – Pyrotechnics Comprising Oxide of Silver For Weather Modification Use
- 3722183 – March 27, 1973 – Device For Clearing Impurities From The Atmosphere
- 3769107 – October 30, 1973 – Pyrotechnic Composition For Generating Lead Based Smoke
- 3784099 – January 8, 1974 – Air Pollution Control Method
- 3785557 – January 15, 1974 – Cloud Seeding System
- 3795626 – March 5, 1974 – Weather Modification Process
- 3808595 – April 30, 1974 – Chaff Dispensing System
- 3813875 – June 4, 1974 – Rocket Having Barium Release System to Create Ion Clouds In The Upper Atmosphere
- 3835059 – September 10, 1974 – Methods of Generating Ice Nuclei Smoke Particles For Weather Modification And Apparatus



Therefore

- 3835293 – September 10, 1974 – Electrical Heating Apparatus For Generating Super Heated Vapors
- 3877642 – April 15, 1975 – Freezing Nucleant
- 3882393 – May 6, 1975 – Communications System Utilizing Modulation of The Characteristic Polarization of The Ionosphere
- 3896993 – July 29, 1975 – Process For Local Modification of Fog And Clouds For Triggering Their Precipitation And For Hindering The Development of Hail Producing Clouds
- 3899129 – August 12, 1975 – Apparatus for generating ice nuclei smoke particles for weather modification
- 3899144 – August 12, 1975 – Powder contrail generation
- 3940059 – February 24, 1976 – Method For Fog Dispersion
- 3940060 – February 24, 1976 – Vortex Ring Generator
- 3990987 – November 9, 1976 – Smoke generator
- 3992628 – November 16, 1976 – Countermeasure system for laser radiation
- 3994437 – November 30, 1976 – Broadcast dissemination of trace quantities of biologically active chemicals
- 4042196 – August 16, 1977 – Method and apparatus for triggering a substantial change in earth characteristics and measuring earth changes
- RE29,142 – February 22, 1977 – Combustible compositions for generating aerosols, particularly suitable for cloud modification and weather control and aerosolization process
- 4035726 – July 12, 1977 – Method of controlling and/or improving high-latitude and other communications or radio wave surveillance systems by partial control of radio wave et al
- 4096005 – June 20, 1978 – Pyrotechnic Cloud Seeding Composition

(39)

- 4129252 – December 12, 1978 – Method and apparatus for production of seeding materials
- 4141274 – February 27, 1979 – Weather modification automatic cartridge dispenser
- 4167008 – September 4, 1979 – Fluid bed chaff dispenser
- 4347284 – August 31, 1982 – White cover sheet material capable of reflecting ultraviolet rays
- 4362271 – December 7, 1982 – Procedure for the artificial modification of atmospheric precipitation as well as compounds with a dimethyl sulfoxide base for use in carrying out said procedure
- 4402480 – September 6, 1983 – Atmosphere modification satellite
- 4412654 – November 1, 1983 – Laminar microjet atomizer and method of aerial spraying of liquids
- 4415265 – November 15, 1983 – Method and apparatus for aerosol particle absorption spectroscopy
- 4470544 – September 11, 1984 – Method of and Means for weather modification
- 4475927 – October 9, 1984 – Bipolar Fog Abatement System
- 4600147 – July 15, 1986 – Liquid propane generator for cloud seeding apparatus
- 4633714 – January 6, 1987 – Aerosol particle charge and size analyzer
- 4643355 – February 17, 1987 – Method and apparatus for modification of climatic conditions
- 4653690 – March 31, 1987 – Method of producing cumulus clouds
- 4684063 – August 4, 1987 – Particulates generation and removal
- 4686605 – August 11, 1987 – HAARP Patent / EASTLUND PATENT – Method and apparatus for altering a region in the earth's atmosphere, ionosphere, and/or magnetosphere
- 4704942 – November 10, 1987 – Charged Aerosol

(40)

- 4712155 – December 8, 1987 – Method and apparatus for creating an artificial electron cyclotron heating region of plasma
- 4744919 – May 17, 1988 – Method of dispersing particulate aerosol tracer
- 4766725 – August 30, 1988 – Method of suppressing formation of contrails and solution therefor
- 4829838 – May 16, 1989 – Method and apparatus for the measurement of the size of particles entrained in a gas
- 4836086 – June 6, 1989 – Apparatus and method for the mixing and diffusion of warm and cold air for dissolving fog
- 4873928 – October 17, 1989 – Nuclear-sized explosions without radiation
- 4948257 – August 14, 1990 – Laser optical measuring device and method for stabilizing fringe pattern spacing
- 1338343 – August 14, 1990 – Process and Apparatus for the production of intense artificial Fog
- 4999637 – March 12, 1991 – Creation of artificial ionization clouds above the earth
- 5003186 – March 26, 1991 – Stratospheric Welsbach seeding for reduction of global warming
- 5005355 – April 9, 1991 – Method of suppressing formation of contrails and solution therefor
- 5038664 – August 13, 1991 – Method for producing a shell of relativistic particles at an altitude above the earth's surface
- 5041760 – August 20, 1991 – Method and apparatus for generating and utilizing a compound plasma configuration
- 5041834 – August 20, 1991 – Artificial ionospheric mirror composed of a plasma layer which can be tilted
- 5056357 – October 15, 1991 – Acoustic method for measuring properties of a mobile medium
- 5059909 – October 22, 1991 – Determination of particle size and electrical charge
- 5104069 – April 14, 1992 – Apparatus and method for ejecting matter from an aircraft
- 5110502 – May 5, 1992 – Method of suppressing formation of contrails and solution therefor

(14)

- 5156802 – October 20, 1992 – Inspection of fuel particles with acoustics
- 5174498 – December 29, 1992 – Cloud Seeding
- 5148173 – September 15, 1992 – Millimeter wave screening cloud and method
- 5242820 – September 7, 1993 – Army Mycoplasma Patent Patent
- 5245290 – September 14, 1993 – Device for determining the size and charge of colloidal particles by measuring electroacoustic effect
- 5286979 – February 15, 1994 – Process for absorbing ultraviolet radiation using dispersed melanin
- 5296910 – March 22, 1994 – Method and apparatus for particle analysis
- 5327222 – July 5, 1994 – Displacement information detecting apparatus
- 5357865 – October 25, 1994 – Method of cloud seeding
- 5360162 – November 1, 1994 – Method and composition for precipitation of atmospheric water
- 5383024 – January 17, 1995 – Optical wet steam monitor
- 5425413 – June 20, 1995 – Method to hinder the formation and to break-up overhead atmospheric inversions, enhance ground level air circulation and improve urban air quality
- 5434667 – July 18, 1995 – Characterization of particles by modulated dynamic light scattering
- 5441200 – August 15, 1995 – Tropical cyclone disruption
- 5556029 – September 17, 1996 – Method of hydrometeor dissipation (clouds)
- 5628455 – May 13, 1997 – Method and apparatus for modification of supercooled fog
- 5631414 – May 20, 1997 – Method and device for remote diagnostics of ocean-atmosphere system state
- 5639441 – June 17, 1997 – Methods for fine particle formation



- 5762298 – June 9, 1998 – Use of artificial satellites in earth orbits adaptively to modify the effect that solar radiation would otherwise have on earth's weather
- 5800481 – September 1, 1998 – Thermal excitation of sensory resonances
- 5912396 – June 15, 1999 – System and method for remediation of selected atmospheric conditions
- 5922976 – July 13, 1999 – Method of measuring aerosol particles using automated mobility-classified aerosol detector
- 5949001 – September 7, 1999 – Method for aerodynamic particle size analysis
- 5984239 – November 16, 1999 – Weather modification by artificial satellites
- 6025402 – February 15, 2000 – Chemical composition for effectuating a reduction of visibility obscuration, and a detoxification of fumes and chemical fogs in spaces of fire origin
- 6030506 – February 29, 2000 – Preparation of independently generated highly reactive chemical species
- 6034073 – March 7, 2000 – Solvent detergent emulsions having antiviral activity
- 6045089 – April 4, 2000 – Solar-powered airplane
- 6056203 – May 2, 2000 – Method and apparatus for modifying supercooled clouds
- 6315213B1 – June 21, 2000 – Method of modifying weather
- 6110590 – August 29, 2000 – Synthetically spun silk nanofibers and a process for making the same
- 6263744 – July 24, 2001 – Automated mobility-classified-aerosol detector
- 6281972 – August 28, 2001 – Method and apparatus for measuring particle-size distribution
- 20030085296 – November 2, 2001 – Hurricane and tornado control device
- 6315213 – November 13, 2001 – Method of modifying weather

(43)

- 6382526 – May 7, 2002 – Process and apparatus for the production of nanofibers
- 6408704 – June 25, 2002 – Aerodynamic particle size analysis method and apparatus
- 6412416 – July 2, 2002 – Propellant-based aerosol generation devices and method
- 6520425 – February 18, 2003 – Process and apparatus for the production of nanofibers
- 6539812 – April 1, 2003 – System for measuring the flow-rate of a gas by means of ultrasound
- 6553849 – April 29, 2003 – Electrodynamic particle size analyzer
- 6569393 – May 27, 2003 – Method And Device For Cleaning The Atmosphere
- 0056705 A1 – March 17, 2005 – Weather Modification by Royal Rainmaking Technology
- 6890497 – May 10, 2005 – Method For Extracting And Sequestering Carbon Dioxide
- 2446250 – January 4, 2007 – A dust or particle-based solar shield to counteract global warming
- 7965488 – November 9, 2007 – Methods Of Removing Aerosols From The Atmosphere
- 8048309 – August 28, 2008 – Seawater-Based Carbon Dioxide Disposal
- 20100072297 – September 24, 2008 – Method for controlling hurricanes
- 8012453 – October 27, 2008 – Carbon Sequestration And Production Of Hydrogen And Hydride
- 7645326 – January 12, 2010 – RFID environmental manipulation
- 7655193 – February 2, 2010 – Apparatus For Extracting And Sequestering Carbon Dioxide
- 8079545 – December 20, 2011 – Ground based Manipulation and Control of Aerial Vehicle during nonflying operations
- 0117003 – October 5, 2012 – Geoengineering Method Of Business Using Carbon Counterbalance Credits

- 8373962 – February 12, 2013 – Charged seed cloud as a method for increasing particle collisions and for scavenging airborne biological agents and other contaminants



61 Responses to *Extensive List Of Patents*

All ICLEI Members

- Pueblo County, CO, United States

Pueblo County, CO, United States

Garrison Ortiz Title: Commissioner Population: 163591 Member since: 01.10.2020

- City of Menlo Park, CA, United States

City of Menlo Park, CA, United States

Title: Population: 33888 Member since: 27.06.2007

- Village of Pinecrest, FL, United States

Village of Pinecrest, FL, United States

Title: Population: 18223

- Snohomish County, WA, United States

Snohomish County, WA, United States

Dave Somers Title: County Executive Population: 713335 Member since: 28.11.2007

- City of Bend, OR, United States

City of Bend, OR, United States

Sally Russell Title: Mayor Population: 91122 Member since: 01.01.2018

- Sarasota County, FL, United States

Sarasota County, FL, United States

Shannon Staub Title: Chair Population: 433742 Member since: 01.08.2021

- Missoula County, MT, United States

Missoula County, MT, United States

Nicole Rowley Title: County Commissioner and Chair Population: 116130 Member since: 01.12.2016

- City of Gonzales, LA, United States

City of Gonzales, LA, United States

Barney Arceneaux Title: Mayor Population: 9781 Member since: 01.04.2021

- Town of York, ME, United States

Town of York, ME, United States

Todd A. Frederick Title: Chairman Population: 13737 Member since: 24.12.2008

- City of Encinitas, CA, United States

City of Encinitas, CA, United States

Title: Population: 63131 Member since: 01.01.2010

- Town of Coupeville, WA, United States

Town of Coupeville, WA, United States

Title: Population: 1845 Member since: 26.08.2008

- City of Des Moines, IA, United States

City of Des Moines, IA, United States

T.M. Franklin Cownie Title: Mayor Population: 209220 Member since: 12.02.2008

- City of Durango, CO, United States

City of Durango, CO, United States

Christina Rinderle Title: Mayor Population: 18503 Member since: 17.12.2013

- City of Knoxville, TN, United States

City of Knoxville, TN, United States

Indya Kincannon Title: Mayor Population: 183270 Member since: 13.09.2016

- Broward County, FL, United States

Broward County, FL, United States

Title: Population: 1838844 Member since: 11.02.2009

- City of Eugene, OR, United States

City of Eugene, OR, United States

Lucy Vinis Title: Mayor Population: 166575 Member since: 17.12.2013

- Maui County, HI, United States

Maui County, HI, United States

Michael Victorino Title: Mayor Population: 165386 Member since: 01.01.2017

- City of Shoreline, WA, United States

City of Shoreline, WA, United States

Chris Roberts Title: Mayor Population: 55333 Member since: 01.03.2021

- City of Vancouver, WA, United States

City of Vancouver, WA, United States

Title: Member since: 01.06.2020

Note! I am witness to a past search as done here, that said V.C.E. started membership in 2006 and evidently has been 'cleaned' & ~~from~~ this copy was made 12-20-21.

- Washtenaw County, MI, United States

Washtenaw County, MI, United States

Sue Shink Title: Commissioner Population: 344791 Member since: 01.12.2019

- City of Roeland Park, KS, United States

City of Roeland Park, KS, United States

Title: Population: 6786

- Town of East Hampton, NY, United States

Town of East Hampton, NY, United States

Peter Van Scoyoc Title: Town Supervisor Population: 22009 Member since: 01.10.2017

- Whatcom County, WA, United States

Whatcom County, WA, United States

Satpal Sidhu Title: County Executive Population: 216274 Member since: 01.07.2018

- City of Maitland, FL, United States

City of Maitland, FL, United States

A. Dale McDonald Title: Mayor Population: 17652 Member since: 01.01.2021

- Leon County, FL, United States

Leon County, FL, United States

Title: Population: 287074 Member since: 01.11.2018

- City of Portland, OR, United States

City of Portland, OR, United States

Portland's commitment to sustainability began before the Rio Earth Summit in 1992, and has resulted in the city developing strategies that incorporate municipal policy and urban planning to foster growth of the green economy and create more liveable neighborhoods. The city has worked to integrate sustainability principles throughout all of its operations and policies.

Ted Wheeler Title: Mayor Population: 619360 Member since: 22.07.1991

- City of Scottsdale, AZ, United States

City of Scottsdale, AZ, United States

Solange Whitehead Title: Councilmember Population: 250602 Member since: 01.05.2021

- City of Helena, MT, United States

City of Helena, MT, United States

Wilmot Collins Title: Mayor Population: 30809 Member since: 01.10.2018

- Town of Breckenridge, CO, United States

Town of Breckenridge, CO, United States

Eric Mamula Title: Mayor Population: 4896 Member since: 16.01.2009

- City of Urbana, IL, United States

City of Urbana, IL, United States

Urbana is part of the Urbana-Champaign micro-urban community. The term “micro-urban” applies to population centers of 250,000 or less that possess a highly uncommon set of desirable attributes normally exclusively associated with much larger metropolitan centers. Among these are an internationally diverse population, a strong technology base, a vibrant arts/culture/entertainment scene, and a palpably animated public discourse on major societal and global concerns.

Diane Marlin Title: Mayor Population: 41250 Member since: 26.11.2008

- [City of College Park, MD, United States](#)

City of College Park, MD, United States

Patrick L. Wojahn Title: Mayor Population: 32275 Member since: 16.05.2007

- [City of Dallas, TX, United States](#)

City of Dallas, TX, United States

Eric Johnson Title: Mayor Population: 1317929 Member since: 01.10.2017

- [Orange County, FL, United States](#)

Orange County, FL, United States

Jerry L. Demings Title: Mayor Population: 1314367 Member since: 10.06.2003

- [City of Tacoma, WA, United States](#)

City of Tacoma, WA, United States

Tacoma is a mid-sized urban port city and is the county seat of Pierce County, Washington. The City of Tacoma is a coastal city, sitting on the Puget Sound, and is situated between Seattle and the state capital. Tacoma ranks as the third largest state in Washington and serves as the center of business activity for the South Sound region.

Victoria Woodards Title: Mayor Population: 202308 Member since: 19.07.2007

- [City of Goshen, IN, United States](#)

City of Goshen, IN, United States

Title: Population: 33566 Member since: 01.12.2019

- Village of Tuxedo Park, NY, United States

Village of Tuxedo Park, NY, United States

Title: Population: 600 Member since: 01.07.2021

- Town of Wellesley, MA, United States

Town of Wellesley, MA, United States

Jack Morgan Title: Chair Population: 29215 Member since: 24.08.2008

- City of Birmingham, AL, United States

City of Birmingham, AL, United States

Randall Woodfin Title: Mayor Population: 212237 Member since: 01.09.2017

- Town of Berwyn Heights, MD, United States

Town of Berwyn Heights, MD, United States

Title: Population: 3261 Member since: 01.06.2020

- City of Berkeley, CA, United States

City of Berkeley, CA, United States

Jesse Arreguín Title: Mayor Population: 118853 Member since: 20.03.2019

- City of Spokane, WA, United States

City of Spokane, WA, United States

Breann Beggs Title: Council Member Population: 217300 Member since: 01.06.2020

- City of Eau Claire, WI, United States

City of Eau Claire, WI, United States

Andrew Werthmann Title: Council Vice President / Acting President Population: 66278
Member since: 22.10.2012

- City of Bath, ME, United States

City of Bath, ME, United States

Mari Eosco Title: City Councilor, Chair Population: 8329 Member since: 01.04.2019

- City of Albany, NY, United States

City of Albany, NY, United States

Kathy Sheehan Title: Mayor Population: 97856 Member since: 01.05.2020

- City of Charleston, SC, United States

City of Charleston, SC, United States

John Tecklenburg Title: Mayor Population: 130113 Member since: 05.04.2007

- City of Santa Cruz, CA, United States

City of Santa Cruz, CA, United States

Santa Cruz is the County seat nestled between the oceans and mountains where public agencies and residents are mutually committed to progressive climate protection policies and actions. City climate activities are coordinated through the City's Climate Action Program, housed in the City Manager's office.

Martine Watkins Title: Mayor Population: 63789 Member since: 17.08.2001

- Borough of Lewisburg, PA, United States

Borough of Lewisburg, PA, United States

Elijah Farrell Title: Council Member Population: 5730 Member since: 01.05.2020

- City of Deerfield Beach, FL, United States

City of Deerfield Beach, FL, United States

Title: Population: 75018

- City of Durham, NC, United States

City of Durham, NC, United States

Steve Schewel Title: Mayor Population: 274291 Member since: 01.12.2019

- Town of Andover, MA, United States

Town of Andover, MA, United States

Title: Population: 36500 Member since: 01.03.2021

- City of Redmond, WA, United States

City of Redmond, WA, United States

Angela Birney Title: Mayor Population: 52406 Member since: 01.01.2020

- City of Greenville, SC, United States

City of Greenville, SC, United States

Knox H. White Title: Mayor Population: 66928 Member since: 01.07.2018

- City of Peekskill, NY, United States

City of Peekskill, NY, United States

Kathie Talbot Title: Deputy Mayor Population: 24746 Member since: 01.08.2019

- City of Bowling Green, OH, United States

City of Bowling Green, OH, United States

Michael Aspacher Title: Mayor Population: 31504 Member since: 01.08.2021

- City of Foster City, CA, United States

City of Foster City, CA, United States

Title: Population: 30567 Member since: 03.04.2008

- Metropolitan King County, WA, United States

Metropolitan King County, WA, United States

Dow Constantine Title: County Executive Population: 2117125 Member since: 26.03.2007

- City of Lawrence, KS, United States

City of Lawrence, KS, United States

Lisa Larsen Title: Mayor Population: 95358 Member since: 04.09.2007

- City of Santa Ana, CA, United States

City of Santa Ana, CA, United States

Vicente Sarmiento Title: Mayor Population: 334217

- Jefferson County, CO, United States

Jefferson County, CO, United States

Title: Population: 565524 Member since: 01.01.2020

- City of Newark, NJ, United States

City of Newark, NJ, United States

Title: Population: 277140 Member since: 01.08.2020

- District of Columbia, United States

District of Columbia, United States

Muriel Bowser Title: Mayor Population: 693972 Member since: 20.02.2008

- Town of Gardiner, NY, United States

Town of Gardiner, NY, United States

Franco Carucci Title: Board Council Member Population: 5664 Member since: 01.04.2021

- City of Kalamazoo, MI, United States

City of Kalamazoo, MI, United States

Jeanne Hess Title: Commissioner Population: 76200 Member since: 01.12.2020

- City of Beaverton, OR, United States

City of Beaverton, OR, United States

Lacy Beaty Title: Mayor Population: 93542 Member since: 05.10.2007

- City of Kent, OH, United States

City of Kent, OH, United States

Jerry T. Fiala Title: Mayor Population: 30071 Member since: 01.05.2018

- City of Laramie, WY, United States

City of Laramie, WY, United States

Erin O'Doherty Title: Council Member Population: 32473 Member since: 01.03.2020

- City of Snoqualmie, WA, United States

City of Snoqualmie, WA, United States

Matthew R. Larson Title: Mayor Population: 13190

- City of Bellevue, WA, United States

City of Bellevue, WA, United States

John Chelminiak Title: Mayor Population: 120000 Member since: 01.10.2019

- City of Minneapolis, MN, United States

City of Minneapolis, MN, United States

Minneapolis is the largest city (by population) in the state of Minnesota. It is bisected by the Mississippi River and shares an eastern border with the state's political capital, it's "twin" city, Saint Paul. Minneapolis has one of the best public park systems in the country, has extensive bicycling routes and trails, hosts two light rail lines; and has plans to double its downtown residential population to 70,000 by 2025.

Jacob Frey Title: Mayor Population: 407207 Member since: 24.09.1992

- City of Tallahassee, FL, United States

City of Tallahassee, FL, United States

John Dailey Title: Mayor Population: 190894 Member since: 19.01.2000

- Island County, WA, United States

Island County, WA, United States

Janet St. Clair Title: Commissioner Population: 85141 Member since: 01.12.2020

- City of Winter Park, FL, United States

City of Winter Park, FL, United States

Phil Anderson Title: Mayor Population: 30208 Member since: 01.05.2018

- City of Westminster, CO, United States

City of Westminster, CO, United States

Title: Population: 112798 Member since: 01.11.2018

- Town of Windsor, CA, United States

Town of Windsor, CA, United States

Dominic Foppoli Title: Mayor Population: 27555 Member since: 01.05.2017

- City of Kenmore, WA, United States

City of Kenmore, WA, United States

Title: Population: 23097 Member since: 01.07.2020

- City of Peoria, AZ, United States

City of Peoria, AZ, United States

Cathy Carlat Title: Mayor Population: 163226 Member since: 01.05.2020

- Town of Tuxedo, NY, United States

Town of Tuxedo, NY, United States

Kenneth English Title: Town Supervisor Population: 3536 Member since: 01.06.2021

- City of La Crosse, WI, United States

City of La Crosse, WI, United States

Tim Kabat Title: Mayor Population: 51567 Member since: 01.12.2020

- City of Hallandale Beach, FL, United States

City of Hallandale Beach, FL, United States

Sabrina Javellana Title: Vice Mayor Population: 37113 Member since: 01.11.2019

- Montgomery County, MD, United States

Kevin Duggan is city manager, Mountain View, California.

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ICLEI USA's COP26 Delegation Brings the Voice of U.S. Cities and Regions to the United Nations Climate Conference

👤 Kale Roberts(<https://icleiusa.org/author/kale-robertsiclei-org/>)

📅 November 17, 2021(<https://icleiusa.org/2021/11/17/>)



57
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Keep 1.5 Alive

Although the United Kingdom, host to the 26th United Nations Conference of the Parties (COP26) on climate, gave the event its official slogan of “uniting the world to tackle climate change”, by the end of the conference’s second week, it’s unofficial tagline resounded throughout the halls.

Hosted each year by a different country, the COP is the UN’s highest-level meeting on climate and convenes presidents and prime ministers from across the world to hash out the details for combating climate change. This year, the UK Presidency and world leaders were under enormous pressure from local governments, NGOs, businesses and millions of people around the world to deliver updates to the Paris Agreement that can secure a future for our planet that limits warming to no more than 1.5 degrees Celsius. The stakes were incredibly high.

ICLEI USA brought a delegation of five local leaders — **Mayor of Des Moines Frank Cownie, Mayor of Miami-Dade County Daniella Levine Cava, Mayor of Pittsburgh Bill Peduto, Commissioner of Travis County Brigid Shea, and Councilmember of Maui County Kelly King** — to ensure the voice of U.S. local governments were heard in the negotiations.

Watch our takeaways webinar, “I was at COP26 and here is what U.S. local governments need to know” to hear directly from the delegates. Watch recording here. (<https://vimeo.com/648764606>)

What is ICLEI’s Role in COP?

ICLEI has a special role in international climate processes, serving at the global level as the focal organization to the United Nations (UN) for cities, towns and regions. In fact, ICLEI serves this role not only for climate change, but also for nature and land use.

This distinction for ICLEI has a history dating back to the early 1990s, when the UN hosted the forest Earth Summit in Rio de Janeiro, Brazil. At the summit, the world established three environmental “conventions” on climate, biodiversity, and desertification. Nine major constituency groups to the UN, representing women, labor, youth and more, serve as voices of their interests to these conventions — and ICLEI is proud to serve this role for our member and nonmember local governments on each theme.

U.S. elected officials can be involved in the climate, biodiversity, and desertification COPs each year as part of their community’s membership with ICLEI.

ICLEI USA Delegation Brings Messages to the U.S. Federal Government and United Nations



ICLEI USA delegation meets with U.S. National Climate Advisor, Gina McCarthy to discuss federal support to local climate initiatives. Left to right: Councilmember Kelly Takaya King, Maui County; Commissioner Brigid Shea, Travis County; Mayor Frank Cownie, City of Des Moines; Gina McCarthy; Mayor Sylvester Turner, City of Houston; and Mayor Rick Kriseman, City of St. Petersburg.

ICLEI USA delegates in Glasgow advocated that U.S. cities and counties are at the forefront of climate action — and that their efforts are largely the reasons the United States was able to submit a stepped-up national climate plan ahead of COP26. Indeed, ICLEI analysis (https://e-lib.iclei.org/LGMA/ICLEI_LGMA%20towards%20COP26-21_20211020.pdf) shows that of those nations that submitted more ambitious climate plans, more than 70% were able to do so by collaborating with local governments.

“We are very excited to see the Biden Administration step up and say that not only are they in, but they are willing to work in a multilevel fashion for all of us to succeed in this,” Mayor Frank Cownie of Des Moines, who serves as ICLEI President globally, told the opening press conference (<https://unfccc-cop26.streamworld.de/webcast/iclei-local-governments-for-sustainability>) on October 31, which coincided with World Cities Day for the first time. Des

60 69

Moines is grappling with climate impacts following recent years of climate-induced weather disaster. “I think that this really excites us, that we can make progress, that from the national level, to the state level, to the county level to the local level, we’re all in this,” he says. “We all see the opportunity. We need to share our best practices, we need to declare a climate emergency at all levels.”

ICLEI’s leader spoke at more than 50 events, including in the U.S. federal government’s Climate Center, the U.S. Climate Action Center, and the Multilevel Action Pavilion, which ICLEI hosted in partnership with the Scottish Government.

Maui County Councilmember Kelly Takaya King, who serves on ICLEI USA Board, spoke alongside EPA Administrator Michael Regan in an event hosted by Japan, saying “What we’re trying to drive home is the need for collaboration across all levels of government — city, county, state, and federal. And also collaboration horizontally from county to county, and working with cities in other states.”

In addition to speaking, the ICLEI USA delegation met with U.S. and international climate leaders. During one meeting with U.S. National Climate Advisor, Gina McCarthy, the delegation outlined what support U.S. cities and counties need from the federal level.

- **We can learn from the experience from previous rounds of the Energy Efficiency and Conservation Block Grant Program:** “Skip the state,” Commissioner of Travis County Brigid Shea, who serves as ICLEI USA Board Chair, told McCarthy. “When money gets to local governments, we know how to spend it.”
- **Recognize that state and local politics impact availability of finance.** For instance, some state governors may take hostile positions on climate or toward individual cities. Direct finance to local governments ensures that climate-related funding delivers on programs that benefit communities quickly.
- **Remove restrictions on resilience finance**, such that only the largest sized cities have access to funding or that local governments must meet cumbersome pre-approvals prior to accessing post-disaster

funding. Climate action must be delivered in communities of all shapes and sizes, rural and urban, and including at the county level.

'Multi-level Action' is the New Normal for the Paris Agreement

The Paris Agreement includes the historic mention of local governments, recognizing the importance that cities and regions play as the first responders on climate change. But coming into COP26, key issues around adaptation and finance contained in the Article 6 of the agreement remained to be resolved.

By the end of the two weeks, ICLEI's advocacy efforts paid off: The final draft text for the Paris Agreement includes reference to local governments multiple times as well as the need for multilevel action. ICLEI USA's leaders are returning to the U.S. to take the work forward, summarized in a four-point call to action (https://www.cities-and-regions.org/wp-content/uploads/lgma_glasgow_time4multilevelactionroadmap_final.pdf):

1. Ensure that **collaboration across all levels of government** is the new normal for the Paris Agreement
2. Invest **climate-related funding** from the federal government and the private sector directly in communities by working through nonprofit networks, such as ICLEI
3. Make **environmental justice the core of climate action**, including through integrated climate planning that addresses gender, food, nature, and health
4. Get **even more local governments** in the ICLEI USA network involved



Councilmember Kelly King of Maui County, Hawai'i and ICLEI USA Board Member (second from right) brings a call for a circular economy to bolster coastal communities' resilience in the U.S. Center, the United States' federal pavilion during an ICLEI-coordinated event at COP26. Also pictured, from left: Mayor Todd Gloria, City of San Diego; Crystal Bergemann, Senior Advisor on Climate, Office of the Secretary at U.S. Department of Housing and Urban Development; and Mayor Michael P. Cahill, City of Beverly, Mass.

Bringing the COP26 Outcomes Home to U.S. Communities

As we close 2021, local-state-federal climate action collaborations are moving into gear. With the success of the ICLEI150 Race to Zero (<https://icleiusa.org/race-to-zero/>) and passage of the bipartisan infrastructure bill, ICLEI members possess a science-based emission reduction target (<https://seureservercdn.net/50.62.89.79/v56.521.myftpupload.com/wp-content/uploads/2021/11/Analysis-of-U.S.-Local-Government-Science-Based-Targets-and-Pathways-to-Achieve-Them-in-the-Race-to-Zero-Working-Paper.pdf>) to support their funding requests to the U.S. Department of Energy's Energy Efficiency and Conservation Block

63 72

Grant (EECBG) and a strong mandate to advocate that state regulators and legislators enact policies to move the nation's electricity grid to a minimum of 60% carbon-free electricity by 2030.

Meanwhile, as local leaders address the urgency of the climate emergency, ICLEI is ramping up the Race to Zero companion campaign, Race to Resilience (<https://citiesracetoresilience.org/>), in 2022. This integration to local climate action provides cities and counties with a holistic, multilevel approach to sustainability. COP27 is already announced for November 2022, hosted by Egypt, where climate adaptation will feature prominently.

If you're a local leader interested in being involved in ICLEI's global advocacy work, contact Kale at kale.roberts@iclei.org.

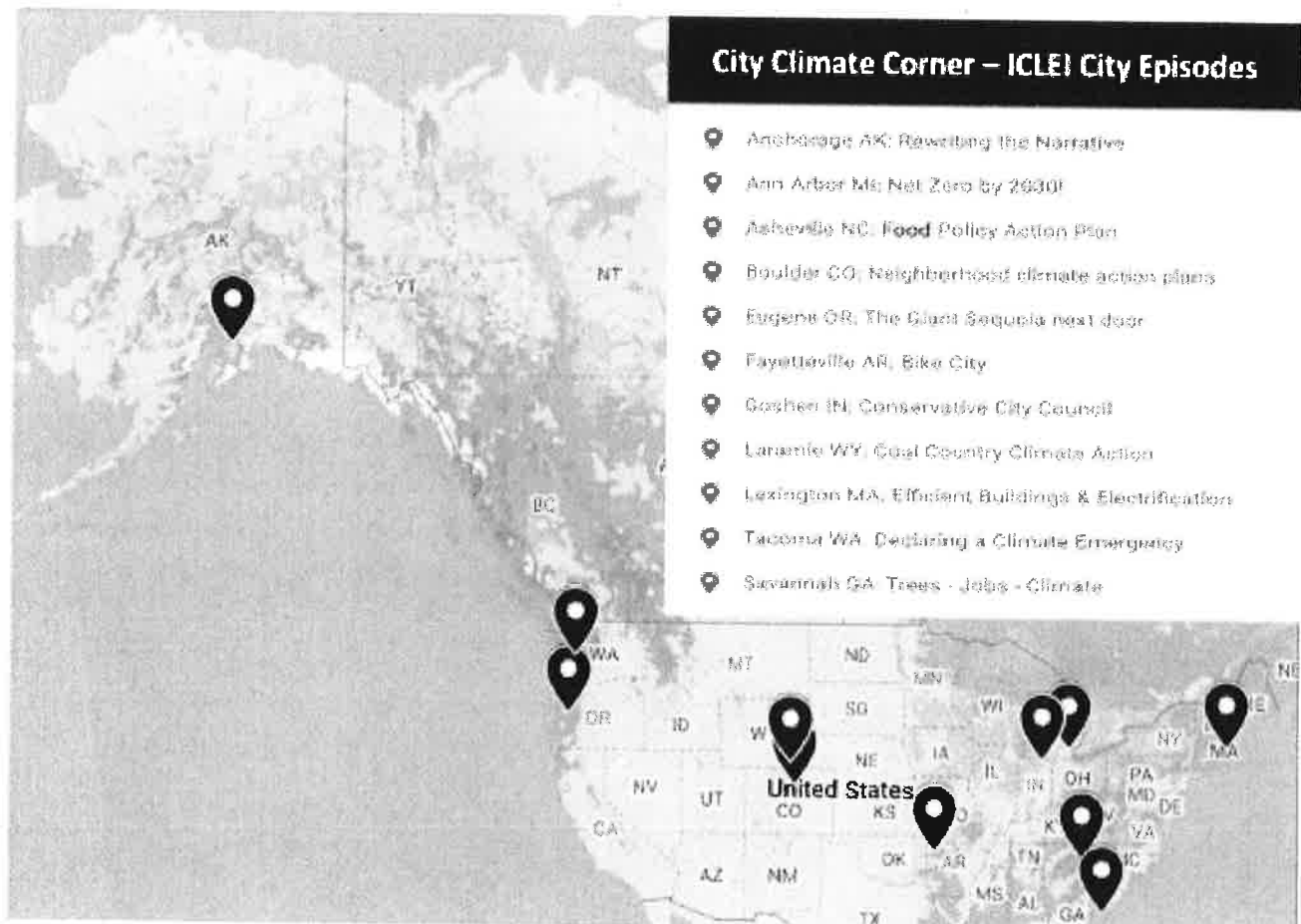


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The Power of Podcasts: ICLEI USA Members Share Climate Action Stories with City Climate Corner

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📅 December 2, 2021(<https://icleiusa.org/2021/12/02/>)



65 74

12/20/2021, 1:01 PM

Sharing Climate Action Stories

ICLEI- Local Governments for Sustainability is the first and largest global network of local and regional governments dedicated to advocating, collaborating, and sharing about local climate action to create a fair, sustainable future for all.

The ICLEI USA network consists of over 300 members passionate about local action that follows low emissions, nature-based, equitable, resilient, and circular development pathways. Together, ICLEI USA, our members, and partners work to keep 1.5 °C alive through data-driven approaches and focus on just and equitable communities.

Not only do ICLEI USA members collaborate and share solutions for multilevel action, but our members are sharing their insights with the world through the collective power of podcasts.

Eleven ICLEI USA members shared their community's climate action and sustainability initiatives with City Climate Corner (<https://www.cityclimatecorner.com/>), a podcast that explores how small and mid-sized cities are tackling climate change and moving toward an equitable and sustainable future.

By sharing their sustainability stories through podcasts, our members inspire other communities to take ambitious, local climate action. Storytelling is a powerful way to connect communities to collaborate across all levels of government to address the climate crisis.

Are you interested in sharing your community's climate story?

If you are part of a small to mid-sized city or town (~ less than 200K in population) and have a climate change related story, challenge, or policy implementation from which others can learn, please send City Climate Corner an email at cityclimatecorner@gmail.com

Note: has VCC sent e-mail reports ? ! ?

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12/20/2021, 1:01 PM

(mailto:cityclimatecorner@gmail.com) for an opportunity to be interviewed on the podcast.

ICLEI USA Member Episodes

Tune in and listen to City Climate Corner episodes featuring ICLEI USA members

(<https://www.google.com/maps/d/u/0/viewer?mid=1fRTwI2bmm1vFAj3VZH9dP6mAkk5LO9j&ll=50.26848036475609%2C-113.48607129999998&z=3>) and learn from communities across the United States! ICLEI USA member episodes are available on the links below or wherever you listen to podcasts.

Anchorage AK: Rewriting the Narrative, 3/16/21
(<https://www.cityclimatecorner.com/episodes/anchorage-alaska-creating-a-new-narrative>)

What does it look like to engage in a just transition? How can city climate action benefit from inclusive engagement? How do you change an entrenched fossil fuel story about the Alaskan economy? We learn about the impact local entities can have when they work together to address big issues.

Ann Arbor MI: Net Zero by 2030! (<https://www.cityclimatecorner.com/episodes/ann-arbor-mi-net-zero-by-2030>) **7/20/21**

About a year ago Ann Arbor adopted an audacious plan of reaching carbon neutrality by 2030 with a total investment of \$1 billion. This is faster than just about any other city in the country. We hear how Ann Arbor is doing so far, and how they're going to achieve their goal.

Asheville NC: Food Policy Action Plan (<https://www.cityclimatecorner.com/episodes/asheville-nc-food-policy-action-plan>), **9/14/21**

Asheville, NC adopted a food policy action plan in 2013 and updated it in 2017 to ensure residents have access to healthy, nutritious food in the context of creating a thriving and resilient city. We delve into what the plan is, how it relates to climate change, and how it has impacted the city.

Boulder CO: Neighborhood climate action plans

67 76

(<https://www.cityclimatecorner.com/episodes/boulder-co-neighborhood-climate-action-plans>), **5/25/21**

Boulder Colorado is embarking on a hyper-local neighborhood-based approach to climate action. We learn about an exciting new program to get residents involved and create social capital in the process.

Eugene OR: The Giant Sequoia next door,
(<https://www.cityclimatecorner.com/episodes/eugene-or-the-giant-sequoia-next-door>) **10/26/21**

Eugene Oregon has some hugely impressive trees and canopy management tools. We learn how trees are intimately woven into Eugene's climate action plan and how Giant Sequoias are a key part of their urban forest.

Fayetteville AR: Bike City (<https://www.cityclimatecorner.com/episodes/fayetteville-ar-bike-city>), **5/11/21**

In February 2021 Fayetteville was the first city in the US to be awarded the designation of Bike City by the Union Cycliste Internationale (UCI), the world governing body of cycling. We learn about their approach to cycling infrastructure in this northwest Arkansas city of about 85,000 people.

Goshen IN: Climate Action with a Conservative City Council
(<https://www.cityclimatecorner.com/episodes/goshen-in-climate-action-with-a-conservative-city-council>), **4/27/21**

Goshen is a northern Indiana city of 35,000 people that has had a Republican majority City Council and a Democratic mayor for decades. Yet they've made strong progress on climate action. Learn how (hint - young people played a significant role).

Laramie WY: Coal Country Climate Action
(<https://www.cityclimatecorner.com/episodes/laramie-wy-coal-country-climate-action>), **7/6/21**

39% of the nation's coal comes from Wyoming. Yet there are some strong local movements for renewable energy and climate action. Learn how a unique and powerful coalition of climate activists, university students, and

68 77

12/20/2021, 1:01 PM

city officials inspired Laramie's recent commitment to achieving carbon neutrality by 2050.

Lexington MA: Efficient Buildings & Electrification

(<https://www.cityclimatecorner.com/episodes/lexington-ma>), **8/3/21**

Over a decade ago Lexington adopted a stretch energy code for buildings. Then about 20% better than the existing code, this stretch code was adopted statewide and eventually in 47 other states. Now Lexington has built several all electric buildings and is looking to do more, including banning new fossil fuel infrastructure.

Tacoma WA: Declaring a Climate Emergency

(<https://www.cityclimatecorner.com/episodes/tacoma-wa-declaring-a-climate-emergency>), **6/22/21**

In December 2019, Tacoma declared a climate emergency. We examine why they did it and how it has been a springboard for more aggressive climate goals and an increased focus on climate justice.

Savannah GA: Trees - Jobs - Climate (<https://www.cityclimatecorner.com/episodes/savannah-ga-trees-jobs-climate>), **8/31/21**

In 2018, Savannah received a grant to create an urban tree nursery to grow their tree canopy, mitigate the increasing impacts of climate related flooding, do workforce development, and engage the community. We learn how the program has gone and the life-changing impacts it has had.



(<https://icleiusa.org>)

City and County Leaders Crucial to Meeting U.S. Climate Commitments

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📅 October 26, 2021(<https://icleiusa.org/2021/10/26/>)



70 79

Meet Your ICLEI USA COP26 Delegation!

We are pleased to announce five elected officials
representing ICLEI members in the US during the COP26.



Mayor Daniella Levine Cava

Mayor, Miami-Dade County, FL



Mayor Cownie

Mayor, City of Des Moines, IA



Council Member Kelly King

Council Member, Maui County, HI



Mayor Peduto

Mayor, City of Pittsburgh, PA



Commissioner Brigid Shea

County Commissioner, Precinct 2,
Travis County, TX

*The historic Paris Climate Agreement recognized local governments as critical to
achieving global climate
outcomes. Nations cannot succeed without the full and active participation of
local communities, led by
elected officials who demonstrate bold action.*

The delegation of ICLEI – Local Governments for Sustainability USA (ICLEI) leaders

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*at the UNFCCC's 26th
Conference of the Parties (COP26) underscores the importance of the US
government partnering with
local governments to meet national climate targets. ICLEI USA and its delegation
bring evidence of
moving beyond commitments to concrete actions to reduce greenhouse gas
emissions at the local level.*

*ICLEI USA announced today its delegation of five local leaders representing the
ICLEI network.*

Honorable Mayor Frank Cownie Des Moines, IA and ICLEI USA President. Mayor Cownie is also a leader in the US Conference of Mayors and a leader in several UN initiatives including the SE4All 24/7 carbon free electricity compact. Des Moines is the first U.S. city to enact a resolution to secure carbon-free electricity every hour of every day by 2035.

Councilmember Kelly Takaya King Maui County, HI and ICLEI USA Board Member. The council member is a longtime business leader in renewable fuels and serves as a local government representative to the U.S. Environmental Protection Agency's advisory group. Her goals for Maui span the field of sustainability, especially toward closed-loop, circular economic development.

Honorable Mayor Daniella Levine Cava Miami-Dade County, FL. Miami-Dade County is the largest in Florida and one of the most populous in the country, and faces direct challenges from climate change such as rising sea levels, extreme heat, hurricanes, and others. Prior to her trip to COP26, Mayor Levine Cava will unveil Miami-Dade's new Climate Action Strategy – a comprehensive plan outlining ways County government is working to cut greenhouse gas emissions 50 percent by 2030 from 2019 levels, with the objective of

reaching net zero by 2050. For the last 30 years, Miami-Dade has proudly partnered with ICLEI to inventory our greenhouse gases and project goals for getting to zero emissions. The Mayor was also recently invited to join the Global Resilience Cities Network (R-Cities) Mayors and City Leaders Taskforce of the Resilient Cities Network.

Honorable Mayor Bill Peduto Pittsburgh, PA and ICLEI USA Board Member.

Mayor Peduto represents

North America as a board member to the Global Covenant of Mayors for Climate and Energy. Mayor

Peduto was awarded first place for the 14th Annual Climate Protection Awards, an initiative sponsored by

The U.S. Conference of Mayors (USCM) and Walmart. Last November, he released a Marshall Plan for

MidAmerica, which would diversify the regions energy production and economy and reduce inequality.

Commissioner Brigid Shea Travis County, TX and ICLEI USA Board Chair.

The commissioner serves as a city ambassador for the Cities Climate Finance Leadership Alliance. She is the co-founder of SOS, Austin's

historic law to save Barton Springs, and has been a climate activist for 33 years. She has pioneered

programs to improve community preparedness for devastating climate impacts. Her Neighborhood Fire

Drills won the National Association of Counties excellence award.

These leaders will demonstrate bold action they are taking to reduce carbon emissions to zero by 2050

while protecting their communities from the devastating effects of climate-driven extreme weather,

promote climate justice, and create new economic opportunities in their communities.

"It is inspiring to see all the local governments that are stepping up and fighting climate change by

reducing greenhouse gas emissions. It is our communities that are on the front line, bearing the brunt of climate disasters and creating new ways to be better prepared,” said **Brigid Shea, ICLEI USA Board Chair and Travis County TX Commissioner**. “We are full partners with the US and other nations of the world in tackling this enormous challenge.”

“Climate Change is happening globally, we are held accountable nationally and we are managing mitigation efforts locally. It’s important that we bring together all levels of government, nonprofit and advocacy partners on an international scale to host an ambitious, inclusive 2021 United Nations Climate Change Conference. The City of Pittsburgh is honored to represent our region with several local partners and the global community to collaborate and find scalable solutions so that our recoveries are infused with equitable economies that promote sustainable industries,” said **William Peduto, ICLEI USA Board Member and Mayor of Pittsburgh**.

“This is a critical moment for our community and for the world to address the threat of climate change and to build a cleaner, greener, more stable, and more prosperous future,” said **Miami-Dade Mayor Daniella Levine Cava**. “In Miami-Dade County, climate change is not a distant danger on the horizon, but a growing threat already at our doorstep. I’m excited to head to Glasgow to connect with leaders from around the globe as we work together to adapt and invest in tackling the impacts of a changing climate head-on.”

“Leaders have gathered at COP26 during the pandemic because climate

74 83
12/20/2021, 1:02 PM

change is the most profound
crisis we face as a global community and there is no more time to waste.
Local governments have
proven that success is possible, and we stand ready to share our knowledge
with those who are unsure
where or how to begin. We must end our decades of hollow discussion and
undertake the initiatives
necessary to solve this urgent crisis. Join me and my fellow partners at ICLEI
and together we can stem
the rising tide of climate change," said **Frank Cownie, ICLEI USA President
and Mayor of Des Moines.**

and

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Councilmanic Interference: When a Councilmember Crosses the Line

Kevin Duggan

Of all the things I thought I would encounter in my career, testifying in front of a grand jury and then a superior court jury on the history and purpose of the council-manager form of government and on how a councilmember had violated it, was not one of them. This is the story of a city manager dealing with one of the most challenging professional experiences imaginable—reporting a councilmember for misconduct.

Those of us who have chosen the profession of local government management recognize that establishing and maintaining effective working relationships with councilmembers can be among our most important and challenging responsibilities. However, I never anticipated that the issue of a councilmember's attempts to thwart the principles of the council-manager form would become one of the toughest episodes in my own professional life.

Any of us who have been in this business for any length of time have encountered a few councilmembers who choose to "push the envelope" in influencing the administrative/management side of local government. Always, I have tried to avoid the politicization of basic local government services while understanding that councilmembers must be informed about and relate to some of the nonpolicy aspects of governing.

In most cases, we can find a reasonable balance. Even when a councilmember clearly crosses over into the area of an inappropriate attempt to influence staff's administrative responsibilities, the issue can generally be resolved through the manager's diplomatic yet clear explanation of the problems being caused. Often, councilmembers do not fully understand the impact that they are having on staff and will commit themselves to taking a different approach once they do. I also believe that most of us in our profession pride ourselves on helping councilmembers succeed in their roles and "keeping them out of trouble" when necessary.

This story is about what happened when the above-noted techniques did not work and a manager was faced with a tough choice between undesirable options. In this particular case, the impasse resulted in a decision by the city attorney and myself to report a councilmember's (the then-mayor's) misconduct to the district attorney. And this move eventually resulted in the councilmember's removal from office.

A byproduct of the decision was an attempt by this councilmember and his attorney to put the management of the organization on trial, together with, effectively, the council-manager form of government.

The Problem

While issues concerning the councilmember's conduct came to a head early in his second four-year term, problems with his conduct manifested themselves earlier in his tenure.

Understanding that Mountain View is in the middle of Silicon Valley but that the community's heritage is farming, it's helpful to know that the difficult councilmember came from a longtime local farming family, had longstanding ties to the community, and ran on the platform that he would be a "neighborhood councilmember."

Though he had a rather direct interpersonal style, the first year or two of his first term were without major stumbling blocks. Then, a series of increasingly problematic behaviors brought the councilmanic interference issue to a peak during the latter part of his first term and the early part of his second term.

Among the behavior patterns and actions that were problematic were:

- Directly contacting staff at various levels of the organization suggesting, and sometimes demanding, that certain things be done or not done.
- Displays of anger and temper directed at staff members at various levels of the organization.
- Attempting to influence code enforcement activities on properties near his home, including some properties he wanted to buy for personal or family financial gain.
- Communicating the clear expectation that he was entitled to rights and privileges above and apart from other residents because he was "a member of the city family."

Among the incidents that got the most exposure in the press, once the grand jury had issued "accusations" in this case, were these:

- A demand that the police chief be fired for not giving him advance warning of a search warrant to be served on his home as part of a criminal investigation of a family member.
- An order to code enforcement staff to pursue action against a neighboring property owner whose property he wished to acquire.
- Refusal to pay for the replacement of a fire hydrant destroyed by a family member, and outrage displayed when he was billed for the damage.
- Numerous questionable city-charged expenses, including the purchase of a \$700 tuxedo.

- A confrontation with the building official, in which the councilmember demanded that a multimillion-dollar, private construction project be shut down immediately because he thought the construction crane being used was unsafe and that the developer was too influential in the community.

As if the actions described above were not enough, the incidents that brought the interference issue to a crisis were his demands that staff block the development of a property he wished to acquire, immediately adjacent to property already owned by his family. He made it clear that he would see to it that both the planning director and I would be fired if the project were not blocked.

The conclusion that the situation was hopeless came when he asked me into his office one afternoon (while serving his one-year term as mayor) and told me that conditions needed to be placed on the development of the property in question. His aims were to discourage the current owner from proceeding, to lower the value of the property, and to increase the likelihood that the property owner would be willing to sell to him! Interestingly enough, this meeting took place just four hours before my annual council performance evaluation. The implication was clear: how I responded to his demands would influence his approach to my performance evaluation.

Investigation and Trial

Throughout the period of this conduct, both the city attorney and I met individually with this councilmember many times in attempts to correct and modify his behavior. At first, we hoped that our efforts to inform him of the problems and likely consequences of his conduct were succeeding. In one case, when his belligerence had been directed at another council employee—the city clerk—the council was informed of his conduct and intervened to prevent a recurrence.

I even used my closed-session performance evaluation meetings as opportunities to express to the council the increasing need I felt to take action over the improper conduct of a councilmember because of the impact his behavior was having on my ability to carry out my responsibilities.

My goals were to modify the behavior and specifically to protect staff from his attempts to influence their work through confidential, one-on-one meetings. (I recognized the damage that would accrue to the city, the council, and the staff if the matters discussed in the private meetings had to be dealt with publicly.)

When it became apparent that his inappropriate behavior was escalating, that it had crossed legal lines, and that staff could not be shielded from his conduct, the city attorney and I concurred in a decision to report the conduct to an appropriate authority, regardless of the consequences. While we

understood that it was not our role to determine what should be the outcome of any investigation, we felt we were obligated to disclose that the conduct was occurring.

The city attorney and I anticipated that the day might come when we could not adequately mitigate this conduct. We believed our recourse would likely be to report the conduct to the rest of the council. Because the conduct had become so severe and the legal implications so serious, however, we decided that referring the matter to the district attorney was an option that needed to be considered.

One of the drawbacks of referring the matter to the council was that this move would require that accusations be made public prior to an independent investigation. Because of the "sunshine" laws in California, the council would have to consider the allegations in open session.

Additionally, any such investigation begun by the council would likely have been seen as politically motivated by this councilmember and his supporters. After consulting with two other councilmembers and the vice mayor (because the councilmember in question was mayor), we decided that the city attorney would consult with the district attorney of Santa Clara County. Each councilmember, including the mayor, was notified of this referral.

Based on his independent review of the facts, the district attorney chose to investigate the matter. Surprisingly, during the five-month investigation, this activity did not leak to the press. Needless to say, we found it extremely awkward working with the mayor during this period; also, many city employees had to be interviewed by a district-attorney investigator as part of the probe.

While the district attorney considered filing criminal charges on a number of counts, he finally determined to charge the mayor under a little-known and rarely used provision of California state law that provides for the removal from office of an elected official for misconduct. This procedure requires that a grand jury find sufficient basis for "accusations" to be filed against the elected official, then for a superior court jury to find the elected official guilty on the same standard of proof as required for a criminal conviction (unanimous agreement "beyond a reasonable doubt").

What followed were the closed grand jury proceedings, which involved the testimony of several city employees. In my case, testimony included an extensive explanation of the council-manager form of government and its adoption in the city charter.

One month later, the grand jury issued its "accusations" against the mayor for corruption and willful misconduct. The grand jury transcript also was released, detailing all the instances of misconduct. Next came a media frenzy that

covered the entire San Francisco Bay area. Living through this media blitz and being personally featured in the coverage were unpleasant experiences for me and for other staff members.

Anticipating the action of the grand jury, the mayor already had hired one of the most high-powered defense attorneys in Santa Clara County, who immediately began his media campaign to question the motivation of the mayor's chief accusers, namely, the city attorney and myself. The mayor also had used the period of the investigation to prepare his key supporters to take the offensive. The "spin" was that the city manager and city attorney were out to "get" the mayor for a variety of reasons, ranging from our desire to control city government to our fear for our jobs, as he claimed that he had been critical of our performance. However, no such criticism was ever evident to us, either within or outside the context of our annual performance evaluations.

Of particular note was the premise of the defense attorney that, since council-manager government did not allow this councilmember to directly intervene in the organization on behalf of his constituents, he could simply ignore the city charter and its council-manager provisions in order to address citizen concerns.

This attorney also suggested that, since some communication and contact with city staff are permitted, primarily to respond to routine inquiries, there had been no clear demarcation line to determine "councilmanic interference."

Meanwhile, the mayor was able to pack one council meeting with supporters who made it clear that they felt he was being unjustly prosecuted. For the first time in my career, I had members of the public saying the city attorney and I should resign for overreacting to the mayor's behavior. Not only was it evident that the mayor was not going to resign, but also that he was going to fight the charges vigorously and accuse his accusers in the process.

For a manager who prefers a low-profile approach to city management, this was quite a turn of events. What ensued was four months of media coverage leading up to the public trial. Having my own integrity and job security challenged in the media by the mayor's attorney and supporters was to me particularly frustrating. The councillor's (through the normal rotation process, he was again a councilmember at the time of the trial) legal defense strategy was to put his accusers on trial.

During the lead-up to the trial, it was important to me that the matter not become too great a distraction from the organization, or a significant impediment to the work of the city. I needed to avoid appearing distracted and preoccupied if city staff were to continue to function effectively. Also, the city attorney and I had to deal with the anxiety of staff members who were subpoenaed to testify at the trial.

The trial started off on a less-than-positive note, with the district attorney needing to drop three of the four accusations (counts) brought against the councilmember relating to the property conflict of interest. Bizarrely, it was determined that the defendant did not "technically" have a conflict of interest relating to his family's property (even though he and his family lived there) because it was held in trust by his father.

The lone remaining count was violating the city charter by interfering with the responsibilities of the city manager. Therefore, in actuality, the council-manager form of government, and how it functioned in Mountain View, were put on trial. Testimony stretched out for more than two weeks and was covered daily in the media. To say that this was a stressful period is an understatement.

Testifying on the history and purpose of C-M government was certainly one of my most interesting professional experiences. The case clearly became a testing ground for the principles and values inherent in the form. Specifically, it was a testing ground for our professional obligation to shield city staff from political interference and demands for special treatment by an elected official.

The defense attorney attempted to make the case that any councilmember contact with city staff that was condoned by the city manager "opened the gates" for his client's conduct.

More personally, I had the unique experience of being cross-examined about confidential memos I had submitted to the council during my own annual performance evaluation. Also, to counter misinformation from the defense, I took the unusual step of giving the district attorney my most recent performance evaluation to present to the jury!

At the conclusion of the testimony, the wait for the verdict began. After almost four days of deliberations, the jury returned a verdict of "guilty of misconduct in office."

Newspaper editorials called the verdict a "victory for honest government" and suggested that this councilmember was lucky not to have been criminally prosecuted. Ironically, the main reason he was not being prosecuted in this way was his lack of success in getting city staff to do what he wanted. So, in effect, we had saved him from being more legally liable than he would otherwise have been.

Some of his political supporters continued to defend the councilmember, claiming he had been convicted only on a "technicality." In a further attempt to make public relations points, the councilmember resigned one day before the superior court judge was scheduled to sign the removal-from-office order. The

judge, however, refused to acknowledge the resignation as sufficient and issued the removal order anyway.

Lessons Learned

For both the city attorney and myself, opting to publicly accuse a mayor/councilmember of misconduct was one of the hardest decisions of our professional lives. In advance, we knew that this course of action would be difficult and professionally risky. On the one hand, we felt we had no other choice consistent with our professional ethics, but, on the other hand, we realized that the consequences of our action were likely to be significant for the community and for ourselves. While this move was difficult to make, we concluded that we had to act.

Although we as individuals were willing to put up with this councilmember's threats and attempts at intimidation as long as we could block his efforts, when it ultimately became evident that we could no longer fulfill our obligations to the council, staff, city charter, and community without disclosing his behavior, the appropriate course of action became inescapable (regardless of any personal consequences). We saw clearly that the staff could no longer be shielded from his conduct and that we must inform the council that one of its members was acting in a manner not consistent with their stated values, with the city charter, and, most likely, with state law.

The most difficult aspect of these types of situations is determining when the problematic conduct has gotten to the point where there is no alternative besides public disclosure.

Looking back on this experience, we would offer the following observations:

- Recognize that it can be extremely difficult to determine when your personal intervention with a councilmember has not been sufficient to fulfill your professional and ethical obligations to your organization and community.
- Don't underestimate the ability of a core group of supporters to rationalize the behavior of "their guy" and to take the offensive on his behalf.
- Clearly understand at what point you must disclose illegal/unethical conduct, even though you may not play a role in determining the appropriate remedy for the conduct.
- Appreciate that our ultimate responsibility as managers is not to individual councilmembers, but to the council as a whole and to the employees of the organization, the community, the ethics of our profession, and the laws governing the form of government in which we serve.

- Understand that attempts to establish reasonable flexibility in setting administrative/policy boundaries can later be attacked as removing all such distinctions.
- Appreciate that the value of having a strong working relationship with your city attorney cannot be minimized.
- Develop a mature understanding that doing what is right will often not be easy, may subject you to personal attack, and may have negative personal and/or professional consequences.
- Recognize that, although they probably won't be as vocal as your critics, many members of your community will have increased confidence in you and in the organization for your willingness to confront unethical behavior.
- Realize that acting ethically will result in a confirmation to your organization's employees of your willingness to "walk the talk" in regard to principled conduct.

Conclusion

Fundamental to our service to our communities and our professional values is the need to consider thoughtfully when we as managers are morally, ethically, and/or legally required to confront misconduct. While our primary goal should be to educate those we work with to prevent misconduct, this priority does not absolve us of an obligation to take more drastic action if we are unsuccessful in preventing it.

Our greatest risk is the potential to rationalize that we don't really need to take action when confronted with the negative consequences of doing so. We need to reflect seriously and carefully on this point if we are to be prepared to act.

As we have heard over and over recently in relation to corporate and organizational scandals, the leaders of organizations should be held accountable to answering three questions when illegality or corruption is exposed:

1. What did you know?
2. When did you know it?
3. What did you do about it?

If we are to strive to be leaders of ethical organizations, we must be prepared to respond to these questions. As difficult as my experience was, it meant a chance for our organization to prove its commitment to the values we espouse. And, to say the least, it furnished some unusual and unexpected forums in which to explain the structure and value of the council-manager form of government.

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Interference; when a
Council member Crosses the line.

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CITY COUNCIL MEETING MINUTES

Vancouver City Hall | Council Chambers | 415 W. 6th St.
PO Box 1995 | Vancouver, WA 98668-1995
www.cityofvancouver.us

Anne McEnery-Ogle, Mayor

Bart Hansen • Ty Stober • Erik Paulsen • Sarah J. Fox • Diana H. Perez • Kim D. Harless

October 24, 2022

WORKSHOPS

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

Workshops were conducted in person in the Council Chambers of City Hall. Members of the public were invited to view the meeting in person, via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, or www.facebook.com/VancouverUS.

View the CVTV video recording, including presentations and discussion, for workshops at:
https://www.cvtv.org/vid_link/35105?startStreamAt=0&stopStreamAt=4948

4:00 - 6:00 pm 2023-24 Biennial Budget

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

Summary

Staff led Council through a discussion of the 2023-2024 Biennial Budget.

**EXECUTIVE SESSION re: City Manager Performance Evaluation
(30 minutes)**

Mayor McEnerny-Ogle announced the Council would be entering into executive session from 5:25-5:55 p.m. to discuss the City Manager Performance Evaluation.

COUNCIL CONSENT AGENDA MEETING

This meeting was conducted as a hybrid meeting with in person and remote viewing and participation over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting in person, 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 Community Forum were also facilitated in person and via the GoToMeeting conference call.

Vancouver City Council meeting minutes are a record of the action taken by Council. To view the CVTV video recording, including presentations, testimony and discussion, for this meeting please visit: https://www.cvtv.org/vid_link/35211?startStreamAt=0&stopStreamAt=2316 Electronic audio recording of City Council meetings are kept on file in the office of the City Clerk for a period of six years.

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted as a hybrid meeting, including both in person and remotely over video conference.

Present: Councilmembers Harless, Perez, Fox, Paulsen, Stober, Hansen, and Mayor McEnerny-Ogle

Absent: None

Proclamations:

Native American Cultural Heritage Month

Mayor McEnerny-Ogle read and presented a proclamation to Duana Johnson, member of the Colville and Lakes Tribes, proclaiming the month of November 2022, as Native American Cultural Heritage Month.

34th Annual Veterans Parade at Fort Vancouver

Mayor McEnery-Ogle read and presented a proclamation to Temple Lentz, The Historic Trust President and CEO, and Larry Smith, Co-Chair of CMAC and retired U.S. Army Colonel, proclaiming November 5, 2022 as the 34th Annual Veterans Parade at Fort Vancouver.

Community Communications (Items 1-9)

Mayor McEnery-Ogle opened Community Communication and received testimony from the following community members regarding Items 1-9:

- Kimberlee Elbon, La Center, WA

There being no further testimony, Mayor McEnery-Ogle closed Community Communication.

Consent Agenda (Items 1-9)

Council requested Items 1 and 7 to be pulled.

Motion by Councilmember Harless, seconded by Councilmember Stober, and approved unanimously to approve the Items on the Consent Agenda.

1. **2022 West Curb Ramps Project, construction acceptance and release of retainage bond**

Staff Report: 149-22

This project installed 66 ADA compliant ramps at various intersection corners prior to the street resurfacing project as part of the Pavement Management program. Advance Excavating Specialists of Kelso, Washington has satisfactorily completed the subject improvements in accordance with the plans and specifications.

The original construction contract bid amount was \$707,000.00. Field adjustments during construction increased the contract amount to \$712,696.25, an 0.8% increase. The increase was due to an overrun in the flagging quantity necessary to safely perform the work.

An apprenticeship utilization goal for the project was 3%. The contractor achieved apprenticeship utilization of 4% by using 214 apprentice hours out of the 5096.25 hours worked on this project.

Request: On October 24, 2022, accept the 2022 West Curb Ramp Project as constructed by Advance Excavating Specialists, of Kelso, Washington, and authorize release of retainage bond, subject to receipt of all documentation required by law.

Motion approved the request.

2. Bid Award - Vista Robles Sewer Improvements

Staff Report: 150-22

The Vista Robles project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 27 parcels by installing approximately 660 linear feet of 8-inch gravity sewer mains and 530 Linear feet of 2-inch pressure mains in NE 137th Avenue, NE 65th Street, NE 66th Street and NE 67th Street.

On September 27, 2022, the City received 6 bids for the subject project. The bids ranged between \$446,807 and \$697,706. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
<i>Parker Pacific Development, Lake Oswego, OR</i>	<i>\$446,807.83</i>
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$489,543.54</i>
<i>North Cascades Excavating, LLC, Woodland, WA</i>	<i>\$536,444.82</i>
<i>Halme Excavating, Inc., Battle Ground, WA</i>	<i>\$558,162.53</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$559,636.83</i>
<i>Clark & Sons Excavating, Inc., Battle Ground, WA</i>	<i>\$697,706.96</i>
<i>Engineers' Estimate</i>	<i>\$400,000</i>

The City of Vancouver's apprenticeship program establishes apprentice utilization goals based on the Engineer's Estimate for a given project. Based on the Engineer's Estimate, this project falls below the \$500,000 threshold and will therefore not be required to meet an apprenticeship utilization goal.

There is sufficient budget to allow for the low bid that has come in over the engineer's estimate.

Request: Award a construction contract for the Vista Robles Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, Parker Pacific Development of Lake Oswego, OR at their bid price of \$446,807.83, which includes Washington State sales tax.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

Motion approved the request.

3. Bid Award - NE 22nd AVE Pump Station Removal & Gravity Sewer Extension

Staff Report: 151-22

The NE 22nd Ave project is to be constructed under the Sewer Capital Improvement Program. This project will eliminate the need for a small pump station that serves very few parcels and was intended to be temporary when originally installed. Gravity sewer will be installed in NE 22nd Ave at a depth required to collect the flows that currently enter the pump station.

On October 4, 2022, the City received 4 bids for the subject project. The bids ranged between \$590,000 and \$1,040,000. The low bidder was responsive. The bids are as follows:

<i>SUMMARY OF BIDS</i>	
<i>BIDDER</i>	<i>AMOUNT</i>
<i>Advanced Excavating Specialists, LLC, Longview, WA</i>	<i>\$592,225.55</i>
<i>Catworks Construction, Vancouver, WA</i>	<i>\$644,572.46</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$656,369.67</i>
<i>McDonald Excavating, Inc., Washougal, WA</i>	<i>\$1,040,919.71</i>
<i>Engineers' Estimate</i>	<i>\$459,683.00</i>

The City of Vancouver's apprenticeship program establishes apprentice utilization goals based on the Engineer's Estimate for a given project. The Engineer's Estimate for this project falls below the required threshold for apprentices, therefore, there is not an apprenticeship goal for this project.

There is sufficient budget to allow for the low bid that has come in over the engineer's estimate.

Request: Award a construction contract for the NE 22nd Ave Pump Station Removal & Gravity Sewer Extension project to the lowest responsive and responsible bidder, Advanced Excavating Specialists, LLC of Kelso, WA at their bid price of \$592,225.55, which includes Washington State sales tax.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

Motion approved the request.

4. Easement Vacation - Heritage High School

Staff Report: 152-22

The existing sewer main running through the Heritage High School property was originally intended to be public and maintained by the City of Vancouver. As such, a public sewer easement over the main was dedicated to the City by the Evergreen School District. However, it was subsequently agreed that all sewer facilities within the school property would be owned

and maintained by the District under the campus provisions provided by WAC 173-240-104. The District has therefore requested that the City release the public sewer easement.

Request: Authorize the City Manager or their designee to sign the attached easement release.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

Motion approved the request.

5. Job Order Contracting (JOC) Services for General Construction Contracts

Staff Report: 153-22

The City has utilized the Job Order Contracting (JOC) program for a variety of projects since 2016. The current JOC contracts expire on October 31, 2022.

The JOC program is an indefinite delivery, indefinite quantity program in which the costs of the project are based on a fixed price per item and the adjustment factor submitted by the contractor for the contract term. The JOC program is intended to save time and money through value engineering when needed and save time as the competitive procurement requirements have already been satisfied with the RFP process. With the award of these attached JOC Services for General Construction contracts, there is no need to prepare bid packages for individual jobs. Therefore, the City could access these JOC contractors on an as-needed basis. Because there are no guarantees of future award of projects, the JOC program motivates JOC contractors to maintain high quality of work.

The City issued RFP 32-22 on August 16, 2022, and closed it on September 14, 2022. The solicitation was advertised in the Columbian, the Daily Journal of Commerce (Portland), and published on the City's website. The City directly notified certified firms listed on the Office of Minority and Women Owned Business Enterprise directory of this solicitation. In addition, per the RCW each contractor will provide the City a Subcontracting Plan that will include how they will outreach and solicit quotes from certified firms.

Request: Authorize the City Manager or their designee to execute two (2) JOC contracts with Halbert Construction Services LLC of Vancouver, WA, and SDB Contracting Services of Hillsboro, OR, as they are the two highest scored proposers. Each contract will have an initial period of two (2) years with the option to renew for one (1) additional year and a not-to-exceed value of \$4,000,000 per year.

Anna Vogel, Procurement Manager, 360-487-8429

Motion approved the request.

6. Resolution Confirming Design Direction on Phase I of the Fourth Plain and Ft. Vancouver Way Safety and Mobility Project

Staff Report: 154-22

A RESOLUTION advancing the Phase 1 design options for the Fourth Plain and Fort Vancouver Safety and Mobility Project.

The City previously completed a Transportation System Safety Analysis (TSSA) in 2018 that showed that Fourth Plain Boulevard between Grand Boulevard and Andresen Road had the highest number of crashes per mile of all principal arterials in the City. This past month, the City completed an updated plan, The Vancouver Moves Local Road Safety Plan, with crash data from 2016-2020. During that period, on Fourth Plain Boulevard there were 110 vehicle and 23 bike/ped crashes resulting in severe injury, including 3 fatal traffic crashes and 2 pedestrian fatalities.

The Project addresses safety and mobility issues through roadway design options, including repurposing vehicle travel lanes to make more room for people biking, walking, rolling and using the bus. Lane reconfigurations were determined to be the best approach to safety issues in the corridor, and WSDOT provided grant funding on a portion of the corridor to implement roadway reconfiguration as a safety countermeasure. The project is also recommending other safety and mobility improvements such as better crossings, as well as treatments to improve the travel time and reliability of the Vine bus service on Fourth Plain Boulevard. The Project builds on extensive past planning in the area, including The Fourth Plain Corridor Subarea Plan (2008) and the Fourth Plain Action Plan (2015).

Phase I improvements in both corridors are anticipated to be implemented as part of repaving projects in 2023, with additional Phase II improvements anticipated as part of 2024 paving on the segment of Fourth Plain between Ft. Vancouver Way and Andersen Road. For both phases, some improvements may not be able to be implemented with the paving projects and would occur as part of future corridor investments, such as the upcoming Fourth Plain Community Supported Investment Strategy that will be funded with American Rescue Plan (ARPA) resources Council has previously dedicated to this corridor. To meet project schedules for the 2023 paving season, Phase 1 West Corridor roadway design options are moving in advance of the Phase 2 Eastern Corridor.

Lane Reconfiguration Analysis

The team conducted traffic analysis to understand how changes to roadway vehicle capacity would impact vehicle travel times in current and future conditions, and how it might address goals related to safety and mobility networks. The analysis used the RTC travel model to understand conditions today and in 2040 under a 'no-change' scenario, while also applying different roadway reconfiguration designs to understand potential outcomes. The analysis found that both Fort Vancouver Way and Fourth Plain Boulevard continue to perform well and meet City mobility standard with a lane reconfiguration. See the Attachment "March 2022 TMC Memo re: Reconfiguration Alternatives" for more information on travel impacts from a roadway reconfiguration.

Community and Stakeholder Engagement

The City and consultant team are engaging the public around two major project milestones. The first engagement round took place in early summer 2022, and gathered input on safety issues and corridor needs, while conversing with the community about the project purposes and goals. Round one engagement included creating project flyers in multiple languages, tabling at the farmers market, Clark College, and the LULAC Grows Mercado, canvassing corridor businesses, residential complexes and community organizations, holding stakeholder meetings, presenting to neighborhood associations, and garnering online feedback via survey, online open house, and through the BeHeard website. Through all these venues, some overarching themes the team heard included:

- *Inadequate and unconnected bike lanes do not provide a continuous, safe route. Nearly 80% said they felt very uncomfortable bicycling along the street.*
- *Wide roadway for pedestrians trying to cross. Many report that drivers fail to yield to pedestrians, even in marked and signalized crosswalks*
- *Sidewalks in corridor are uncomfortably narrow. Most survey respondents said they felt somewhat or very uncomfortable walking*
- *Respondents indicated that the top three most important evaluation criteria for design options were:*
 - *Safety Improvements for all users (31%)*
 - *Mobility improvements for all users (24%)*
 - *Greenhouse gas reduction benefits (19%)*

The second round took place in September and October 2022 and involved deeper discussion with the community on potential lane reconfiguration and safety improvements. The project team shared lane reconfiguration concepts with the community to identify the ideas that best meet the evaluation framework and community needs. Outreach activities include tabling and one on one conversation at a Back-to-School event in the park, The Multicultural Fair, a LULAC-Grows event, and tabling at the Vancouver Farmers Market. The team also held several in-person focus groups, as well as widely distributing an online open house and survey. The open house, survey, and other outreach materials can be found on the BeHeard Project webpage. In response to Council feedback at the October 3 workshop, another round of business canvassing was conducted over the last two weeks and elicited the the following feedback: 46% of business employees preferred designs that prioritize transit improvements, 38% expressed a need for safety improvements but did not prefer either design, 12% prefer prioritize bicycle and mobility lane improvements, and 4% (one individual) opposed a reconfiguration of the roadway. These responses were primarily focused on designs for Fourth Plain east of Fort Vancouver Way (phase 2 of the Project).

Phase 1 Design Details and Recommendation

The project team has developed 'alternatives for Phase 1 that were reviewed by the TMC in early September. The alternatives include different types of roadway treatments to improve conditions for people walking, bicycling, rolling or using a mobility device. Some treatments also aim to improve transit speed and reliability. The treatments that focus most on improved mobility for people outside of vehicles include mobility lanes, or lanes that are buffered for greater separation from traffic. Facilities that improve transit and create more space for mobility users include business access and transit (BAT) lanes. Both design options would be installed within the existing curb to curb roadway width by repurposing a vehicle travel lane.

Fort Plain Blvd – F Street to Fort Vancouver Way

Alternative 1 includes a cycle track treatment on Fourth Plain Boulevard from F Street to Ft. Vancouver Way on the south side of the street. This treatment avoids many of the conflict points created by the freeway interchange on and off-ramps, and scores highly on the evaluation criteria compared to the no build design option.

Fort Vancouver Way – Fourth Plain Blvd to McLoughlin

On Fort Vancouver Way, between Fourth Plain and McLoughlin, Alternative 1 repurposes the parking lane as a BAT lane and adds

an adjacent buffer to the mobility lane. Currently C-Tran operates bus rapid transit on this segment, which could be extended further south in future years.

Alternative 2 retains parking but moves the mobility lane to be curb-tight. In conversations with Clark College, they noted that the transition to hybrid operations has significantly dampened parking demand. Parks staff and the Marshall Center Director also confirmed low utilization on McLoughlin Boulevard and reported that they have nearly 300 parking spaces within their parking lots and adequate capacity for the impending opening of Harper's Playground as well as occasional large events.

Fort Vancouver Way – McLoughlin to Mill Plain Blvd

Alternative 1 on this segment repurposes the outside travel lanes to add parking that also acts as a buffer to a curb-tight mobility lane. This option adds new parking to a corridor where parking removal is recommended further north, recognizing the regional draw of the ballfields and the accessible playground built for community members of all ages and abilities.

Alternative 2 includes a mobility-focused design with an extra-wide buffer protecting the mobility lane. The design treatment within the buffer is still to be determined but would likely include vertical elements to prevent driving in the buffered area. At the southern end of the segment, the Project team recommends keeping two lanes for a short time to act as receiving lanes from the double left-turn off Mill Plain, then tapering to the single travel lane with a wide-buffered protected mobility lane. Both design options score relatively highly as compared to the existing design, but Alternative 2 scores higher when considering greenhouse gas reduction and mobility improvements for people walking, using a mobility device, bicycling, or using the bus. In addition, discussions with staff from Clark College, The Marshall Center, and Parks, Recreation and Cultural Services leadership revealed that significant parking capacity exists in the corridor, and each institution placed a higher priority on safer infrastructure for mobility users.

Renderings of the alternatives are included in the Attachment titled "Presentation: Council Project Update (October 2022)".

Recommendation

In making a recommendation, staff considered feedback from the TMC on the design alternatives, earlier Council direction for the project goals, public engagement feedback, and analysis of traffic impacts through lane reconfiguration as well as parking utilization studies. Based on these, the project team recommends the

following design options for Phase 1:

- *Alternative 1 on Fourth Plain between F Street and Fort Vancouver Way (south side cycle track)*
- *Alternative 2 on Fort Vancouver Way between McLoughlin and Fourth Plain (remove parking, add BAT lane and buffered mobility lanes)*
- *Alternative 2 on Fort Vancouver Way south of McLoughlin to Mill Plain (repurpose travel lane for wide-buffered mobility lane on each side. At the Mill Plain intersection, the southbound lane retains the right-turn lane, and the northbound lanes will retain two receiving travel lanes that taper to the wide-buffered mobility lane treatment)*

Request: Approve the resolution to advance Phase 1 recommended design options for Fourth Plain Boulevard from F Street to Fort Vancouver Way, and on Fort Vancouver Way from Fourth Plain and Mill Plain.

Kate Drennan, Principal Planner, 360-487-7959

Motion adopted Resolution M-4194 to approve the request.

7. Garbage, Recycling and Organics Collection Rate Increases for 2023

Staff Report: 155-22

AN ORDINANCE relating to the collection of solid waste, recyclable materials and organics, and amending certain sections of VMC 6.12 to increase or adjust rates and charges consistent with approved utility user taxes and rates and in accordance with current contracts for the coming year; providing for savings, severability and an effective date.

City Council is the rate-making authority for garbage, residential recycling, and organics collection services within the City of Vancouver. The City contracts with a private hauling company, Waste Connections of Washington, to provide comprehensive garbage, recycling and organics collection services to residents and businesses within city limits. The contract terms authorize Waste Connections to receive annual adjustments to customer rates based on changing operating conditions including:

- *an inflation adjustment factor tied to a percentage of the CPI and fuel cost changes over the past year (July through June),*
- *disposal tip fee changes scheduled for the coming year,*
- *the number of customers served and,*
- *fees paid to the City to support solid waste related programs.*

All adjustments to rates are made in accordance with Exhibit D of the

contract. Garbage rates also include the City's utility tax that is embedded within them. The City's utility tax does not apply to recycling or organics collection services.

Consistent with the contract, the updated model for 2023 requires an increase of 8.5 percent for most garbage rates, while many recycling, organics and selected other fees, not linked to the disposal tip fee or utility tax, will need to increase by 9.4 percent, effective January 1, 2023. Key reasons for this increase are an 8.586 percent increase in the CPI, a 48.62 percent increase in the diesel fuel index, and a 6.5 percent increase in the disposal tip fee. For the most typical residential customer with 32-gallons per week of garbage, every-other-week recycling and every-other-week organics collection (96-gallons for each) this means a monthly rate increase of 6.6 percent, from \$33.33 per month to \$35.54 per month, this is a net increase of \$2.21 per month.

Inflation Adjustment Factor

Under the contract, collection costs for garbage, recycling and organics adjust at 80 percent of a blended and combined CPI (92 percent) and diesel fuel index (8 percent) – Inflation Adjustment Factor (IAF), which leads to a 9.43 percent increase for the collection and disposal cost component, the City Fee and other miscellaneous fees.

Disposal Tip Fees

On January 1, 2023, the disposal tip fee is scheduled to increase \$6.46 per ton (or 6.5 percent) from \$99.88 per ton to \$106.34 per ton. In addition to the allowed CPI increase on the base tip fee (going from \$98.08 per ton to \$104.40 per ton), this tip fee includes \$0.51 per ton for additional work being done under the Clark County contract by Columbia Resource Company at the Central Transfer and Recycling Station (\$0.14 of this is new for 2023 related to construction access improvements for safety) as well as \$1.43 per ton for a surcharge approved by the Clark County Council in 2017 to make up for lost state funding for regional solid waste programs and planning.

Recycling Fees

The rates proposed for January 1, 2023, include a subsidy or rate-buy down of \$0.72/month per household paid to Waste Connections from the City's Solid Waste Fund to support curbside recycling service provided to individual households (adjusting customer monthly charges from the current fee of \$3.37 to \$2.97, an 11.9 percent decrease). The multi-family recycling collection service fees (increasing from \$1.36 to \$1.49) are based solely on the Inflation Adjustment Factor detailed above, without a subsidy, as well as annual adjustments to the recycling processing surcharges, which were added April 1, 2019 to recover costs associated with the local response to the global market issues and the ongoing need for supplying quality materials to these markets. Based on a review of operational factors, Clark County has indicated that the \$48.56 per ton processing fee in 2022

will be adjusted to \$41.73 on January 1, 2023. The combined impact for the combined curbside recycling fee and processing surcharge components is an 8.3 percent decrease (\$0.34 per month) in curbside recycling charges. The multi-family combined impact for the recycling fee and processing surcharge is an increase of 15.7 percent (\$0.26/mo).

Organics Fees

The rates proposed for January 1, 2023, include 9.4 percent adjustments to the organics rates which are tied to the Inflation Adjustment Factor. For the standard subscription service of 96-gallons collected every-other-week, the current rate of \$8.05 per month adjusts to \$8.81 per month. Recommended 2023 rates at other levels of service, following the same every-other-week schedule, are \$7.62 for 64-gallon carts, \$6.44 for 32-gallon carts, and \$5.25 for 20-gallon carts.

Contractor Performance

During 2022 the contractor made operational changes to garbage and recycling services provided outside of Vancouver's city limits that resulted in significantly increased call and email volumes to their regional Customer Service call center. These changes had a negative impact to Vancouver customers' ability to experience the level of customer service expected in the City's contract. As a result, and pursuant to Section 3.3.2 of the contract, City staff is currently working with the contractor on a strategy to address this performance concern so that our residents are not "left hanging" when they call in or email the company to address their service, billing or account set-up needs.

Typical Residential Rate Impact

For 2023 overall, the combined typical residential customer rates for 32-gallons of weekly garbage service with recycling and organics collection increases 6.6 percent or \$2.21 per month under the proposed rates. This reflects a \$1.79 increase in garbage charges, a net \$0.34 decrease in the combined recycling collection rate and recycling processing surcharge fees, and a \$0.76 increase in the organics charge. Households that have chosen different service levels may experience slightly different rate impacts.

Staff recommends adjusting customer rates as detailed in the Summary of Proposed 2023 Solid Waste Rates to meet the contractual obligations associated with the defined Inflation Adjustment Factor and anticipated tip fee changes and to set the City Fee amount for the coming year. If approved, all adjustments will be effective January 1, 2023.

Request: On October 24, 2022, approve ordinance on first reading, setting the date of second reading and public hearing for November 7, 2022.

Julie Gilbertson, Solid Waste Supervisor, 360-487-7162

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

Motion approved the request.

8. Ordinance amending Section VMC 3.40.070 (A) authorizing the Vancouver Transportation Benefit District to establish up to one-tenth of one percent sales and use tax

Staff Report: 156-22

AN ORDINANCE of the City of Vancouver authorizing the Vancouver Transportation Benefit District Board to establish an up to one-tenth of one percent (.1%) sales and use tax pursuant to RCW 36.73.065(4)(a)(v); adopting legislative findings; amending Section 3.40.070(A) of the Vancouver Municipal Code to reflect recent changes in state law; providing for severability; and setting an immediate effective date.

The City of Vancouver created a transportation benefit district (TBD) in 2015 to generate additional funding for transportation infrastructure in the City. Though the TBD is a separate legal entity with a governing body separate from the City Council, the members of the City Council sit as the governing board of the TBD.

At the time of the Vancouver TBD creation, state law defined the revenue options to fund TBDs as including councilmanic approval for vehicle license fees and a voted option for sales and use tax. During the 2022 legislative session, Senate Bill 5974 increased the maximum transportation benefit district sales tax authority from 0.2 to 0.3% and authorized the TBD governing board to impose 0.1% of the sales tax under councilmanic authority for up to 10 years.

The Vancouver Municipal Code (VMC) chapter 3.40 established the Vancouver TBD and its associated authority. This code needs to be updated to incorporate the new authority granted to the TBD by the State in 2022 before the Vancouver TBD can consider implementing the new sales tax. The amendment to the municipal code falls under the authority of the City Council.

If the City Council approves amendment of VMC 3.40 to authorize the TBD to implement the sales tax, a separate, subsequent action by the TBD is required to implement the tax. The first reading on that action is planned following the City Council meeting on October 24.

Because this new revenue is anticipated as part of the recommended City of Vancouver 2023-24 biennial budget, it is being brought forward to Council (to amend the VMC to authorize the TBD) and the TBD (to enact) in advance of City Council's final action on the budget. This sequencing

and timing supports greater predictability in budget adoption and assures procedural compliance with the City Charter and Open Public Meetings Act (OPMA) for both the City Council and the TBD.

The attached ordinance updates the relevant section of the VMC to reflect the recent change in state legislation.

Request: On October 24, 2022, approve ordinance on first reading, setting date of second reading and public hearing for November 7, 2022.

Taylor Hallvik, Assistant City Attorney III, 360-487-8521

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

Motion approved the request.

9. Approval of Claim Vouchers

Request: Approve claim vouchers for October 24, 2022.

Motion approved claim vouchers in the amount of \$9,283,931.59.

Old Business (Item 10)

10. Termination of Emergency Orders 2020-01, 2020-14, and 2020-17

Staff Report: 157-22

A RESOLUTION terminating the City of Vancouver's declared state of emergency for the COVID-19 pandemic; terminating Emergency Order 2020-01: Declaration of Civil Emergency; terminating Emergency Order 2020-14, Section 4: Extension of Specified Temporary Employment Policies; and terminating Emergency Order 2020-17: City Manager's Emergency Purchasing Authority and Emergency Budget Authority.

On September 8, 2022, Governor Jay Inslee announced that the state of emergency order pertaining to the COVID-19 pandemic statewide will be expiring on October 31, 2022. These orders reflect the shift of the pandemic from an acute emergency response to long-term management and recovery.

In alignment with the Governor's orders, the City of Vancouver will terminate the following: Emergency Order 2020-01, Declaration of Emergency; and related Emergency Orders 2020-14 Section 4; and Emergency Order 2020-17 (which were specified to run through the end of the declared state of emergency) effective October 31, 2022.

Operationally, the City of Vancouver has transitioned along with statewide orders, and encourages the use of face masks, and hygiene protocols such as hand washing, use of hand sanitizer and physical distancing within its public spaces and worksites. These practices have been integrated within City public spaces and work sites. Hybrid public meetings, which have been implemented, are now a standard practice, which allows for broader civic engagement.

Request: Adopt a resolution terminating the City of Vancouver's declared state of emergency for the COVID-19 Pandemic, and termination of Emergency Order 2020-01: Declaration of Civil Emergency; termination of Emergency Order 3030-14, Section 4: Extension of Specified Temporary Employment Policies; and termination of Emergency Order 2020-17: City Manager's Emergency Purchasing Authority and Emergency Budget Authority effective October 31, 2022.

*Lisa Brandl, Deputy City Manager, 360-487-8600;
Geraldene Moyle, General Services Director, 360-487-8633*

Motion by Councilmember Stober, seconded by Councilmember Perez, and approved unanimously to adopt Resolution M-4195.

Community Forum

Mayor McEnerny-Ogle opened the Community Forum and received testimony from the following community members:

- Kimberlee Elbon, La Center, WA

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

Adjournment

7:07 p.m.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

From: [Robert](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, October 23, 2022 5:15:35 PM

CAUTION: This email originated from outside of the City of Vancouver. Do not click links or open attachments unless you recognize the sender and know the content is safe.



City Council Contact Form

Submitted date: Sunday, October 23, 2022 - 5:15pm

Contact Information

First name:

Robert

Last name:

Rhodes

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98660

Inquiry Information

Subject:

Recipient:

All of Council

Message:

I am a resident of Heritage Place Condominiums in downtown and I am writing to express my support for the Stay Safe shelter proposed for our neighborhood. I applaud the Council for its best practices approach to addressing homelessness by acknowledging the first step in helping a person transition from houselessness to stability is to get them safely housed. As a former Chair of the Council for the Homeless, I know that many people resist the thought of any services being located in their neighborhood. I am one member of the downtown community that will support this effort. Bob Rhodes

Upload a file:

From: [Brody](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Saturday, October 22, 2022 5:15:29 PM

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City Council Contact Form

Submitted date: Saturday, October 22, 2022 - 5:15pm

Contact Information

First name:

Brody

Last name:

Sargent

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98661

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

Hello City Council of Vancouver. My name is Brody Sargent and I am the Equity Program Specialist of the Portland Police Bureau. I would like to comment that I think it is a good use of resources to invest in a fulltime Equity Staff for Vancouver's Police Bureau. In a current time of nationwide staffing shortages for officers and increasing call loads it can be difficult for sworn staff to spare the time to create and further equity initiatives and having a fulltime Equity Position makes it easier to ensure this work is done. Further you would be joining Cities like Los Angeles, New York and Baltimore which have invested in equity staff. Our office at the Portland Police Bureau currently has a staff of four and is expected to grow further. It is my belief that staffing this position is giving the Vancouver Police the resources it needs and demonstrating the City of Vancouver's commitment to equity,

fairness and continued growth.

Upload a file:

From: [Dollar, Sarah](#)
To: [Delapena, Amanda](#)
Subject: Fw: covid vaccines should not be taken
Date: Thursday, October 20, 2022 8:06:01 AM

From: Wynn Grcich <[REDACTED]>
Sent: Wednesday, October 19, 2022 4:51 PM
To: Dollar, Sarah <Sarah.Dollar@cityofvancouver.us>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; Paul.Harris@leg.wa.gov <Paul.Harris@leg.wa.gov>
Subject: covid vaccines should not be taken

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**Give this to the councils. majors. .Clark County Health Board,
anand Dr. Melneck**

State Surgeon General Dr. Joseph A. Ladapo Issues New mRNA COVID-19 Vaccine Guidance

Florida Department of Health sent this bulletin at 10/07/2022 06:12 PM EDT

[View as a webpage](#) / [Share](#)



October 7, 2022

State Surgeon General Dr. Joseph A. Ladapo Issues New mRNA COVID-19 Vaccine Guidance

TALLAHASSEE, Fla. – Today, State Surgeon General Dr. Joseph A. Ladapo has announced new guidance regarding mRNA vaccines. The Florida Department of Health (Department) conducted an [analysis](#) through a [self-controlled case series](#), which is a technique originally developed to evaluate vaccine safety.

This analysis found that there is an 84% increase in the relative incidence of cardiac-related death among males 18-39 years old within 28 days following mRNA vaccination. With a high level of global immunity to COVID-19, the benefit of vaccination is likely outweighed by this abnormally high risk of cardiac-related death among men in this age

group. Non-mRNA vaccines were not found to have these increased risks.

As such, the State Surgeon General recommends against males aged 18 to 39 from receiving mRNA COVID-19 vaccines. Those with preexisting cardiac conditions, such as myocarditis and pericarditis, should take particular caution when making this decision.

“Studying the safety and efficacy of any medications, including vaccines, is an important component of public health,” said **Surgeon General Dr. Joseph Ladapo**. “Far less attention has been paid to safety and the concerns of many individuals have been dismissed – these are important findings that should be communicated to Floridians.”

The analysis can be found [here](#). The guidance can be found [here](#).

From: [Dollar, Sarah](#)
To: [Delapena, Amanda](#)
Subject: Fw: Toxic Torts: An Interview With Fluoridation Chemical Expert Gary Pittman
Date: Thursday, October 20, 2022 8:06:23 AM

From: Wynn Grcich [REDACTED]
Sent: Wednesday, October 19, 2022 10:55 AM
To: Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>; Dollar, Sarah <Sarah.Dollar@cityofvancouver.us>; Paul.Harris@leg.wa.gov <Paul.Harris@leg.wa.gov>; electmichellebelkot@gmail.com <electmichellebelkot@gmail.com>
Subject: Fwd: Toxic Torts: An Interview With Fluoridation Chemical Expert Gary Pittman

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Give this to the councils and Dr. MELNECK

----- Forwarded message -----

From: Fluoride Action Network <info@fluoridealert.org>
Date: Wed, Oct 12, 2022, 10:04 AM
Subject: Toxic Torts: An Interview With Fluoridation Chemical Expert Gary Pittman
To: Wynn Grcich <[REDACTED]>





Dear Friends,

IMPORTANT NOTE: The next status hearing for our **federal TSCA lawsuit** was originally scheduled for October 20th, however the Court has now pushed it back a week to **Wednesday, October 26th at 3:30PM (US Pacific) / 6:30 (US Eastern)**. We will keep you updated as the hearing approaches and provide Zoom login information so you can watch from home.

We have a special feature for our supporters today! Several weeks ago, members of the Fluoride Action Network had the opportunity to interview Gary O. Pittman on the connection between the phosphate industry and the fluoride chemicals that are added to drinking water in the United States. Gary spent a career as an industry consultant and phosphate plant manager for Occidental Chemical Corporation (now called OXY) at their mining and processing operations in northern Florida. This industry is the primary "producer" of

fluorosilicic acid, which is a toxic waste product captured by their pollution scrubber systems and distributed to towns and cities across the U.S. for use in the public water supplies as "fluoride."

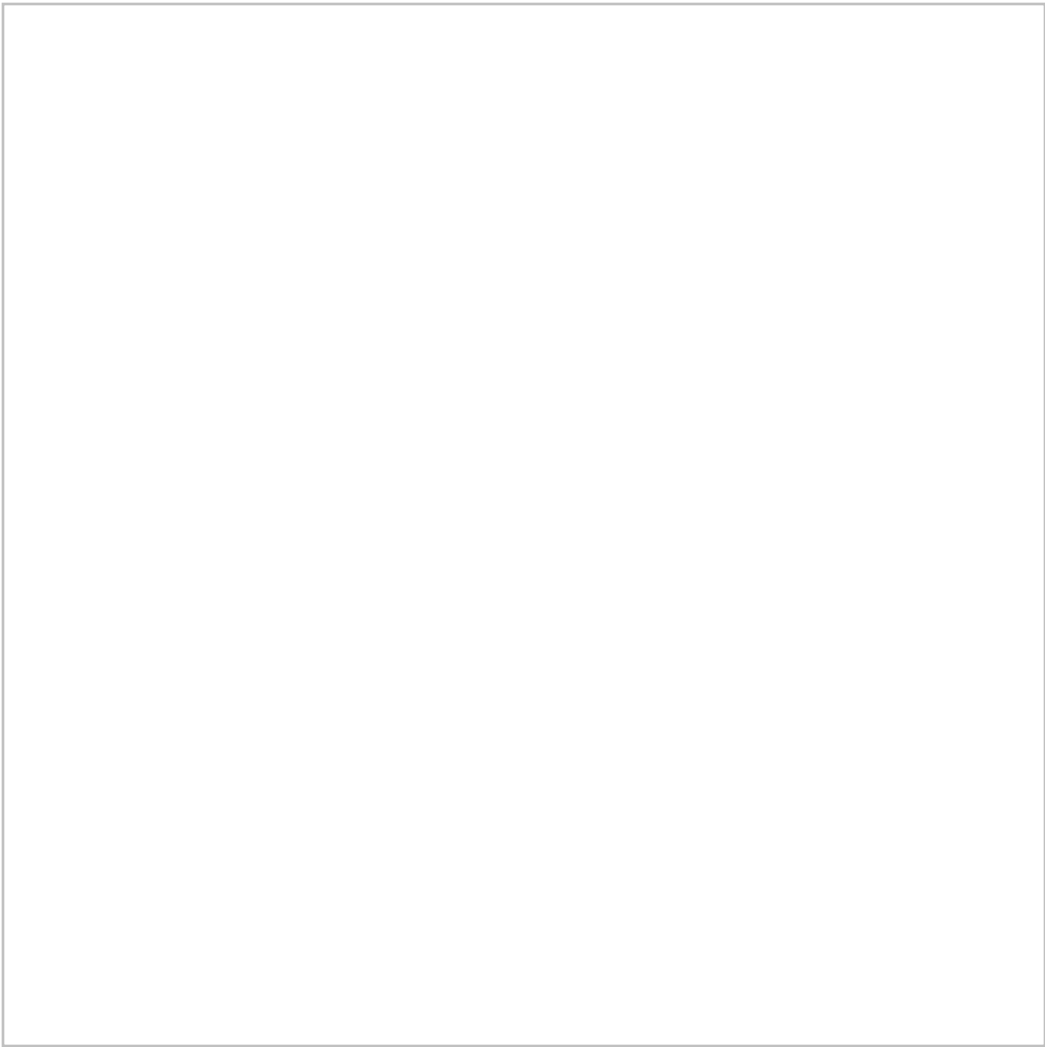
Pittman is the author of the book [*Phosphate Fluorides. Toxic Torts*](#), and appears in the recent film about the Florida fertilizer industry, [*Phosphate*](#).

This hour-long interview features a wide-ranging discussion on:

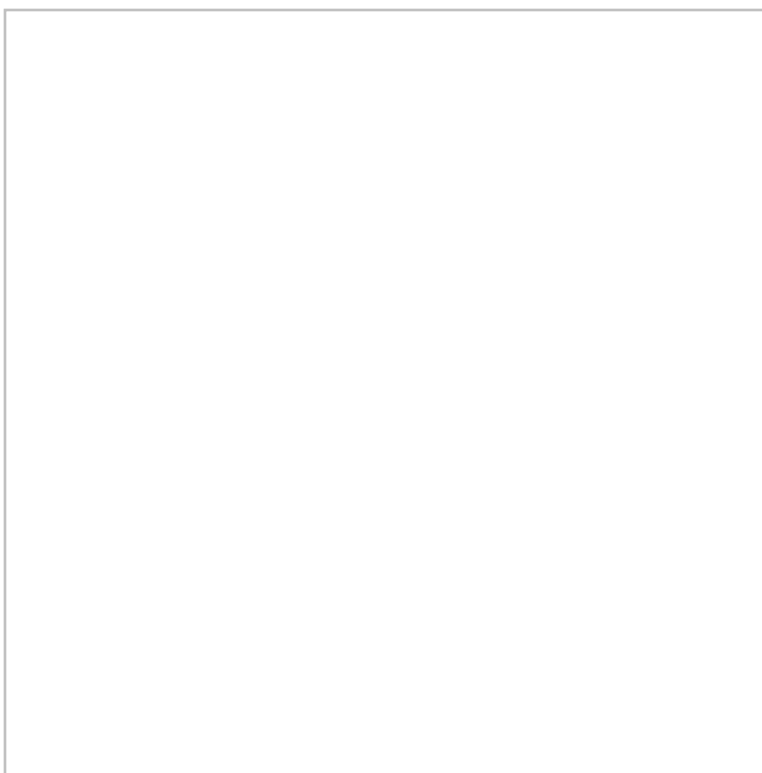
- * How phosphates are mined
- * Toxic chemicals at the phosphate plant
- * How fluoride is captured from from phosphate rock slurry
- * Why defoamers are used in the process
- * Toxic work conditions that impacted the health of workers and the environment
- * The financial and political influence of the chemical industry.

We hope that you enjoy it and share the links with your contacts and anyone who may be interested in knowing where fluoridation chemicals come from.

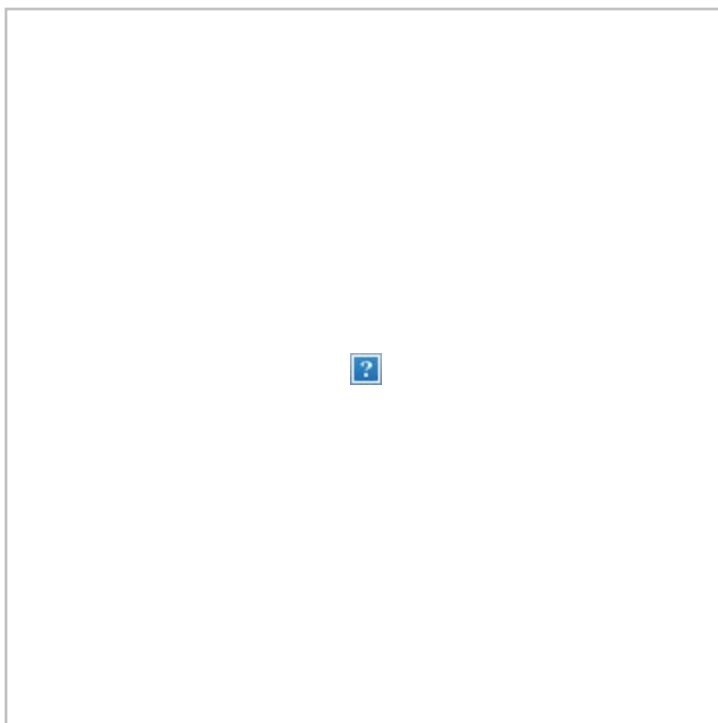
WATCH ON YOUTUBE:



LISTEN TO APPLE PODCAST:



LISTEN TO SPREAKER PODCAST:



For more information on the chemicals used for water fluoridation schemes, please [visit our webpage on the topic](#).

Thank you for your continued support,

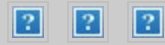
Jay Sanders
Education & Outreach Director
[Fluoride Action Network](#)

[See all FAN bulletins online](#)

Make A Tax Deductible Donation Today!

Fluoride Action Network
Exeter, New Hampshire
info@fluoridealert.org

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From: [Dollar, Sarah](#)
To: [Delapena, Amanda](#)
Subject: Fw: Watch ""Pyramid" Nanoparticles: mRNA & Fetal Health w/ Dr. James Thorp & Dr. Kelly Victory – Ask Dr. Drew" on YouTube
Date: Thursday, October 20, 2022 8:13:25 AM

From: Wynn Grich [REDACTED]
Sent: Monday, October 17, 2022 5:40 PM
To: Dollar, Sarah <Sarah.Dollar@cityofvancouver.us>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>
Subject: Watch ""Pyramid" Nanoparticles: mRNA & Fetal Health w/ Dr. James Thorp & Dr. Kelly Victory – Ask Dr. Drew" on YouTube

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<https://youtu.be/2199TWEmjjU>. Give to council members, mayor's and Dr. MELNECK. confirm you sent this to them

From: [Dollar, Sarah](#)
To: [Delapena, Amanda](#)
Subject: Fw: Watch "Dr Russell Blaylock Fluorides Deadly Secret Part" on YouTube
Date: Thursday, October 20, 2022 8:13:18 AM

From: Wynn Grcich <[REDACTED]>
Sent: Monday, October 17, 2022 3:10 PM
To: Paul.Harris@leg.wa.gov <Paul.Harris@leg.wa.gov>; Dollar, Sarah
<Sarah.Dollar@cityofvancouver.us>; Rebecca Messinger <Rebecca.Messinger@clark.wa.gov>;
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
Subject: Watch "Dr Russell Blaylock Fluorides Deadly Secret Part" on YouTube

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<https://youtu.be/xvBlzkOB2W0>.

Give to council members



CITY OF VANCOUVER 2023 Federal Legislative Priorities

Livability

Interstate Bridge Replacement Project Policy Item

The three primary federal competitive grant programs most applicable to the IBR program are the FHWA Bridge Investment Program (BIP), USDOT National Infrastructure Project Assistance Program (MEGA), and FTA New Starts Capital Investment Grant (CIG) Program. All three programs could contribute significant amounts of discretionary funding to the IBR program. The range of potential federal funding will be detailed in the updated financial plan anticipated in early 2023.

In July, the IBR program applied for two BIP grants and received letters of support signed by 40 organizations, including program partners, trade associations, business groups, and community-based organizations. The IBR program requested and was awarded \$1 million in planning funding for geotechnical work on Hayden Island through the BIP grant program. The second BIP grant application requested \$750 million in construction funding. Both BIP grant applications were submitted by ODOT as joint requests from ODOT and WSDOT. In September, the Oregon Joint Emergency Board Committee retroactively approved ODOT's submission of the two BIP grant applications.

The program will continue working closely with federal agency partners and the congressional delegations to monitor opportunities as grant application criteria and funding awards become available. The program anticipates submitting additional federal grant applications next year.

The City strongly supports robust federal investments from a variety of new and existing transportation programs, including the FTA Capital Investment Grant program, Nationally Significant Multimodal Freight and Highway Program (formally INFRA), the new Bridge Investment Program and the National Infrastructure Project Assistance Program. Federal funds would help alleviate the burden on state and local governments, and commuters and would provide for a multimodal I-5 Bridge that includes high-capacity transit with a dedicated guideway.

Vancouver Heights Project for Federal Investment

In 2017 the City purchased nearly 12 acres of the shuttered former Tower Mall in one of the community's oldest neighborhoods, Vancouver Heights. Adjacent to vacant property already under City ownership, this strategic purchase created an unprecedented opportunity to revitalize a 63 acre area of the City that - passed over by market forces - has seen decades of decline. The City's vision for the site's redevelopment is built around connectivity, equity, climate action and economic opportunity. The Heights will become a vibrant and diverse neighborhood center that includes engaging public spaces, safe and affordable housing, business retention and expansion and multimodal travel options. Infrastructure construction is poised to begin in 2024 and the full redevelopment will be completed over several phases and require significant investments by the federal and state governments and private stakeholders, in addition to the City.

Affordable Housing and Homeless Assistance | Policy Item

The City supports robust federal investments in HUD's Community Development Block Grant (CDBG) and HOME Investment Partnerships program, which the City uses to create affordable housing, grow the economy, and provide a community safety net. The City also supports increased funding for HUD's Homeless Assistance Grants, Housing Choice Vouchers, and Public Housing programs. The City supports expanding and strengthening the Low-Income Housing Tax Credit and improving alignment of federal housing resources to reduce costs and duplication. These federal investments are critical to ensuring the resources are available to effectively address the housing and homelessness crisis in America.

Assistance to Firefighters Grants Projects for Federal Investment

Monitor/Defibrillator Devices | \$729,334

VFD is seeking funds to replace our aging compliment of monitor/defibrillator devices. Monitor/defibrillator devices are an essential piece of equipment in EMS operations. The use of monitor/defibrillator devices leads to better patient outcomes.

1021 Officer Training and Hazardous Materials Training | \$400,000

Vancouver Fire is seeking grant funding to support a 1021 fire officer 1 and 2 training program that includes continuing education for officer development. VFD is also seeking grant funding to support sending department staff to specialized training in hazardous materials response and incident management. VFD will use the training to create response plans for addressing these types of risks.

Project Home Safe | \$200,000

VFD is seeking grant funding to support risk reduction through fire prevention and life safety education. Project Home Safe identifies and employs zero-ignition strategies to prevent fire incidents, reduce injuries and property loss. The program utilizes VFD staff and volunteers to educate citizens, including at-risk populations like the hearing impaired, on changing risky behaviors and installing free smoke alarms. VFD is closely monitoring the outcomes and the results are being validated by the Washington State University Mathematics Department.



One of Vancouver's
Safe Stay Communities

Sustainability & Resiliency

Sustainability, Resilience and Climate Action | Policy Item

The City supports increased federal investment in efficiency and renewable energy creation and electric vehicles and public transportation. As our City works towards our goal of carbon neutrality by 2040, federal investments will help amplify the City's efforts. In particular, the City appreciates the multiple additional investments included in the Inflation Reduction Act, the Energy Efficiency and Conservation Block Grant Program in the Infrastructure Investment and Jobs Act, and supports the Energy Innovation and Carbon Dividend Act, which creates a carbon fee on fossil fuels at the source and then pays a dividend back to U.S. citizens and lawful residents.

Wastewater Efficiency and Environmental Upgrades | Projects for Federal Investment

The City is exploring federal investments to strengthen environmental protections and efficiency of its wastewater infrastructure. Federal funds will allow the City to expand its existing Sewer Connection Incentive Program (SCIP) to better provide resources to low-income residences seeking to connect their homes to a public sewer system, which is a benefit to public health and water quality. The City is also in the early planning stages to replace its existing Westside Wastewater Treatment Plant with a waste-to-energy facility to help reach its ambitious climate goals. The City urges Congress to appropriate funding to the Connections to Publicly Owned Treatment Works and Wastewater Efficiency grant programs, which were authorized in the Infrastructure Investment and Jobs Act but never funded. The City is well positioned to compete for these funds should Congress appropriate funding.

Equity & Inclusion

32nd Avenue Extension | Project for Federal Investment

The 32nd Avenue Extension project is critical to relieving local and regional congestion, reducing air pollution in one of the City's most economically disadvantaged neighborhoods, creating safer multimodal connections, and allowing for continued economic growth at the Port of Vancouver and nearby industrial areas. Today, freight moving by truck from these industrial areas travel through Vancouver's densely populated downtown core as well as several low-income residential neighborhoods creating safety hazards and inefficient connections. The 32nd Avenue Extension project will create a new freight corridor that will provide a more reliable and direct connection to reach the City's industrial hub, catalyze development of industrial-zoned lands and increase safety. The City is pursuing a RAISE grant, the new Neighborhood Access and Equity Grant through the Inflation Reduction Act, and state transportation funds for this project.





Equity & Inclusion

Fourth Plain Safety and Access Project Project for Federal Investment

This Fourth Plain corridor is the central arterial through Vancouver's most diverse neighborhoods and connects five historically disadvantaged communities to area job centers, schools, shopping districts and recreational opportunities. Yet, the corridor's high traffic volumes, difficult crossings, and other safety issues, creates a challenging pedestrian environment. Through significant collaboration with the Fourth Plain community, the City is investing to build a corridor that is a safe and comfortable environment for all users while adhering to its equitable transportation investment strategy. The City continues to evaluate federal investment opportunities and has applied to the Safe Streets for All program requesting \$5 million for the Fourth Plain Safety and Access Project.



Chinook Restoration Act | Policy Item

The City of Vancouver supports federal recognition of the Chinook Indian Nation and urges the Congressional delegation to introduce and support the Chinook Restoration Act, which would honor the federal government's commitment to the Chinook.

Community Trust & Relationships

Taxes: Restore SALT Deduction and Advanced Refunding | Policy Item

SALT Deduction: The City is concerned about the impact on lower- and middle-income families of the \$10,000 cap on deductions for property, state, and local taxes. The City supports full restoration of the SALT deduction.

Advanced Refunding: The City supports refinancing of municipal bonds which was eliminated in the 2017 tax bill. Refinancing bonds lowers the debt service for local governments and is a financing tool that reduces the burden on local residents.

Regulatory Concerns and Unfunded Mandates | Policy Item

The City opposes legislative or regulatory initiatives that undermine local government decision making and contributes to reduction in our workforce. The partnership with federal policy makers should recognize local government roles and not preempt city authority on issues such as land use, rights of way and other local functions.

For More Information

Joel Rubin, Lobbyist, CFM Advocates
joelr@cfmdc.com | 202-347-9171

Aaron Lande, Program & Policy Manager, City of Vancouver
aaron.lande@cityofvancouver.us | 360-487-8612

A photograph of the U.S. Capitol building at night, illuminated by warm lights. The building's dome and classical architecture are prominent, with the Washington Monument visible in the background. The scene is reflected in the water in the foreground. A white rectangular box with a red horizontal bar at the bottom is overlaid on the image, containing the title text.

Federal Affairs Update



Introduction

- Recent Successes
- 2023 Draft Federal Agenda
- Inflation Reduction Act
- 2022 Midterms



Recent Successes

Over \$28.69 million in federal earmarks and grants secured since 2008
(\$2.4 million/year)

2021

- 1st Street Improvement Project \$2.5 million
- Vancouver Police Cameras \$1.5 million
- Project Home Safe \$218,008

2022

- 1st Street EDA Grant \$2.5 million
- Safe Streets for All (4th Plain) \$5.14 million

Policy Items

- American Rescue Plan Act (ARPA) \$33.1 million
- Bipartisan Infrastructure Law \$1.2 trillion
- Inflation Reduction Act \$1.3 trillion

2023 Federal Agenda

An aerial night photograph of a city, likely Washington D.C., showing illuminated buildings and streets. A prominent red horizontal bar spans the width of the image, partially obscuring the city lights. The White House is visible in the distance on the right side.

Livability

- | | |
|--|---------------|
| • I-5 Bridge Replacement | Policy Item |
| • Vancouver Heights | \$2 million |
| • Affordable Housing and Homeless Assistance | Policy Item |
| • Assistance for Firefighters Grants | \$1.3 million |



2023 Federal Agenda

Sustainability and Resilency

- Sustainability, Resilience and Climate Change Policy Item
- Wastewater Efficiency and Environmental Upgrades Policy Item

2023 Federal Agenda

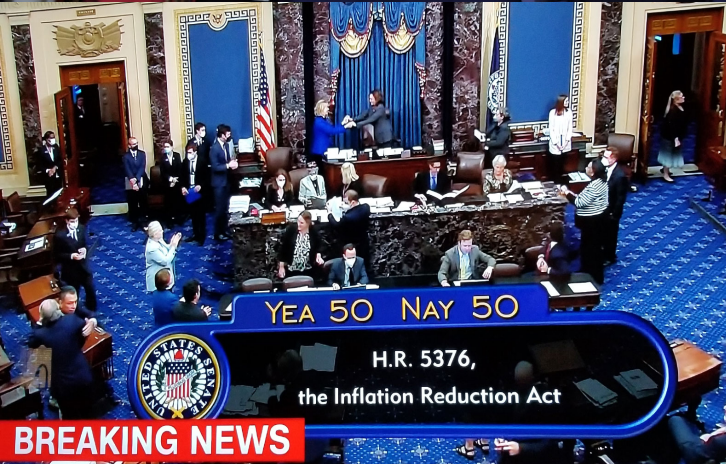
Equity and Inclusion

- 32nd Avenue Extension \$5 million
- Fourth Plain Safety and Access Project \$5 million
- Chinook Restoration Act Policy Item

2023 Federal Agenda

Community Trust and Relationships

- Restore SALT Deduction and Advanced Refunding Policy Item
- Regulatory Concerns and Unfunded Mandates Policy Item



Inflation Reduction Act

Grants

- Climate Pollution Reduction Grant Program \$5 billion
- Neighborhood Access and Equity Grant Program \$1.9 billion
- Clean Heavy-Duty Vehicle Grant Program \$1 billion
- Environmental Justice Block Grant \$3 billion
- Building Code Adoption and Implementation \$1 billion
- Methane Emissions Reduction Program \$1.5 billion

Tax Credits, Rebates and other Provisions

- Commercial Clean Vehicle Tax Credit
- Alternative Fuel Vehicle Refueling Property Tax Credit
- High-Efficiency Electric Home Rebate Program
- Low Carbon Transportation Materials
- Greenhouse Gas Reduction Fund



2022 Election

- Big Picture

- Democrats retain narrow Senate majority
- Republicans capture narrow House majority
- New House Democratic Leadership

- Washington State Outcomes

- Senator Murray secures 6th term
- Congresswoman-elect Marie Gluesenkamp Perez

- 2023 Outlook

- Increased Congressional oversight
- Border Security and Crime
- Earmarks?
- 2024 Presidential Campaign



Questions?



Street Funding Strategy 2022 Accomplishments and Finances



Chris Malone
Public Works Finance and Asset Manager

Agenda

- Street Funding Strategy (SFS) guiding principles/key outcomes
- 2022 SFS accomplishments and finances
- 2023 Transportation Benefit District (TBD) workplan/budget
- Questions/discussion



Street Funding Strategy Guiding Principals

- Supplement – Not Supplant – Current Street Funds
- Equitable Responsibility for Supporting Vancouver's Streets
- Predictability of Funds
- Provide Annual Reporting to Council and Community
- Require Public Outreach Process/Review of any Proposal to Shift Recommended Revenues to Anything Other than Streets
- Reinvest Retired Transportation Debt Service into the SFS
- *Added in 2021: Emphasis on Equity, Safety, and Climate Action*



Street Funding Strategy Key Outcomes

- Mobility, Accessibility, and Safety
- Grant-funded Capital Projects
- Sidewalk Maintenance
- Right-of-Way Maintenance (Restore to Historic Levels)
- Pavement Preservation
- Pavement Reconstruction
- Asset Replacement (Streetlights, Traffic Signals, etc.)
- New in 2023 Complete Streets



Street Funding Strategy Revenues

Funding Source	2021 Revenue	2022 Revenue
	(Millions)	(Millions)
	Actuals	Estimated
TBD Vehicle License Fee	\$5.32	\$5.25
Utility Tax	\$2.28	\$2.20
Business License Surcharge	\$0.57	\$0.50
State Gas Tax	\$0.48	\$0.48
Paid-off Debt	\$2.20	\$2.20
Total	\$10.85	\$10.63

Street Funding Strategy Expenditures

Program	2021	2022
	(Millions)	(Millions)
	Actuals	Estimated
Transportation Capital Program	\$0.00*	\$3.20
Mobility Safety Accessibility	\$1.00	\$1.00
Pavement Reconstruction	\$1.00	\$1.00
ROW Management	\$0.75	\$0.75
Sidewalk Management	\$0.50	\$0.50
Pavement Preservation	\$6.00	\$6.00
Asset Replacement	\$0.20	\$0.20
Neighborhood Traffic Management	\$0.13	\$0.13
Total	\$9.58	\$12.78

*Setting aside for future capital projects.

Multimodal Safety/Accessibility Outcome 2022

\$1 Million/year to Multimodal Safety and Accessibility Projects

- Northwest Neighborhood Connectivity (pedestrian improvements by Franklin Elementary)
- Devine Sidewalk Improvement (18th Street to Mill Plain)

Note: In addition to multimodal improvements through other capital projects, development projects, etc.



Neighborhood Traffic Calming Outcome 2022

\$300,000/year funded by TBD and Real Estate Excise Tax (REET)

- 2022 project selections:
 - NE 129th Avenue – 28th to 39th (Image)
 - NW Bernie Drive – Fruit Valley to Lincoln (Northwest)
 - NE Four Seasons Lane – 18th to 28th (Landover-Sharmel)
 - NE 86th Avenue – 15th to 20th (Ogden, North Garrison, Heights, Oakbrook)

Note: In addition to multimodal improvements through other capital projects, development projects, etc.



Pavement Management Outcome 2022

Total 2022 expenses = \$13.5 million from combination of TBD, general fund, REET, and gas tax.

- Paved/Resurfaced: 17.3 lane miles
- Preservation treatments: 78.1 lane miles
- ADA Accessible Ramps: 196 reconstructed

Note: Dollars shown above are end-of-year projections.

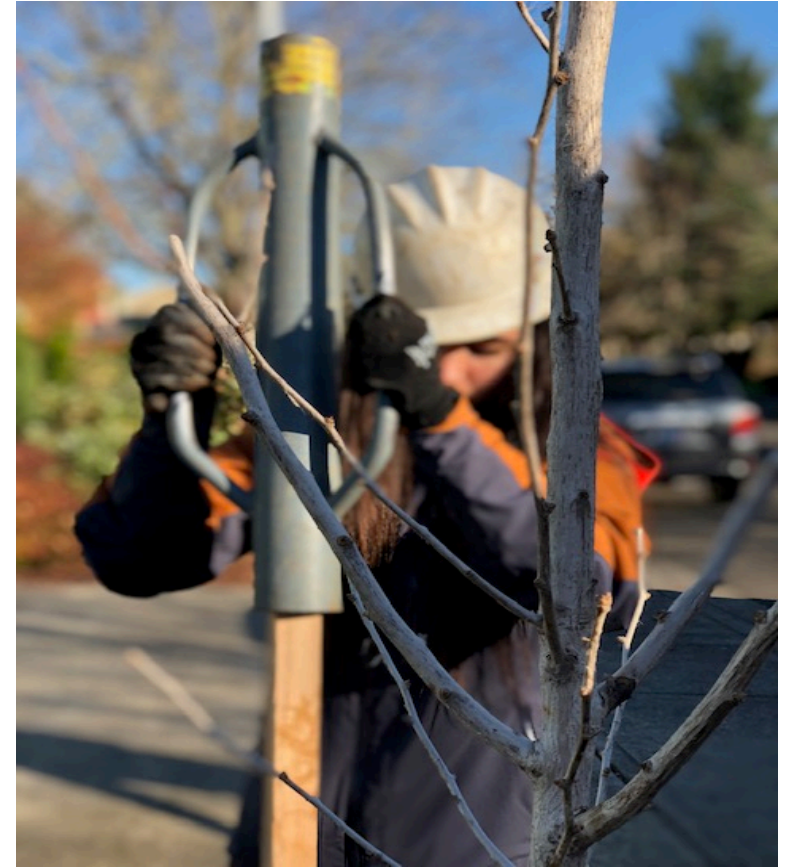


Right-of-Way (ROW) Maintenance Outcome 2022

2022 ROW maintenance expenses = \$750,000

- Continued arterial sweeping on two-week cycles
- Restored levels of ROW maintenance: Emphasis on litter collection, weed management, and sight-distance maintenance
- Continued work with Urban Forestry to replace dead/damaged trees

Note: Dollars shown above are end-of-year projections.



Sidewalk Management Program 2022

2022 sidewalk program expenses = \$300,000

- 1,226 inspections, 755 correction notices, 59 rights-of-way permits, 35 sidewalk seating permits
- Working with residential and businesses to fix defects in sidewalk
- Construction work zone compliance

Note: Dollars shown above are end-of-year projections.



Asset Replacement Outcome 2022

2022 asset replacement expenses = \$600,000

- Annual funding = \$0.2 million Street Funding Strategy + \$0.215 million existing funds
- Next project will be replacing traffic signal controller system in 2022-2024.

Note: Dollars shown above are end-of-year projections.



Grant funded program 2022

Grant matching revenues come from TBD, Transportation Impact Fees (TIF), developer contributions, etc.

Project Name	* TIP ID	2022	2023	2024
1 st Street 177 th Ave to 192 nd Ave	Trans 870	\$3,200,000.00	\$1,800,000.00	\$0.00
137 th Avenue 49 th Street to Fourth Plain	Trans 275	\$0.00	\$3,000,000.00	\$2,000,000.00
Jefferson Street Realignment	Trans 531	\$0.00	\$0.00	\$3,000,000.00
NE 192 nd Avenue 1st Street to 18 th Street	Trans 607	\$0.00	\$500,000.00	\$0.00
SE 34 th Street 162 nd Avenue to 192 nd Avenue	Trans 241	\$0.00	\$500,000.00	\$0.00

* Project ID numbers from the 2023-2028 Transportation Improvement Program (TIP) adopted 06/27/2022

Complete Streets (new outcome starting 2023)

Using 0.1% sales tax revenues from the TBD to advance more complete streets work in the coming years.

Project Name	* TIP ID	2023	2024
McGillivray Boulevard Chkalov Drive to Village Loop	Trans 241	\$200,000.00	\$50,000.00
NE 33 rd Street Main Street to P Street	Trans 241	\$50,000.00	\$50,000.00
NE 29 th Street Kauffman to Neals	Trans 241	\$125,000.00	\$125,000.00
St. Johns/St. James 4 th Plain Boulevard to city limits	Trans 241	\$100,000.00	\$100,000.00
Heights District Redevelopment	Trans 893	\$2,500,000	\$2,500,000

* Projects are being coordinated with future pavement management work TRANS-241 from TIP adopted 6-27-2022.

Proposed 2023 TBD Workplan

Project Name	* TIP ID	2023
Traffic Signal and Lighting Sustainability	Trans 237	\$200,000
Pavement Preservation Program	Trans 241	\$600,000
Pavement Reconstruction Program	Trans 421	\$1,000,000
Multimodal Safety and Accessibility	Trans 844	\$1,500,000
Neighborhood Traffic Management Program	Trans 240	\$130,000
SE 1st Street 177 th Ave to 192 nd Ave	Trans 870	\$1,800,000
NE 137 th Avenue 49 th St to Fourth Plain Blvd	Trans 275	\$3,000,000

Project Name	* TIP ID	2023 continued
NE 192 nd Avenue SE 1 st St to NE 18 th St	Trans 607	\$500,000
SE 34 th Street SE 162 nd Ave to SE 192 nd Ave	Trans 241	\$500,000
McGillivray Blvd – Chkalov Dr to Village Loop Complete Street	Trans 241	\$200,000
NE 33 rd Street Complete Street	Trans 241	\$50,000
NE 29 th Street Complete Street	Trans 241	\$125,000
St. Johns/St. James Complete Street	Trans 241	\$100,000
Heights District Redevelopment	Trans 893	\$2,500,000
Total		\$12,205,000

* Project ID numbers from the 2023-2028 Transportation Improvement Program (TIP) adopted 06/27/2022

Proposed 2024 TBD Workplan

Project Name	* TIP ID	2024
Traffic Signal and Lighting Sustainability	Trans 237	\$200,000
Pavement Preservation Program	Trans 241	\$600,000
Pavement Reconstruction Program	Trans 421	\$1,000,000
Multimodal Safety and Accessibility	Trans 844	\$1,500,000
Neighborhood Traffic Management Program	Trans 240	\$130,000
Jefferson Street Evergreen to Mill Plain	Trans 531	\$3,000,000
NE 137 th Avenue 49 th St to Fourth Plain Blvd	Trans 275	\$2,000,000

Project Name	* TIP ID	2024 continued
McGillivray Blvd – Chkalov Dr to Village Loop Complete Street	Trans 241	\$50,000
NE 33 rd Street Complete Street	Trans 241	\$50,000
NE 29 th Street Complete Street	Trans 241	\$125,000
St. Johns/St. James Complete Street	Trans 241	\$200,000
Heights District Redevelopment	Trans 893	\$2,500,000
Total		\$11,355,000

* Project ID numbers from the 2023-2028 Transportation Improvement Program (TIP) adopted 06/27/2022

Proposed 2023/2024 TBD Budget

2023

2023 Estimated Beginning Fund Balance	\$9,500,000
2023 Estimated Revenues	
TBD Vehicle License Fees Revenue	\$5,000,000
TBD 0.1% Sales Tax Revenue	\$4,500,000
Investment Interest Revenue	\$100,000
Total 2023 Estimated Available	\$19,100,000
2023 Total Estimated Expenditures	\$12,205,000
2023 Estimated Ending Fund Balance	\$6,895,000

2024

2024 Estimated Beginning Fund Balance	\$6,895,000
2024 Estimated Revenues	
TBD Vehicle License Fees Revenue	\$5,000,000
TBD 0.1% Sales Tax Revenue	\$6,000,000
Investment Interest Revenue	\$100,000
Total 2024 Estimated Available	\$17,995,000
2024 Total Estimated Expenditures	\$11,355,000
2024 Estimated Ending Fund Balance	\$6,640,000

Next Steps

TBD Board of Directors Meeting: December 19, 2022

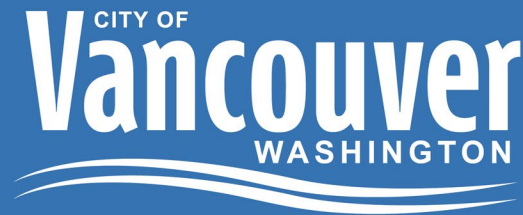
- Consider TBD workplan and budget for 2023/2024.

TBD Board of Directors Meeting: March, 2022

- Consider TBD annual report to the community for 2022.
- Set 2023 meeting schedule.

Thank You

To learn more, visit www.cityofvancouver.us/tip





Staff Report: 195-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT Bid Award - NE 58th and Andresen Sewer Improvements

Key Points

- The project will install approximately 2,096 linear feet of 8-inch gravity sewer mains.
- The City received 6 bids for the project.
- Staff proposes awarding a contract to the lowest, responsive bidder, North Cascades Excavating, LLC of Woodland, WA, at the bid price of \$532,343.32.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Present Situation

The NE 58th & Andresen project is to be constructed under the Sewer Connection Incentive Program. This project will provide reliable public sanitary sewer to 26 parcels by installing 2,096 linear feet of 8-inch gravity sewer in NE 58th and NE 60th Streets, as well as a crossing in NE Andresen at 60th Street.

On November 1, 2022, the City received 6 bids for the subject project. The bids ranged between \$530,000 and \$798,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
North Cascade Excavating, LLC, Woodland, WA	\$532,343.32
Tapani, Inc, Battle Ground, WA	\$655,998.92
Cat Works Construction, Vancouver, WA	\$732,806.76
Nutter Corporation, Vancouver, WA	\$750,575.88
Advanced Excavating Specialists, LLC, Kelso, WA	\$793,674.25
Folden Construction, Inc, Vancouver, WA	\$797,748.42
Engineers' Estimate	\$597,000

Based on the Engineer's Estimate this project falls within the \$500,000 to \$1,500,000 threshold and will therefore be required to meet an apprenticeship utilization goal minimum of 3%. The contractor intends on meeting this goal by using 89 apprentice hours out of the total 2969 labor hours for the project.

Advantage(s)

1. Provide reliable sanitary sewer service to residents.
2. Subsequent decommissioning of septic systems will protect the communities water supply.

Disadvantage(s)

None

Budget Impact

Funds for the sanitary sewer improvements were appropriated in the Sewer Construction Fund, Capital Improvement Program 2021-2022 Budget.

Prior Council Review

Funding previously reviewed by Council as part of the 2021-2022 Sewer Construction Fund Capital Budget.

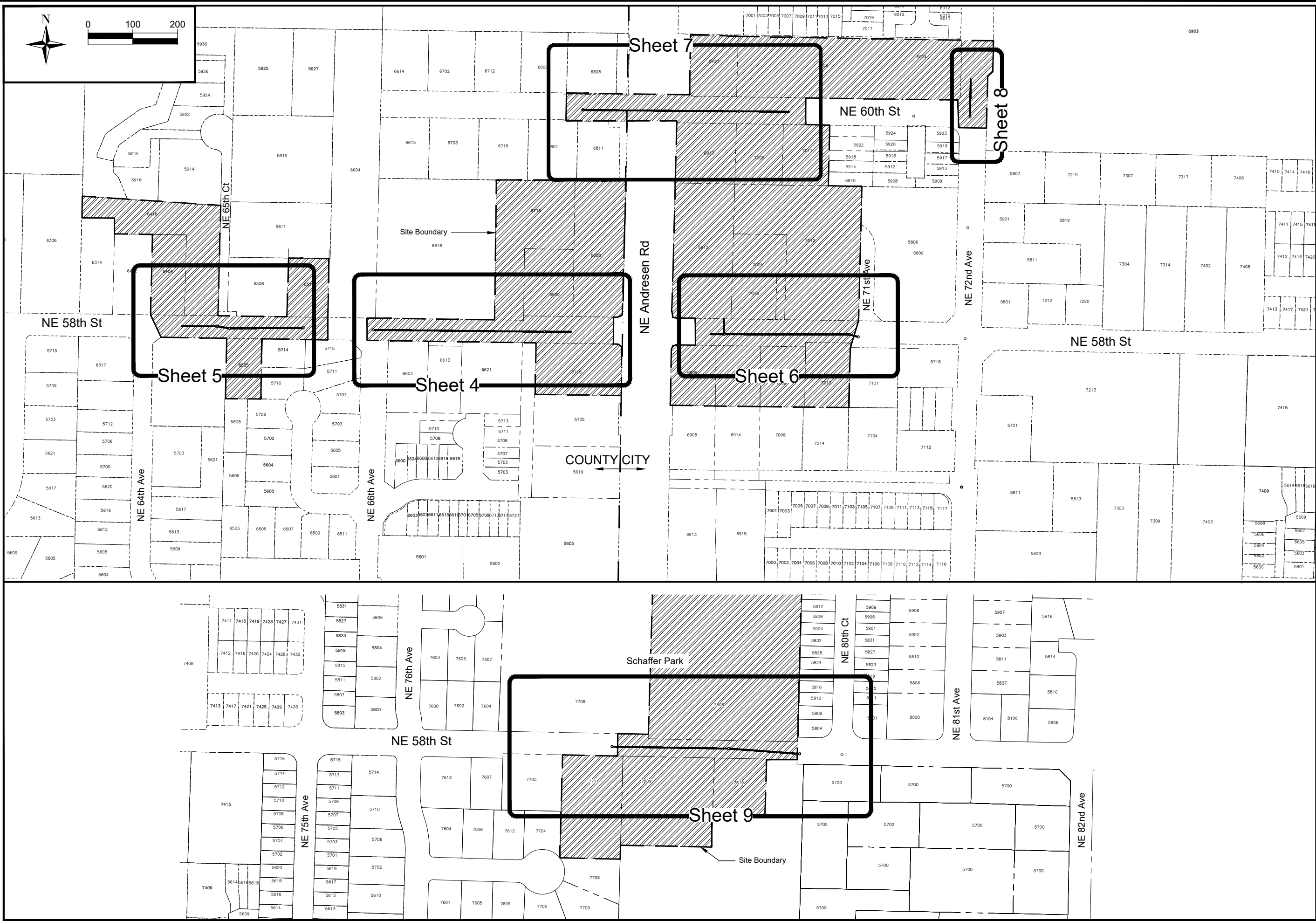
Action Requested

Award a construction contract for the NE 58th & Andresen Sewer Improvements project to the lowest responsive and responsible bidder, North Cascades Excavating, LLC of Woodland, WA at their bid price of \$532,343.32, which includes Washington State sales tax.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

ATTACHMENTS:

- ▢ Project Boundary Map - NE 58th & Andresen
- ▢ Contract





Know what's below.
Call before you dig.

FILE NAME: 100470 - Sheet Layout Additions September 2022	DESIGNED BY: MCC	DRAWN BY: MCC	CHECKED BY: MBC	APPROVED BY: SLH
SCALE	HORIZONTAL: 1" = 100'	VERTICAL: N/A	REVISIONS	
DATE	No.			



SHYREL L. HALE
STATE OF WASHINGTON
REGISTERED PROFESSIONAL ENGINEER
41572

NE 58th & Andresen SCIP
Sheet Layout

CITY OF VANCOUVER MARINE PARK ENGINEERING
P.O. Box 1995
Vancouver WA, 98668
(360) 487-7130



CITY OF
Vancouver
WASHINGTON

JOB NUMBER	PRJ100470
SHEET	3 OF 14



CONTRACT # C-101086
BID 22-42: NE 58th & Andresen Sanitary Sewer Improvements

THIS CONTRACT is entered into by and between the City of Vancouver, a municipal corporation under the laws of the State of Washington, hereinafter referred to as "City," and North Cascade Excavating, LLC hereinafter referred to as "Contractor," whose address is 428 N Pekin Rd, Woodland, WA 98674, hereinafter referred to "Parties."

WHEREAS, the City desires to engage the Contractor to provide public work and other related services for NE 58th & Andresen Sanitary Sewer Improvements. Contractor has agreed to offer its services to perform said work per the City issued Invitation to Bid (ITB) No. 22-42 and all addenda thereto, Contractor's bid to said ITB, the Project Plans and Special Provisions, and City Council's approval on _____ per Staff Report No. _____; and

WHEREAS, the Contractor has represented by entering into this Contract that it is fully qualified to perform the work to which it will be assigned in a competent and professional manner, and to the standards required by the City.

1. **STATEMENT OF WORK:** The Contractor hereby agrees to furnish all materials, labor, tools, machinery and implements of every description necessary to complete the work in a professional manner within the time limits stated in this Contract for the construction and installation of the following improvements and will make all necessary arrangements for the obtaining of permits from the United States, State of Washington, and/or any of its agencies as may be necessary to do the work required and covered by this Contract.

This Contract provides for the furnishment and installation of approximately 2,096 lineal feet of 8-inch PVC gravity sewer main including all laterals, manholes, and all appurtenances as shown on the plans and specified herein. The sewer will be installed within the existing public right-of-way in the following streets: NE 58th Street, NE 60th Street, NE 72nd Avenue. The Contractor shall restore the existing pavement where trenching takes place as specified herein and other work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications, hereafter referred to as "Work."

The Work shall be fully complete within 30 Working Days from the Notice to Proceed (NTP) date.

2. **EFFECTIVE DATE:** This Contract is effective as of the last signature dated below.
3. **E-VERIFY PROGRAM:** Contractor shall register and enter into a Memorandum of Understanding (MOU) with the Department of Homeland Security E-Verify program within sixty (60) days after execution of this Agreement. Contractor shall ensure all Contractor employees and any sub-contractor(s) assigned to perform work under this Agreement are eligible to work in the United States. Contractor shall provide verification of compliance upon City request. Failure by Contractor to comply with this subsection shall be considered a material breach.

- 4. CONTRACTOR RESPONSIBILITIES FOR SUBCONTRACTORS:** The Contractor shall include the language of this section in all tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. The requirements of this section apply to all subcontractors regardless of tier. The Contractor shall require all subcontractors to comply with all relevant federal, state and municipal laws, rules and regulations whatsoever.

At the time of subcontract execution, the Contractor shall verify that all tier subcontractors meet the following bidder responsibility criteria:

1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
 2. Have a current Washington Unified Business Identifier (UBI) number;
 3. Have received training on the requirements related to public works and prevailing wage as required by RCW 39.04.350;
 4. Within the three-year period immediately preceding the date of the bid solicitation, not have been determined by a final and binding citation and notice of assessment issued by the department of labor and industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated, as defined in RCW 49.48.082, any provision of chapter 49.46, 49.48, or 49.52 RCW.
 5. If applicable, have:
 - i. Have Industrial Insurance (workers' compensation) coverage for the subcontractor's employees working in Washington, as required in Title 51 RCW;
 - ii. A Washington Employment Security Department reference number, as required in Title 50 RCW;
 - iii. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
 - iv. An electrical contractor license, if required by Chapter 19.28 RCW;
 - v. An elevator contractor license, if required by Chapter 70.87 RCW.
 6. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).
- 5. DELINQUENT STATE TAXES:** The Contractor shall not owe delinquent taxes to the Washington State Department of Revenue without a payment plan approved by the Department of Revenue.
- 6. COMPENSATION AND SCHEDULE OF PAYMENTS:** In consideration of the promises and agreements of the Contractor as set forth herein, and in consideration of the faithful performance and furnishing of the work and materials required by this Contract to the satisfaction of the City, the City agrees to pay to the Contractor in the manner and at the times provided hereinafter and in the Contract Documents, and in accordance with the ordinances of the City of Vancouver and the laws of the State of Washington, the following sum as indicated, which amount does includes 8.5% Washington State Sales Tax (if applicable) \$532,343.32.

The amount finally to be paid is, however, variable upon the work actually performed and final payment will be made upon the basis of the amount of work performed and the materials furnished, and at the lump sum or unit prices fixed in the Contractor's Proposal and as modified by any and all approved Change Orders.

- 7. CONTRACTOR'S INSURANCE:** The Contractor agrees to procure insurance coverage as required below:

COVERAGE	LIMITS OF LIABILITY
I. Commercial General Liability:	
Policy shall include Bodily Injury, Property Damage, Personal Injury and Broad Form Contractual Liability	
Each Occurrence	\$1,000,000
General Aggregate Per Occurrence	\$2,000,000
Products & Completed Operations Aggregate	\$2,000,000
Personal and Advertising Injury	\$1,000,000
Blanket Contractual Liability	\$1,000,000
II. Commercial Automobile Liability	
Policy shall include Bodily Injury and Property Damage, for any owned, Hired, and/or Non-owned vehicles used in the operation, installation and maintenance of facilities under this agreement.	
Combined Single Limit	\$1,000,000
III. Workers' Compensation (applicable to the State of Washington)	
Per Occurrence	Statutory
Employer's Liability	\$1,000,000
Disease Each Employee	\$1,000,000
Disease Policy Limit	\$1,000,000
Each Claim	\$1,000,000
Annual Aggregate	\$2,000,000
IV. Pollution Legal Liability	
Each Claim	\$1,000,000
Annual Aggregate	\$2,000,000
V. Builders Risk	
Builder's "All Risk" Property Insurance	Contract Value
a. Coverage to include personal property of others in the care, custody and control of the contractor. Coverage should be written for 100% of the completed value.	
b. For additions or repairs of existing building structures, coverage to include contractor's interest in improvements, repairs, additions, alterations to completed buildings and subject to items described in "a".	

- 8. CONTRACTOR'S BOND:** The Contractor agrees that before it undertakes performance of this Contract, it will file with the City of Vancouver a Performance Bond and Payment Bond, in the forms prescribed by the City of Vancouver, in the full amount of the Contract price with a company authorized to do business in the State of Washington as a surety. The bonds shall comply with the laws of the State of Washington, and especially with the provisions of Chapter 39.08 RCW.
- 9. DISPUTE RESOLUTION:** In the event of a dispute between the Parties which cannot be resolved by the contract managers, the Contractor and the City shall review such dispute and may attempt to resolve the dispute. Any controversy or claim arising out of or relating to this Contract or the alleged breach of this Contract that cannot be resolved by the Parties within 30 days of receipt of written notice may be submitted to mediation. If the dispute is not resolved through mediation,

it shall be submitted to binding arbitration in accordance with the rules and procedures set forth in Chapter 7.04A RCW. The Parties agree to pay their own attorneys' fees and expenses.

10. EMPLOYMENT OF LABOR: The Contractor agrees that all persons employed by Contractor and by any of its subcontractors and any of their lower tier contractors in work performed pursuant to this Contract shall not be employed in excess of eight (8) hours in any one day, except as provided or allowed by Chapter 49.28 RCW and WAC 296-127 and any amendment thereto.

11. PAYMENT OF LABOR: The Contractor agrees that all laborers, workers, or mechanics employed by it or by any subcontractor in the performance of this Contract will be paid not less than the prevailing rate of wage for an hours work, in accordance with the provisions of the Chapter 39.12 RCW, and all rules and regulations promulgated pursuant thereto. The State of Washington prevailing wage rates applicable for this public works project, which is located in Clark County, may be found at the following website address of the Department of Labor and Industries: <https://fortress.wa.gov/lni/wagelookup/prvWagelookup.aspx>. The prevailing wage rates in effect at the time of the bid submittal deadline shall apply for the duration of the project, no matter how long it lasts. However, if the Contract is awarded more than six months after the bids were due, the prevailing wage rates in effect on the award date shall apply.

In case any dispute arises as to what the prevailing rates of wages for work of a similar nature are and such dispute cannot be adjusted by the parties involved, the matter shall be referred to the director of the Department of Labor and Industries of the State of Washington for arbitration, and the director's decision shall be final, conclusive and binding on all parties involved in the dispute.

12. PAYMENT TO THE CONTRACTOR: Progress payments to the Contractor shall be made within 30 days of a fully executed Pay Estimate and are in compliance with all contractual requirements. A sum equal to 5% may be reserved and retained from monies earned by the Contractor in accordance with Chapter 60.28 RCW. The City reserves the right to require Contractor to correct any submitted or paid erroneous invoices according to the rates set forth herein. City and Contractor agree that any amount paid in error by City does not constitute a change in the agreed upon amount; Contractor agrees to issue a refund of any overages paid in error by the City.

Release of the retained percentage or the retainage bond shall be in accordance with Chapter 60.28 RCW. Every person performing labor or furnishing supplies toward the completion of said improvement of work shall have a lien upon said monies so reserved; provided, that such notice of the lien of such claimant shall be given in the manner provided in RCW 39.08.030 and within the time provided in Chapter 60.28 RCW as now existing and in accordance with any amendments that may hereafter be made thereto.

No payment shall be made to the Contractor, however, until the Contractor and all subcontractors who have performed work shall have filed and received approval of a Statement of Intent to Pay Prevailing Wage as required by RCW 39.12.040 from the Washington State Department a Labor and Industries. Said Contractor and all subcontractors shall also keep accurate payroll records for three years from the date of acceptance as described in RCW 39.12.120. A Contractor and all subcontractors shall, file a copy of its certified payroll records using the Department of Labor and Industries online system on a monthly basis. A Contractor's noncompliance with this section shall constitute a violation of RCW 39.12.050.

- 13. INDEMNIFICATION:** Contractor agrees to indemnify, defend, save and hold harmless the City, its officials, employees and agents from any and all liability, including but not limited to demands, claims, causes of action, suits or judgments, claims of copyright or patent infringement, including costs, attorney fees and expenses incurred in connection therewith, or whatsoever kind or nature, arising out of, or in connection with, or incident to, the performance of services by Contractor pursuant to this Contract.

In the event that any suit based on such a claim, demand, loss, damage, cost, or cause of action is brought against the Contractor, the City retains the right to participate in said suit.

This indemnity and hold harmless shall include any claim made against the City by an employee of Contractor or subcontractor or agent of the Contractor, even if Contractor is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW. To the extent that such liability arises from the concurrent negligence of both the City and the Contractor, such cost, fees and expenses shall be shared between the City and the Contractor in proportion to their relative degrees of negligence. This indemnity and hold harmless shall NOT apply in the case where liability arises from the sole negligence of the City. Contractor specifically acknowledges that the provisions contained herein have been mutually negotiated by the Parties and it is the intent of the Parties that Contractor provide the broadest scope of indemnity permitted by RCW 4.24.115.

- 14. OWNERSHIP OF RECORDS AND DOCUMENTS:** Any and all work product prepared by the Contractor in the course of performing this Contract shall immediately become the property of the City. In consideration of the compensation provided for by this Contract, the Contractor hereby further assigns all copyright interests in such work product to the City. A copy may be retained by the Contractor. Previously owned intellectual property of Contractor or any third party, and any know-how, methodologies or processes used by Contractor to provide the services or project deliverables under this Contract shall remain property of the original City.

- 15. PUBLIC DISCLOSURE COMPLIANCE:** The parties acknowledge that the City is an "agency" within the meaning of the Washington Public Records Act, Chapter 42.56 RCW, and that materials submitted by the Contractor to the City become public record. Such records may be subject to public disclosure, in whole or part and may be required to be released by the City in the event of a request for disclosure. In the event the City receives a public record request for any data or deliverable that is provided to the City and that is licensed from the Contractor, the City shall notify the Contractor of such request and withhold disclosure of such information for not less than five (5) business days, to permit the Contractor to seek judicial protection of such information, provided that the Contractor shall be responsible for attorney fees and costs in such action and shall save and hold harmless the City from any costs, attorney fees or penalty assessment under Chapter 42.17 RCW for withholding or delaying public disclosure of such information.

- 16. AMENDMENTS:** All changes to this Contract, including changes to the statement of work and compensation, must be made by written Change Order and/or Amendment and signed by all parties to this Contract.

- 17. AUTHORIZATION AND COMPLIANCE WITH THE LAW:** The Contractor certifies that the person signing the Contract is legally authorized to enter into this binding Contract and that the Contractor shall fully comply with all relevant, federal, state and municipal laws, rules, regulations and policies.

18. RELATION OF PARTIES: The Contractor, its subcontractors, agents and employees are independent contractors performing services for The City and are not employees of City; shall not, as a result of this Contract, accrue leave, retirement, insurance, bonding or any other benefits afforded to City employees; and, shall not have the authority to bind the City in any way except as may be specifically provided in the Statement of Work.

19. JURISDICTION/VENUE: In the event that any litigation should arise concerning the construction or interpretation of the terms and/or conditions of this Contract, the venue of such action of litigation shall be in the Superior Court of the State of Washington in and for the County of Clark. This Contract shall be governed by the law of the State of Washington.

20. COOPERATIVE PURCHASING: The Washington State Inter-local Cooperation Act, Chapter 39.34 RCW, authorizes public agencies to cooperatively purchase goods and services if all parties agree. By having executed this Contract, the Contractor agrees that other public agencies may purchase goods and services under this solicitation or contract at their own cost and without the City of Vancouver incurring any financial or legal liability for such purchases. The City of Vancouver agrees to allow other public agencies to purchase goods and services under this solicitation or contract, provided that the City of Vancouver is not held financially or legally liable for purchases and that any public agency purchasing under such solicitation or contract file a copy of this invitation and such contract in accordance with RCW 39.34.040.

21. ASSIGNMENT: This Contract is binding on each party, its successors, assigns, and legal representatives and may not, under any circumstances, be assigned or transferred by either party without the other party's express written authorization.

22. TERMINATION FOR CONVENIENCE: The City, at its sole discretion, may terminate this Contract for convenience at any time for any reason deemed appropriate. Termination is effective immediately upon notice of termination given by the City.

In the event this Contract is terminated prior to the completion of Work, Contractor will only be paid for the Work completed at the time of termination of the Contract.

23. TERMINATION FOR CAUSE: In the event the Contractor is, or has been, in violation of the terms of this Contract, including the solicitation, the City reserves the right, upon written notice to the Contractor, to cancel, terminate, or suspend this contract in whole or in part for default. Termination shall be effected by serving a notice of termination on the Contractor setting forth the manner in which the Contractor is in default. The Contractor will be paid only the contract price for services performed in accordance with the manner of performance set forth in the Contract.

If it is later determined by the City that the Contractor had an excusable reason for not performing, such as a strike, fire, or flood, or events which are not the fault of or are beyond the control of the Contractor, the City after setting up a new delivery or performance schedule, may allow the Contractor to continue work or treat the termination as a termination for convenience.

24. OPPORTUNITY TO CURE: The City at its sole discretion may in lieu of a termination allow the Contractor to cure the defect(s), by providing a "Notice to Cure" to Contractor setting forth the remedies sought by City and the deadline to accomplish the remedies. If the Contractor fails to remedy to the City's satisfaction the breach or default of any of the terms, covenants, or

conditions of this Contract within the time stated time, the City shall have the right to terminate the Contract without any further obligation to the Contractor. Any such termination for default shall not in any way operate to preclude the City from also pursuing all available remedies against the Contractor and its sureties for said breach or default, including but not limited to termination of this Contract for convenience.

- 25. WAIVER AND REMEDIES:** City's failure to enforce the terms or conditions herein or to exercise any right or privilege, or the City's waiver of any breach hereunder shall not thereafter waive any other term, condition, or privilege, whether of the same or similar type. Remedies under this Contract are cumulative; the use of one remedy shall not be taken to exclude or waive the right to use another.
- 26. ENTIRETY OF CONTRACT:** This Contract incorporates all the agreements, covenants and understanding between the parties hereto and are merged into this written Contract. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Contract.
- 27. USE OF CITY'S NAME:** Contractor may not use any of City's name, trademark, service marks, or logo in connection with the services contemplated by this Contract or otherwise without the prior written permission of City, which permission may be withheld for any or no reason and may be subject to certain conditions.
- 28. NON-DISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY:** During the term of this Contract, Contractor will not discriminate against any employee or applicant for employment in accordance with RCW Chapter 49.60, including, but not limited to creed, religion, race, color, age, sex, marital status, sexual orientation, sexual identity, pregnancy, military status, political ideology, ancestry, national origin, or the presence of any sensory, mental or physical disability, unless based upon a bona fide occupational qualification. The Contractor will take affirmative action to ensure that applicants and employees are treated fairly, without regard to their creed, religion, race, color, sex, national origin, or the presence of any sensory, mental or physical disability. Such action shall include all terms and conditions of employment, compensation, and benefits, including apprenticeship.
- 29. BINDING EFFECT:** The provisions, covenants and conditions in this Contract bind the parties, their legal heirs, representatives, successors, and assigns.
- 30. RATIFICATION:** Acts taken pursuant to this Contract but prior to its effective date are hereby ratified and confirmed.
- 31. INCORPORATED CONTRACT DOCUMENTS AND ORDER OF PRECEDENCE:** The complete Contract includes these parts listed in this section below, which are incorporated by this reference as if fully as set forth herein. Any inconsistency in the parts of the contract shall be resolved by following this order of precedence (e.g., 1 presiding over 2, 2 over 3, 3 over 4, and so forth):
1. Amendments to the Contract,
 2. This Contract,
 3. Addenda to the Solicitation,
 4. The Solicitation,
 5. Contractor's Proposal,
 6. Special Provisions,
 7. Contract Plan Set,

8. City of Vancouver Amendments to the specified WSDOT Standard Specifications,
9. General Conditions for Facility Construction,
10. City of Vancouver Standard Plans,
11. WSDOT Amendments to the WSDOT Standard Specifications,
12. WSDOT Standard Specifications,
13. WSDOT Standard Plans.

32. NOTICES: Whenever in this written Contract written notices are to be given or made, they may be sent by certified mail to the following people at the addresses as shown herein unless a different address is designated in writing or delivered to the respective party hereto.

Anna Vogel
City of Vancouver
415 W 6th St.
PO Box 1995
Vancouver WA 98668-1995

Sarah Homola
North Cascade Excavating, LLC
428 N Pekin Rd.
Woodland, WA 98674

By signing below, Contractor accepts the terms and conditions of this Contract and specifically acknowledges and agrees that the provisions contained herein have been mutually negotiated by the Parties.

CITY OF VANCOUVER
A municipal corporation

CONTRACTOR:
North Cascade Excavating, LLC

Eric Holmes, City Manager

Signature

Date

Printed Name /Title

Attest:

Date

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney



Staff Report: 196-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT Pearson Field Taxiway A2 Construction – accept and release of retainage

Key Points

- Pearson Field is owned and maintained by the City of Vancouver.
- Taxiway A2 was previously removed to conform to the FAA design standard.
- This project designed and constructed the new Taxiway A2. This project was 100% funded through grants.
- This project did not have an apprenticeship goal because federal guidelines for grant projects do not allow for the inclusion of local agency apprenticeship programs.

Strategic Plan Alignment

Goal 1, Objective 1.1: Develop and maintain a safe, balanced and innovative transportation system that will meet the needs of future generations

Present Situation

Granite Construction Company of Vancouver, Washington has satisfactorily completed the project in accordance with the plans and specifications. The original construction bid amount was \$314,872.78. The final construction contract costs were \$298,097.75, a reduction of approximately \$16,775.05 or 5.4% from the original bid amount. The cost savings was attributed to minor quantity variations between as-designed and as-constructed in some bid items.

Advantage(s)

- Completes the City's contractual and statutory process for accepting this project
- Formal project acceptance allows for closure on third-party bond claims

Disadvantage(s)

None

Budget Impact

This project was funded 100% through federal grants.

Prior Council Review

1. Acceptance of the 2021 FAA AIP grant on July 26, 2021. ([SR107-21](#))
2. Contract award to Granite Construction on July 26, 2021. ([SR108-21](#))

Action Requested

On December 5, 2022, accept the Pearson Field Taxiway A2 project constructed by Granite Construction of Vancouver, and authorize release of retainage subject to receipt of all documentation required by law.

Guy Lennon, Airport Manager, 360-487-8619



Staff Report: 197-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT RDPO Grant Authorization

Key Points

- Vancouver has been invited to apply for 2023 Urban Area Security Initiative (UASI) grant funding in partnership with the Portland Regional Disaster Preparedness Organization (RDPO) to enhance regional emergency response capabilities.
- Recently enacted Washington state legislation requires that, when possible, officers use de-escalation tactics prior to using force.
- Armored vehicles help officers safely employ de-escalation tactics by maintaining the benefits of time, distance, and cover at close distances so they can implement negotiations and other best-practice resources and strategies to resolve dangerous situations.
- Since the purchase of our first armored vehicle with 2004 UASI grant funding, City population and calls for service involving an imminent threat to life have increased substantially, and a second vehicle is needed to enhance the safety of first responders and the community as the City continues to grow.
- If grant funding is approved for the vehicle purchase, one armored vehicle could be available at each police precinct. This strategic placement would help to improve response times to many critical calls while also enhancing the safety of first responders and the public throughout the region.

Strategic Plan Alignment

Goal 2: Provide effective, innovative and well-resourced police, fire and emergency medical services

Goal 2, Objective 2.1: Provide reliable and responsive police, fire and EMS service

Goal 2, Objective 2.2: Increase the level of emergency preparedness in the City as an organization and in the community

Present Situation

Identified by the 2015 President's Task Force on 21st Century Policing, and codified into Washington state law, de-escalation tactics, when available, are required prior to police use of force. De-escalation tactics are now a consistent part of law enforcement training and practice throughout the region. These tactics include the concepts of increasing time, distance, and cover so more options and resources are available to resolve an incident without a significant use of force (RCW 10.120.010).

Armored vehicles allow the Police Department to align with the community's changing expectations of police responses to critical incidents. Current industry best practices often involve a police response, which includes less lethal use of force tools, officers specially trained in mental health issues and negotiations, and medically trained officers. The armored vehicle is used to transport this team of responders into a dangerous situation to take coordinated actions that are intended to minimize use of force during an incident. In addition to transport and shielding, these vehicles provide upgraded lighting, which allows for responding officers to clearly see and better interpret the visual nuances of a particular situation. Amplified sound and public address systems are also a benefit of these vehicles, which allows officers to communicate effectively with people in hard-to-reach locations, again increasing distance and slowing down the pace of the incident to help de-escalate the situation. Finally, the four-wheel drive and higher ground clearance of these vehicles allows for the protective properties of the vehicle to be utilized in rough terrain.

In an urban environment, armored vehicles are critical tools in enhancing first responders' abilities to create time, distance, and cover, so more options are available to resolve critical incidents with alternatives to deadly force. Further, recent increases in Domestic Violent Extremism and other violent crime have taxed the region's existing resources to safely respond to and resolve these incidents.

The City of Vancouver currently maintains one armored vehicle, which has been used to support law enforcement efforts throughout the region. However, a single vehicle is no longer adequate to support the growing population of our City and the increasing complexity and violence of the calls encountered by our officers in an atmosphere of changing community expectations. This is reflected by the fact that our City frequently requests the use of similar vehicles from neighboring law enforcement agencies to support our operations, which can result in substantial response delays that further complicate rapidly changing and dynamic crisis events.

If grant funding is approved, the vehicle proposed by the Vancouver Police Department has been estimated to cost \$321,382. It would be stationed at the East Precinct to expedite response times for City residents. From this location, it could also be used as a regional asset for neighboring law enforcement or other emergency response entities that require its use.

Advantage(s)

1. Improved police response times to emergency calls for service involving active shooters, Domestic Violent Extremism, other violent crimes, or armed individuals in crisis.
2. Enhanced law enforcement de-escalation abilities (time, distance, and cover) while engaging with armed subjects, resulting in decreased uses of force and police-involved shootings.
3. Improved officer safety while addressing violent crime, mass casualty events, explosive incidents, armed people in crisis, or other situations where law enforcement faces an elevated risk of significant injury or death.
4. Enhanced ability to rescue imperiled or injured community members from an active shooter or other active threat.

5. Better outcomes from law enforcement engagements with armed people suffering from a mental health crisis—where ballistically protected vehicles allow trained negotiators and other specialists the safe opportunity to de-escalate someone who is not necessarily intent on harming others.

Disadvantage(s)

1. Initial and annual costs. Should the grant be approved, funding will be limited to the purchase price of the vehicle. The City will be required to pay sales tax and annual maintenance on the vehicle.
2. Replacement. Should the grant be approved, the City will be required to sustain the capability of this asset, which will require the replacement of the vehicle at the end of its operational life (15 years).

Budget Impact

If the grant application is approved, vehicle delivery would be anticipated between January 2025 and January 2026, due to the grant and manufacturing timelines. The City Manager's Recommended budget will include sufficient appropriation for the costs of this initiative in 2025-2026, including an annual allocation for anticipated replacement costs.

Prior Council Review

None

Action Requested

Authorize the City Manager or designee to approve the effort to submit an application and pursue this grant opportunity. Further, if approved, authorize the City Manager or designee to execute all necessary agreements to facilitate the acceptance and purchase of the awarded vehicle.

Jeff Olson, Police Lieutenant, 360-487-7526



Staff Report: 198-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT Approval of 2023 Council Meeting Schedule

Key Points

- Council Policy 100-32 (City Council Meetings) calls for the annual Council meeting schedule to be approved by the City Council.
- The annual meeting schedule and calendar identify all Regular and Consent Agenda meetings, as well as scheduled holidays and breaks.
- Following Council adoption of the meeting schedule, City staff will publicly notice the full schedule and post the annual calendar on the City's website.

Strategic Plan Alignment

N/A

Present Situation

City staff develops and publishes the annual Council meeting schedule and calendar every fall for the following year. Council Policy 100-32 includes a provision for Council adoption of the upcoming annual Council meeting schedule by the first meeting of December each year.

The annual schedule identifies the date, time and type of each Council meeting, as well as any Mondays when the Council will not meet. Per Council policy, the Council meets every first, second, third, and fourth Monday of each month, excluding any City-recognized holidays that fall on a Monday. Per City Charter, Council must meet at least twice per month for Regular meetings, which will typically fall on the first and third Mondays; Consent Agenda meetings with Community Forum fall on the second and fourth Mondays, unless otherwise pre-empted by a Regular meeting and identified as such on the approved schedule. Informational workshops may be held, as needed, before any Council meeting. The specific time and topic for each workshop will be identified on the published agenda for a given meeting date.

The 2023 Council schedule includes 24 Regular Council meetings, and 17 Consent Agenda

meetings with Community Forums. All City Council meetings will begin at 6:30 p.m., per Council Policy 100-32. Workshops will be held between 4:00 and 6:00 p.m., unless otherwise noted on a published agenda. Community Forums will be held for up to 90 minutes following the business items of the agenda.

Subject to Council approval, the 2023 annual schedule will be publicly noticed in The Columbian newspaper, and the calendar will be posted on the City's website and distributed to the media and all City departments. Copies of the printed Council meeting calendar may be requested by contacting the Council Assistant at 360-487-8600.

Any cancellations or changes to the annual schedule, or the addition of Council retreats or other special Council meetings, will be advertised in accordance with Council Policy and the Washington Open Public Meetings Act.

2023 Annual Meeting Schedule

All meetings begin at 6:30 p.m. | Workshops 4:00-6:00 p.m. (subject to change)

1/2/2023	<i>No Meeting - holiday (New Year's Day observed)</i>
1/9/2023	Regular Meeting
1/16/2023	<i>No Meeting - holiday (Martin Luther King Jr. Day)</i>
1/23/2023	Regular Meeting
1/30/2023	<i>No Meeting - 5th Monday</i>
2/6/2023	Regular Meeting
2/13/2023	Consent Agenda Meeting w/ Community Forum
2/20/2023	<i>No Meeting - holiday (Presidents Day)</i>
2/27/2023	Regular Meeting
3/6/2023	Regular Meeting
3/13/2023	<i>Consent Agenda Meeting w/ Community Forum</i>
3/20/2023	Regular Meeting
3/27/2023	Consent Agenda Meeting w/ Community Forum
4/3/2023	Regular Meeting
4/10/2023	Consent Agenda Meeting w/ Community Forum
4/17/2023	Regular Meeting
4/24/2023	Consent Agenda Meeting w/ Community Forum
5/1/2023	Regular Meeting
5/8/2023	Consent Agenda Meeting w/ Community Forum
5/15/2023	Regular Meeting
5/22/2023	Consent Agenda Meeting w/ Community Forum
5/29/2023	<i>No Meeting - 5th Monday & holiday (Memorial Day)</i>
6/5/2023	Regular Meeting
6/12/2023	Consent Agenda Meeting w/ Community Forum
6/19/2023	<i>No Meeting - holiday (Juneteenth)</i>
6/26/2023	Regular Meeting
7/3/2023	Regular Meeting
7/10/2023	Consent Agenda Meeting w/ Community Forum
7/17/2023	Regular Meeting

7/24/2023	<i>No Meeting - Mid-Year Break</i>
7/31/2023	<i>No Meeting - 5th Monday</i>
8/7/2023	Regular Meeting
8/14/2023	Consent Agenda Meeting w/ Community Forum
8/21/2023	Regular Meeting
8/28/2023	Consent Agenda Meeting w/ Community Forum
9/4/2023	<i>No Meeting - holiday (Labor Day)</i>
9/11/2023	Regular Meeting
9/18/2023	Regular Meeting
9/25/2023	Consent Agenda Meeting w/ Community Forum
10/2/2023	Regular Meeting
10/9/2023	Consent Agenda Meeting w/ Community Forum
10/16/2023	Regular Meeting
10/23/2023	Consent Agenda Meeting w/ Community Forum
10/30/2023	<i>No Meeting - 5th Monday</i>
11/6/2023	Regular Meeting
11/13/2023	Consent Agenda Meeting w/ Community Forum
11/20/2023	Regular Meeting
11/27/2023	Consent Agenda Meeting w/ Community Forum
12/4/2023	Regular Meeting
12/11/2023	Consent Agenda Meeting w/ Community Forum
12/18/2023	Regular Meeting
12/25/2023	<i>No Meeting - End of Year Break</i>

Advantage(s)

1. Provides Council with an opportunity to review the upcoming annual meeting schedule prior to publishing
2. Increases transparency and public awareness of when the Council regularly meets

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

Amendments to Council Policy 100-32 were last adopted on June 6, 2022 (Res. M-4172).

Action Requested

Approve the 2023 annual City Council meeting schedule.

Sarah Dollar, Assistant to the City Council, 360-487-8641

ATTACHMENTS:

- ▯ Council Calendar 2023

Vancouver City Council

2023 Meeting Calendar



January

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February

S	M	T	W	Th	F	S
			1	2	3	4
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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

March

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12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

April

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

May

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14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

June

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11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

July

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16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

August

S	M	T	W	Th	F	S
		1	2	3	4	5
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

September

S	M	T	W	Th	F	S
					1	2
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10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

October

S	M	T	W	Th	F	S
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

November

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

December

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						



Regular Meeting



Consent Agenda Meeting & Community Forum



Holiday/5th Monday—No Meeting (see details on back)

Workshops 4 – 6 p.m., unless otherwise noted on agenda. All meetings begin at 6:30 p.m.

Vancouver City Council

2023 Meeting Calendar



Unless otherwise advertised, City Council meets at 6:30 p.m., every 1st through 4th Mondays every month in the *Council Chambers at Vancouver City Hall, 415 W. 6th Street, Vancouver, WA.

- **Regular Meetings**, which may or may not include public hearings, are held on the 1st and 3rd Mondays.
- **Consent Agenda Meetings** are held on the 2nd and 4th Mondays. Consent meetings conclude with a Community Forum of up to 90 minutes, during which members of the public are invited to testify to the Council regarding any matter of interest.

Council does not meet on 5th Mondays or on most federally recognized holidays. City Charter requires Council to hold at least two Regular Meetings per month. In the event a holiday falls on a Regular Meeting date, that Regular Meeting will be held the following Monday in lieu of a Consent Agenda meeting.

2023 Monday Holidays—No Council

Jan. 2—New Year's Day (observed)

Jan. 16—Martin Luther King Jr. Day

Feb. 20—Presidents Day

May 29—Memorial Day

June 19—Juneteenth

July 24—Mid-Year Break

Sept. 4—Labor Day

Dec. 25—Christmas; End of Year Break

2023 5th Mondays—No Council

Jan. 30

May 29

July 31

Oct. 30

Additional 2023 Holidays— City Offices Closed

Tues., July 4—Independence Day

Fri., Nov. 10—Veteran's Day

Thurs., Nov. 23—Thanksgiving Day

Fri., Nov. 24—Native American Heritage Day

Anne McEnery-Ogle, Mayor

Bart Hansen | Ty Stober | Erik Paulsen | Sarah J. Fox | Diana H. Perez | Kim D. Harless

cityofvancouver.us/council



Staff Report: 199-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT System Development Charges Waiver for Affordable Housing

Key Points

- RCW 35.92.380 allows municipalities to partially or fully waive system development charges for housing for low-income persons.
- System Development Charges for affordable housing would only be waived when other non-utility funds are used to pay the SDC fees that are waived.
- The City applied for, and received, state Connecting Housing to Infrastructure Program (CHIP) funding for four affordable housing projects.
- Housing for low-income persons is defined in VMC 20.150.040C as housing affordable to people at 80% AMI, paying no more than 30% of their income toward housing costs.
- The Director of Public Works will be authorized to waive SDCs provided that sufficient grants funds have been secured to fully reimburse the City for any charges waived.

Strategic Plan Alignment

Goal 3, Objective 3.2: Improve services available to underserved or vulnerable residents

Present Situation

In November 2021, the Washington State Department of Commerce announced a grant opportunity for the Connecting Housing to Infrastructure Program (CHIP). CHIP grants of up to \$2.5M per project were made available for sewer, water or stormwater improvements and/or waived system development charges for new affordable housing projects. The state required that the new housing be affordable to households earning below 80% of area median income for a minimum of 25 years.

The City of Vancouver submitted five applications for CHIP funding:

- VHA – Laurel Manor – \$1,059,085 (awarded February 7, 2022)
- VHA – The Meridian - \$161,907 (awarded February 7, 2022)
- VHA – Fourth Plain Commons - \$345,900 (awarded April 26, 2022, in second round)
- Community Roots – O Street - \$108,207 (awarded October 19, 2022, in third round)

- VHA – Miles Terrace - \$277,885 (not awarded)

For SDC grants, the state requires that the City document that SDC charges will be waived by the City. This proposed program will meet the state's requirement for funding.

Advantage(s)

Additional affordable housing available to people at 80% AMI and below in Vancouver.

Disadvantage(s)

None

Budget Impact

The SDC Waiver program will have no impact on City funding since all System Development Charges will be covered by other federal, state, or other non-utility funding.

Prior Council Review

No prior Council review.

Action Requested

On December 5, 2022, approve the ordinance authorizing SDC Waiver Program for affordable housing when SDC charges will be fully reimbursed by other non-utility funding sources, setting the second reading and public hearing for Monday, December 19, 2022.

Samantha Whitley, Housing Programs Manager, 360-487-7952

ATTACHMENTS:

- SDC Waiver Update Ordinance

12/05/2022
12/19/2022

ORDINANCE NO. M-_____

AN ORDINANCE relating to waivers of system development charges for affordable housing projects when such charges will be reimbursed by other non-utility funding sources; and providing clauses severability and an effective date.

WHEREAS, pursuant to RCW 35.92.380, municipalities may partially or fully waive system development charges, also referred to as tap-in charges, connection or hookup fees, for housing designated for low-income persons; and

WHEREAS, the City of Vancouver Comprehensive Plan, Housing Policies, Policy H-2 establishes the City's commitment to "[p]rovide affordable housing by formulating innovative policies, regulations and practices, and establishing secure funding mechanisms . . ."; and

WHEREAS, numerous factors have combined to severely limit the production of housing for tenants with lower income; and

WHEREAS, exemption of system development charges will incentivize the development of affordable housing by enabling affordable housing projects to become more economically viable, furthering the production of housing for households with low income; and

WHEREAS, the Legislature, in 2021, authorized the creation of the Connecting Housing to Infrastructure Program (CHIP), which reimburses local governments for waived system development charges.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

SECTION 1. The Director of Public Works or their designee is authorized to waive system development charges that would be imposed pursuant to VMC 14.04.235 for affordable housing projects in the City of Vancouver, provided that sufficient grant funds have been secured to fully reimburse the City for the charges so waived. For purposes of this ordinance, “affordable housing” means the same as “Low-Income Housing,” as defined in VMC 20.150.040C as, “housing for which the monthly housing expense is no greater than thirty percent of eighty percent of the median family income adjusted for family size for Clark County, Washington, as reported by the United States Department of Housing and Urban Development.”

SECTION 2. The Director of Public Works or their designee may adopt such rules and policies as may be necessary in order to implement the system development charge waiver program established pursuant to this ordinance.

SECTION 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstance shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not effect or invalidate the remainder of any parts thereof to any person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

SECTION 4. Ratification. Any actions taken prior to the effective date of this ordinance that are not inconsistent with this ordinance, or any of the provisions thereof, are hereby ratified and affirmed.

SECTION 5. Effective Date. This ordinance shall become effective immediately upon adoption.

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmember

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2022

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

ORDINANCE - 3

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to waivers of system development charges for affordable housing projects when such charges will be reimbursed by other non-utility funding sources; and providing clauses severability and an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

VOUCHER APPROVAL

We, the undersigned council members of the City of Vancouver, Clark County, Washington, do hereby certify that the merchandise or services hereinafter specified have been received and that the vouchers listed below are approved for payment in the amount of:

\$ 8,464,840.57 this 5th day of December 2022.

DocuSigned by:

Anne McEnerny-Ogle

00000000EC5421...

MAYOR

Cyndi A Turner

AUDITING OFFICER

DocuSigned by:

Ty Stok

00000000EC5421...

COUNCILMEMBER

DocuSigned by:

M. W. V.

00000000EC5421...

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
November 21, 2022 - November 27, 2022	Accounts Payable Checks (see attached)	\$ 4,956,629.99
November 21, 2022 - November 27, 2022	Hansen City Payments (see attached)	\$ 22,125.55
November 21, 2022 - November 27, 2022	Visa Refunds (see attached)	\$ 2,155.00
November 21, 2022 - November 27, 2022	Payroll Checks (see attached)	\$ 3,483,930.03
TOTAL		\$ 8,464,840.57

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Supplier Payment	Manual Wire	No Reference	11/7/2022	297.01	Allegiance Benefit Plan Management Inc - Remit-To: COBRA	
Supplier Payment	Manual Wire	No Reference	11/15/2022	144.40	Bank Of America N.A. - Remit-To: Account Analysis	
Supplier Payment	Manual Wire	No Reference	11/21/2022	186,583.68	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire	No Reference	11/21/2022	336,312.27	Kaiser Permanente - Remit-To: Kaiser Permanente	
Supplier Payment	Manual Wire	No Reference	11/21/2022	34,250.37	Liberty Mutual Group Inc.	
Supplier Payment	Manual Wire	No Reference	11/21/2022	16,484.70	Washington Dental Service	
Supplier Payment	Manual Wire	No Reference	11/23/2022	7,549.17	ICMA 401A	
Supplier Payment	Manual Wire	No Reference	11/23/2022	236,856.30	ICMA Corp	
Supplier Payment	Manual Wire	No Reference	11/23/2022	859.50	Oregon SDU	
Supplier Payment	Manual Wire	No Reference	11/23/2022	49,207.45	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire	No Reference	11/23/2022	1,075.09	Vancouver Fire Command Officers	
Supplier Payment	Manual Wire	No Reference	11/23/2022	24,240.05	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire	No Reference	11/23/2022	5,068.31	Washington SDU	
Supplier Payment	Manual Wire	No Reference	11/23/2022	19,500.00	Washington State Firefighters	
Supplier Payment	Manual Wire	No Reference	11/23/2022	18,920.68	Western States Health & Welfare Trust	
Supplier Payment	Manual Wire	No Reference	11/25/2022	1,026,655.28	Internal Revenue Service	
			Manual Wire Total	1,964,004.26		
Supplier Payment	EFT	EFT-00173835	11/23/2022	24,124.72	IAFF Local #452	
Supplier Payment	EFT	EFT-00173836	11/23/2022	13,213.41	Allegiance Benefit Plan Management Inc	
Supplier Payment	EFT	EFT-00173837	11/23/2022	148.68	Legal Shield	
Supplier Payment	EFT	EFT-00173838	11/23/2022	10,440.39	Vancouver Police Officer Guild	
Supplier Payment	EFT	EFT-00173839	11/23/2022	950.40	Vancouver Command Guild	
Supplier Payment	EFT	EFT-00173872	11/25/2022	22.00	Net Transcripts Inc	
Supplier Payment	EFT	EFT-00173873	11/25/2022	3,331.16	Second Step Housing	
Supplier Payment	EFT	EFT-00173874	11/25/2022	1,819.09	Power Systems West	
Supplier Payment	EFT	EFT-00173875	11/25/2022	22,785.02	Share Inc	
Supplier Payment	EFT	EFT-00173876	11/25/2022	168.70	Praxair Distribution Inc	
Supplier Payment	EFT	EFT-00173877	11/25/2022	6,750.00	Arbutus Consulting LLC	
Supplier Payment	EFT	EFT-00173878	11/25/2022	55,405.42	Otak Inc	
Supplier Payment	EFT	EFT-00173879	11/25/2022	40,800.00	Advanced Excavating Specialists LLC	
Supplier Payment	EFT	EFT-00173880	11/25/2022	119,666.08	Clark and Sons Excavating Inc	
Supplier Payment	EFT	EFT-00173881	11/25/2022	2,862.27	Columbia West Engineering	
Supplier Payment	EFT	EFT-00173882	11/25/2022	33,966.31	Fehr & Peers	
Supplier Payment	EFT	EFT-00173883	11/25/2022	115,255.72	First Forty Feet LLC	
Supplier Payment	EFT	EFT-00173884	11/25/2022	2,302.55	Emerald Services Inc	
Supplier Payment	EFT	EFT-00173885	11/25/2022	40,000.50	Living Hope Church	
Supplier Payment	EFT	EFT-00173886	11/25/2022	8,535.55	Jacobs Engineering Group Inc	
Supplier Payment	EFT	EFT-00173887	11/25/2022	11,582.13	NW Furniture Bank	
Supplier Payment	EFT	EFT-00173888	11/25/2022	1,738.56	Purple Communications Inc	
Supplier Payment	EFT	EFT-00173889	11/25/2022	1,718.28	State of Washington Auditor's Office	
Supplier Payment	EFT	EFT-00173890	11/25/2022	544,851.98	Rotschy Inc	
Supplier Payment	EFT	EFT-00173891	11/25/2022	253.80	McKesson Medical Surgical Inc	
Supplier Payment	EFT	EFT-00173892	11/25/2022	4,772.00	Salazar Architect Inc	
Supplier Payment	EFT	EFT-00173893	11/25/2022	1,864.17	Workforce Southwest Washington	
Supplier Payment	EFT	EFT-00173894	11/25/2022	613,000.61	Operations Management International Inc	
Supplier Payment	EFT	EFT-00173895	11/25/2022	69,624.24	Outsiderinn.org	

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Supplier Payment	EFT	EFT-00173896	11/25/2022	51,937.87	SDB Contracting Services - DO NOT USE	
Supplier Payment	EFT	EFT-00173897	11/25/2022	1,182.01	HDR Engineering Inc - Remit-To: HDR Engineering - Chicago	
Supplier Payment	EFT	EFT-00173898	11/25/2022	8,494.83	Eagle Newspaper Inc	
Supplier Payment	EFT	EFT-00173899	11/25/2022	79,569.47	Halbert Construction Services LLC	
Supplier Payment	EFT	EFT-00173900	11/25/2022	4,776.45	Waxie's Enterprises Inc	
			EFT Total	1,897,914.37		
Expense Payment	Direct Deposit	EFT-00173840	11/25/2022	44.00	Lisa Takach	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173841	11/25/2022	88.50	David Mead	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173842	11/25/2022	10.00	Jason Haigwood	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173843	11/25/2022	88.50	Dietrich Hildebrandt	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173844	11/25/2022	36.75	Brennan Blue	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173845	11/25/2022	348.06	Wayne Folkers	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173846	11/25/2022	240.42	Natasha Ramras	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173847	11/25/2022	214.99	Jim Bullinger	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173848	11/25/2022	248.00	Eric Holmes	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173849	11/25/2022	78.97	Douglas Sweyer	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173850	11/25/2022	21.84	Richard Brannan	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173851	11/25/2022	1,487.14	Noah Dalhover	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173852	11/25/2022	173.72	Phillip Medina	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173853	11/25/2022	31.86	Dorie Sutton	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173854	11/25/2022	231.70	Lauren DiPalma	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173855	11/25/2022	241.00	Angela Williams	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173856	11/25/2022	300.00	Larry Blatnik	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173857	11/25/2022	20.00	Matt Hoover	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173858	11/25/2022	82.23	Heather Janisch	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173859	11/25/2022	32.25	Tyler Chavers	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173860	11/25/2022	42.00	Casey Sawyer	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173861	11/25/2022	341.93	John Scukanec	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173862	11/25/2022	656.84	Kassidy Flaherty	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00173863	11/25/2022	59.60	Daniel Ouellette	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00173864	11/25/2022	206.50	Tammy Michelson	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173865	11/25/2022	185.00	Tommy Razo	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173866	11/25/2022	383.50	Nathan Cook	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173867	11/25/2022	276.50	Aaron Lande	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173868	11/25/2022	185.00	Eddie Alba	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173869	11/25/2022	276.50	Anne McEnerny-Ogle	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173870	11/25/2022	185.00	Joseph Graaff	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00173871	11/25/2022	103.50	Alex Rich	Travel Advance
			Direct Deposit Total	6,921.80		
Supplier Payment	Check	7723	11/23/2022	7,095.56	Aflac	
Supplier Payment	Check	7724	11/23/2022	5,316.40	AFSCME Local #307	
Supplier Payment	Check	7725	11/23/2022	700.00	IAM Local #1374	
Supplier Payment	Check	7726	11/23/2022	8,260.61	Life Insurance Company of North America	

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Supplier Payment	Check	7727	11/23/2022	475.00	MFS Service Center Inc	
Supplier Payment	Check	7728	11/23/2022	175.00	OPEIU Local #11	
Supplier Payment	Check	7729	11/23/2022	4,212.03	OPEIU Local #11	
Supplier Payment	Check	7730	11/23/2022	672.00	Teamsters Local #58	
Supplier Payment	Check	7731	11/23/2022	280.00	UA Local #290	
Supplier Payment	Check	7732	11/23/2022	3,077.40	Western Conference of Teamsters	
Supplier Payment	Check	7733	11/23/2022	1,239.24	Western Metal Industry Pension Plan	
Ad Hoc Payment	Check	7734	11/23/2022	32.93	Adams, Constance	Utility Refunds: 0131027000-01
Ad Hoc Payment	Check	7735	11/23/2022	1,260.00	Bongiovanni, Mike	Utility Refunds: 0058025131-22
Ad Hoc Payment	Check	7736	11/23/2022	66.06	Douglas or Deborah Schmitt	Utility Refunds: 0089005004-08
Ad Hoc Payment	Check	7737	11/23/2022	492.47	EPG Northwest LLC	Utility Refunds: 0022078700-03
Ad Hoc Payment	Check	7738	11/23/2022	222.40	Estate of Arvilla Wolf	Utility Refunds: 0061034270-02
Ad Hoc Payment	Check	7739	11/23/2022	177.62	Hamilton, Robin or John	Utility Refunds: 0079046400-06
Ad Hoc Payment	Check	7740	11/23/2022	136.00	Heuer, Michael	Utility Refunds: 0137007212-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7741	11/23/2022	198.00	Huisman, James	Utility Refunds: 0074033900-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7742	11/23/2022	52.99	Monteiro, Debra	Utility Refunds: 0500002315-03
Ad Hoc Payment	Check	7743	11/23/2022	254.90	Mylinh Ton or Huy Nguyen	Utility Refunds: 0149001258-01
Ad Hoc Payment	Check	7744	11/23/2022	37.05	Nicollette or Brett Roth	Utility Refunds: 0061061708-03
Ad Hoc Payment	Check	7745	11/23/2022	182.42	Raab, Rainer	Utility Refunds: 0068030400-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7746	11/23/2022	185.21	Rivera, Alberto	Utility Refunds: 0074017106-02
Ad Hoc Payment	Check	7747	11/23/2022	1,810.53	Toivonen, Christine	Utility Refunds: 0117012998-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7748	11/23/2022	6,043.14	Yeti Investments LLC	Utility Refunds: 0060089820-03
Ad Hoc Payment	Check	7749	11/23/2022	106.79	Yeti Investments LLC	Utility Refunds: 0060089820-03
Ad Hoc Payment	Check	7750	11/23/2022	111.00	Zable, Debbie	Utility Refunds: 0042007153-03 Consolidated refund created from multiple refunds
Miscellaneous Payment	Check	7751	11/23/2022	5.00	Bryan Laughlin	Refund - Overpayment invoice #99488967
Miscellaneous Payment	Check	7752	11/23/2022	20.00	Burnt Bridge Cellars	Invoice #99495807 already paid on 11/6/22
Miscellaneous Payment	Check	7753	11/23/2022	49.00	Christine Carlson	PP Refund - COV12394 no longer eligible for Lot 18 Cust.392059
Miscellaneous Payment	Check	7754	11/23/2022	20.00	Connie Grooms	Refund - alarm fee due to Clark County jurisdiction
Miscellaneous Payment	Check	7755	11/23/2022	19,719.88	Environmental Works	SCIP Payment to Contractor inv#48714 Rasmussen
Miscellaneous Payment	Check	7756	11/23/2022	120.00	Forest Ridge Neighborhood Association	2022 RecycleU
Miscellaneous Payment	Check	7757	11/23/2022	20.00	Gerardo Loeza	Refund of overpayment. Paid \$40.00 on 9/6/22, account #22832/invoice #99488438.
Miscellaneous Payment	Check	7758	11/23/2022	41.21	Hollie DeWalt	Pay date 9/10/21 for pay period 8/16/21-8/31/21
Miscellaneous Payment	Check	7759	11/23/2022	8,553.00	Illya Kozaretskiy	Illya Kozaretskiy V. COV
Miscellaneous Payment	Check	7760	11/23/2022	20.00	Insight Eye Clinic	Invoice #99496239 was previously paid on 11/14/22.
Miscellaneous Payment	Check	7761	11/23/2022	514.50	Jam Agabon	Refund - Lot 18 P1/P2 permit cust found alternate parking
Miscellaneous Payment	Check	7762	11/23/2022	91.00	JC Hardware	Refund - CivicGov dup payment inv#77045660
Miscellaneous Payment	Check	7763	11/23/2022	6.28	Jenna Breshears	Pay date 9/24/21 for pay period 9/1/21-9/15/21

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Miscellaneous Payment	Check	7764	11/23/2022	62.51	JH KELLY LLC	MPE-327831
Miscellaneous Payment	Check	7765	11/23/2022	40.00	John Cagle	refund for parking permit COVE00256
Miscellaneous Payment	Check	7766	11/23/2022	8.87	Joleen Coffield	Paydate of 5/25/21 for pay period 5/1/21-5/15/21
Miscellaneous Payment	Check	7767	11/23/2022	20.00	Kenneth Stephens	Refund age-exempt Acct #22542
Miscellaneous Payment	Check	7768	11/23/2022	20.00	LBF Distributing	Refund for overpayment on Alarm acct 20914 inv 99450370
Miscellaneous Payment	Check	7769	11/23/2022	379.75	Mark Gruzin	Claim Payment - DOL: 12/02/21 - Risk
Miscellaneous Payment	Check	7770	11/23/2022	40.00	Michael Morgan	refund for overpayment on alarm acct #50203 / invoice #99399462
Miscellaneous Payment	Check	7771	11/23/2022	9.68	Navigate Law Group	REFUND - parking permit for employee that left company COV07026
Miscellaneous Payment	Check	7772	11/23/2022	20.00	Papa Murphy's #191	Refund for account #16587/invoice #99489691. This invoice was previously paid on 9/21/22.
Miscellaneous Payment	Check	7773	11/23/2022	20.00	Papa Murphy's #20	Refund for account #1309/invoice #99489539. This invoice was previously paid on 9/21/22.
Miscellaneous Payment	Check	7774	11/23/2022	5.00	Pholicious	Refund for Cust 710318 Inv 77029701 & 77030176
Miscellaneous Payment	Check	7775	11/23/2022	4,512.60	PLS Engineering	LUP-82991
Miscellaneous Payment	Check	7776	11/23/2022	290.00	Professional Credit Service	PETSMART #0386 Customer #96 Invoices: #99475135, 99479538, 99481041 & 99487113
Miscellaneous Payment	Check	7777	11/23/2022	40.00	Professional Credit Service	BROOKE ALBERT FUNDERBURK Customer #51939 Invoices: #99480530 & 99485550
Miscellaneous Payment	Check	7778	11/23/2022	40.00	Professional Credit Service	WALMART SUPERCENTER #2550 Customer #10838 Invoices: #99482889 and 99488944
Miscellaneous Payment	Check	7779	11/23/2022	40.00	Professional Credit Service	Paid \$40.00 on 8/31/2022 for PAUL BARR account #51213/invoices #99464889 and 99469772.
Miscellaneous Payment	Check	7780	11/23/2022	40.00	Professional Credit Service	ONCE UPON A CHILD Customer #14789 Invoices: #99394211 & #99399754
Miscellaneous Payment	Check	7781	11/23/2022	3.50	Professional Credit Service	Frontier Public House cust# 21261 Inv#99435849
Miscellaneous Payment	Check	7782	11/23/2022	80.00	Professional Credit Service	Refund- Inv#99481611/99487653 Cust#T-5491
Miscellaneous Payment	Check	7783	11/23/2022	40.00	Professional Credit Service	Clarissa Laub cust#50960 inv#99398007/99403012
Miscellaneous Payment	Check	7784	11/23/2022	120.00	Professional Credit Service	Dine Brands/LEC Old IHOP bldg cut#22290 inv#99472502/99478559
Miscellaneous Payment	Check	7785	11/23/2022	20.00	Puyallup RV of Vancouver	Overpayment of invoice #99491630
Miscellaneous Payment	Check	7786	11/23/2022	150.00	Rivermark Community	Invoice #99495035 already paid on 11/7/11. Acct #22685
Miscellaneous Payment	Check	7787	11/23/2022	20.00	Sariang Marong	Refund for overpayment on acct #21152 / Inv#99402578
Miscellaneous Payment	Check	7788	11/23/2022	20.00	Sharetea	Refund for overpayment on Alarm acct 22103 inv 99455696
Miscellaneous Payment	Check	7789	11/23/2022	157.00	Simple Faith Calvary Chapel	Permit #R9200 Refund
Miscellaneous Payment	Check	7790	11/23/2022	2,005.08	Smartlink LLC	Refund for CMI-27436 & CMI-274239
Miscellaneous Payment	Check	7791	11/23/2022	41.00	Stacy Nelson	Refund for canceled membership due to COVID - VOUCHER 2008211.030
Miscellaneous Payment	Check	7792	11/23/2022	50.00	Stephanie Ham	Rental Damage Deposit Refund

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Miscellaneous Payment	Check	7793	11/23/2022	44.00	Stonebrook Condos	refund overpayment on inv #77005549
Miscellaneous Payment	Check	7794	11/23/2022	119.02	Susan Onesky	Refund for permits MPE-293472 & MPE-293862
Miscellaneous Payment	Check	7795	11/23/2022	53.00	Tapped Brew House	Refund for duplicate payment on customer acct #743060 / invoice #77034626
Miscellaneous Payment	Check	7796	11/23/2022	91.00	Walmart #5462	REFUND - CivicGov dup payment inv#77044702
Customer Refund	Check	7797	11/23/2022	56.27	ASHLEY KLAPSTEIN	Stays overpayment
Customer Refund	Check	7798	11/23/2022	366.00	EDITH VALDEZ	Reissued due to ck #17709 expired
Customer Refund	Check	7799	11/23/2022	600.00	ELEMENTS RESTAURANT	Memo Duplicate payment. Received checks # 2929 & 2930 for the same invoices totaling \$600.00.
Customer Refund	Check	7800	11/23/2022	50.73	SHAWN SCRIBNER	Stays of overpayment
Supplier Payment	Check	7801	11/23/2022	549.64	Accurate Corporate Services Inc	
Supplier Payment	Check	7802	11/23/2022	6,761.98	Action Technology Systems	
Supplier Payment	Check	7803	11/23/2022	4,204.38	Anderson Glass Co	
Supplier Payment	Check	7804	11/23/2022	116.43	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	7805	11/23/2022	927.68	Arborscape Ltd Inc	
Supplier Payment	Check	7806	11/23/2022	959.53	Archaeological Investigations Northwest Inc	
Supplier Payment	Check	7807	11/23/2022	86.46	AT & T Mobility II LLC	
Supplier Payment	Check	7808	11/23/2022	180.00	Battle Ground School District 119	
Supplier Payment	Check	7809	11/23/2022	29.65	Bound Tree Medical LLC	
Supplier Payment	Check	7810	11/23/2022	2,730.00	Bret M Young	
Supplier Payment	Check	7811	11/23/2022	17,147.90	Brightview Holdings Inc	
Supplier Payment	Check	7812	11/23/2022	10,159.35	Brown & Wilson Partnership LLC	
Supplier Payment	Check	7813	11/23/2022	12,368.25	Brown and Caldwell - Remit-To: Brown & Caldwell - San Francisco	
Supplier Payment	Check	7814	11/23/2022	200.00	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	7815	11/23/2022	16,317.80	CECO Inc	
Supplier Payment	Check	7816	11/23/2022	8,002.00	CFM Strategic Communications, Inc.	
Supplier Payment	Check	7817	11/23/2022	1,456.28	Chicago Title Company of WA	
Supplier Payment	Check	7818	11/23/2022	1,579.35	Cintas	
Supplier Payment	Check	7819	11/23/2022	94,042.56	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	Check	7820	11/23/2022	4,905.83	Columbia Resource Company	
Supplier Payment	Check	7821	11/23/2022	108.29	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7822	11/23/2022	113.55	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7823	11/23/2022	118.55	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7824	11/23/2022	151.11	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7825	11/23/2022	123.55	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7826	11/23/2022	188.29	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7827	11/23/2022	95.88	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7828	11/23/2022	104.92	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7829	11/23/2022	119.73	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Supplier Payment	Check	7830	11/23/2022	113.55	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7831	11/23/2022	193.29	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7832	11/23/2022	247.56	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7833	11/23/2022	18,396.33	Comcast Holdings Corporation - Remit-To: Comcast Holdings Corporation - Philadelphia	
Supplier Payment	Check	7834	11/23/2022	1,970.00	David Corey PHD PC	
Supplier Payment	Check	7835	11/23/2022	6,300.00	Davidson Benefits Planning	
Supplier Payment	Check	7836	11/23/2022	2,066.39	Distinctive Landscape LLC	
Supplier Payment	Check	7837	11/23/2022	21,300.06	DKS Associates Inc	
Supplier Payment	Check	7838	11/23/2022	9,181.00	Esther Short Commons LLP	
Supplier Payment	Check	7839	11/23/2022	176.00	Evergreen Orchards LLC	
Supplier Payment	Check	7840	11/23/2022	748.36	Ferguson Enterprises - Remit-To: Ferguson - Dallas	
Supplier Payment	Check	7841	11/23/2022	15,301.17	FFA Architecture and Interiors, Inc	
Supplier Payment	Check	7842	11/23/2022	13,850.00	Fourth Plain Forward	
Supplier Payment	Check	7843	11/23/2022	511.14	Galls LLC	
Supplier Payment	Check	7844	11/23/2022	2,587.85	Gray & Osborne Inc	
Supplier Payment	Check	7845	11/23/2022	2,413.75	GSI Water Solutions, Inc.	
Supplier Payment	Check	7846	11/23/2022	1,296.00	H&H Wood Recyclers	
Supplier Payment	Check	7847	11/23/2022	14,688.67	Herrera Environmental Consultants Inc	
Supplier Payment	Check	7848	11/23/2022	9,000.00	Hyas Group, LLC	
Supplier Payment	Check	7849	11/23/2022	589.47	J-2 Blueprint Supply Co.	
Supplier Payment	Check	7850	11/23/2022	6,796.07	Janus Youth Programs Inc	
Supplier Payment	Check	7851	11/23/2022	50.00	J D Fulwiler & Company Insurance Inc.	
Supplier Payment	Check	7852	11/23/2022	5,985.00	Jensen Hughes Inc	
Supplier Payment	Check	7853	11/23/2022	56.00	Kaiser Foundation Hospitals	
Supplier Payment	Check	7854	11/23/2022	44,321.41	KBT Distributing LLC	
Supplier Payment	Check	7855	11/23/2022	7,970.35	Keller Associates Inc	
Supplier Payment	Check	7856	11/23/2022	19,956.63	Kennedy Jenks Consultants - Remit-To: Kennedy Jenks Consulting	
Supplier Payment	Check	7857	11/23/2022	29,453.84	Lakeyland Inc	
Supplier Payment	Check	7858	11/23/2022	594.30	Legacy Laboratory Services Inc	
Supplier Payment	Check	7859	11/23/2022	2,474.11	Level 3 Financing, Inc	
Supplier Payment	Check	7860	11/23/2022	956.47	Lile International Companies	
Supplier Payment	Check	7861	11/23/2022	6,336.38	Mackenzie Engineering Inc	
Supplier Payment	Check	7862	11/23/2022	1,286.38	Mark IV Enterprises Inc	
Supplier Payment	Check	7863	11/23/2022	112.50	Marquam Group LTD	
Supplier Payment	Check	7864	11/23/2022	13,868.03	McFarlanes Bark Inc	
Supplier Payment	Check	7865	11/23/2022	600.00	Nagra & Atwal Corporation	
Supplier Payment	Check	7866	11/23/2022	4,626.88	National Park Service - Remit-To: National Park Service - Pearson Lease	
Supplier Payment	Check	7867	11/23/2022	16,375.00	Nelson Nygaard Consulting Associates Inc - Remit-To: Nelson Nygaard Consulting Associates Inc	
Supplier Payment	Check	7868	11/23/2022	15,022.98	Northwest Staffing Resources Inc - Remit-To: NW Staffing - Portland	
Supplier Payment	Check	7869	11/23/2022	61,763.63	Origami Risk LLC - Remit-To: Origami Risk LLC	
Supplier Payment	Check	7870	11/23/2022	3,072.50	Pacifica Law Group LLP	
Supplier Payment	Check	7871	11/23/2022	379.75	Paramount Security Solutions, LLC	
Supplier Payment	Check	7872	11/23/2022	59,422.74	PBS Engineering and Environmental Inc	

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>
Supplier Payment	Check	7873	11/23/2022	166,839.21	PC Specialists Inc - Remit-To: TIG - San Diego	
Supplier Payment	Check	7874	11/23/2022	2,705.90	Physio-Control Inc - Remit-To: Stryker Medical	
Supplier Payment	Check	7875	11/23/2022	750.00	Portland Adventist Medical Center	
Supplier Payment	Check	7876	11/23/2022	23,704.64	PPC Solutions Inc	
Supplier Payment	Check	7877	11/23/2022	684.00	Public Safety Testing Inc	
Supplier Payment	Check	7878	11/23/2022	12,133.65	Qwest Corporation - Remit-To: Qwest Corp- Seattle	
Supplier Payment	Check	7879	11/23/2022	163,701.89	Right Systems Inc	
Supplier Payment	Check	7880	11/23/2022	5,962.00	SafeFire LLC	
Supplier Payment	Check	7881	11/23/2022	8,070.05	Scott Edwards Architecture LLP	
Supplier Payment	Check	7882	11/23/2022	1,302.00	Soha Sign	
Supplier Payment	Check	7883	11/23/2022	598.00	State of Washington Department of Labor & Industries - Remit-To: State of WA LNI - Boiler Pressure Vessel	
Supplier Payment	Check	7884	11/23/2022	1,373.30	State of Washington Department of Labor & Industries - Remit-To: State of WA LNI - Elevator Section	
Supplier Payment	Check	7885	11/23/2022	138.25	State of Washington Department of Transportation	
Supplier Payment	Check	7886	11/23/2022	2,230.00	The Columbian Publishing Co	
Supplier Payment	Check	7887	11/23/2022	108.50	Towing & Recovering Services Inc	
Supplier Payment	Check	7888	11/23/2022	1,035.00	Triangle Resources Inc	
Supplier Payment	Check	7889	11/23/2022	1,135.10	Trilogy MedWaste West, LLC	
Supplier Payment	Check	7890	11/23/2022	206.16	Vancouver Granite Works Inc	
Supplier Payment	Check	7891	11/23/2022	4,375.00	Vancouver National Historic Reserve Trust	
Supplier Payment	Check	7892	11/23/2022	525.17	W.B. Sprague Co. Inc.	
Supplier Payment	Check	7893	11/23/2022	326.60	Washington State Fire Fighters Apprenticeship Trust	
Supplier Payment	Check	7894	11/23/2022	232.26	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	7895	11/23/2022	773.88	Western Equipment Distributors - Remit-To: Western Equipment - Los Angeles	
Supplier Payment	Check	7896	11/23/2022	804.63	Western Water Works Supply Co Inc	
Supplier Payment	Check	7897	11/23/2022	86.26	XPO Logistics Enterprise Services, Inc - Remit-To: XPO - Portland	
			Check Total	1,087,789.56		
			Manual Wire Total	1,964,004.26		
			EFT Total	1,897,914.37		
			Direct Deposit Total	6,921.80		
			11/28/2022	22,125.55	City Payments	Posted 11-21-22 to 11-27-22
			Hansen Total	22,125.55		
			11/28/2022	500.00	Miscellaneous	Parks Class Refunds FCC 11-21-22 to 11-27-22
			11/28/2022	1,655.00	Miscellaneous	Parks Class Refunds MCC 11-21-22 to 11-27-22
			VISA Total	2,155.00		
			Payroll Total	3,483,930.03		
			GRAND TOTAL	8,464,840.57		

INVOICE PAYMENTS REPORT

<u>Payment Category</u>	<u>Payment Type</u>	<u>Check Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Payment Payee</u>	<u>Payment Memo if applicable</u>

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

City of Vancouver
Payroll Council Report
November 21, 2022 - November 27, 2022

Check No.	Date	Explanation	Amount
794 - 824	11/23/22	November 23rd Payroll	\$13,509.25
172064 - 173834	11/23/22	November 23rd Direct Deposits	\$3,470,420.78

\$ 3,483,930.03



Staff Report: 192-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT Release Of Covenant Running with the Land

Key Points

- 2003 Final site plan approval for Wellons Industrial Project included conditions requiring the applicant to guarantee completion of certain transportation improvements
- Applicant recorded a Covenant Running with the Land in November 2003, which fulfilled the completion of the improvements
- Changes in City plans for this area no longer necessitate completion of these improvements
- Proposed ordinance releases the Covenant

Strategic Plan Alignment

Goal 1: Ensure our built urban environment is one of the safest, most environmentally responsible and well maintained in the Pacific Northwest

Goal 1, Objective 1.1: Develop and maintain a safe, balanced and innovative transportation system that will meet the needs of future generations

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Present Situation

In May 2003, the City approved the site plan for the Wellons Industrial Project (PRJ2002-00569/FSR2003-00015). The approval included conditions requiring the applicant to commit to the completion of certain transportation improvements associated with the City's then planned NW 26th Avenue Industrial corridor. In November 2003, the developer executed a Covenant Running with the Land that placed restrictions on the subject parcels in such a manner so as to guarantee the future completion of the required transportation improvements.

In the years since, the City has modified the plans for a NW 26th Avenue freight corridor, shifting the alignment for this corridor to NW 32nd Avenue. As such, the requirements stipulated in the

2003 site plan approval and contained within the 2003 Covenant are no longer applicable. In addition, the subject properties are proceeding through a new site plan review, which will feature all required transportation improvements associated with the City's current plans for NW 32nd Avenue.

The attached ordinance releases the 2003 Covenant and removes all associated requirements and restrictions from the subject parcels.

Advantage(s)

- Eliminates parcel specific requirements that are no longer consistent with the City's transportation objectives for this area
- Allows the property to be developed in a manner that is consistent with the City's current land-use and transportation vision for this area

Disadvantage(s)

There are no known disadvantages with this proposed action.

Budget Impact

There will be no impact to the City's budget created by the adoption of this ordinance.

Prior Council Review

There has been no prior Council review in regard to this proposed action.

Action Requested

On December 5, 2022, subject to second reading and public hearing, approve the ordinance releasing the subject property from the 2003 Covenant Running with the Land.

Ryan Lopossa, Streets and Transportation Manager, 360-487-7706

ATTACHMENTS:

- ▣ Ordinance
- ▣ Existing Covenant

11/28/22
12/05/22

ORDINANCE NO. M-_____

AN ORDINANCE relating to planning and zoning; approving release of a recorded covenant related to a prior rezone of property in the City of Vancouver legally described in the Covenant recorded under File No. 3752065; and establishing an effective date.

WHEREAS, the city approved the Final Site Plan for the Wellons Industrial Project (PRJ2002-00569/FSR2003-00015) on May 2, 2003; and

WHEREAS, the site plan approval included conditions requiring the applicant to enter into an agreement that guaranteed the completion of certain transportation improvements required by the site plan at a future date; and

WHEREAS, the applicant recorded a Covenant Running with the Land on November 12, 2003, fulfilling these transportation related conditions contained within the site plan approval; and

WHEREAS, the City's long term transportation plan for this area has changed, negating the need for the improvements specified within the 2003 Final Site Plan approval and the 2003 Covenant; and

WHEREAS, a duly advertised public hearing was held before the City Council on December 5, 2022; and

WHEREAS, after close of the public hearing, the City Council approved the requested Covenant release as in the public interest;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The legal description of the lands referred to in this Ordinance is as follows: A parcel of property located in a portion of the Joseph Petrain Donation Land Claim, in the SW ¼ of SEC 16 and the NW ¼ of SEC 21, T2N, R1E, WM, more particularly described in Auditor's File No. 3752065.

Section 2. The Covenant recorded under Clark County Auditor's File No. 3752065 is hereby released.

Section 3. EFFECTIVE DATE. This Ordinance shall go into effect five days after final passage.

Read the first time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers:

Nayes: Councilmembers:

Absent: Councilmembers:

Read the second time:

Ayes: Councilmembers:

Nayes: Councilmembers:

Absent: Councilmembers:

SIGNED this ____ day of _____, 2022

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Johnathan Young, City Attorney

SUMMARY

An Ordinance relating to planning and zoning; approving release of a recorded covenant related to a site plan approval of property in the City of Vancouver legally described in the Covenant recorded under File No. 3752065; and establishing an effective date.

After Recording, Return To:
Mark F. Stoker
Landerholm, Memovich, Lansverk
& Whitesides, P.S.
P.O. Box 1086
Vancouver, WA. 98666-1086

TAX PARCEL No. 152383-000
Sec 16, T2N, R1E, Sec 21, T2N, R1E

Space Above for Recording Information Only

COVENANT RUNNING WITH THE LAND

A covenant to City of Vancouver, State of Washington (hereinafter "City"), from the undersigned, Wellons, Inc. (hereinafter "Wellons"), owner of certain real property in Clark County, Washington, legally described in the attached Exhibit A (hereinafter "Property"), on behalf of itself, its successors and assigns into whose ownership the Property should pass, agrees that this Covenant shall run with the land. This Covenant is for the limited purpose of implementing those certain conditions for site plan approval contained in that certain Amended Staff Report and Decision dated February 3, 2003, as PRJ2002-00569/PSR2002-00045 ("Site Plan Approval").

RECITALS:

WHEREAS, Wellons is the owner of the Property, which legal description is set forth in Exhibit "A", attached hereto; and

WHEREAS, Wellons has obtained approval of a site plan for the development of the Property from the City pursuant to VMC 19.80, under City File Numbers PRJ2002-00569/PSR2002-00045, which Site Plan Approval provides for development of the Property in phases; and

WHEREAS, the City found that certain transportation improvements required by the Site Plan Approval could take place in the future provided that Wellons agree to file a restrictive covenant to insure development of the Property occurs in compliance with the Site Plan Approval.

TERMS:

Wellons covenants and agrees as follows:

COVENANT - 1



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Page: 2 of 10

11/12/2003 03:58P

Clark County, WA

1. Wellons is the vested owner of fee simple title to the Property.
2. All development on the Property shall be required to conform to the approved Site Plan Approval.
3. Wellons agrees to dedicate road right-of-way and construct street frontage improvements as follows:

A. Firestone Lane.

i. Future transportation plans will require Firestone Lane to connect to NW 26th Avenue and shall be designed in accordance with Table No. 3, VMC Section 11.80.025. Minimum intersection radii for a primary industrial corridor is fifty (50) feet. The radius returns shall be designed to accommodate a WB50 turning template movement. Wellons agrees to dedicate right-of-way to accommodate radius returns and related improvements at the intersection of Firestone Lane and NW 26th Avenue upon request by the City of Vancouver.

ii. Wellons may elect to defer construction of full frontage improvements for Phase I construction of Firestone Lane. If Wellons elects to defer, Wellons hereby agrees that it will construct full street frontage improvements for the portion of Firestone Lane lying wholly within the Property, and twenty five (25) foot half-width street frontage improvements for Firestone Lane along the Property frontage shared with the northern adjacent property. The public improvements shall include curb, gutter, commercial driveway approaches, sidewalks, street lighting, ADA ramps, planting strip, and traffic control devices, as warranted per City Standard Plan T10-21/T10-4, as well as stormwater runoff drainage improvements. Such construction may be deferred until construction of future phases of improvements on the Property.

iii. If Wellons elects to defer, Wellons hereby agrees that it will construct a minimum core roadway width of twenty (20) feet for Firestone Lane for primary access to the Property in connection with construction of Phase I improvements on the Property.

B. NW 26th Avenue.

i. Wellons agrees to dedicate a seventy (70) foot right-of-way for that portion of future NW 26th Avenue lying wholly within the Property, as well as a one hundred (100) foot right-of-way section on each side of the intersection of NW 26th Avenue and LaFrambois Road to accommodate future turn lanes and truck turning movements upon request by the City of Vancouver. Wellons shall list this right-of-way as Future Public Rights-of-Way on future submittals. Wellons shall not be required to construct, or pay for construction of, any frontage improvements for any portion of NW 26th Avenue, nor any signalization of the same.

C. LaFrambois Road.

i. Wellons agrees to dedicate a minimum twenty five (25) foot half-width right-of-way for LaFrambois Road to function as a local access street upon request by the City of Vancouver. Wellons shall list this right-of-way as Future Public Right-of-Way on submittals.

COVENANT - 2

ii. In the event development of future phases of the Property does not include any access to or from LaFrambois Road (except for emergency fire access), Wellons shall not be required to construct, or pay for construction of, any frontage improvements for LaFrambois Road.

4. Wellons agrees to maintain 141 tree units on Phase I of the Property as required by the Site Plan Approval

5. A copy of this covenant shall be filed with the Clark County Auditor so as to appear as a covenant running with the land, and shall bind all future owners of any portion of the Property.

6. This Covenant shall be construed with and governed by the laws of the State of Washington. The parties agree to venue in Clark County, State of Washington.

7. If any portion of this Covenant shall be invalid or unenforceable to any extent, the validity of the remaining provisions shall not be affected thereby.

8. Each of the recitals contained herein are intended to be, and are incorporated as, covenants.

9. This Agreement may only be amended by mutual agreement of Wellons and the City of Vancouver, for whose benefit the covenant is made.

DATED this 27 day of October 2003.

WELLONS, INC.

By: Martin N Nye

Print Name: MARTIN N NYE

Title 10-27-03

APPROVED AS TO FORM ONLY

By: Scott H. Galt
City Attorney

COVENANT - 3

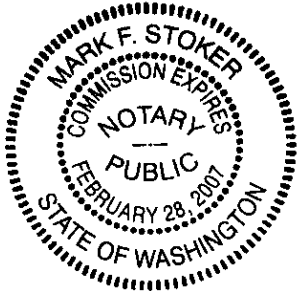
STATE OF WASHINGTON)

) ss.

County of Clark)

I certify that I know or have satisfactory evidence that Martin Nye is the person who appeared before me and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the President of Wellons, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: 10/27, 2003



[Signature]
Notary Public in and for the
State of Washington, residing
At Clark County.

My appointment expires: 2/23/07

COVENANT - 4

LEGAL DESCRIPTION FOR WELLON'S PARCELS

Lot Descriptions

May 1, 2002

TRACT 1:

BEGINNING at a point in Section 16, Township 2 North, Range 1 East of the Willamette Meridian, Clark County, Washington, 20 feet North from a point on the South line of the Joseph Petrain Donation Land Claim;

THENCE North 56° West 42 chains and 55 links from the Southeast corner of said Donation Land Claim;

THENCE North 3° East 419 feet;

THENCE South 56° East 1468 feet;

THENCE South 17° West 381.3 feet to a point 15 feet North from the South line of said Donation Land Claim;

THENCE North 56° West 1006 feet;

THENCE North 5 feet;

THENCE North 56° West 363 feet to the POINT OF BEGINNING.

EXCEPT that portion thereof conveyed to the State of Washington under Auditor's File No. G 298515.

ALSO EXCEPT that portion thereof conveyed to Rubin Barney and Etna Barker Barney by deed recorded under Clark County Auditor's File No. 8001150051.



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3752065Page: 6 of 10
11/12/2003 03:58P
Clark County, WA**TRACT II:**

BEGINNING at a point North 3° East 936 feet from a point North 56° West 42.37 chains from the Southeast corner of the Joseph and Catherine Petrain Donation Land Claim;

THENCE North 3° East 320 feet;

THENCE South 53° 20' East 1722 feet;

THENCE South 17° West 377 feet;

THENCE North 50° 03' West 1677.4 feet to the **POINT OF BEGINNING**.

ALSO a portion of the Joseph Petrain Donation Land Claim lying in Sections 16 and 21, Township 2 North, Range 1 East of the Willamette Meridian, described as follows:

BEGINNING at a concrete monument at the Southeast corner of said Petrain Donation Land Claim;

THENCE North 54° 42' 15" West 714.33 feet;

THENCE North 11° 33' 09" East 1060.39 feet to an iron pipe at the Northwest corner of Lot 3 as described and designated in Decree of Partition entered in the Superior Court of Clark County May 6, 1892, in Cause No. 284;

THENCE South 11° 33' 09" West 386.18 feet;

THENCE North 53° 00' 33" West 623.83 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 50° 25' 17" West 1638.89 feet;

THENCE North 4° 40' 27" East 65.12 feet;

THENCE South 48° 35' 47" East 1677.00 feet to the **TRUE POINT OF BEGINNING**.

TRACT III:

The following described real estate located in Section 16, Township 2 North, Range 1 East of the Willamette Meridian, Clark County, Washington:

BEGINNING at a point on the centerline of a 30 foot wide road that is North 56° 00' West 718.08 feet from the Southeast corner of the Joseph Petrain Donation Land Claim, Clark County, Washington;

THENCE North 10° 08' 30" East along the centerline of said road 451.2 feet to the **TRUE POINT OF BEGINNING**;

THENCE North 10° 08' 30" East 222.0 feet to the Northeast corner of Lot No. 5 as described in the Decree of Partition entered in the Superior Court of Clark County May 6, 1892, in Cause No. 284;

THENCE North 54° 25' 30" West, along the Northerly line of Lot 5, a distance of 90 feet;

THENCE South 10° 08' 30" West 222.0 feet;

THENCE South 54° 25' 30" East 90.0 feet to the **TRUE POINT OF BEGINNING**.

TRACT IV:

A tract of land in a portion of the Joseph Petrain Donation Land Claim in a portion of the Southwest quarter of Section 16 and the Northwest quarter of Section 21, Township 2 North, Range 1 East of the Willamette Meridian, Clark County, Washington, more particularly described as follows:

BEGINNING at the Northeast corner of the Northwest quarter of said Section 21;

THENCE North 79° 55' 21" West, 329.45 feet to a 2" iron pipe at the Northwest corner of Lot 3 of Seward Estates according to the Court Decree of Partition entered May 6, 1892 in Clark County Cause No. 284;

THENCE North 51° 50' 19" West, along the North line of that certain tract of and conveyed to E. Merrill Firestone by deed recorded under Auditor's File No. G 439737 records of Clark County, Washington, for a distance of 460.39 feet to the East line of a 20.00 foot sanitary sewer easement, said point being the **TRUE POINT OF BEGINNING**;

THENCE continuing North 51° 50' 19" West, along the North line of said Firestone Tract, for a distance of 119.09 feet to an existing 1 ½ inch iron pipe at the Northwest corner thereof;

THENCE South 18° 23' 11" West, along the West line of said Firestone Tract, for a distance of 380.08 feet to the Southwest corner thereof;

THENCE South 52° 59' 51" East, along the South line of said Firestone Tract, for a distance of 16.23 feet, to the East line of said sanitary sewer line;

THENCE North 19° 34' 09" East, along the East line of said sewer easement, for a distance of 14.21 feet;

THENCE North 35° 18' 09" East, along the East line of said sewer easement, for a distance of 336.31 feet;

THENCE North 09° 10' 24" East, along the East line of said sewer easement, for a distance of 9.12 feet to the TRUE POINT OF BEGINNING.

ALSO, Tax Parcel No. 152377.000, more commonly known as Tax Lot 2 of Lots 5 and 6, Subdivision of Swards Estates;

BEGINNING at the Southeast of the Joseph and Catherine Petrain Donation Land Claim in Sections 16 and 21, Township 2 North, Range 1 East of the Willamette Meridian;

THENCE North 56° 00' West 1419.0 feet;

THENCE North 16° 52' 15" East 15.70 feet to the TRUE POINT OF BEGINNING;

THENCE North 16° 52' 15" East 646.51 feet;

THENCE South 54° 25' 30" East 533.9 feet;

THENCE South 10° 08' 30" West 222 feet;

THENCE South 54° 25' 30" East 90.0 feet;

THENCE South 10° 08' 30" West 127.8 feet;



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3752065Page: 9 of 10
11/12/2003 03:58P

THENCE North 55° 24' West 445.00 feet;

THENCE South 34° 06' 30" West 285.79 feet;

THENCE North 56° 00' West 129.2 feet to the TRUE POINT OF BEGINNING.

ALSO, Tax Parcel No. 152383.000, more commonly known as Lot 8, Subdivision of Swards Estates;

BEGINNING at a concrete monument at the Southeast corner of said Joseph Petrain Donation Land Claim;

THENCE North 54° 42' 15" West 1397.55 feet to a point that is North 13° 15' 35" East 32.36 feet from the Northwest corner of Fruit Valley Homes as recorded in Volume "E" Page 52, Clark County Plat Records;

THENCE North 54° 21' 17" West 18.03 feet;

THENCE North 18° 20' 17" East 15.71 feet to the North line of La Frambois Road and the TRUE POINT OF BEGINNING;

THENCE North 54° 21' 17" West 21.00 feet;

THENCE North 18° 20' 17" East 350.25 feet;

THENCE North 54° 21' 17" West 1464.34 feet;

THENCE North 4° 40' 27" East 463.40 feet;

THENCE South 50° 25' 17" East 1638.89 feet;

THENCE South 18° 20' 17" West 648.67 feet to the TRUE POINT OF BEGINNING.

Also subject to easement of record.

A portion of the Joseph Petrain Donation Land Claim described as follows:

BEGINNING at a point on the North line of La Frambois Road that is North 54° 42' 15" West 1,377.53 feet and North 35° 17' 45" East 15.00 feet from the Southeast corner of the Joseph Petrain Donation Land Claim;



3752065

Page: 10 of 10
11/12/2003 03:58P
Clark County, WA

LANDERHOLM ETAL

COV

28.00

THENCE North 54° 42' 15" West 19.56 feet;

THENCE North 54° 21' 17" West 43.25 feet;

THENCE North 18° 20' 17" East 505.38 feet to the TRUE POINT OF BEGINNING;

THENCE North 50° 25' 17" West 348.91 feet;

THENCE North 39° 34' 43" East 135.00 feet;

THENCE South 50° 25' 17" East 296.44 feet;

THENCE South 18° 20' 17" West 144.84 feet to the TRUE POINT OF BEGINNING.



Staff Report: 193-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT An Ordinance Creating a Compost Procurement Policy for the Procurement and Use of Compost in Qualifying City Projects

Key Points

- In the spring of 2022, the Washington state legislature passed, and Governor Jay Inslee signed, House Bill 1799, a comprehensive organics materials management law that included a requirement for cities or counties to adopt a compost procurement ordinance by January 1, 2023.
- The purpose of the compost procurement provisions in the state law – now codified in RCW 43.19A.150, RCW 43.19A.160, and in an amendment to RCW 39.30.040 - is to strengthen end markets for the anticipated large volumes of additional organics materials diverted from the landfill and sent to compost operators.
- Specifically, these amended statutes require cities and counties that meet certain criteria to adopt compost procurement ordinances (CPO) and to report their compost purchases to the state Department of Ecology (Ecology). The City of Vancouver meets state criteria for being required to implement a CPO based on our population size and due to offering organics collection services to single family residents.
- In addition to adopting a CPO by January 1, 2023, local governments will be required to report to Ecology on the quantities of organic material diverted from the landfill, as well as the volume, cost and source of compost or compost product used in City projects.
- Fulfillment of the provisions of this ordinance support several key actions in Vancouver's draft Climate Action Framework. Some examples include using compost in lieu of chemical fertilizers in City landscaping projects; increasing carbon sequestration through improved soil management techniques; supporting composting and organics management to reduce methane production; and building the local green economy by procuring environmentally friendly materials from local providers whenever possible.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure including buildings and utilities, is safe, environmentally responsible and well maintained

Goal 9, Objective 9.1: Create infrastructure and policies that support job creation

Present Situation

In March 2022, the Washington state legislature passed ESSHB1799, signed into law by the Governor and codified in June 2022. Compliance with the requirements of the law, known as the Organics Management law is included in the City's solid waste section of the draft Climate Action Framework. The new law includes a provision (Part 7) that requires local governments to adopt a CPO and develop a policy for the procurement of compost to be used in projects, as well as track and report to Ecology total tons of organic materials diverted from the landfill, including the amount of compost purchased from specific sources.

The new statute states:

The legislature finds that landfills are a significant source of emissions of methane, a potent greenhouse gas (GHG). Among other economic and environmental benefits, the diversion of organic materials to productive uses will reduce methane emissions.

In order to reduce methane emissions associated with organic materials, the legislature finds that it will be beneficial to improve a variety of aspects of how organic materials and organic material wastes are reduced, managed, incentivized, and regulated under state law. Therefore, it is the intent of the legislature to support the diversion of organic materials from landfills through a variety of interventions to support productive uses of organic material wastes, including: . . .

(h) Encouraging cities and counties to procure more of the compost and finished products created from their organic material wastes in order to support the economic viability of processes to turn organic materials into finished products and increasing the likelihood that composting and other responsible organic material management options are economically viable.

The Organics Management law, now codified in RCW 43.19A.150, requires cities such as Vancouver to "adopt a compost procurement ordinance to implement RCW 43.19A.120 by January 1, 2023. This section applies to a city or county with a population greater than 25,000, as measured by Washington's Office of Financial Management; and to each city or county in which organic material collection services are provided under chapter 70A.205 RCW.

This statute further states that when "planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project." If it is determined that compost products can be used, then they must be used unless certain exceptions related to cost, availability, and quality apply.

Beginning December 31, 2024, Vancouver must report to Ecology on the quantities of organics materials diverted from the landfill, as well as the volume, cost and source of compost used in projects annually.

In conclusion, the proposed ordinance seeks to comply to state law regarding compost procurement requirements and meet the timeline for adopting an ordinance by January 1, 2023. Staff anticipate returning to City Council to codify this CPO as part of the City's future

procurement ordinance anticipated in 2023.

Advantage(s)

1. Compliance with the state mandate and timelines for ordinance adoption.
2. The use of compost in City funded projects reduces GHG emissions and provides an end use for finished compost and compost products.
3. Aligns with Council input in the Procurement and Solid Waste sections of the draft Climate Action Framework.

Disadvantage(s)

None

Budget Impact

Full budget impacts are unknown at this time, as the estimated cost will vary based on specific projects where use of compost products will be required.

Prior Council Review

None

Action Requested

On December 5, 2022, subject to second reading and public hearing, approve the ordinance.

Julie Gilbertson, Solid Waste Supervisor, 360-487-7162

ATTACHMENTS:

- ▢ Compost Procurement Ordinance
- ▢ Ecology Focus Sheet
- ▢ Presentation

11/28/22 (Date of First Reading)
12/05/22 (Date of Second Reading)

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE relating to the adoption of compost procurement requirements and establishing a compost procurement policy for the City of Vancouver as more particularly described herein.

WHEREAS, on June 6, 2022, the City Council adopted a Climate Priority Resolution M-4171 declaring climate action a city priority which resulted in adopting municipal and community-wide greenhouse gas (GHG) reduction goals to be achieved through the Climate Action Framework; and

WHEREAS, the emissions related to landfills and agriculture can be drastically reduced by diverting organic materials from landfills and enriching agricultural soils with compost; and

WHEREAS, 70A.205.007 RCW establishes goals for municipalities in the state of Washington to cut landfill-disposed organic material by 75% compared to 2015; and

WHEREAS, the high rate of diversion of organic materials provides an opportunity for green jobs and new or expanded composting operations that will produce large quantities of valuable compost products; and

WHEREAS, as more organic materials are diverted and recycled, it is critical that the compost manufactured be procured by local jurisdictions and others in order to support the economic viability of these processes and programs. It is well established that compost production and use provide significant environmental benefits to our soil; and

ORDINANCE - 1

WHEREAS, the City of Vancouver is committed to combating climate change through evolving municipal operations and incorporating the use of compost in City led projects; and

WHEREAS, RCW 43.19A.150 became effective on June 9, 2022 and requires cities and counties in Washington with a population greater than 25,000 residents or in which organic material collection services are provided to adopt a compost procurement ordinance by January 1, 2023;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The City shall develop a procurement policy and plan for the purchase and use of compost material in the following categories:

1. Landscaping projects;
2. Construction and post-construction soil amendments;
3. Applications to prevent erosion, filter storm water runoff, promote vegetation growth, or improve the stability and longevity of roadways; and
4. Low-impact development and green infrastructure to filter pollutants and keep water on-site, or both.

Section 2. When purchasing compost products, the City shall prioritize purchasing compost products from companies that produce compost products locally, in Washington and Oregon, are certified by a nationally recognized organization, such as the United States Composting Council, and produce compost products that are derived from municipal solid waste collection programs while meeting quality standards adopted by the Washington State Department of Transportation or adopted by rule by the Department of Ecology.

Section 3. Corrections. The City Clerk is authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 5. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not

ORDINANCE - 2

affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 6. Effective Date. This ordinance shall become effective immediately after passage, approval and publication as provided by law.

Read first time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2022.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

ORDINANCE - 3

Approved as to form:

Jonathan Young, City Attorney

ORDINANCE - 4

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to the adoption of compost procurement requirements and establishing a compost procurement policy for the City of Vancouver as more particularly described herein.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).



2022 Organics Management Law

Focus on Compost Procurement Ordinances and Reporting

Overview

Methane is a greenhouse gas that is, over 20 years, at least 75 times more potent than carbon dioxide. The primary goal of the [2022 Organics Management Law¹](#) is to reduce the emissions of methane created when organic materials, like food and yard waste, decompose in a landfill. To achieve this goal, the bill established milestones, based on 2015 disposal levels, which require actions by state and local agencies, residents, and businesses to:

- Rescue 20% of previously disposed edible food for human consumption by 2025.
- Divert 75% of previously disposed organic materials from landfills by 2030.

The purpose of the compost procurement provisions now codified in [RCW 43.19A.150²](#) is to strengthen markets for the anticipated large amounts of additional compost that will be produced as organics collection programs expand. Other statutes established or amended for this purpose include RCW 43.19A.160 and RCW 39.30.040.

Specifically, these statutes require cities and counties that meet certain criteria to adopt **compost procurement ordinances (CPO)** and to report their compost purchases to Ecology.

What follows are answers to key questions about how these new provisions affect local governments:

Which local governments are required to adopt a CPO and to submit compost procurement activity reports to Ecology?

- Counties and incorporated cities with a **population of more than 25,000**, based on the latest Office of Financial Management data, are required to adopt a CPO and submit compost procurement activity reports to Ecology.
- Jurisdictions with a **population of fewer than 25,000 in which curbside organics collection services are provided** are also required to adopt a CPO and submit compost procurement activity reports to Ecology. These jurisdictions include:
 - Counties with a population of 25,000 or fewer in which curbside organics collection services are provided, including services provided in unincorporated or incorporated parts of the county.
 - Incorporated cities or towns with a population of 25,000 or fewer in which curbside organics collection services are provided.

What is the deadline for adopting a CPO?

By Jan. 1, 2023.

¹ <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Waste-reduction-programs/Organic-materials/2022-organics-management-law>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=43.19A.150>

What options do jurisdictions have for meeting the CPO adoption and reporting requirements?

1. A county, city, or town can adopt its own CPO and submit its own compost procurement report to Ecology.
2. Counties, cities, or towns with existing recycled product procurement ordinances can amend them to include compost.
3. Cities can sign onto a county CPO and have the county submit procurement reports that include city purchases. This could be done through a separate interlocal agreement or by amending the county's solid waste management plan to include a CPO. The amendment would then cover these requirements for all signatories to the plan.
4. Two or more cities or towns can sign joint CPOs and submit joint procurement reports.
5. Two or more counties can sign joint CPOs and submit joint procurement reports.

What should a CPO address?

A CPO is intended to implement [RCW 43.19A.120: Use of compost products in projects](#)³. This statute states that when "planning government-funded projects or soliciting and reviewing bids for such projects, all state agencies and local governments shall consider whether compost products can be utilized in the project." If it is determined that compost products can be used, then they must be used unless certain exceptions related to cost, availability, and quality apply.

Other relevant statutes to review in preparing a CPO include:

- RCW 43.19A.110, which requires counties and cities to adopt specifications for compost products to be used in road projects.
- RCW 43.19A.130, which encourages local governments to purchase compost from the compost facility that serves its residents.

When are compost procurement activity reports due?

The first report is due by Dec. 31, 2024, and by December 31 in every subsequent even-numbered year – 2024, 2026, 2028, 2030 and so on.

What needs to be included in a compost procurement activity report?

Compost procurement activity reports need to include the following:

- The total tons of organic material diverted each year.
- The volume and cost of compost purchased each year.
- The source(s) of the compost.

How will compost procurement reports be submitted and tracked?

Ecology is developing an online system for local governments to submit their compost procurement activity reports. The first reports are due at the end of 2024, and we expect the reporting portal to be open by July 1, 2024.

Are there other related requirements in the new law?

Yes. Any county or city that adopts a CPO must "develop strategies to inform residents about the value of compost and how the jurisdiction uses compost in its operations." These strategies will need to be included in the local solid waste management plan the jurisdiction participates in when that plan is amended or updated. Information on the value of compost and making and using compost can be found on [Ecology's compost web page](#)⁴.

Where can I find out more?

Ecology is gathering procurement resources including CPO templates and examples to help local governments get started on their ordinances and [posting them on the Box platform](#)⁵. These materials include environmentally preferred purchasing resources prepared by Ecology and the Department of Enterprise Services.

Additional resources related to the new law can be found in our [resource library on the Box platform](#)⁶.

For more information

Subscribe to our [email news](#)⁷ to stay up to date on the latest organics material management news. After submitting your email, first choose the **Solid Waste Program**, and then **Organic Materials** to get the latest information.



Chery Sullivan
Chery.Sullivan@ecy.wa.gov
360.485.2724



To request ADA accommodation including materials in a format for the visually impaired, call Ecology at 360-407-6381 or visit <https://ecology.wa.gov/accessibility>. People with impaired hearing may call Washington Relay Service at 711. People with speech disability may call TTY at 877- 833-6341.

³<https://app.leg.wa.gov/RCW/default.aspx?cite=43.19A.120>

⁴ <https://ecology.wa.gov/Waste-Toxics/Reducing-recycling-waste/Waste-reduction-programs/Organic-materials/Managing-organics-compost>

⁵<https://app.box.com/s/wie5wjflcm9imusecihstqb5s1mujm2l>

⁶<https://app.box.com/s/r7shmywl2t798nu43f1udkp1481bcx6y>

⁷<https://public.govdelivery.com/accounts/WAECY/subscriber/new?gsp=ecology>

Compost Procurement Ordinance



Julie Gilbertson, Solid Waste Supervisor
Anna Vogel, Procurement Manager
Public Hearing | December 5, 2022

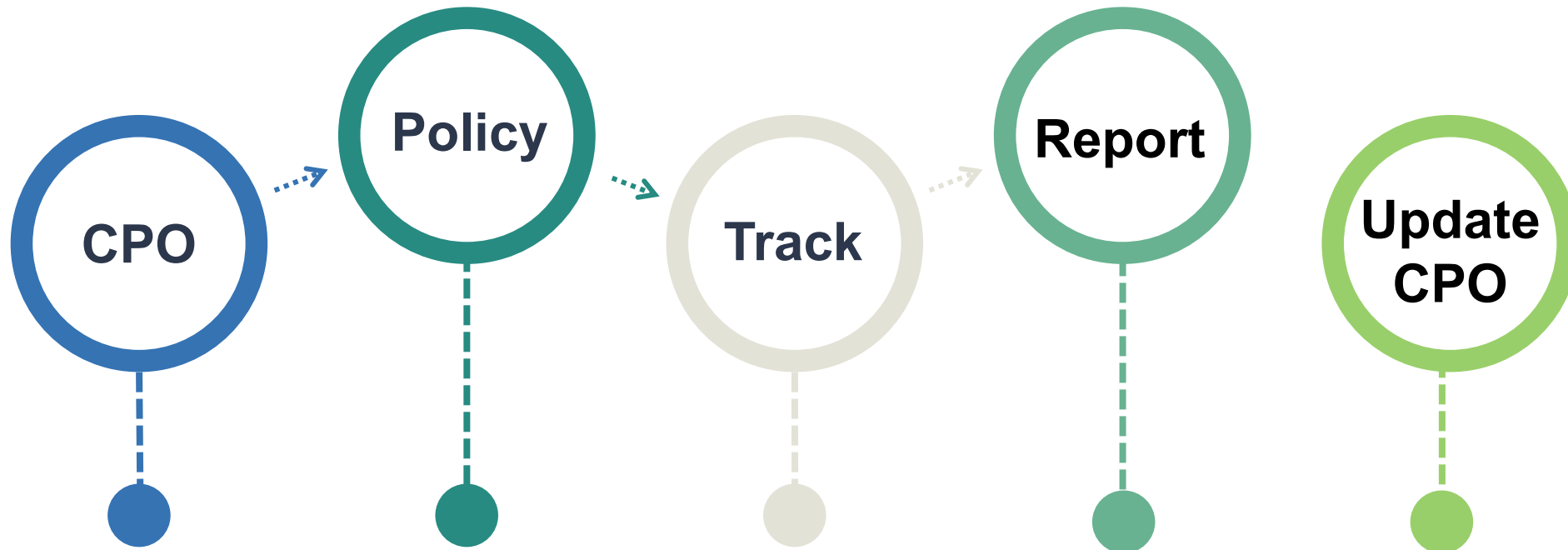
Organics Management Law

Part 7 – Compost Procurement Ordinance

Compost Procurement Ordinance

- Under Part 7 of the new state Organics Management Law (formerly HB 1799), qualifying cities and counties are required to adopt a compost procurement ordinance by Jan. 1, 2023.
- Aligns with the Solid Waste and Procurement sections of the Climate Action Framework.

Anticipated Next Steps



Adopt CPO

Following adoption of CPO, share with Ecology and WA cities and county.

Compost Procurement Policy

Refine and review policy with internal stakeholders, identify roles, budget impacts, education, etc.

Tracking System

As outlined in a Compost Procurement Policy develop and track compost purchases and tons of organic materials diverted citywide.

Compost Procurement Report

Submit to Ecology tons of organic material diverted and compost source, use and purchases.

Codify CPO

Plan for codifying the CPO with future update to City's Procurement ordinance, anticipated in 2023.

Wrap Up

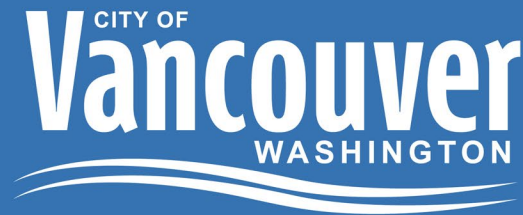
- Consistent with the Climate Action Framework
- In order to meet Jan 1 timeline in the state statute
- **Staff request Council adopt the Compost Procurement Ordinance upon second reading**

Wrap Up — 4



Thank You

Questions and Discussion





Staff Report: 200-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 12/5/2022

SUBJECT The Resolution to Adopt the Climate Action Framework, a 2040 Framework to Reduce Greenhouse Gas Emissions and Build Resiliency to Climate Change Impacts

Key Points

- Council first directed the City Manager to begin development of City climate goals in late 2019. Staff completed an update to the municipal and community greenhouse gas inventory in fall of 2020 and Council provided direction to pursue a “Leading Edge” approach to the climate strategies in summer of 2021.
- In June 2022, Council adopted the Climate Priority Resolution, thus adopting the following leading-edge greenhouse gas reduction goals:
 - an 80% reduction in greenhouse gas (GHG) emissions by municipal operations by 2025;
 - an 80% reduction in GHG emissions by the Vancouver community by 2030; and
 - carbon neutrality by both municipal operations and the Vancouver community by 2040.
- The resolution further directed the City Manager to develop a Climate Action Plan (now called the Climate Action Framework, or CAF) to define the strategies and actions necessary to achieve these goals.
- City staff co-developed an initial draft CAF through research into best practices, public outreach, direct engagement with community stakeholders, and consultation with City Department leadership and staff. City Council first reviewed this draft in August 2022.
- Council provided policy direction on several key issues at several subsequent touchpoints including a policy discussion Workshop in Sept. 2022 and two Council Communications at Council meetings in Nov. 2022. This direction has been incorporated into the current version of the CAF.
- In order to be eligible to apply for grant funding through the federal Inflation Reduction Act, the City must have an adopted plan to reduce greenhouse gas emissions.

Strategic Plan Alignment

Goal 1, Objective 1.1: Develop and maintain a safe, balanced and innovative transportation system that will meet the needs of future generations

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Goal 3, Objective 3.2: Improve services available to underserved or vulnerable residents

Goal 6, Objective 6.1: Support a strong, active neighborhood program that enhances livability and community connections

Present Situation

In December 2019, Council directed the City Manager to begin developing climate goals related to reductions in greenhouse gas emissions. Beginning in 2020, City staff worked with Cascadia Consulting Group (“Cascadia”) to conduct an updated inventory of municipal and community greenhouse gas emissions. The results of the updated inventory and models of potential future emissions were shared with Council in fall of 2020 and Council engaged in a series of conversations with staff and the consultant team to identify targets for municipal and community emission reduction targets. In July 2021 Council identified the “Leading Edge” emission reduction target as their preferred policy direction.

Through surveys, roundtable meetings, one-on-one meetings with individual community members and stakeholder groups, multiple rounds of review with staff across City departments, and input from City Councilmembers, staff co-developed a robust list of strategies and actions with community partners that would set the City on its path towards its stated goal of carbon neutrality by 2040. Staff efforts were supported by a team of graduate students from Portland State University whom staff engaged in the spring of 2022 to conduct focused public outreach on climate resiliency and adaptation to learn about the priorities of frontline communities who too often bear the heaviest burden of climate change impacts.

Taken together, these climate priorities, strategies, and actions were compiled into the Draft Climate Action Framework. Cascadia modeled the GHG reductions that could be achieved by the actions in the CAF, as well as the expected costs associated with the most impactful actions. The first draft was presented to Council in August 2022. The CAF has subsequently undergone several rounds of revision following input from Council and community stakeholders. The GHG impact and cost models have been updated accordingly to reflect these revisions.

An unprecedented amount of funding for greenhouse gas reduction and climate resiliency projects will be available to local jurisdictions in 2023 via the federal Inflation Reduction Act of 2022. One of the requirements to apply for this funding is for the City to have an adopted plan to reduce greenhouse gas emissions. The CAF would satisfy this requirement.

Advantage(s)

1. Adopts strategies and actions that the City can pursue to achieve its adopted greenhouse gas emission goals.
2. Establishes strategies to protect vulnerable communities such as low-income people, communities of color, people with health issues, the elderly, young people, and unhoused people from the impacts of climate change.
3. Positions the City to apply for grants and other funding opportunities through the federal

Inflation Reduction Act of 2022, which requires an adopted GHG reduction plan as a condition of eligibility for application.

4. Provides needed guidance as staff approach efforts such as the update of the Strategic Plan and the Comprehensive Plan.

Disadvantage(s)

1. Implementing the actions in the CAF to cut GHGs and protect the Vancouver community from climate change impacts will require substantial investments in infrastructure, community assets, equitable outreach, and education by municipal and community sources.
2. Efforts to reduce emissions may result in disruption to businesses and their customers as they adapt to new market practices and regulatory environment.
3. Strategies to promote compact, walkable neighborhood design and promote usage of alternative forms of transportation will lead to changing land use and development patterns, increased density through Vancouver, and a reprioritization of transportation choices that maybe disruptive to historic community patterns of living.

Budget Impact

Approval of the climate priority resolution does not directly result in a budget impact.

Implementation of individual actions in the CAF will be included in department budget requests that come before Council for review and approval, and over the long-term implementation may require additional budget resources.

Prior Council Review

- November 23, 2020, Council Workshop – Staff provided an overview of the GHG emissions forecast and options for emission reduction targets.
- December 14, 2020, Council Workshop – Council continued discussion on emission reduction targets.
- March 22, 2021, Council Workshop – Staff provided an overview of the Strategy Development Process.
- July 26, 2021, Council Workshop – Staff provided an update on the process to develop a full Climate Action Plan (CAP), the Early Action Package, and the interim Green Building Policy.
- November 21, 2021, Council Communications – Staff provided an update on the development of the CAP.
- March 7, 2022, Council Workshop – Staff provided an update on the development of the CAP.
- May 16, 2022, Council Workshop – Staff presented the draft list of climate strategies and actions that had been developed for the CAP.
- June 6, 2022, Council Meeting – Council voted to adopt the Climate Priority Resolution.
- August 8, 2022, Council Workshop – Staff introduced the first draft of the full Climate Action Framework (CAF) document.
- September 19, 2022, Council Workshop – Council considered several key policy questions related to energy supply for new and existing buildings, fuel supply for and provided direction to Staff.
- November 7, 2022, Council Communications – Council provided comments and asked questions regarding four sections of the CAF (Building Energy, Transportation & Land Use, Solid Waste & Wastewater, and Governance).

- November 21, 2022, Council Communications – Council provided comments and asked questions regarding two sections of the CAF (Equity & the Green Economy and Natural Systems).

Action Requested

On December 5, 2022, subject to the public hearing, pass the resolution to adopt the Climate Action Framework.

Rebecca Small, Senior Policy Analyst, 360-487-8601; Aaron Lande, Program and Policy Development Manager, 360-487-8612

ATTACHMENTS:

- ▢ Presentation
- ▢ Resolution
- ▢ Climate Action Framework



Climate Action Framework City Council Meeting

Dec 5, 2022



Rebecca Small, Senior Policy Analyst
Aaron Lande, Program and Policy Development Manager
City Manager's Office

Climate Action Framework



CAF Overview



Impact



Moving Forward

CAF Overview



CAF Overview



City of Vancouver Climate Action goals:



2025: 80% reduction in City municipal GHG emissions

2030: 80% reduction in GHG emissions by the Vancouver community

2040: Carbon neutral by both municipal operations and the Vancouver community

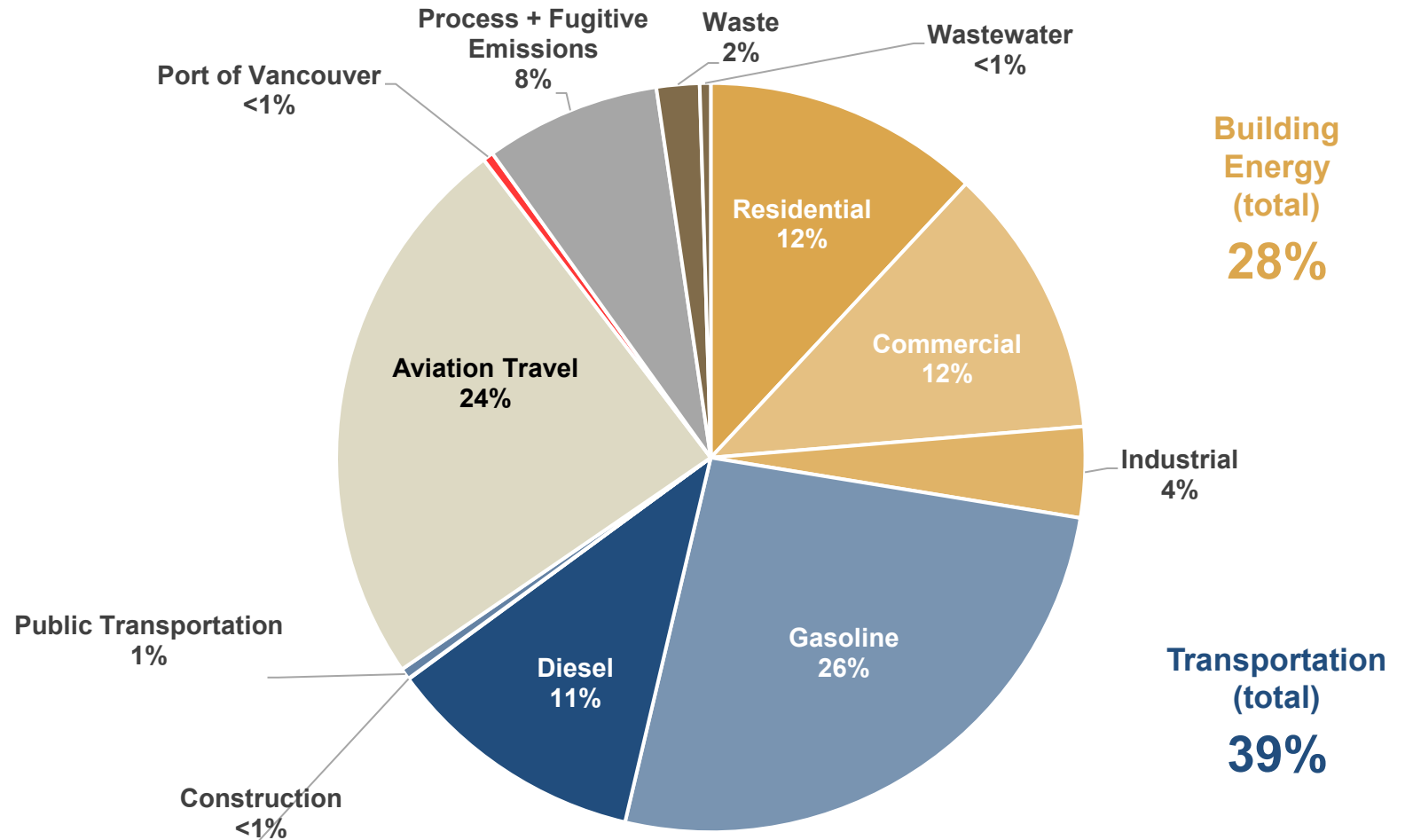
* Relative to baseline year 2007

Climate Action Framework — 4

CAF Overview



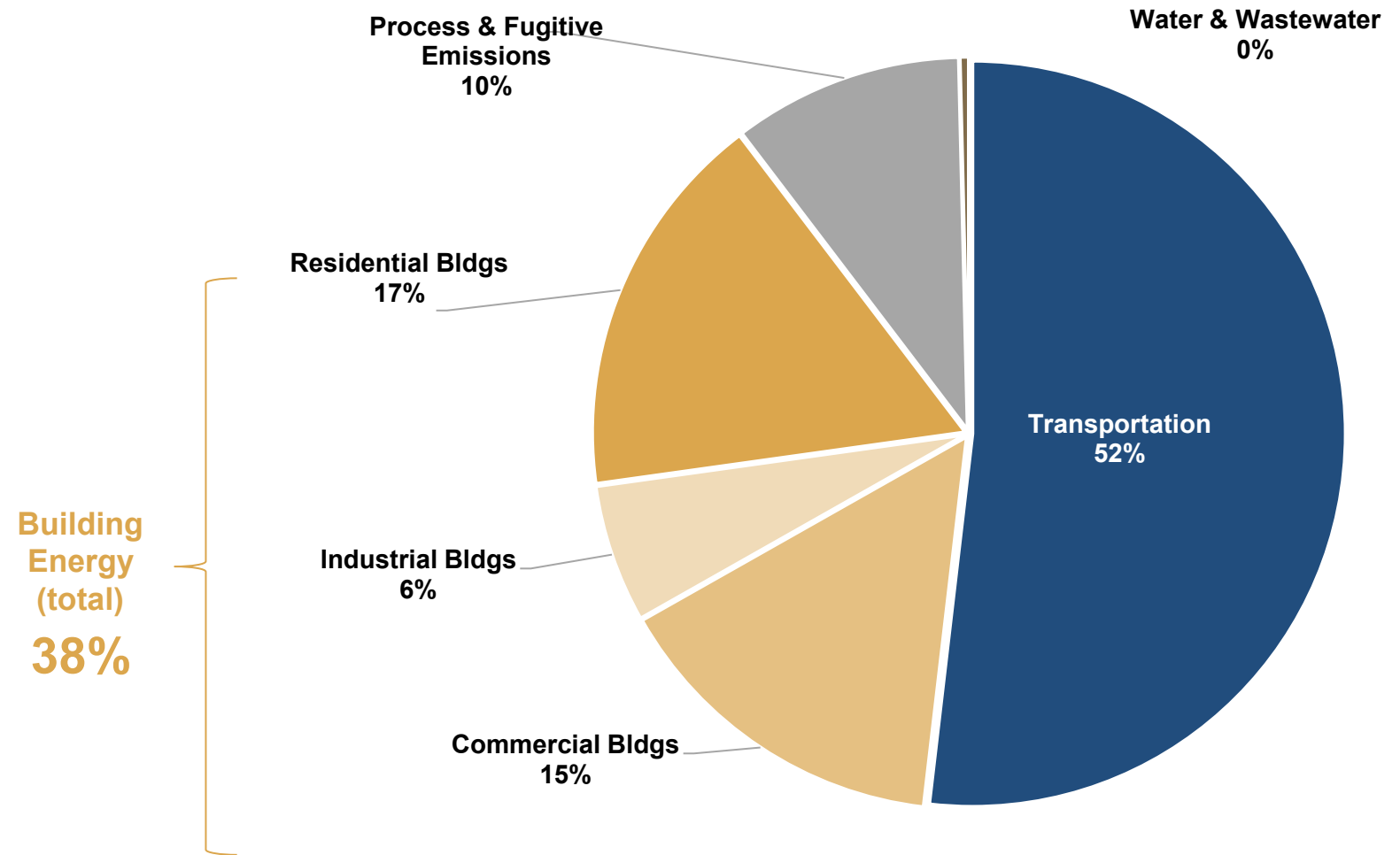
2019 GHG Inventory – All Emissions



CAF Overview



2019 GHG Inventory - Scope 1 & 2 Emissions



CAF Overview



Engagement to date

575	Survey responses	5	Rounds of City staff input from 6 departments
53	Meetings with individual stakeholders and community groups	2	Models to estimate emissions reductions and costs of key actions
7	Roundtables with a stakeholder advisory group	1	Multi-criteria analysis to understand trade-offs of actions
6	Grad students that created an Equitable Climate Adaptation Plan for Vancouver	12	Touchpoints with City Council

CAF Overview



Framework overview

6
Sections

14
Strategies

86
Actions

	Actions	Section
	16	Building Energy
	26	Transportation & Land Use
	11	Natural Systems
	6	Solid Waste & Wastewater
	17	Equity & the Green Economy
	10	Governance

Impact



Updates

Actions updated to reflect feedback:

Council policy direction

- Incentive only – electric transition in existing homes
- Follow State guidance on building power
- Phase-out of 2-cycle lawn equipment

Community input

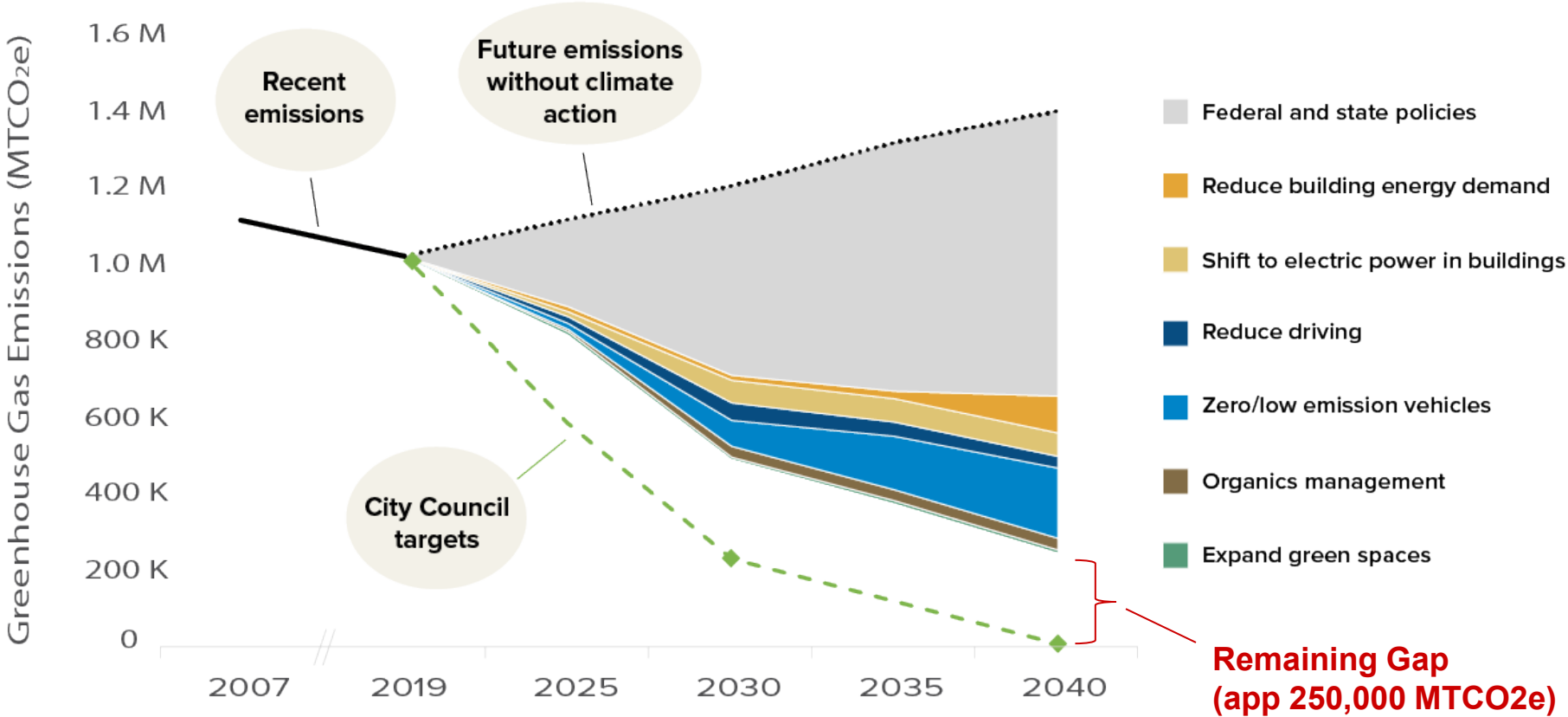
- Support for community gardens.
- Accelerate tree canopy expansions

New legislation

- SBCC heat pump requirements
- State Organics Management Law

Climate Action Framework — 10

Total Estimated Impact*



* GHG Impact Model updated Nov 2022

CAF Impact



Progress toward City-wide goals

If the current iteration of the CAF were fully implemented, the City would achieve:

- **73%** of its 2030 goal
- **83%** of its 2040 goal

	Progress to 2030 Goal		Progress to 2040	
Statistic	Previous Model	Updated Model	Previous Model	Updated Model
% GHG reduction from 2007	61%	56%	84%	78%
% of GHG Goal met	78%	73%	88%	83%

CAF Impact



Cost Estimates* of the top 13 most impactful actions:



\$8M

Average
annual cost to
City



\$98

Average annual
cost per capita



\$15M

Average
annual cost of
inaction

CAF Impact



CAF Mindset: Continuous improvement

- Ongoing stakeholder and community engagement
- Update of GHG Inventory and CAF actions every 4 years (offset)



Climate Action Framework — 14

Moving Forward





Climate Action in 2023-24 Biennial Budget

\$16.5M over next two years
Projects support multiple City
goals, not limited to climate.

30+ projects
HVAC upgrades, EV
infrastructure, tree canopy
expansions, online services for
customers

Inflation Reduction Act

\$369 Billion

Clean energy, climate resilience, and environmental justice

Example Projects

- Clean energy retrofits
- Contractor training
- Urban forestry
- EV & alternative fuel



Moving Forward



IRA Opportunities for Vancouver

- Invest in local green business development
- Community safety and resiliency measures
- “Leading Edge” facilities

Climate Action Framework — 18

Moving Forward



Alignment with other City plans

- Comp Plan and Strategic Plan updates

Moving Forward



Leading with Equity

- Early investments in community-identified priorities
- Climate Community Advisors
- Resiliency efforts to safeguard most vulnerable



A nighttime photograph of a modern waterfront building with large glass windows and a wooden upper level. To the right, a large, illuminated cable-stayed sculpture stands on a curved promenade. The scene is reflected in the water, with city lights visible in the distance under a dark sky.

Thank You.



Questions?

Rebecca Small, Senior Policy Analyst

Aaron Lande, Program and Policy Development Manager

City Manager's Office

12/05/2022

RESOLUTION NO. ____

A RESOLUTION adopting the Climate Action Framework as the City of Vancouver's framework to reduce greenhouse gas emissions to achieve municipal and community-wide greenhouse gas reduction goals, and directing the City Manager to put resources toward its implementation.

WHEREAS, the City of Vancouver is committed to combating climate change through evolving municipal operations, strategic infrastructure investments that transform our economy, addressing the inequitable impacts of climate change on historically marginalized communities, and supporting community-based climate leadership to achieve carbon neutrality by 2040; and

WHEREAS, impacts of climate change are already being experienced by Vancouver community members and business owners in the form of extreme weather events, such as increased wildfires and the 2021 heat dome event, and scientists project those impacts to only grow more severe and far-reaching in the coming years; and

WHEREAS, low-income people community members of color, indigenous people, senior citizens, individuals experiencing homelessness, persons with health concerns, young people, and other traditionally marginalized communities disproportionately suffer detrimental effects to their health and quality of life from climate-related impacts and risk; and

WHEREAS, changing climate threatens the special ecosystems, habitats, natural systems, and native species of our local environment; and

RESOLUTION - 1

WHEREAS, the Intergovernmental Panel on Climate Change has stated¹ that human-caused emissions are the greatest driver of the climate change we are experiencing today, that we need to limit the average global temperature increase to 1.5 degrees Celsius from pre-industrial levels² to prevent the most catastrophic impacts of climate change, and that we as a species need to pursue all strategies to achieve a rapid drop in carbon emissions; and

WHEREAS, local governments have a core responsibility for upholding public health, safety, and welfare, mitigating and preparing for disasters, protecting and preserving natural systems, and supporting economic development; and

WHEREAS, Council acknowledges that making strategic and needed investments in local infrastructure—before regulations or the market force us to adapt—will allow the City to develop and support new green industries and job opportunities locally to serve the needs of the community, the region, and beyond; and

WHEREAS, Council recognizes that young people will inherit the legacy of the climate actions that we take today and deserve a voice in shaping those actions; and

WHEREAS, Council on June 6, 2022, adopted a Climate Priority Resolution, thus adopting the following leading-edge greenhouse gas reduction goals (relative to the benchmark year of 2007):

- an 80% reduction in greenhouse gas (GHG) emissions by municipal operations by 2025;
- an 80% reduction in GHG emissions by the Vancouver community by 2030; and
- carbon neutrality by both municipal operations and the Vancouver community by 2040.

WHEREAS, the intent of the Climate Action Framework is to provide policy direction on

RESOLUTION - 2

the work necessary to move towards the achievement of the goals established by the Climate Priority Resolution;

NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF VANCOUVER:

Section 1. The Council hereby adopts the Climate Action Framework and directs the City Manager to put resources towards its implementation.

¹ IPCC, 2018: Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty [Masson-Delmotte, V., P. Zhai, H.-O. Pörtner, D. Roberts, J. Skea, P.R. Shukla, A. Pirani, W. Moufouma-Okia, C. Péan, R. Pidcock, S. Connors, J.B.R. Matthews, Y. Chen, X. Zhou, M.I. Gomis, E. Lonnoy, T. Maycock, M. Tignor, and T. Waterfield (eds.)]. In Press.

² The IPCC Special Report on Global Warming of 1.5°C uses the reference period 1850–1900 to represent pre- industrial temperature.

INTRODUCED, PASSED, AND ADOPTED at a Regular Meeting of the Vancouver City Council this 5th day of December 2022.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

RESOLUTION - 4

City of Vancouver Climate Action Framework



**A 2040 framework to reduce greenhouse gas emissions
and build resiliency to climate change impacts**





Welcome

Residents, neighbors, business owners, and friends of Vancouver—

Climate change is no longer a threat looming off in the distance. Its effects are already very much upon us. Here in Vancouver, we've felt these changes personally in the form of deadly heat waves, hazardous ice storms, and toxic, smoke-filled air from nearby wildfires. We feel it in other, indirect ways, too, as volatile weather disrupts agriculture across the West Coast and harms the unique ecosystems that make our home here in the Pacific Northwest such a special place to live.

These current and future disruptions pose significant threats to Vancouver's public health, safety, local economy, natural environments, and overall quality of life. Scientists around the world agree that these effects will continue—and intensify—unless we take immediate action

to drastically cut the greenhouse gases that drive climate change. With strong support from the community, Vancouver City Council unanimously voted to do just that and adopted one of the most ambitious climate action goals in the country: achieving carbon neutrality by 2040.

Achieving this audacious goal will be difficult. It will require us to change how we get around, heat and cool our homes, generate power, use resources, and more. But we believe that our children and grandchildren deserve a healthy planet and a liveable, equitable future, full of opportunities just as we've enjoyed. Securing that future for them demands that we give this effort nothing less than our best.

It is inspiring to know that the strategies provided here in this first iteration of Vancouver's

Climate Action Framework can already get us 80% of the way to our goal. This Plan will be a living document, updated regularly with new ideas, policies, and technological innovations that will help us close this gap in the coming years.

We hope that you will join us in rising to this challenge and building a future for Vancouver that we can all be proud of.

Sincerely,

Mayor Anne McEnerny-Ogle

Mayor Pro Tem Ty Stober

Councilmember Sarah J. Fox

Councilmember Bart Hansen

Councilmember Kim D. Harless

Councilmember Erik Paulsen

Councilmember Diana H. Perez

City Manager Eric Holmes

Our Thanks

The City of Vancouver is grateful to the following individuals and organizations for their contributions to develop the Vancouver Climate Action Framework.

City of Vancouver

Aaron Lande, City Manager's Office
Anthony Ramos, City Manager's Office
Anna Dearman, Community Development
Bryan Snodgrass, Community Development
Cayla Cothron, Community Development
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Frank Dick, Public Works
Jacob Mahan, Public Works
Julie Gilbertson, Public Works
Rebecca Kennedy, Community Development
Rebecca Small, City Manager's Office
Rich McConaghy, Public Works
Shannon Williams, Community Development
Teresa Brum, Economic Prosperity and Housing
Tim Buck, Public Works
Tyler Clary, Public Works

Stakeholders and Community Groups

Alliance for Community Engagement
Audubon Society
Building Industry Association of Clark County
Boys & Girls Club of SW Washington (Teen Turf Club)
City of Vancouver Forestry Commission
City of Vancouver Planning Commission
Clark Public Utility District
Clark College Environmental Action Club
Clark County Master Composter Recyclers
Columbia River Economic Development Council
Council for the Homeless
Craft3
C-TRAN
East Vancouver Business Association
EarthGen
Fourth Plain Forward

Greater Vancouver Chamber of Commerce
High-Tech Council
Hispanic Chamber of Commerce
Identity Clark County
League of United Latin American Citizens
Lower Columbia Nature Network
LSW Architects
NW Natural
New Buildings Institute
PFLAG
Port of Vancouver
Shumway Neighborhood Association
Vancouver's Downtown Association
Waste Connections
Watershed Alliance

City Council

Anne McEnerny-Ogle, Mayor
Linda Glover, Mayor Pro Tem*
Ty Stober, Mayor Pro Tem
Bart Hansen, Councilmember
Diana H. Perez, Councilmember

Erik Paulsen, Councilmember
Kim D. Harless, Councilmember
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Our Roadmap, at a Glance

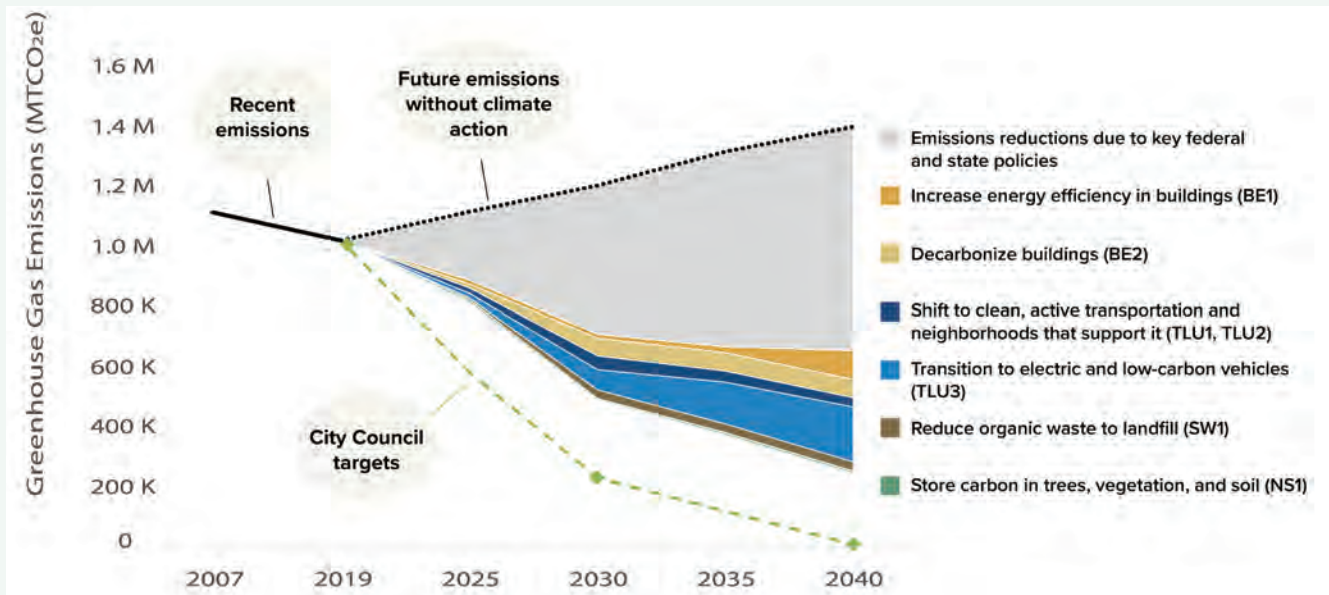
Current and expected climate impacts compel us to act now to protect our residents, infrastructure, and economy and to build a resilient, low-emissions city that future generations will enjoy. Guided by the principles of social, economic, and environmental sustainability and our commitment to a just transition, we have set an ambitious target to achieve carbon neutrality by 2040. This means that we will reduce and nearly eliminate carbon pollution from our homes, businesses, vehicles, and City services, all while enriching parks, green spaces, and other natural systems. It also means that no one will be left behind in the transition to a strong, local green economy with affordable homes, thriving businesses, and vibrant, healthy communities.

The Vancouver Climate Action Framework (CAF) reflects the collective effort of residents, community and business stakeholders, and City staff, many of whom expressed strong, consistent support for ambitious climate action.

With strong community support in mind, the City also wishes to stay ahead of—and be prepared for—the rapidly changing science and policy of climate action. Our targets rise to the challenge presented by these goals. We know carbon neutrality by 2040 is an audacious, difficult goal—but we are up to the task. We know it will help avoid the worst impacts of climate change and secure a livable future for future generations.

Our pathway to carbon neutrality by 2040

The actions presented in this Climate Action Framework—along with current technologies and existing policy—will enable Vancouver to reach approximately 70% of our 2030 goal and 80% of our 2040 goal. We are optimistic that coming policy changes and technological innovations will help us close the remaining gap.



How the CAF Came Together

Over two years, community and City input, best available science, and technical modeling and analysis determined the CAF vision, goals, strategies, and actions:

575 survey responses

5 rounds of City staff input from 6 departments

7 roundtables with a stakeholder advisory group

2 models to estimate emissions reductions and costs of key actions

50 meetings with individual stakeholders and community members

1 multi-criteria analysis to understand trade-offs of actions

Our Vision

To achieve our goals, we have prioritized the foundational work needed to rapidly scale climate action, the sectors with greatest opportunity for emissions reduction and carbon storage, and the opportunity to leverage state policy to position the City and community for long-term sustainability. We have designed the CAF actions to work together and grow more aggressive over time to reach Vancouver's targets.

Our Vision: By 2040, Vancouver will have...



Equity in Climate Action and a Resilient, Green Economy

Vancouver will be a city that embeds equity in climate action, with regular assessments of community vulnerability, a comprehensive anti-displacement policy, and climate strategies and actions that prioritize an equitable distribution of costs and benefits. Through a just transition, Vancouver will be a city that educates and trains its workers for careers in clean technology, renewable energy, and electric vehicles.



Active, Electrified Transportation and Connected Neighborhoods

Residents will be able to reach their destinations safely, reliably, and efficiently, however they choose to travel. Zero-emission vehicles will be affordable, common, and easy to charge or fuel. Our neighborhoods will be walkable, mixed-use, and compact, with secure affordable housing for current residents.



A City that Leads

Grounded in safety, equity, and climate action, Vancouver will be a leader in all we do. We will ensure that staff are knowledgeable and empowered to make sustainable decisions and there is adequate permanent funding to make our carbon-neutral, resilient vision a reality.



Connected, Carbon-Rich Natural Systems

Our parks, trails, and green spaces will store carbon, connect our neighborhoods, and preserve sensitive land and wildlife. We will use water wisely.



100% Clean Energy

Vancouver will transition to 100% clean energy and significantly reduce per capita energy use.



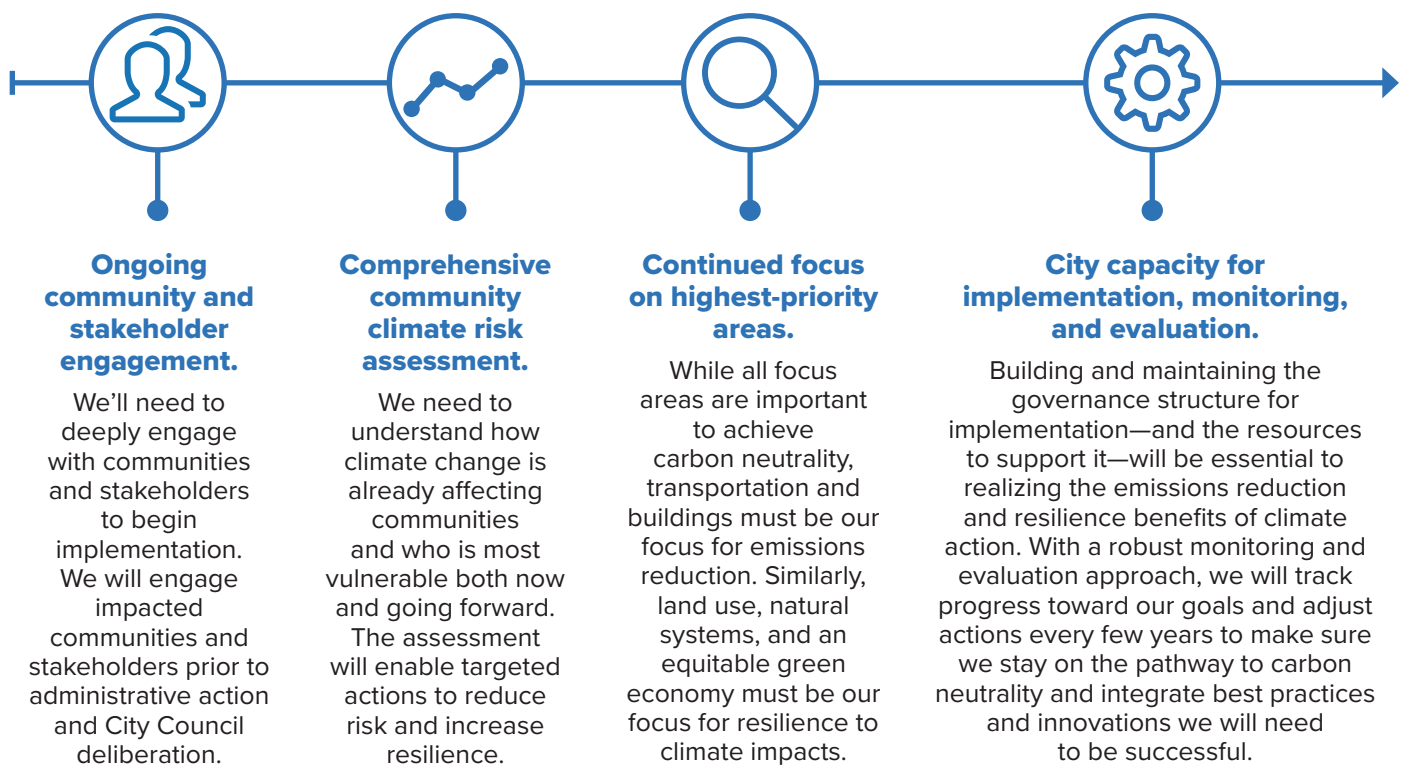
Less Waste, Used and Disposed Smartly

We will reduce per capita waste by diverting food to those who need it and by reusing, repairing, recycling, and composting more. We will reduce per capita water usage and treat wastewater more efficiently.



Next Steps

The CAF is an important—but first—step in our pathway to carbon neutrality. Key next steps include:



Together we will realize a vibrant, low-emissions, and resilient Vancouver for current and future generations.

Key Terms & Acronyms

Term or Acronym Definition

BIPOC	Black, Indigenous, and People of Color
CAF	Climate Action Framework
Carbon neutrality	GHGs released to the atmosphere are balanced by removing or storing an equivalent amount of carbon
Clark PUD	Clark Public Utilities District
Clean Energy	Energy generated from recyclable sources without emitting greenhouse gases.
CMO	City Manager's Office
CRESA	Clark Regional Emergency Services Agency
C-TRAN	Clark County Public Transit Benefit Area Authority
GHG	Greenhouse gases including carbon dioxide, methane, and nitrous oxide. GHGs cause climate change.
HVAC	Heating, Ventilation, and Air Conditioning
LEV	Low-emissions vehicle
MTCO_{2e}	Metric tons of carbon dioxide equivalent (a common unit used to express GHG emissions)
NWN	NW Natural gas company
TDM	Transportation Demand Management
TSP	Transportation System Plan
VMC	Vancouver Municipal Code
ZEV	Zero-emissions vehicle

Quick Navigation

Use the links below to navigate quickly to each section of this CAF.

3 Welcome

4 Our Thanks

9 Why We'll be Carbon Neutral by 2040

11 Our Carbon Footprint

13 Our Carbon Solutions

14 Equity & Green Economy (EQ)

26 Buildings & Energy (BE)

38 Transportation & Land Use (TLU)

57 Natural Systems & Water Resources (NS)

66 Solid Waste & Wastewater (SW)

72 City Governance (GOV)

77 What We're Doing Next

Why We'll Be Carbon Neutral by 2040

The Pacific Northwest region and many communities around the world are increasingly experiencing the impacts of climate change in real and tangible ways. Too often, the communities hardest hit are those with the fewest resources to cope. And yet, **it is not too late to act and make a difference for current and future generations.**¹ Now more than ever, cities like ours must step into a critical and decisive role in addressing climate change and the safety and equity challenges it presents. To this end, Vancouver's CAF provides a collaborative and strategic roadmap to:

- Set Vancouver on a bold pathway to reduce local GHG emissions and reach carbon neutrality by 2040.
- **Strengthen and support our community's ability to manage the climate change impacts** that are already here and prepare for those headed our way.
- Take advantage of the many benefits of climate action, such as a **just transition** to a strong, local green economy, healthier and more abundant **green spaces and natural systems**, and improved health and safety for Vancouver's residents.

Our success will rely on how effectively we meet the current and future needs and priorities of Vancouver's residents and employers. Over 18 months, we collaborated with City Council, members of the community, and local stakeholders representing environmental, business, industry, and community perspectives. Their diverse feedback helped shape the overarching vision, goals, and focus areas of the CAF. In developing strategies and actions, we worked closely with stakeholders to embrace, leverage, and in some cases, exceed the regulatory goals and emissions reduction benefits of federal and state policies.²



In 2040, a resilient and sustainable Vancouver looks like...*

- **accessible active transportation**
- **affordable**
- **bold climate action**
- **efficient low-carbon homes and businesses**
- **green spaces**
- **healthy**
- **leader**
- **strong green economy**
- **walkable bikable streets**

Our priorities* to get there are:

- Elevate individuals and groups most burdened by climate impacts.
- Focus on highest emission sectors (buildings and transportation). Also focus on storing carbon in healthy natural systems.
- Grow our green workforce and support local businesses.
- Promote reuse, recycling, and composting markets.

*The vision and priorities are summarized from community survey feedback.

We want to **stay ahead of our state's rapidly changing environmental laws, be ready to leverage new technology, and invest wisely** in our city and communities. While climate action will require upfront costs to invest in our collective wellbeing, **doing nothing would result in immeasurable financial, social, and environmental costs and irreversible losses**. We have heard the call to action and seized this opportunity to build a resilient Vancouver that not only thrives today but is equipped to sustainably flourish for future generations.

Our CAF builds on and represents our unique community and its collective vision for the future of our city. As a first step to achieving this vision, we have set **aggressive, yet viable targets** and have begun to implement an **Early Action Package** to pave the way for a successful full-scale CAF implementation process. CAF implementation will also build on past sustainability successes and leverage synergies with existing City plans, programs, and activities.

The City's Role as Leader

The **City intends to lead strongly** through the coming transformations and takes seriously its responsibility to provide a safe, healthy, affordable, and prosperous community for current and future residents. As Washington's fourth-largest city and a major economic engine, **what we do will affect the entire southwest of our state**. As leaders, we will...



Implement the **systems, processes, staffing, and other resources** needed to institutionalize climate action across City departments, operations, and budgets.



Update City systems, processes, policies, and practices to **redress historic inequities and support a level playing field** for all.



Demonstrate that **population and job growth go hand in hand with environmental sustainability**, as many other cities (e.g., Santa Monica, Portland) are doing already..



Advance **sustainable technology and infrastructure**, including green retrofits of City buildings, ample EV infrastructure in public spaces, and resilience demonstration projects on City-managed properties and land.



Partner on regional economic development, and educate and train the workforce, to continue to **recruit and retain green business and industry**.



Achieve GHG emissions reduction targets at a faster pace by **capitalizing on low-hanging fruit** and implementing our Early Action Package.

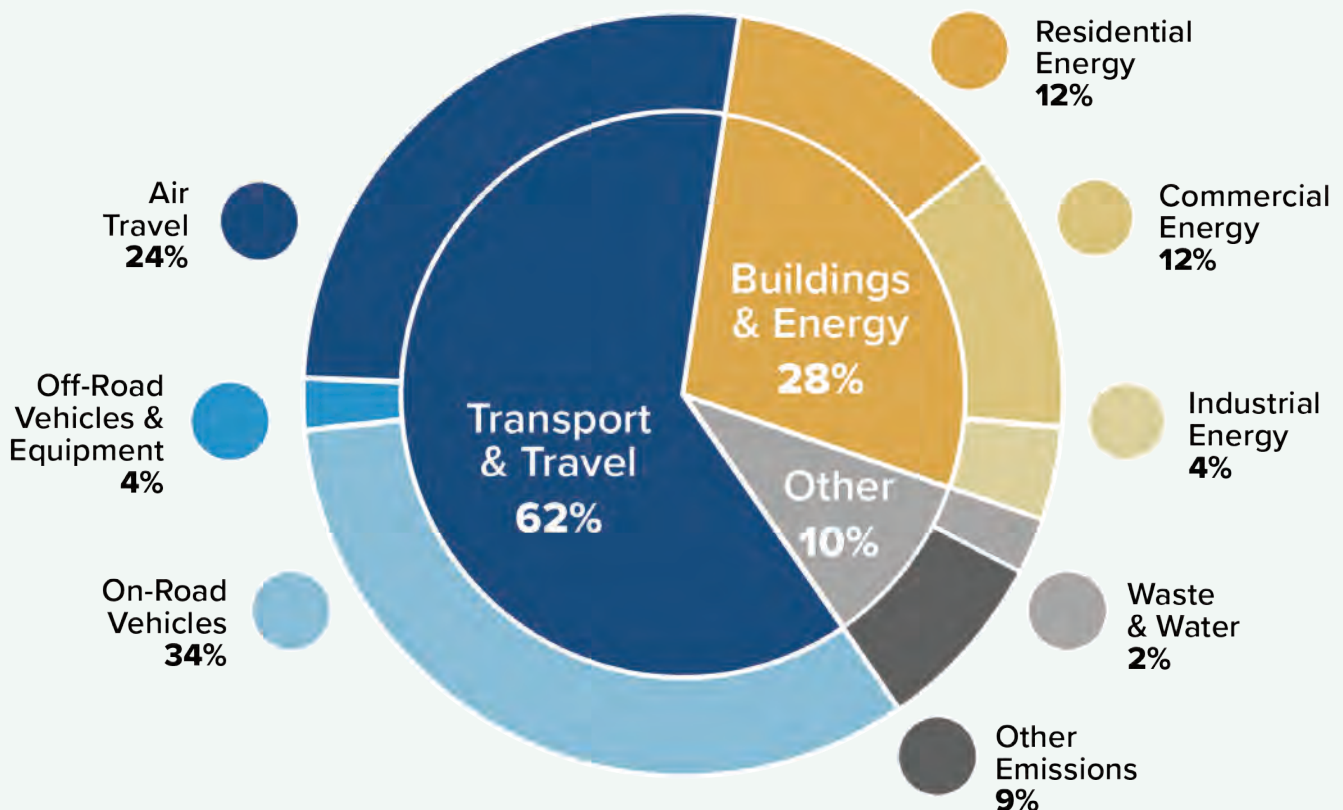
The following sections detail the City's approach to demonstrating leadership and achieving the goals that our community identified. We measured our GHG emissions quantities, sources, and trends (see [Our Carbon Footprint](#)), then used those results and community and stakeholder input to develop targeted strategies and actions across six focus areas (see [Our Carbon Solutions](#)).

Our Carbon Footprint

To develop high-impact strategies and actions to reduce our environmental impact, we completed an updated greenhouse gas (GHG) emissions inventory measuring the total climate pollution produced by the Vancouver community and City operations in 2019. We compared results to Vancouver's 2007 inventory to track trends in emissions by sector, resident, and by job. We then used the inventory results to develop CAF actions that will reduce emissions throughout the Vancouver community and economy. Because multiple GHG inventories allow us to compare changes in carbon footprint over time, they will continue to serve as a vital tool for continuously evaluating and improving our actions to reduce greenhouse gas emissions.

Community Emissions: 2019 Snapshot

- 90% of Vancouver's 2019 emissions come from how we get around (transport & travel) and how we heat, cool, and power our homes, businesses, and industrial buildings (building energy).
- Major emissions sources include air travel (24%), on-road (34%) and off-road (4%) vehicles and equipment (like cars, delivery trucks, boats, and lawn mowers), and building electricity (17%) and natural gas (11%) use.



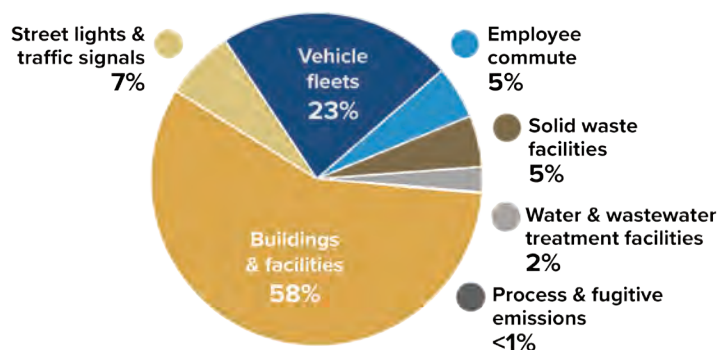
Trends Over Time

Despite a growing population and economy, Vancouver's GHG emissions declined 19% from 2007 to 2019.

We used less natural gas, drove fewer miles, and sent less waste to the landfill. We've shown that economic progress does not have to come at the expense of our health and natural resources—and we can continue this progress in the years to come.

Sector*		% Change
 Energy	↓	-57%
 Transportation	↑	+12%
 Solid Waste	↓	-42%
Total	↓	-19%
Per Capita	↓	-28%
Per Job	↓	-19%
Per GDP (Clark County)	↓	-42%

*Percent change is reported only for the sectors evaluated in both 2007 and 2019.



City Operations Emissions

City operations are ~1% of total GHG emissions. From 2007 to 2019, City government emissions declined 61%, to 16,223 MTCO₂e. Major contributors to the City's footprint remain the electricity and gas used in City buildings, facilities, streetlights, and traffic signals, and the gas and diesel used in City fleet vehicles (including police and fire vehicles).

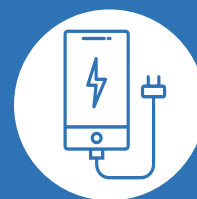
Emissions reduced between 2007 and 2019 are equivalent to...



Taking
75,000
cars off the road for one year



Saving
40 million
gallons of gasoline



Charging
46 billion
fewer cellphones

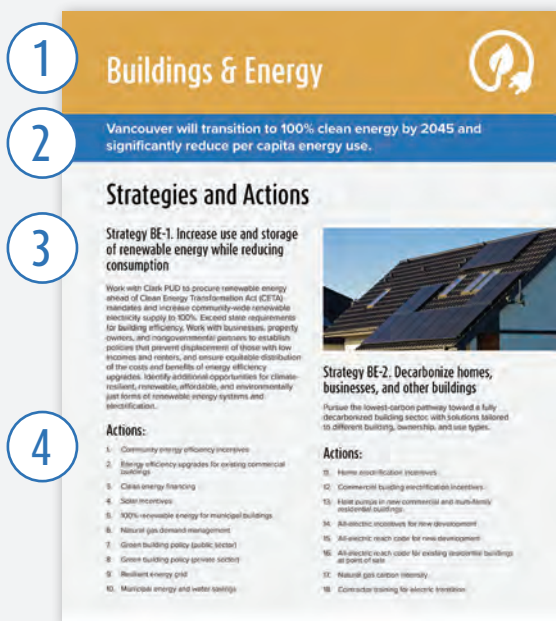
Our Carbon Solutions

Working closely with stakeholders and leveraging both quantitative and qualitative analysis of impacts, costs, and benefits, we developed and iteratively refined the CAF strategies and actions. CAF strategies and actions focus on reducing GHG emissions (i.e., climate mitigation) from City operations and community activities. We also include strategies and actions to build overall community resilience to current and future climate impacts, particularly for those who are overburdened with environmental and other stressors (i.e., climate adaptation).

How to read the Strategies and Actions

Strategies and actions are organized into six focus areas. Each begins with a brief overview, followed by detailed implementation actions for each strategy. See the Appendix for a summary of estimated emissions reductions and costs of key actions.

Focus Area Overview



1. **Focus Area Title** explains the major topics covered in the chapter.
2. **Focus Area Vision** articulates how the focus area contributes to Vancouver's overall vision for a low-emissions, resilient future.
3. **Strategy Description** briefly explains how, at a high level, the vision and goals will be achieved.
4. **Actions** for each strategy

Implementation Overview



5. **Action Description** provides a more detailed description of each action. Actions labeled **HIGH** have the **highest quantified emissions reduction potential**.
6. **Methods** describes how the action will be moved forward through existing or future plans, funding, etc.
7. **Metrics** lists key metrics for tracking and evaluating progress.
8. **Lead and Key Partners** identifies who will primarily lead and support implementation.
9. **Timeline** indicates whether implementation will happen in the near term, mid term, long term or on an ongoing basis.

Equity & Green Economy



Vancouver will be a city that embeds equity in climate action, with regular assessments of community vulnerability, a comprehensive anti-displacement policy, and climate strategies and actions that prioritize an equitable distribution of costs and benefits. Through a just transition, Vancouver will be a city that educates and trains its workers for careers in clean technology, renewable energy, and zero-emission vehicles.

Strategies and Actions

Strategy EQ-1. Enhance resilience of overburdened communities

Enhance the resilience of populations disproportionately impacted by climate change and structural racism while proactively planning for and mitigating potential externalities of increased resilience. Implement the Capturing Momentum and Aspirational Packages of recommendations from Reside Vancouver, the City's comprehensive anti-displacement policy, to ensure that the City's investments in green infrastructure and climate-related projects do not contribute to the displacement of pre-existing and vulnerable residents.

Actions:

1. Climate Community Advisors
2. Comprehensive climate risk assessment and adaptation plan
3. Hazard mitigation plan
4. Prevent climate investments from leading to displacement
5. Community safety hubs
6. Reserve funding for extreme weather events
7. Fossil fuel storage ban
8. Comprehensive outreach and education
9. Air conditioning and filtration retrofits



Equity & Green Economy



Strategy EQ-2. Build a more community-driven, circular economy

Reduce the carbon footprint of goods and services by building a community-driven economy to promote the reduction, reuse, and repair of goods and materials and expand downstream markets for waste products. Work with City economic development partners to support small- and mid-sized businesses in the transition to a local, green economy that ensures equitable distribution of benefits and impacts. Conduct outreach and provide resources to residents, business, schools, and community partners to improve our food system by limiting waste, promoting low-carbon diets, expanding community gardens and markets, and securing surplus food to food-insecure

Actions:

10. Community gardens and local markets
11. Small business restructuring
12. Local repair and reuse
13. Support for repair industries
14. Surplus food recovery



Strategy EQ-3. Support growth of the green technology workforce

Support strategic implementation of the Comprehensive Economic Development Plan and Greater Portland Economic Development District Comprehensive Economic Development Strategy, specifically clean technology, solar energy and battery production, and manufacturing of EV parts/ components. Implement workforce development and education programs that prioritize Vancouver's current and future green job opportunities.

Actions:

15. Green workforce development
16. Green commercial hubs
17. Community-led green economy prioritization

Implementation

Strategy EQ-1. Enhance resilience of overburdened communities

This strategy will ensure everyone in Vancouver, particularly overburdened communities, have the ability to adapt to climate impacts.



Action #1: Climate Community Advisors

Establish a Climate Community Advisors panel to provide ongoing guidance from frontline communities, particularly young people and people of color, on the equitable implementation of the CAF.

When establishing and operating the panel, prioritize:

- Build trusting, working relationships and provide meaningful opportunities for community members to participate.
- Encourage participation from younger residents.
- Creating stipends or funding for participants or community-based organizations (CBOs) to support organizational capacity.

Method(s)

Public outreach, research, and development of panel structure, bylaws, and mission; additional staff capacity to manage and oversee

Metrics

Established panel with framework/bylaws, roster, and schedule; number of active members; diversity of communities represented

Lead & Key Partners CMO

KEY PARTNERS

- Environmental education organizations and programs (such as Water Resources Education Center, EarthGen, Watershed Alliance, Camp Hope, Clark County Green Schools, Outdoor Afro, etc.)
- Local high schools and colleges
- Groups representing BIPOC communities (such as NAYA, NAACP, Boys and Girls Club of SW WA, LULAC, Latino Community Resource Group)

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #2: Comprehensive climate risk assessment and adaptation plan

Building from the lessons learned in the 2022 Vancouver Climate Adaptation Strategy,* conduct a comprehensive climate vulnerability assessment to identify the city's climate-vulnerable populations and high-priority areas for the implementation of resiliency measures. This assessment includes a review of:

- Building code standards.
- Environmental contamination areas and industrial sites.
- Transit system (e.g., vulnerability to infrastructure, operators/ employees, and riders).
- Areas of the city susceptible to flooding and urban heat island effects.

** This community-led adaptation strategy was developed by Hatch Planning, a graduate student team from Portland State University.*

Method(s)

Code standards assessment, revision, and expansion of the Natural Hazard Mitigation Plan; assessment of key transit locations, stops, and destinations

Metrics

Completed/updated plan; assessment of climate vulnerable populations

Lead & Key Partners

General Services—Emergency Management

KEY PARTNERS

- Community Development
- C-TRAN
- Clark County
- CRESA

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Action #3: Hazard mitigation plan

Review the City's Natural Hazard Mitigation Plan to ensure that risks from climate-related hazards are adequately addressed.

Method(s)

Update of Natural Hazard Mitigation Plan

Metrics

Completed plan

Lead & Key Partners

General Services—Emergency Management

KEY PARTNERS

- Clark County
- CRESA

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #4: Prevent climate investments from leading to displacement

Take proactive measures to ensure that investments in sustainable infrastructure and climate resiliency do not displace lower-income residents. This includes:

- Implement the Capturing Momentum and Aspirational Packages of recommendations from Reside Vancouver, the City's comprehensive anti-displacement policy, to help those with low incomes stay in their homes and those vulnerable to or experiencing homelessness to secure reliable affordable housing in areas safe from climate impacts (such as flooding).

Method(s)

Implementation of plan; continued community engagement; strategic partnerships on workforce development; affordable housing development

Metrics

Comparative rental rate increases; number of homes affordable to low- and moderate-income individuals; number of workforce development programs

Lead & Key Partners Community Development

KEY PARTNERS

- Central Vancouver neighborhoods
- Fourth Plain Forward
- Housing providers
- Workforce development agencies
- Advocacy organizations representing BIPOC and low-income residents
- Educational institutions

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #5: Community safety hubs

Identify and sustain community safety hubs that can provide refuge during extreme weather events. This includes:

- Identify City-owned buildings that can serve as community safety hubs.
- Develop agreements with libraries, religious institutions, public schools, and other trusted institutions to serve as community safety hubs.
- Work with partners to put resilience measures in place for the hubs (e.g., self-generated power, earthquake resistance, materials storage).
- Ensure access to hubs for unhoused residents.
 - Develop a communications strategy to reach vulnerable populations before and during emergency situations.
- Create maps and directions to community safety hubs by various travel modes and work with community partners to distribute them to vulnerable populations.

Method(s)

Public outreach, developing strategic partnerships, agreements

Metrics

List and map of designated community safety hubs; agreement with hub locations to provide specified services; maps and directions for each location (for public distribution); contact information for each hub; completed community needs assessment for reaching vulnerable populations

Lead & Key Partners General Services—Emergency Management

KEY PARTNERS

- Communications
- Neighborhood Liaisons
- Community Development
- Parks
- Clark County
- CRESA
- C-TRAN
- Vancouver Public Schools
- Regional public partners
- Faith-based organizations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #6: Reserve funding for extreme weather events

Develop reserve funding for extreme weather events in the City of Vancouver that includes health and emergency services for vulnerable populations such as people who are low-income, elderly, or unhoused.

Method(s)

Reserve funding

Metrics

Fund established

Lead & Key Partners

General Services—Emergency Management

KEY PARTNERS

- CRESA
- Clark PUD

Timeframe

Near Term	Mid Term	Long Term	Ongoing
	X	X	

Action #7: Fossil fuel storage ban

Ban new fossil fuel storage consistent with the provisions of the City of Vancouver's Fossil Fuel Facility Code Changes approved by City Council in October 2022.

Method(s)

Work with development community, fuel service providers, and City staff to incorporate new code requirements into projects.

Metrics

Education about code requirements for community and City permitting staff.

Lead & Key Partners

Community Development

KEY PARTNERS

- Development industry
- Fuel service providers

Timeframe

Near Term	Mid Term	Long Term	Ongoing
	X		



Action #8: Comprehensive outreach and education

Develop educational materials and outreach programs for key climate initiatives. This may include:

- Transportation demand management initiatives aimed at reducing emissions.
- Partner with youth education programs to produce and deliver hands-on climate education curricula.
- Share the importance of using local, native, and drought-tolerant species, smart soil management techniques, and low-carbon maintenance practices in landscaping.
- Continue to provide water conservation education through the City's Water Resources Education Center.

Method(s)

New content for existing programs; strategic partnerships; grant funding/ direct support/ contracted services with partner organizations

Metrics

Number of programs developed or updated; number of Vancouver residents reached through educational programs

Lead & Key Partners Resources Education Center

KEY PARTNERS

- City departments: Solid Waste, Communications, City Manager's Office, Community Development
- Environmental education organizations (EarthGen, Clark County Green Schools, Columbia Springs)
- Local schools and colleges
- Public libraries

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #9: Air conditioning & filtration retrofits

Support home retrofit programs to equip low-income residents with air conditioning, air filtration systems, energy back-up systems, and other resilience-building features.

Method(s)

Grant funding, small grant programs; direct support to partners working with low-income residents

Metrics

Number of households provided with retrofits

Lead & Key Partners Economic Prosperity & Housing

KEY PARTNERS

- Clark PUD
- Southwest WA Clean Air Agency
- Affordable housing providers

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Implementation

Strategy EQ-2. Build a more community-driven, circular economy

This strategy will uplift local businesses and community partners to transition to a green economy.



Action #10: Community gardens and local markets

Expand access to community gardens and support the expansion of food co-ops, farmers markets, and other community-owned markets to support local food sovereignty and reduce transportation emissions. This may include:

- Support interested neighborhoods in creating community garden spaces and incentivize developers to include community garden space in new developments.
- Support schools and youth education programs that teach students how to grow and prepare fresh produce.
- Partner with organizations that serve food-insecure populations to provide access to fresh, healthy food via community garden space and local produce markets.
- Establish food hubs to distribute locally produced food.

Method(s)

Strategic partnerships, small grants; identify new locations for community garden opportunities; support for existing gardens

Metrics

Number of new community markets; number of community gardens; % of residents within walking distance of a farmers market

Lead & Key Partners Economic Prosperity & Housing

KEY PARTNERS

- Communications—Neighborhood Involvement
- Parks
- Neighborhood associations
- Vancouver Farmers Market

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Action #11: Small business restructuring

Support small business restructuring for the green economy. This may include:

- Encourage private businesses to identify and address climate vulnerabilities in their business.
- Partner with existing businesses to develop materials and incentives to reduce their carbon footprints (e.g., transit subsidies, environmentally preferable purchasing program toolkits, and climate action grant programs).

Method(s)

Work through existing economic development programs; strategic partnerships with local economic development organizations to identify business needs

Metrics

Number of businesses contacted about climate adaptation/ restructuring needs; presentations or meetings with local economic development organizations about business climate adaptation needs

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Local economic development organizations and business associations
- Workforce development agencies

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #12: Local repair and reuse

Encourage and support resource sharing across the community. This may include:

- Promote resource-sharing options like tool-lending libraries, car share programs, online Buy Nothing groups, and swap events.
- Implement mini-grant programs to support resource-sharing community projects like tool libraries and repair cafes.
- Locate tool lending, repair workshops, and similar activities in public spaces.

Method(s)

Mini-grants program where interested neighborhoods and community groups could apply for support; support partner organizations who do work in this area

Metrics

Number of annual repair workshops; number of tool lending libraries

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Communications—Office of Neighborhoods
- Repair Clark County (Columbia Springs)
- Neighborhood and local business associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	



Action #13:
Support for repair industries

Expand economic development strategies and tools to retain repair industry businesses. This may include:

- Partner with local organizations to support job training for the repair of common tools and equipment.
- Expand grants and incentives that could be provided for repair-based businesses and promote awareness of such financial opportunities among local business owners.

Method(s)

Expansion of existing programs; small grants programs

Metrics

Inventory of industrial and repair-oriented businesses in Vancouver

Lead & Key Partners
Economic Prosperity & Housing

KEY PARTNERS

- Repair Clark County (Columbia Springs)
- Local economic development organizations and business associations
- Workforce development agencies

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #14:
Surplus food recovery

Support food recovery programs to recover surplus or imperfect food from grocery stores and restaurants. This may include:

- Work with established food rescue organizations and commercial kitchens using guidance from the Department of Ecology's Use Food Well Plan.
- Support expansion of businesses that connect customers to restaurants and stores that have surplus unsold food.
- Coordinate efforts with local food pantries to recover surplus food for the purpose of reducing food insecurity.

Method(s)

Existing guidance; strategic partnerships

Metrics

Established food recovery program

Lead & Key Partners
CMO

KEY PARTNERS

- Vancouver School District

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Implementation

Strategy EQ-3. Support growth of the green technology workforce

This strategy will encourage green jobs and reduce employee commute emissions.



Action #15: Green workforce development

Implement workforce development and education programs that will position Vancouver as a leader in providing green goods and services throughout the region. This may include:

- Develop meaningful and equitable workforce programs within new re-use markets (e.g., provide training for repair clinics, food donation/transportation programs).
- Work with local and regional partners to develop and promote internship and apprenticeship programs in green economic areas.
- Promote visibility of green services offered by local companies and establish local hiring preferences.

Method(s)

Strategic partnerships; support existing workforce development programs; raise awareness of trade careers among young people; review environmental purchasing policy for hiring preferences

Metrics

Stakeholder meetings convened; number of local graduating students interested in pursuing green trades; number of apprenticeship programs that include training in specialized skills with climate benefits

Lead & Key Partners Economic Prosperity & Housing

KEY PARTNERS

- Local economic development organizations and business associations
- Workforce development agencies
- Local high schools, community colleges, and apprenticeship programs
- Trade union associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	



Action #16: Green commercial hubs

In alignment with City and regional economic development efforts, explore the potential of green commercial hubs of sustainable local business in neighborhoods that will promote the local green economy and compact, walkable communities.

Method(s)

Stakeholder outreach; strategic partnerships

Metrics

Number of hubs and affiliated businesses

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Communications
- Local business and neighborhood associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #17: Community-led green economy prioritization

In alignment with City and regional economic development efforts, work with community partners to identify promising opportunities for new and existing green industries and determine priority industries to pursue. This may include:

- A study to inventory and evaluate green economy opportunity areas and determine which are aligned with local vision, goals, and capacity.
- Roundtables focused on green economic development strategies.
- Support for businesses interested in transitioning to greener practices.
- A “green economy guide” and other education campaigns focused on building a circular, local economy.
- Develop a recognition program for green economy innovation.
- Create strategies to encourage sustainable tourism.
- Work with regional partners to raise awareness of and attract participation in green economic opportunities.

Method(s)

Communitybased assessment; strategic partnerships; regional economic study

Metrics

Completed study

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Regional and local economic development organizations
- Local business associations
- Port of Vancouver

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	





Vancouver will transition to 100% clean energy and significantly reduce per capita energy use.

Strategies and Actions

Strategy BE-1. Increase use and storage of renewable energy while reducing consumption

Work with Clark PUD to procure renewable energy ahead of Clean Energy Transformation Act (CETA) mandates and increase community-wide renewable electricity supply to 100%. Exceed state requirements for building efficiency. Work with businesses, property owners, and nongovernmental partners to establish policies that prevent displacement of those with low incomes and renters, and ensure equitable distribution of the costs and benefits of energy efficiency upgrades. Identify additional opportunities for climate-resilient, renewable, affordable, and environmentally just forms of renewable energy systems and electrification.

Actions:

1. Community energy efficiency incentives
2. Energy efficiency upgrades for existing commercial buildings
3. Clean energy financing
4. Solar incentives
5. 100% renewable energy for municipal buildings
6. Natural gas demand management
7. Green building policy (public sector)
8. Green building policy (private sector)
9. Resilient energy grid
10. Municipal energy and water savings



Strategy BE-2. Decarbonize homes, businesses, and other buildings

Pursue the lowest-carbon pathway toward a fully decarbonized building sector, with solutions tailored to different building, ownership, and use types.

Actions:

11. Home electrification incentives
12. Commercial building electrification incentives
13. Heat pumps in new commercial, multi-family, and single-family residential buildings
14. All-electric incentives for new residential development
15. Natural gas carbon intensity
16. Contractor training for electric transition

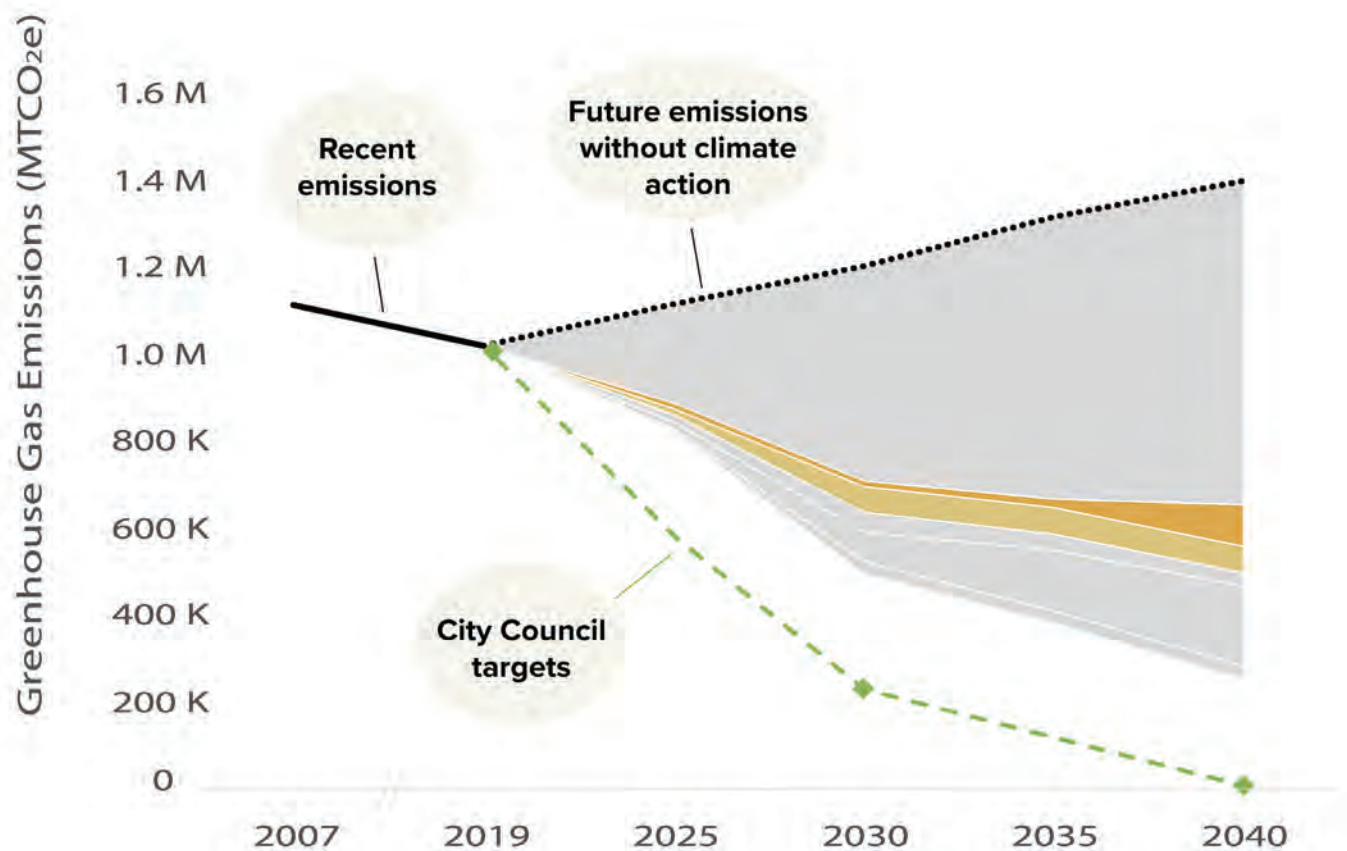
Buildings & Energy



How do these actions stack up?

To reach carbon neutrality by 2040, we must zero out most of our emissions. Existing federal and state policies will get us about halfway to our goal. Locally, here's how the building sector will help with the rest.

- 11% of our 2040 goal will be met by using less energy and prioritizing least-carbon energy sources.
- We will also avoid at least \$65 million in costs of inaction.
- Provide jobs and workforce development for clean buildings and energy storage. In 2018-2019, 17% of fast-growing clean energy jobs were in microgrids, high-efficiency HVAC, renewable heating & cooling, and energy storage.





Implementation

Strategy BE-1. Increase use and storage of renewable energy while reducing consumption

This strategy reduces community and city government reliance on fossil fuels and increases use of renewable energy.

Action #1: Community energy efficiency incentives

Educate and incentivize residents to reduce energy and water use, with a priority on supporting residents from overburdened communities, low-income residents, and residents in affordable housing. This may include:

- Work with Clark PUD and NWN to support and promote home energy audits, energy efficiency improvements, and weatherization projects.
- Create lists of existing energy efficiency programs and work with community organizations to share information about programs in culturally appropriate ways.
- Incentivize electric HVAC retrofits for homes, prioritizing air conditioning and air filtration for neighborhoods that face extreme heat or particularly poor air quality.
- Develop funding resources for efficiency improvements
- Work with realtors to include “home energy scorecards” at point-of-sale.

Method(s)

Strategic partnerships; existing partner programs; existing state funding programs; engagement of neighborhood associations and community groups

Metrics

Average energy and water usage per household; number of incentives available; number of incentives utilized

Lead & Key Partners

Public Works—Water and Communications—Office of Neighborhoods

KEY PARTNERS

- Clark PUD
- NWN
- Neighborhood associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		



Action #2: Energy efficiency upgrades for existing commercial buildings

Encourage all municipal and commercial buildings to exceed WA Clean Buildings Act energy performance standards by at least 10% by 2030 and by at least 15% by 2040. (State law already requires newer buildings greater than 50,000 square feet to exceed the standard by 15%, so this action extends a similar goal to all commercial buildings.)

This includes:

- Provide education and technical support to building owners.
- Pursue federal and state funding for efficiency improvements.
- Work with Clark PUD to connect building owners with programs that reduce commercial energy use, such as the On-site Energy Assessment, Commercial/Industrial Lighting Incentive Program and Commercial Shell Measures Incentives.
- Work with other utilities to increase the efficiency of provided services.

Method(s)

Strategic partnerships; existing partner programs; state and federal grants

Metrics

Number of commercial buildings exceeding WA Clean Buildings Act performance standards

Lead & Key Partners

**Economic Prosperity & Housing,
Community Development**

KEY PARTNERS

- Clark PUD
- WA State
- Building energy efficiency contractors
- Local building owners
- Local business associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #3: Clean energy financing

Explore funding and capital opportunities for organizations representing overburdened communities and individuals to own clean energy assets. Examples may include 0% interest loans, grants, and utility-specific programs.

Method(s)

Review of potential opportunities; similar programs in peer cities and existing partner programs

Metrics

Funding/capital opportunities identified; number of clean energy assets supported by these opportunities

Lead & Key Partners

City Manager's Office (CMO)

KEY PARTNERS

- Clark PUD
- Organizations representing BIPOC and low-income communities
- Affordable housing providers

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #4: Solar incentives

Ensure rebates or other funding support (e.g., solar grants for neighborhoods, cooperative buying opportunities, Clark PUD's Solar Energy Program) are available for installation of solar on existing construction. Work with homeowners associations and condos with policies that prevent solar infrastructure to remove those restrictions.

Method(s)

Existing partner programs; communications campaign to raise awareness of opportunities

Metrics

Number of rebates or funding opportunities utilized

Lead & Key Partners

CMO, Communications (via Neighborhoods Coordinator)

KEY PARTNERS

- Clark PUD
- Craft3

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	

Action #5: 100% renewable energy for municipal buildings

Work with Clark PUD and other renewable energy providers to transition to 100% renewable energy for electricity use in municipal buildings, starting in 2022.

This may include the direct production of renewable energy from on-site generation; the purchase of renewable energy generated from off-site generation; or the purchase of renewable energy credits (RECs). Priority shall be given to emissions-free resources.

Method(s)

Power purchase agreement; renewable energy installations

Metrics

Amount and percentage of total City electricity derived from renewable sources

Lead & Key Partners

General Services

KEY PARTNER

- Clark PUD

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #6: Natural gas demand management

Work with Energy Trust of Oregon and NWN to reduce demand for natural gas.

Method(s)

Existing partner program

Metrics

Amount of natural gas consumed per household/
building

Lead & Key Partners CMO

KEY PARTNERS

- NWN and Energy Trust of Oregon

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #7: Green building policy (public sector)

Develop comprehensive green building policies for City-owned and occupied buildings that are consistent with or exceed state standards. These policies should enable the City to demonstrate leadership in climate action and include provisions to:

- Reduce consumption and adopt energy-saving technologies.
- Incorporate drought-tolerant green infrastructure.
- Develop an expedited process for energy-efficient construction.
- Support smart lighting strategies in accordance with Dark Sky and Bird- Safe light pollution reduction principles.
- Create a framework for making decisions on building energy efficiency projects in cost-constrained environments.
- Provide Facilities with an on-call energy consultant who can conduct building energy efficiency evaluations, recommend upgrades, perform cost-benefit analyses, and recommend staged approaches for large/ expensive projects.
- When developing new municipal buildings, include evaluation of the potential for renewable energy projects in the scope of work.

Method(s)

Policy research and development; staff engagement with community stakeholders; identify City-specific standards

Metrics

Stakeholders engaged; adopted policy; policies incorporated into new capital projects design and construction; major maintenance prioritizes policy implementation in projects

Lead & Key Partners

Economic Prosperity & Housing, General Services

KEY PARTNERS

- City vertical capital project design consultants and technical advisory committee
- Facility service provider vendors
- City development review

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #8: Green building policy (private sector)

Develop comprehensive green building policies for the private sector that are consistent with or exceed state standards. These policies should include provisions to:

- Avoid areas vulnerable to climate change (e.g., low-lying areas) and maintain affordability and accessibility to current residents.
- Collaborate with large energy users on reducing consumption and adopting energy-saving technologies.
- Incentivize drought-tolerant green infrastructure and community gardens.
- Develop an expedited process for energy-efficient construction.
- Support smart lighting strategies in accordance with Dark Sky and Bird- Safe light pollution reduction principles.

Method(s)

Policy research; staff engagement with community stakeholders; identify City-specific standards

Metrics

Adopted policy

Lead & Key Partners

Community Development, Economic Prosperity & Housing, General Services

KEY PARTNERS

- development review
- Local building & development community
- Green building specialists
- Building energy efficiency contractors
- Existing building owners and occupants

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #9: Resilient energy grid

Adapt energy grid infrastructure to be prepared for future climate-related changes. This may include:

- Support efforts to improve infrastructure resilience to climate impacts and determine if new standards need to be adopted to protect or strengthen infrastructure systems.
- Ensure backup power or dual fuel for City- controlled critical infrastructure (e.g., fire stations) and encourage regional partners to do the same.
- Investigate the use of energy storage in place of generators and promote the use of lower-carbon fuels where generators are necessary.
- Explore with Clark PUD and the local community the feasibility of Community Choice Energy (CCE) in Vancouver (before 2030).
- Encourage installation of onsite energy generation in critical community spaces (i.e., schools, senior care facilities, community centers, etc.)
- Work with local utilities to store excess energy produced by on-site generation.

Method(s)

Assessment, strategic partnerships; joint funding proposals; capital projects

Metrics

Critical infrastructure with climate protection and/or power storage/backup systems provided

Lead & Key Partners

General Services, Public Works

KEY PARTNERS

- City vertical capital project design consultants and technical advisory committee
- Facility service provider vendors
- City development review

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	

Action #10: Municipal energy and water savings

Increase on-site renewable energy storage and energy and water savings. This includes:

- Work with local utilities to store excess energy produced by on-site generation.
- Maintain annual water distribution system leakage (DSL) to 6% or less by implementing the current (ca. 2022-2025) and future (2025+) supply-side Water Use Efficiency (WUE) Program measures

Method(s)

Strategic partnerships; joint funding proposals; capital projects; existing city program

Metrics

Number of facilities with on-site renewable energy storage; change in water/energy usage

Lead & Key Partners

General Services, Public Works

KEY PARTNER

- Clark PUD

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X





Implementation

Strategy BE-2. Decarbonize homes, businesses, and other buildings

To pursue the lowest-carbon pathway toward a fully decarbonized building sector, this strategy encourages home and business electrification and over time, phases out natural gas in new and existing construction.

HIGH

Action #11: Home electrification incentives (existing homes)

Work with local partners to transition existing homes from fossil fuels to high- efficiency electric energy for space heating/cooling, water heating, and cooking). This includes:

- Identify all available electrification incentive programs, particularly those that are applicable to low- and middle-income homeowners.
- Prioritize providing electric heat pumps for households that suffer from poor air quality or extreme heat-related safety concerns.
- Encourage transitions to electric appliances and HVAC equipment at the time of equipment replacement for cost-effectiveness.
- Work with contractors to offer electrification as an option in existing homes.
- Work with realtors to encourage electrification at the point of sale.
- Advocate for statewide legislation that would expand or create additional incentives for fuel switching.

Due to current (2021) state law, Clark PUD’s programs cannot be used to incentivize a switch from natural gas to heat.

Method(s)

Strategic partnerships; new incentive programs; new outreach and training programs

Metrics

Number of homes transitioning to electric energy; number of homes participating in Smart Energy program; number of contractors trained in high-efficiency appliance retrofits

Lead & Key Partners

Economic Prosperity & Housing, CMO

KEY PARTNERS

- Neighborhood associations
- Local contractors
- Realtors
- Clark PUD and NWN

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #12:
Commercial building electrification
incentives

Work with Clark PUD and NWN to electrify existing commercial buildings and address fossil gas emissions.

This includes:

- Work with Clark PUD to expand programs that incentivize commercial building owners to electrify water and space heating in existing buildings, such as the Commercial Heating System Incentives.
- When working with those who own buildings larger than 20,000 square feet, incentives should be focused on compliance with WA Clean Buildings Performance Standards.

Method(s)

Expansion of existing programs

Metrics

Number of incentives provided; number of businesses/ building owners participating in incentive programs

Lead & Key Partners
CMO

KEY PARTNERS

- Clark PUD and NWN
- Commercial building owners

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #13:
Heat pumps in new commercial,
multi-family, and single-family residential
buildings

Support implementation of State Building Code requirements regarding use of heat pumps for space and water heating in new commercial, multi-family, and single-family residential buildings, beginning in 2023.

Method(s)

Code updates; building inspector education

Metrics

Updates made to City code; percentage of trained City plans examiners, code and permit inspectors

Lead & Key Partners
Community Development

KEY PARTNERS

- Development Review (Buildings)
- Clark County Building Industry Association
- Southwest WA Contractors Association

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #14:
All-electric incentives for new development

Incentivize all-electric development for new single-family residential developments and remodels. This may include:

- City advocacy in support of State-level electrification requirements for new residential construction.
- Provide education and encouragement for use of heat pumps for space and water heating.
- Explore options to extend city tax credits or expedited permitting to new construction developing with all-electric utilities.

Method(s)

Outreach and education about state policies; incentive programs

Metrics

Incentives developed; number of incentives utilized

Lead & Key Partners

Community Development,
Economic Prosperity & Housing

KEY PARTNERS

- Development Review (Buildings)
- Clark County Building Industry Association
- Southwest WA Contractors Association

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #15:
Natural gas carbon intensity

Work with Energy Trust of Oregon and NWN to reduce the carbon intensity of natural gas.

Method(s)

Existing partner programs

Metrics

Carbon intensity of local gas supply over time

Lead & Key Partners

CMO

KEY PARTNERS

- NWN
- Energy Trust of Oregon

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



HIGH

Action #16:
Contractor training for electric transition

Work with local trade organizations and workforce development organizations to develop contractor training for the installation of electric heat pumps, conversion from gas to electric appliances, and integration of other electric technologies.

Method(s)

New program; partnerships with training programs; additional staff capacity

Metrics

Number of contractors trained

Lead & Key Partners
CMO

KEY PARTNERS

- development programs
- Local trade unions and trade organizations
- Local contractors

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Transportation & Land Use



Vancouver's residents will be able to reach their destinations safely, reliably, and efficiently, however they choose to travel. Zero-emission vehicles will be affordable, common, and easy to charge or fuel. Our neighborhoods will be walkable, mixed-use, and higher density, with secure affordable housing for current residents.

Strategies and Actions

Strategy TLU-1. Create neighborhoods that support clean modes of transportation

Use land use, zoning, and anti-displacement policies to develop vibrant, mixed-use communities with abundant housing options and streets that safely support all modes of travel. Uphold the City's equitable development commitment to prioritize transit investments in areas that increase access to essential places and pair this with other investments that keep people in place. Update annexation policies to align with CAF strategies, requiring all newly annexed areas to comply or immediately begin investments to align with City sustainability initiatives

1. Mixed-use, transit-oriented development
2. Sustainable neighborhood-scale development
3. Diversified housing options
4. Concentrated development along retail and commercial corridors
5. Parking management plan
6. Annexation policy updates
7. Annexation incentives



Transportation & Land Use



Strategy TLU-2. Shift driving trips to clean, active modes of transportation

Help shift driving trips to cleaner ways of getting around and create a more connected, walkable, and bikeable city. To do so, support pedestrian- and bike-friendly infrastructure, permanent sources of transportation funding, and anti-displacement best practices.

Actions:

8. Improved pedestrian infrastructure
9. Transit ridership improvements
10. Driving trip reduction for local schools
11. Transportation demand management requirements
12. Medium- and heavy-duty truck VMT reduction
13. Improved bicycling infrastructure
14. Modal hierarchy
15. Shared mobility options
16. City plan alignment
17. Retrofits for vulnerable infrastructure
18. Curb management program

Strategy TLU-3. Decarbonize and electrify vehicles

Ensure necessary electric vehicle infrastructure is available and accessible at residences, workplaces, and key public areas. Increase the adoption of electric vehicles by promoting and implementing incentives, education programs, and policy with a focus on reducing financial barriers to EV ownership. Invest in infrastructure and adoption of alternative fuel and fuel reduction technologies to power municipal and commercial fleets as well as medium- and heavy-duty vehicles in situations where EVs are unfeasible. Identify and secure adequate permanent funding for sustainable transportation.

19. EV infrastructure planning and implementation
20. Electric vehicle advocacy & education
21. Medium- and heavy-duty truck decarbonization
22. Transit & waste collection fleet electrification
23. Alternative fueling & charging options at gas stations
24. Alternative fuels education & advocacy
25. Medium- and heavy-duty truck decarbonization infrastructure
26. Battery replacement incentives



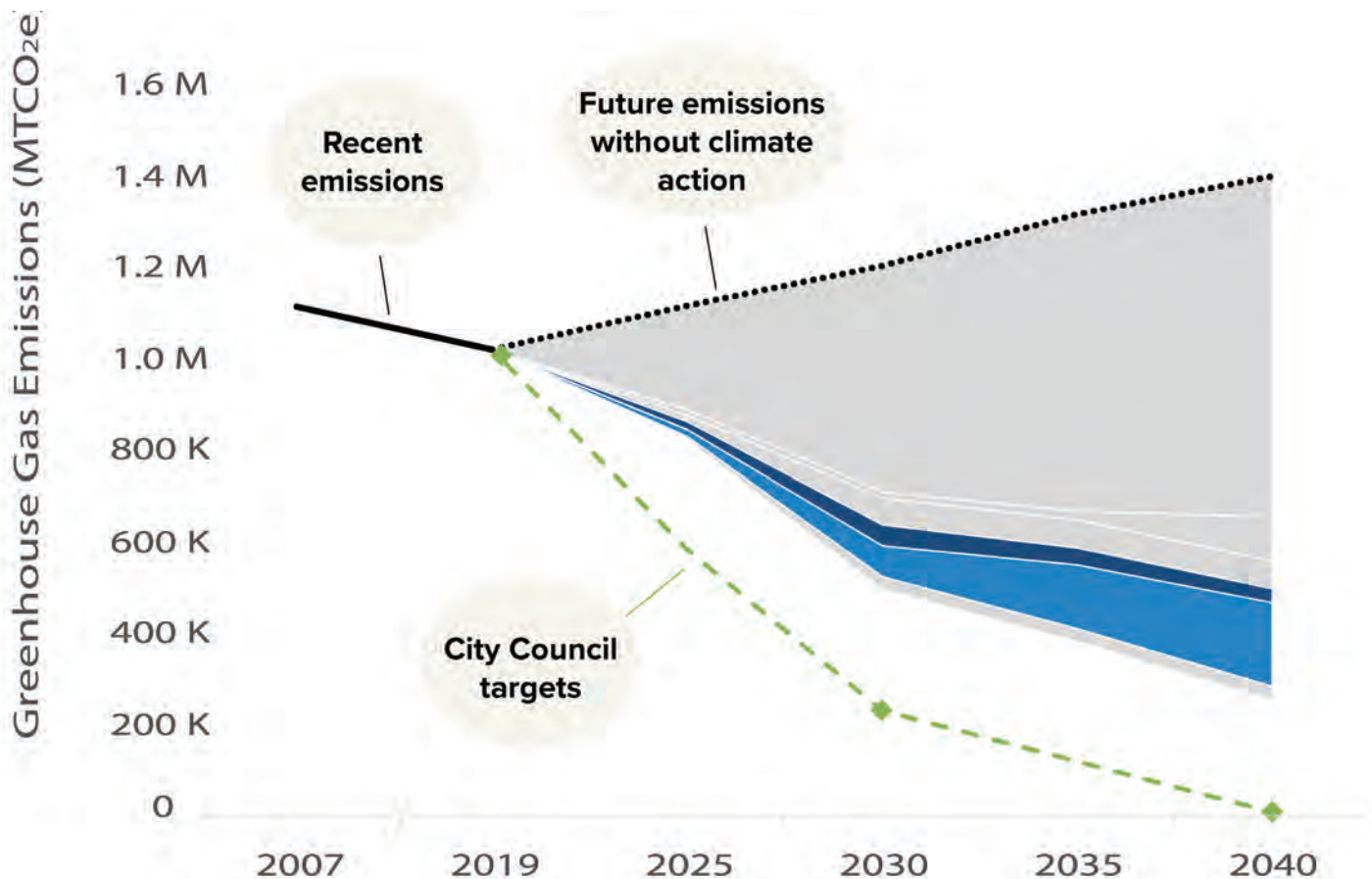
Transportation & Land Use



How do these actions stack up?

To reach carbon neutrality by 2040, we must zero out most of our emissions. Existing federal and state policies will get us about halfway to our goal. Locally, here's how the transportation sector will help with the rest.

- 2% of our 2040 goal will be met with a shift to clean, active transportation and connected neighborhoods.
- 13% of our 2040 goal will be met with the transition to ZEVs/LEVs.
- We will also avoid at least \$145 million in costs of inaction.
- Provide jobs and workforce development for clean fuels and clean vehicles. In 2018-2019, 11% of fast-growing clean energy jobs were in clean vehicles.



Implementation

Strategy TLU-1. Create neighborhoods that support clean modes of transportation

This strategy diversifies housing and land uses and increases access to clean, alternative transportation modes.



Action #1: Mixed-use, transit-oriented development

Promote mixed-use development that is transit-oriented and supportive of walking, biking, using transit, and other active modes. This includes:

- Allow for and encourage small retail and commercial services in residential neighborhoods.
- Incentivize housing developments based on affordability and proximity to active transportation corridors.
- Include infrastructure to support bike parking, charging for electric bikes and scooters, and shared mobility programs (such as bike share).

Method(s)

Update existing Comprehensive Plan; amend Title 20 Land Use Code as necessary to implement policy direction

Metrics

Adopted Comprehensive Plan updates; incentives created; number of incentives utilized; square footage of new retail / total housing units added annually within ½ mile of frequent transit

Lead & Key Partners

Community Development, Economic Prosperity & Housing

KEY PARTNERS

- Local and regional business organizations
- Local development community
- Housing providers and advocacy organizations
- Advocacy organizations representing communities at risk of displacement
- Residents

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X



Action #2: Sustainable neighborhood-scale development

Use tax and zoning incentives to promote development approaches and rating schemes for neighborhood-scale sustainable development (e.g., EcoDistricts, LEED for Neighborhood Development).

- New development should be located away from low-lying areas at increased risk of flooding and include provisions to maintain affordability and accessibility.
- Pursue certification at the LEED for Neighborhood Development Gold standard or equivalent from an alternative rating system for all projects over 50 acres that enter into a development agreement except those for which the Planning Commission has already issued a recommendation.

Method(s)

Identify potential incentives; coordination with City Green Building Policy; future subarea planning activities

Metrics

Adopted subarea plans that incorporate sustainable development strategies and place-specific metrics; average residential density / floor area ratio of new developments approved annually; average annual ratio of infill to greenfield development for new projects; annual square footage of new development within Comprehensive Plan priority growth nodes

Lead & Key Partners

Community Development, Economic Prosperity & Housing

KEY PARTNERS

- Development community
- Neighborhood associations

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #3: Diversified housing options

Update Municipal Code and zoning as needed to provide abundant housing choices at a variety of affordability levels throughout the city.

This includes:

- Allow and actively encourage the development of diverse housing types, including internal home divisions and small and middle housing types.
- Prioritize middle housing in existing single-family residential neighborhoods that are well-served by transit or that are planned as 15-minute neighborhoods.
- Support the greatest variety of housing opportunities near commercial corridors and neighborhood hubs that have abundant transit and public services.
- Provide education and incentives for homeowners to support ADU development/internal home division construction projects, such as homeowner development courses, information on financing options, and SDC waivers.
- Partner with building industry partners to provide education for local developers.
- Conduct an assessment of barriers to increasing residential variety and evaluate incentive options.

Method(s)

Updates to Municipal Code and zoning; identification of incentives and financing strategies; homeowner education; education for development community; assessment of policy barriers to increasing residential density

Metrics

Number of new small and middle housing units created; incentives created to promote small/middle housing; number of residences created within walking distance of frequent transit; percentage of single-family zoning districts that allow middle housing by right

Lead & Key Partners

Community Development

KEY PARTNERS

- Development community
- Finance industry
- AARP
- Peer cities

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #4: Concentrated development along retail and commercial corridors

Update Municipal Code, Title 20 Land Use Code, Title 19 Parking Code, and the Comprehensive Plan to support concentrating development along corridors and neighborhood hubs, consistent with other actions in this CAF, the TSP, and related City plans, policies, and activities. Priorities include:

- Allow for greater development intensity along commercial corridors and major transit stops.
- Upzone and develop strategies to promote mixed-use development.
- Connect corridors and hubs with a high level of transit service.
- Prioritize outstanding facilities for walking and cycling in these areas.
- Ensure safe, comfortable, and complete connections between corridors and centers for walking, biking, and other active modes of transportation.

Method(s)

Update VMC Title 20 Development Code to increase building heights/densities; align multi-family tax exemption program (MFTE) to support higher density development in identified growth nodes

Metrics

Updated code; updated MFTE program; number of enhanced transit corridors with transit priority improvements; number of complete streets projects addressing key gaps in mobility networks between growth nodes

Lead & Key Partners

Community Development, Economic Prosperity & Housing

KEY PARTNERS

- Community groups and neighborhood associations
- Local business associations
- C-TRAN
- Local schools
- Development community

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X



Action #5: Parking management plan

Develop a city-wide parking management plan that includes right-sizing parking requirements and establishing parking densities and rates by district to support denser, walkable environments.

Method(s)

Plan research and development

Metrics

Completed parking management plan

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Community groups and neighborhood associations
- Local business associations
- Development community

Timeframe

Near Term	Mid Term	Long Term	Ongoing
X			

Action #6: Annexation policy updates

Consider existing land use patterns and their potential for transition to sustainable urbanized areas when evaluating potential annexations.

Through the Comprehensive Plan Update, further explore an annexation strategy that targets key growth and job areas within the Vancouver Urban Growth Area (UGA), increases housing and job density, and diverts both work and non-work trips to non-vehicular modes in these areas.

Method(s)

Update to existing plan; update to existing evaluations

Metrics

Adopted updates to the Comprehensive Plan; areas annexed; acres of newly annexed land; average density of newly annexed lands

Lead & Key Partners Community Development

KEY PARTNERS

- Clark County
- Infrastructure providers like utility districts

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #7: Annexation incentives

Beginning at least five years before the expected annexation date, work with Clark County and local leadership of annexation areas to identify sustainability initiatives to align with City of Vancouver policies. Develop and implement incentives, education, and outreach to support the transition.

Method(s)

Strategic partnerships, incentive programs

Metrics

Updated Intergovernmental Agreements (IGAs) for annexation process

Lead & Key Partners Community Development, CMO

KEY PARTNERS

- Clark County
- Infrastructure providers like utility districts

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Implementation

Strategy TLU-2. Shift driving trips to clean, active modes of transportation



This strategy creates a more connected, walkable and bikeable City by supporting pedestrian- and bike-friendly infrastructure. It will:

- Implement relevant City plans and initiatives to strengthen multi-modal (e.g. bicycle and pedestrian) connections, improve accessibility, and connect residents to workplaces, major development centers, and key services, with a focus on overburdened and transit-dependent communities.
- Work with C-TRAN and other regional partners to connect Vancouver's neighborhoods to major development centers, focusing on under-developed, transit-dependent, and overburdened communities, with travel times that are competitive with single-occupancy travel and support the transport of commercial goods.
- Ensure that new transit developments have features for safety, accessibility, and comfort. Identify and secure adequate permanent funding for sustainable transportation.
- Encourage active transportation and multi-modal uses across the city's parks, trails, and open spaces that explicitly serve and connect under-developed areas, overburdened communities, and transit-dependent communities, consistent with Reside Vancouver and anti-displacement best practices.

Action #8: Improved pedestrian infrastructure

In alignment with the TSP, Complete Streets program, and other relevant City plans, increase the abundance, safety, and connectivity of infrastructure for people walking and using mobility devices (such as wheelchairs or walkers). Include the following activities:

- Factor climate impacts into the design, materials & full life-cycle costs of projects.
- Continue implementation of the Sidewalk Management Plan (2017), prioritizing areas of infill by equity concern.
- Complete and connected networks of high-quality pedestrian facilities that provide safe, accessible, and comfortable routes.
- Identify areas of the city (e.g., Fourth Plain, East Vancouver) where pedestrian facilities could be prioritized.
- Expand lighting and other safety features on pedestrian pathways.
- Plan for and implement multi-modal and "first-last mile" infrastructure.

Method(s)

Expansion of existing plans; capital projects

Metrics

Miles of missing sidewalks; ADA updates needed; pedestrian directness; walkscore

Lead & Key Partners

Community Development

KEY PARTNERS

- Community groups and neighborhood associations
- Local business associations
- C-TRAN
- Local schools
- Safe Routes to School programs

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #9: Transit ridership improvements

Partner with C-TRAN to increase transit ridership by developing transit-supportive neighborhoods, providing convenient connections to destinations throughout the city, and ensuring safe, accessible infrastructure . This can include:

City Actions:

- Support code updates that increase density, infrastructure, and amenities near current and planned transit routes, in alignment with the TSP.
- Provide connections between transit facilities and bicycle/trail networks.
- Improve sidewalks, curb ramps, and street crossings near transit stops.
- Include plans for high-capacity transit and transit corridors that provide safe, reliable, and climate-resilient services, consistent with the Enhanced Transit Corridor analysis developed as part of the TSP update.
- Promote awareness and expansion of C-TRAN's existing fareless Youth Opportunity Pass and Education Opportunity Pass programs.

Advocate for C-TRAN Actions:

- Prioritize access for overburdened communities
- Factor climate impacts into the design, materials and full life-cycle costs of projects; similarly, include climate adaptation and mitigation criteria in entitlement reviews.
- Provide transit circulators in activity nodes and centers.
- Enhance secure bicycle parking at transit stations and major bus stops.
- Provide weather shelters in public transit.
- Ensure transit vehicles are equipped with air filtration and air conditioning.
- Provide education and outreach to increase comfort and familiarity with the transit system, with a focus on youth and "choice" riders.

Method(s)

Strategic partnerships; joint funding proposals; coordination on significant planned developments and zoning changes; co-plan and develop infrastructure improvements in and to transit stop vicinities

Metrics

Number of high-frequency transit routes; percent of residents within walking distance of transit stops; ridership; number of students actively using Youth Opportunity passes

Lead & Key Partners

Community Development

KEY PARTNERS

- C-TRAN
- Local schools
- Safe Routes to Schools programs
- Clark County Commute Trip Reduction Program

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #10: Driving trip reduction for local schools

Support initiatives to reduce driving trips related to school activities. This can include:

- Work with the school districts to promote school bus ridership and explore options for increasing services.
- Encourage active transportation through participation in a Safe Routes to School program.
- Dedicate increased local funding to a local Safe Routes to School program.
- Work with the school districts to encourage carpooling to schools and after-school activities.
- Support Bike Clark County to expand and fully integrate bicycle skills and safety curricula in all school districts (i.e., into all school curricula).
- Adjust traffic signals to prioritize pedestrians and bicycles around schools.
- Education for students on how to use public transit with C-TRAN's Youth Opportunity Pass program.

Method(s)

Strategic partnerships; public outreach; support for school education programs

Metrics

Mode split for trips related to school activities; number of students graduating from SR2S and Bike Clark County bicycle education programs

Lead & Key Partners Community Development

KEY PARTNERS

- C-TRAN
- Bike Clark County
- Local schools
- Safe Routes to School programs

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #11: Transportation demand management requirements

Identify and implement code-based transportation demand management (TDM) plan requirements city-wide to shift driving trips to walking, biking, transit, or other active modes. This includes:

- Track mode share and shift for biking, walking, and transit use over time, for both commute and non-commuting trips, to monitor the effectiveness of existing programs.
- Consider strategies to retain and attract new "choice" transit riders.

Method(s)

TDM best practices; develop tailored marketing and communications plan; mode share survey or monitoring program

Metrics

Mode share over time for both commute and non-commute trips; percent of employees affected by Commute Trip Reduction that use non-drive-alone modes

Lead & Key Partners Community Development

KEY PARTNERS

- Communications
- Neighborhood associations
- Local schools and businesses
- Transportation advocacy groups (Bike Clark County, AAA)
- Clark County Commute Trip Reduction Program

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #12: Medium- and heavy-duty truck VMT reduction

Work with private sector to improve routing and reduce vehicle miles traveled (VMT) from medium and heavy-duty vehicles.

Method(s)

Stakeholder outreach

Metrics

VMT from medium- and heavy-duty trucks

Lead & Key Partners Community Development

KEY PARTNERS

- Delivery companies (FedEx, UPS, USPS, Amazon)
- Trucking companies
- Columbia-Willamette Clean Cities Coalition

Timeframe

Near Term	Mid Term	Long Term	Ongoing
X	X		



Action #13: Improved bicycling infrastructure

In alignment with the TSP, Complete Streets program, and other relevant City plans, increase the abundance, safety and connectivity of bicycling infrastructure.

Include the following activities:

- Create complete and connected networks of high-quality bicycling facilities that provide safe and comfortable routes
- Expand lighting and other safety features on bicycle pathways.
- Update code to require separated bicycle facilities in street construction.
- Consider and accommodate multi-modal and “first-last mile” needs.
- Provide City-owned bicycle racks located in the public right-of-way (ROW) in mixed-use and commercial areas.
- Promote the inclusion of amenities (e.g., showers, changing rooms, lockers) in public and private buildings to reduce barriers to habitual biking.
- Promote widespread adoption of e-bikes.

Method(s)

Expansion of existing plans; capital projects

Metrics

Miles of protected bike lanes; bike network connectivity; cyclist level of service

Lead & Key Partners Community Development

KEY PARTNERS

- Bike Clark County
- Safe Routes to School
- Local schools
- Business associations

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X

Action #14: Modal hierarchy

Establish a modal hierarchy for transportation investments that prioritizes active transportation modes such as walking, biking, and transit.

- Include evaluation metrics that emphasize people throughput, movement of people, and quality of experience over vehicle throughput and Vehicle Level of Service.
- Use the City's equity index to prioritize transportation investments and pair them with proactive anti-displacement strategies.

Method(s)

Update to existing plans; code update

Metrics

Adopted update to Comprehensive Plan

Lead & Key Partners Community Development

KEY PARTNERS

- Local advocacy groups (Bike Clark County, AARP, etc.)

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #15: Shared mobility options

- Work with third-party programs and businesses to increase the availability, accessibility, and convenience of shared mobility options (e.g., bike share, scooter share, car share), particularly in key growth areas.
- Put code in place to support shared mobility docking stations and reserved spaces for car-sharing vehicles.

Method(s)

Adopt code; strategic partnerships; vendor contracts

Metrics

Adopted code; shared mobility programs initiated

Lead & Key Partners Community Development

KEY PARTNERS

- Transportation advocacy groups
- Business associations
- Neighborhoods
- Micromobility companies
- Development community
- Ryd

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Action #16: City plan alignment

Align the CAF with the TSP, Comprehensive Plan, economic development plans, COVID-19 recovery plan, and the multi-modal initiatives, guidelines, and priorities identified in the TSP update.

Method(s)

Review of existing plans for consistency

Metrics

Adopted plan updates

Lead & Key Partners Community Development

KEY PARTNERS

- Transportation agency partners (Regional Transportation Council, WSDOT, C-TRAN, Clark County, Port of Vancouver, City of Camas)

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #17: Retrofits for vulnerable infrastructure

Prioritize retrofits to reinforce or adapt climate-vulnerable infrastructure, with a focus on routes used for public transportation.

Method(s)

Assessment; capital projects

Metrics

Priority routes identified; percent of needed retrofits completed

Lead & Key Partners General Services

KEY PARTNERS

- Clark Regional Emergency Services Agency (CRESA)
- C-TRAN

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	



Action #18: Curb management program

Research and develop a curb management program that supports shared mobility options and safe, multimodal streets.

Align with the TSP, CAF “shared mobility options” (Action TLU2.15), and “parking management plan” (Action TLU1.5). Elements of the program could include:

- Establish designated loading/unloading zones for rideshare and delivery vehicles.
- Integrate bicycle and motorcycle parking.
- Facilitate partnerships to reduce delivery trips and prioritize smaller vehicles.
- Integrate shared mobility docking stations and autonomous vehicle loading zones if the technology is adopted in Vancouver.

Method(s)

Expansion of existing plans; strategic partnerships

Metrics

Number of residents with access to fareless transit service

Lead & Key Partners CMO

KEY PARTNERS

- C-TRAN
- Communications

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Implementation

Strategy TLU-3. Decarbonize and electrify vehicles

This strategy encourages zero-emission and low-emission vehicle (ZEVs and LEVs) usage and decreases reliance on single-occupancy vehicles.



HIGH

Action #19: EV infrastructure planning and implementation

Develop and implement municipal and citywide EV infrastructure plans to promote and expand the installation of public and private charging infrastructure for new and existing development.

This includes:

- Prioritize equity in EV infrastructure planning so that renters, low-income people, and communities of color are able to access and use electric vehicles.
- Develop code for EV-readiness that would require EV charging (fully installed and operable) for at least 25% of spaces in new parking facilities, commercial, and multifamily developments that include parking, exceeding WA HB 1257 requirements of >10% of spaces. Require EV readiness in additional spaces to accommodate increased demand over time.
- Include considerations for charging e-bikes and other electric micro-mobility options (scooters, etc.), especially at multi-family developments.
- Consider areas that would support transit usage and long-distance travel, such as park & rides.
- Explore options for incentivizing or requiring installation/retrofitting for EV charging infrastructure in existing building stock.
- Leverage programs and funding opportunities from Clark PUD, federal agencies, and other partners.

Note that state law requires new single-family construction to be EV-ready starting in 2024 (HB 1287).

Method(s)

New plans; staff capacity; strategic partnerships; capital projects; joint funding proposals



Metrics

Approved EV infrastructure plan

Lead & Key Partners

Community Development, Public Works

KEY PARTNERS

- Clark PUD
- Columbia-Willamette Clean Cities Coalition

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #20: Electric vehicle advocacy & education

Advocate for the expansion of existing incentives and introduce new local incentives to accelerate the adoption of EVs. Educate residential and commercial communities on the costs, benefits, and available funding options.

This includes:

- Work with Clark PUD to expand participation in their used EV program for income-qualifying customers.
- Work with the Columbia-Willamette Clean Cities Coalition to leverage state and federal incentive programs.
- Explore developing local incentives through partnerships with local lenders and car dealerships.
- Offer non-financial incentives to encourage EV adoption and expand EV infrastructure, such as resident-selected EV charging locations and streamlined permitting for developers.
- Support state policies to limit sales of new fossil fuel passenger cars and trucks by 2030.

Method(s)

Strategic partnerships; incentive programs; public outreach

Metrics

Available incentives; number of incentives utilized; rate of EV adoption; number of EV vehicles purchased locally

Lead & Key Partners CMO

KEY PARTNERS

- Clark PUD
- Columbia-Willamette Clean Cities Coalition

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #21: Medium-and heavy-duty truck decarbonization

Take local action to decarbonize medium- and heavy-duty trucks including the following:

- Require that construction projects and other entities (e.g., delivery trucks) that rely on medium and heavy-duty trucks replace vehicles with ZEVs in accordance with the targets outlined in the Advanced Clean Trucks (ACT) rule, adopted by the Department of Ecology in November 2021.
- Set a community goal of replacing 40% of all new medium- and heavy-duty trucks with ZEV by 2030.
- Encourage adoption of lower-carbon fuels where ZEVs are not feasible.
- Advocate for state policy to limit sales of new fossil fuel-powered medium- and heavy-duty trucks by 2030.

Method(s)

Stakeholder outreach; code update; contract updates

Metrics

% of new heavy/medium-duty vehicles that are ZEVs; participation levels in ZEV programs; local compliance with Advanced Clean Trucks rule

Lead & Key Partners Public Works, CMO

KEY PARTNERS

- Existing station owners
- Alternative fuel providers
- AAA
- Trucking agencies
- Columbia-Willamette Clean Cities Coalition

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #22: Transit and waste collection fleet electrification

Require that all buses that serve Vancouver are electric by 2040 and increase the proportion of waste collection vehicles that are ZEVs.

This includes:

- Partner with Clark PUD, C-TRAN, and Waste Connections to expand ZEV buses and waste collection vehicles, prioritizing implementation in communities overburdened by local air pollution and respiratory ailments.
- Support partner agencies by facilitating access to city-owned charging stations throughout the City.
- While internal combustion engine vehicles are still in use and a ZEV alternative is not feasible, transition to lower-carbon intensity fuels where feasible and applicable.

Method(s)

Strategic partnerships; code update; capital projects

Metrics

Number and percentage of transit and waste collection vehicles that are ZEVs

Lead & Key Partners

Public Works

KEY PARTNERS

- Clark PUD
- C-TRAN
- Waste hauler

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #23: Alternative fueling and charging options at gas stations

Update the Municipal Code to require new gas stations or expansions of existing facilities to include EV charging and alternative fuel options. This may include:

- Encourage existing gas stations to supply alternative fuels (compressed natural gas, propane, renewable diesel, etc.) as well as EV charging.
- Update code to be supportive of alternative fuel infrastructure.
- Explore the feasibility of prohibiting new fossil-fuel-only gas stations.

Method(s)

Code update

Metrics

Number and percentage of total fueling stations offering alternative fuels

Lead & Key Partners

Community Development

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	



Action #24: Alternative fuels education & advocacy

Provide education and advocacy to increase awareness and adoption of low-carbon and alternative fuels (e.g., electricity, biodiesel, renewable diesel, compressed natural gas, liquified natural gas, and hydrogen).

Method(s)

Existing and new outreach programs

Metrics

Number and percentage of residents using low-carbon and alternative fuels

Lead & Key Partners CMO

KEY PARTNERS

- Public Works—Fleet
- Communications
- Existing station owners
- Alternative fuel providers
- AAA
- Trucking agencies
- Columbia-Willamette Clean Cities Coalition

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #25: Medium-and heavy-duty truck decarbonization infrastructure

Work with the Port of Vancouver and other partners to expand infrastructure for the decarbonization of medium- and heavy-duty trucks. This action will help the City and local businesses achieve the requirements of the WA Advanced Clean Truck (ACT) rule and the WA Clean Fuel Standard. It includes:

- Encourage widespread adoption and distribution of lower-carbon fuels.
- Identify barriers to adoption in Vancouver and seek avenues to remove them.
- Coordinate with the Port of Vancouver to develop infrastructure supporting this conversion while maintaining competitiveness.

Method(s)

Strategic partnerships; joint funding proposals

Metrics

Number of fueling stations offering alternative fuels; facilities generating clean fuels

Lead & Key Partners CMO

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #26: Battery replacement incentives

Explore incentives, rebates, or similar methods to reduce the costs of battery replacement for battery electric vehicles with batteries nearing the end of their useful life.

Method(s)

Expansion and promotion of existing programs

Metrics

Available incentives; participation rates

Lead & Key Partners CMO

KEY PARTNERS

- Auto service stations
- Electric vehicle manufacturers
- Columbia-Willamette Clean Cities Coalition

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Natural Systems & Water Resources



Vancouver's parks, trails, and green spaces will store carbon, connect our neighborhoods, and preserve sensitive land and wildlife. The community will manage water consumption wisely.

Strategies and Actions

Strategy NS-1. Increase carbon storage in trees, vegetation, and soil

Optimize management of natural lands and tree canopy to increase carbon sequestration, support resilience to extreme events such as extreme heat and flooding, and ensure an equitable distribution of risk and resilience. During implementation, align with Reside Vancouver, the Parks Comprehensive Plan update, the Urban Forest Management Plan, and anti-displacement best practices.

Actions:

1. Native & climate-resilient planting in municipal projects
2. Native & climate-resilient planting in private projects
3. Street tree maintenance
4. Carbon sequestration on public lands
5. Carbon sequestration on private lands

Strategy NS-2. Improve ecosystem resilience

Support implementation of habitat and species conservation, restoration, and protection, with an emphasis on current native species and climate-resilient species.

Actions:

6. Critical areas code enforcement
7. Habitat restoration for new development
8. Tree canopy recommendations

Strategy NS-3. Conserve water resources

Conserve community water resources and increase water efficiency savings through education, outreach, retrofits, and rebates that ensure overburdened communities see the benefits of water conservation..

Actions:

9. Community water conservation
10. Rainwater capture incentives
11. Lawn removal and drought tolerant landscaping incentives



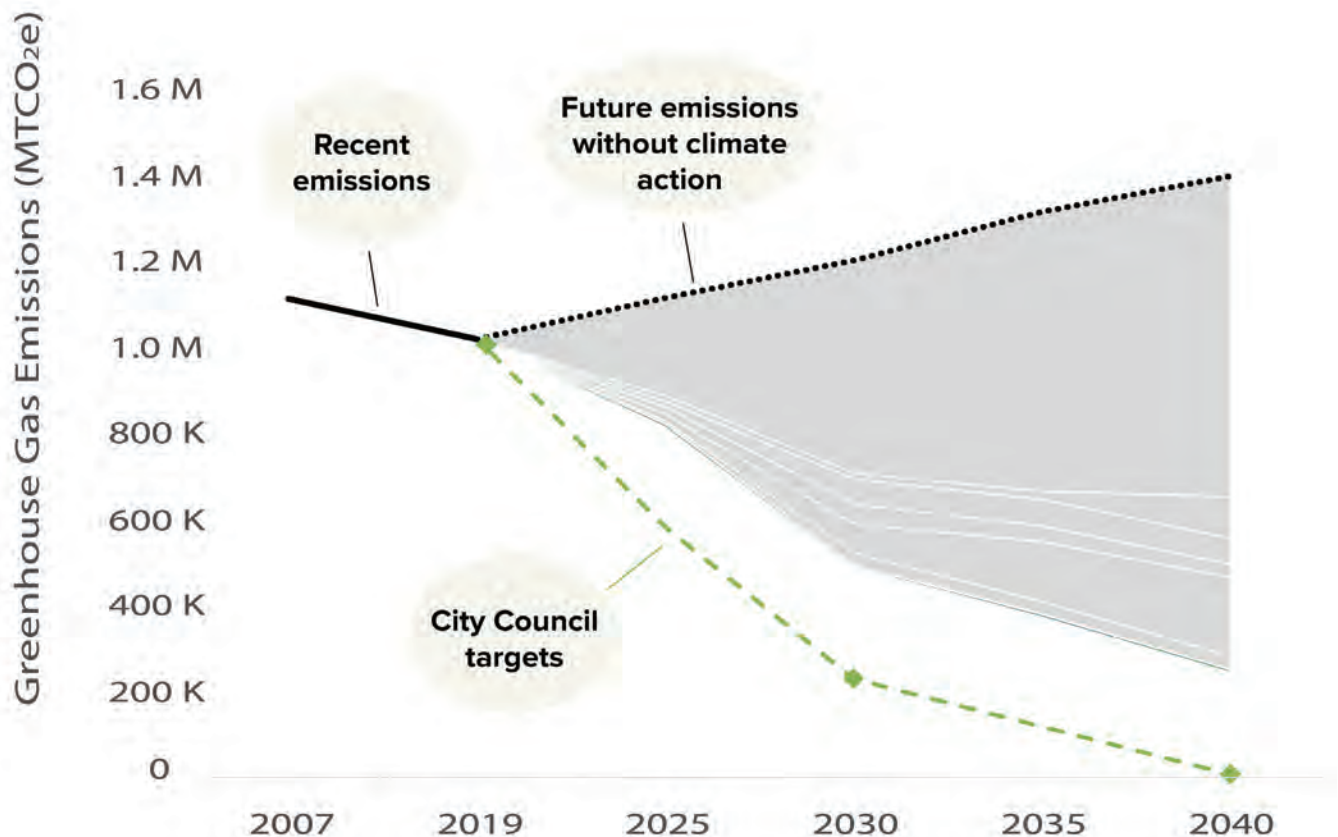
Natural Systems & Water Resources



How do these actions stack up?

To reach carbon neutrality by 2040, we must zero out most of our emissions. Existing federal and state policies will get us about halfway to our goal. Locally, here's how our natural systems will help with the rest.

- <1% of our 2040 goal will be met by storing carbon in native, climate-resilient plants, trees, and soil on both public and private lands.
- We will also avoid at least \$45 million in costs of inaction.
- Through 2030, jobs in environmental science, landscaping, grounds maintenance, and tree trimming are expected to grow faster than average in southwest Washington (using the long-term alternative occupational employment projections provided in July 2022).



Implementation

Strategy NS-1. Increase carbon storage in trees, vegetation, and soil

This strategy will increase carbon storage throughout the city.



Action #1: Native & climate-resilient planting in municipal projects

Through the City's Urban Forestry Program and in support of the City's goal to reach 28% canopy cover by 2030, require long-lived, large form, drought-tolerant, climate-resilient native plantings in parks and other public properties to maximize carbon sequestration. Also prioritize retention of existing canopy.

Method(s)

New development plan review; existing plans review; code update; Parks design focused on sustainable environmental landscape design principles with closed loop composting

Metrics

VMC code updated & new development projects meeting climate goals; sustainable landscape design principles in parks and school designs; retrofit existing designs and sites

Lead & Key Partners

Urban Forestry and Community Development

KEY PARTNERS

- Parks, Recreation and Cultural Services
- Public Works Operations
- School Districts
- Parks and Recreation Advisory Commission
- Urban Forestry Commission

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X

Action #2: Native & climate-resilient planting in private projects

Working through the City's Urban Forestry Program and its partners, and in support of the City's goal to reach 28% canopy cover by 2030, incentivize long-lived, large form, drought-tolerant, climate-resilient native plantings and retention of the mature canopy in existing and new developments. This includes:

- Prioritize plantings in areas that score 8 or above on the WA Health Disparities Map and/or that experience more severe urban heat island effects.
- Prioritize plantings in the Burnt Bridge Creek watershed and other high-value habitat areas.

Method(s)

New development review; existing plans review; code update; public outreach; community revegetation projects

Metrics

VMC code updated and new development projects meeting climate goals; retro fit existing designs and sites; number of trees planted; number of community enhancement projects in priority areas

Lead & Key Partners

Public Works—Urban Forestry and Community Development

KEY PARTNERS

- Development community and professionals (engineers, landscape architects, arborists, landscapers)
- Private property owners
- Nonprofit partners (Friends of Trees, Watershed Alliance, others)

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X

Action #3: Street tree maintenance

Working through the City's Urban Forestry Program, preserve existing street trees through proper care and maintenance. This includes:

- Optimize maintenance to increase carbon sequestration and resilience to extreme weather events.
- Where replacement trees are needed, replace with climate-resilient trees.
- Prioritize service in overburdened communities and areas with a tree canopy deficit to promote equitable distribution of benefits, risk reduction, and resilience to climate-related extreme weather events.
- Support overburdened communities consistent with anti-displacement best practices.

Method(s)

Existing plans; City budget appropriation; task force to develop street tree maintenance program

Metrics

Develop and implement a 7-year street trees pruning cycle; completed street tree inventory; reduced storm damage; more participation in street tree planting in overburdened communities

Lead & Key Partners

Public Works— Urban Forestry

KEY PARTNERS

- Transportation
- Public Works Operations
- Property owners
- Friends of Trees
- Tree care providers/arborists

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #4: Carbon sequestration on public lands

Increase the carbon sequestration potential of soil throughout the City to offset emissions and increase soil resistance to drought and floods. This includes:

- Implement carbon sequestration projects on City property where feasible (e.g., City parks, building grounds).
- Reduce the use of synthetic nitrogen fertilizer with organic soil amendments such as manure, compost, and mulch) on landscape installations.
- Work with Parks to reduce high-maintenance turf in designs to reduce the need for fertilizers and gas-powered mowers.
- Partner with other public agencies to expand sequestration potential on public lands.
- Consider acquiring parcels to be used as carbon sinks and expand equitable access to urban green space.

Method(s)

Expansion of existing plans; budget appropriation or grant funds; strategic partnerships; creating new landscape beds with native plants; enlarging existing landscape beds and tree rings and applying arborist chips and/or compost 3-4 inches in depth; closed loop composting; ("leave the leaves"); remove impervious surfaces; replant

Metrics

Soil analysis pre and post; acres amended (arborist chips or compost spread over landscape beds and tree rings); yards of arborist chips or compost applied; amount of turf converted; number/area of nature-scaped sites; acres of open space acquired for this purpose; acres of impervious surface removed/ replanted

Lead & Key Partners

Public Works—Urban Forestry

KEY PARTNERS

- Parks
- Public Works Operations
- Correction Crews
- School Districts Maintenance
- Tree care providers/arborists
- Landscapers
- Volunteer coordinator
- Urban Forestry
- Greenway Sensitive Lands Team
- DePave
- Solid Waste

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X

Action #5:
Carbon sequestration on private lands

Support soil management on private lands to increase carbon sequestration potential throughout the city, offset emissions and increase soil resistance to drought and floods. This includes:

- Subsidize the cost of compost to developers and property owners.
- Encourage naturescaping in lieu of high-maintenance turf.
- Partner with nurseries, garden stores, and gardening groups on educational campaigns to increase awareness of soil management best practices.

Method(s)

Expansion of existing plans; budget appropriation or grant funds; strategic partnerships; creating new landscape beds with native plants; enlarging existing landscape beds and tree rings and applying arborist chips and/or compost 3-4 inches in depth; closed loop composting; ‘leave the leaves’; remove impervious surfaces; replant

Metrics

Soil analysis pre and post; acres amended (arborist chips or compost spread over landscape beds and tree rings); yards of arborist chips or compost applied; amount of turf converted; number/area of nature-scaped sites; acres of impervious surface removed/ replanted

Lead & Key Partners

Community Development, Water Resource Education Center

KEY PARTNERS

- Landscapers
- Tree care providers
- Volunteer coordinator
- Urban Forestry
- Solid Waste
- Friends of Trees
- Watershed Alliance
- Greenway Sensitive Lands Team
- DePave

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Implementation

Strategy NS-2. Improve ecosystem resilience

This strategy will protect and support natural areas within the City.



Action #6: Critical areas code enforcement

Strengthen and enforce code to protect critical areas such as fish and wildlife habitats, frequently flooded areas, geologically hazardous areas, and special ecosystems.

- Consider habitats that support culturally significant species (such as salmon) for additional protection.

Method(s)

Increased staff capacity; code updates; stakeholder outreach; public outreach to parcels with critical areas

Metrics

VMC code updated; outreach in critical area parcels; outreach to arborists and landscapers

Lead & Key Partners

Community Development and Public Works

KEY PARTNERS

- Urban Forestry
- Stakeholders such as ecology and engineering firms, development community
- Tree care providers/arborists
- Landscapers

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #7: Habitat restoration for new development

Require private development to address habitat restoration issues onsite before development and explore options for enhanced requirements. This includes:

- Strengthen codes to prioritize tree preservation and create areas for native and climate-resilient large-form trees.

Method(s)

Code evaluation and update; require TreeCAP participation; stakeholder outreach

Metrics

VMC code updated; Outreach; increase in tree canopy over time

Lead & Key Partners

Community Development

KEY PARTNERS

- Urban Forestry
- Stakeholders such as ecology, engineering and landscape architect firms and development community.

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #8: Tree canopy recommendations

Implement the recommendations in the City's Tree Canopy Assessment (2021) in a way that is consistent with Reside Vancouver and best practices to avoid green gentrification.

This includes:

- Accelerate progress toward the City's stated tree canopy goals to secure carbon sequestration and heat island mitigation benefits in the near term.
- Prioritize equitable expansion of the canopy and street tree maintenance, with a focus on areas with low urban tree canopy, high susceptibility to urban heat island effects, areas of poor air quality, and areas with higher percentages of low-income people and communities of color.
- Partner with community organizations such as Friends of Trees to expand existing outreach programs toward private landowners, focusing on low-canopy, underserved, and overburdened neighborhoods.
- Consider establishing new short- and long-term canopy cover goals.
- Require Silver Leaf achievement in the City's TreeCAP program, which sets a goal of 15% tree canopy cover for commercial development and 33% tree canopy cover for single-family residential development.
- Explore the feasibility of incentivizing Gold Leaf achievement in the City's TreeCAP program, which sets a goal of at least 17% tree canopy cover for commercial development and at least 35% tree canopy cover for single-family residential development.

Method(s)

Existing plan; public outreach; community revegetation projects

Metrics

Number of plantings in overburdened communities; number of community enhancement projects in priority areas; TreeCAP participation; increase in tree canopy over time; volunteer engagement

Lead & Key Partners

Public Works—Urban Forestry

KEY PARTNERS

- Reside Vancouver
- Fourth Plain Forward
- Friends of Trees
- Private property owners
- Urban Forestry Commission
- City departments (Parks, Recreation and Cultural Services, Public Works, Community Development)

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Implementation

Strategy NS-3. Conserve Water Resources

This strategy will ensure sufficient water supply and access to all Vancouver community members.



Action #9: Community water conservation

Implement the current (ca. 2022-2025) and future (2025+) demand-side Water Use Efficiency (WUE) Program measures. These measures are expected to reduce the average equivalent residential unit (ERU) annual water consumption by 1% per six years to achieve 200 gallons per day/ ERU by 2025, then reduce peak-season residential per capita daily use by 2% in 2025 and beyond.

Method(s)
Implementation of existing plan

Metrics
ERU annual water consumption

Lead & Key Partners Public Works—Water

- KEY PARTNERS
- Urban Forestry
 - Stakeholders such as ecology and engineering firms, development community
 - Tree care providers/arborists
 - Landscapers

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #10: Rainwater capture incentives

Work with building owners and developers to include rainwater capture for reuse and stormwater flow control/infiltration facilities for residential and commercial buildings.

Method(s)
Stakeholder outreach; incentive program

Metrics
Incentives created; incentives utilized

Lead & Key Partners Community Development

- KEY PARTNERS
- Environmental advocacy and educational groups (Watershed Alliance, Columbia Springs, Lower Columbia Nature Network)
 - Water Resources Education Center
 - Residential and commercial building owners

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #11:
Lawn removal and drought-tolerant landscaping incentives

Support private property owners in replacing grass lawns with native and climate-resilient plantings, adopting drought-tolerant landscaping, and using efficient irrigation. This includes:

- Support community partners and nonprofits that do this work.
- Explore incentives or rebates for interested property owners.

Method(s)
New program, expand TreeFund program; Nature Patch; Backyard Habitat Program

Metrics
Number of participants; amount of turf converted; number of plants

Lead & Key Partners
Community Development

- KEY PARTNERS
- Environmental advocacy and educational groups (Watershed Alliance, Columbia Springs, Lower Columbia Nature Network)
 - Water Resources Education Center
 - Residential and commercial building owners

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Solid Waste & Wastewater



We will reduce per capita waste by diverting food to those who need it, and by reusing, repairing, recycling, and composting more. We will reduce per capita water usage and operate our wastewater treatment more efficiently.

Strategies and Actions

HIGH

Strategy SW-1. Require recycling and organic material management

Require city-wide recycling and/or organics collection in a manner that will not economically or otherwise burden overburdened communities.

Actions:

1. Citywide composting & organics management
2. Municipal recycling & composting
3. Recycled materials markets
4. Waste diversion community participation
5. Construction & demolition incentives



Strategy SW-2. Zero out wastewater emissions

Zero out emissions from wastewater treatment by incorporating enhanced energy efficiency, methane capture, and renewable fuels into new and existing systems.

Action:

6. Solids management and resource recovery plan

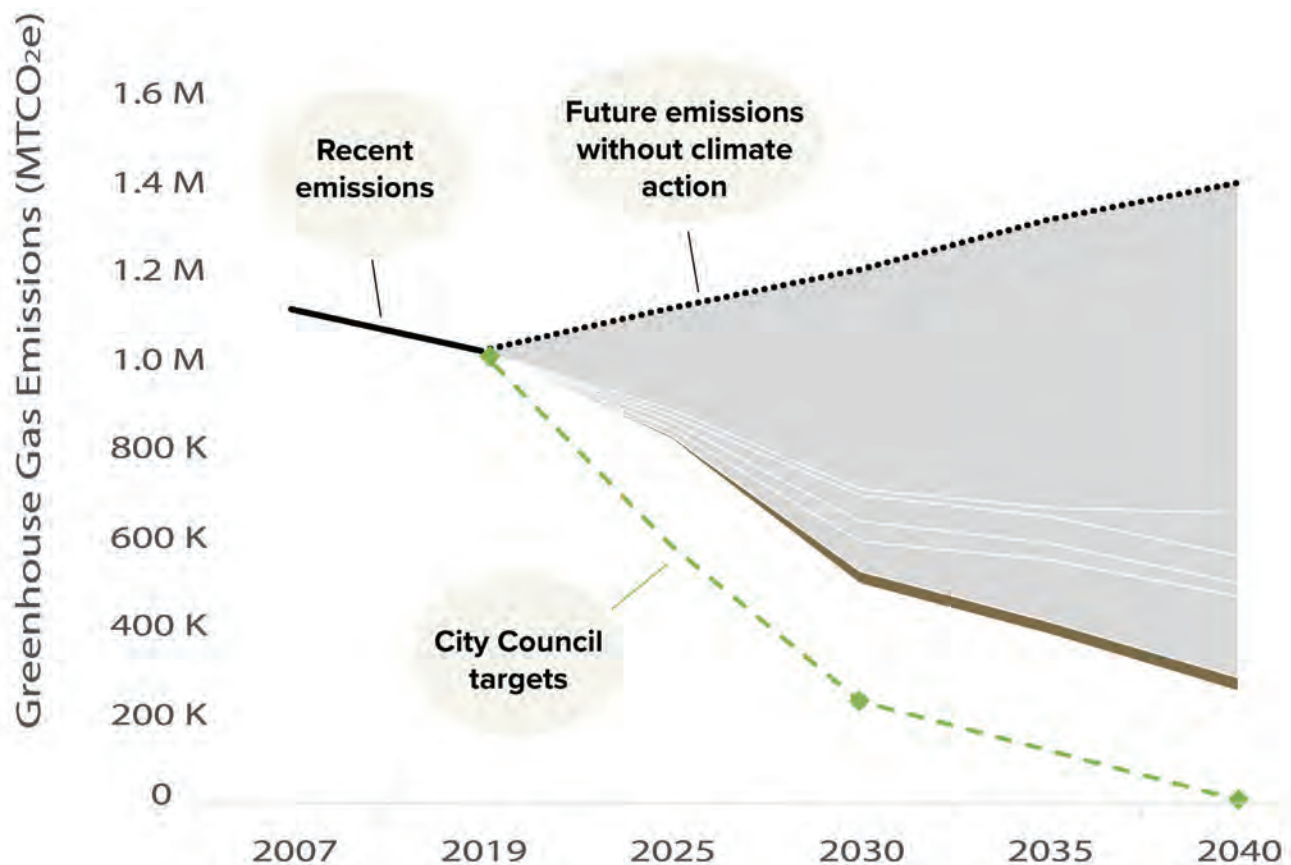
Solid Waste & Wastewater



How do these actions stack up?

To reach carbon neutrality by 2040, we must zero out most of our emissions. Existing federal and state policies will get us about halfway to our goal. Locally, here's how our natural systems will help with the rest.

- 2% of our 2040 goal will be met by reducing the amount of waste generated, diverting organic materials from landfills, and managing wastewater with advanced systems to capture methane emissions.
- Diverting organic waste from landfills is a particularly effective action for fighting climate change because it prevents the production of methane gas (a very potent greenhouse gas).





Implementation

Strategy SW-1. Require recycling and organic material management

This strategy will reduce the amount of materials sent to the landfill and encourage circular economy behaviors.

Action #1: City-wide composting and organics management

Along with other organics management actions, divert organic waste to landfill by 75% by 2030. This includes:

- By City ordinance, require organics collection services in compliance with RCW 43.19A.150.

Method(s)
Adopt code

Metrics
Number and percentage of eligible City customers; achieve metrics set by HB1799

Lead & Key Partners Public Works—Solid Waste

- KEY PARTNERS
- Contracted hauler
 - Clark County Solid Waste

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #2: Municipal recycling & composting collection

Require food waste composting and glass and co-mingled recycling at City buildings.

Method(s)
Adopt code

Metrics
Number of city facilities participating; number of employees; various service levels

Lead & Key Partners Public Works—Solid Waste

- KEY PARTNERS
- Contracted hauler
 - Leadership/points of contact at City facilities

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #3: Recycled materials markets

Pursue regional partnerships to bolster the market for recycled materials to minimize the use of raw materials and accommodate increased flows from the implementation of waste diversion actions.

Method(s)

Conversations and partnerships with organizations representing local and regional businesses

Metrics

Number of potential opportunities identified and pursued; examples of successful market opportunity developments

Lead & Key Partners

Economic Prosperity & Housing

KEY PARTNERS

- Greater Vancouver Chamber of Commerce
- Columbia River Economic Development Council
- Port of Portland
- Clark County

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X	X	

Action #4: Waste diversion community participation

Work with haulers, material recovery facilities and transfer stations to increase and improve community participation in recycling and organics. Create incentives and disincentives for reducing contamination in recycling and organics loads in compliance with state mandates to improve quality materials.

Method(s)

Existing programs from City and waste hauler

Metrics

Percent of waste diverted; percent of contamination; implementation of City's Contamination Reduction Outreach Plan (CROP; required by Ecology); data on regional contamination efforts; percent tons delivered/diverted from spring and fall coupon programs and neighborhood cleanup events

Lead & Key Partners

Community Development

KEY PARTNERS

- Contracted and/or licensed haulers
- Contracted yard debris vendors
- Clark County Solid Waste

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		

Action #5:
Construction & demolition incentives

Promote waste reduction from construction & demolition.

This may include:

- Promote deconstruction and recycling through City ordinances and/or incentives.
- Deconstruct municipal facilities that would normally be demolished and document as a case study to show how this practice supports sustainability and CAF goals.
- Construct new municipal facilities using Designs for Disassembly principles that allow building components to be extracted from buildings in a reusable form.

Method(s)

Green Building Policy development

Metrics

Inclusion in green building policy

Lead & Key Partners

Community Development

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		





Implementation

Strategy SW-2. Zero out wastewater emissions

This strategy will reduce emissions from wastewater treatment.

Action #6: Solids management and resource recovery plan

Develop a solids management and resource recovery plan for wastewater facilities to generate renewable energy and beneficial materials. Explore the possibility of incorporating diverted food and organic waste into wastewater facility solids processing.

Method(s)

Incorporate into plans for scheduled facility upgrades/expansions

Metrics

Facility design; completed plan

Lead & Key Partners

Public Works—Wastewater

KEY PARTNERS

- Solid Waste
- Local businesses affected by HB 1799

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		



City Governance



Vancouver will be a city that embeds climate change in everything we do. We will ensure that staff are knowledgeable and empowered to make sustainable decisions and there is adequate permanent funding to make our low-emissions, resilient vision a reality.

Strategies and Actions

Strategy GOV-1. Mainstream sustainability at the City, including staff capacity

Prioritize and institutionalize equitable social, economic, and environmental sustainability across City activities, annual budgeting processes, decision making, and CAF implementation. Improve City staff knowledge of and capacity for their role in climate action. Identify and secure adequate permanent funding for successful and equitable CAF implementation.

Actions:

1. Critical staff capacity
2. Climate priority declaration
3. Regular updates of GHG inventory and CAF strategies
4. Environmentally Preferable Purchasing (EPP) policy
5. Expedited permitting for sustainability projects
6. Reduce vehicle trips by municipal employees
7. City Green Teams
8. Municipal energy fund
9. Phase out of two-cycle lawn equipment
10. Administrative policy alignment



Implementation

Strategy GOV-1. Mainstream sustainability at the City, including staff capacity

This strategy will empower staff and institutionalize sustainable City government operations.



Action #1: Critical staff capacity

Build critical staff capacity to support CAF development and implementation.

This includes:

- Provide adequate staffing to implement the goals and strategies of the CAF
- Provide education on City's CAF for new hires during the onboarding process.

Method(s)

Budget request; developing training modules for new employees; incorporating training modules into onboarding process

Metrics

Number of FTE added to CAF work; number of internships and fellowships; % of new employees completing CAF training modules

Lead & Key Partners CMO

KEY PARTNER

- Human Resources

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #2: Climate priority declaration

Release a climate priority declaration.

Method(s)

City resolution

Metrics

Adopted resolution

Lead & Key Partners CMO

KEY PARTNERS

- City Council
- Legal

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			

Action #3: Regular updates of GHG inventory and CAF strategies

- Conduct a GHG Emissions Inventory update every 4 years.
- Evaluate progress towards goals and adjust CAF strategies accordingly.
- Modify CAF to reflect changing conditions and new technology.

Method(s)

Conduct updates of GHG inventories; community engagement, assessment of existing plan's effectiveness

Metrics

GHG and CAF updates completed on schedule

Lead & Key Partners CMO

KEY PARTNERS

- Community stakeholders
- Climate Community Advisory panel (if formed)

Timeframe

Near Term	Mid Term	Long Term	Ongoing
			X

Action #4: Environmentally Preferable Purchasing program

Develop and enforce a City of Vancouver environmentally preferable purchasing policy (EPP). This policy should:

- Support the purchase of local, recycled, and environmentally preferred products to minimize GHG impacts relating to City work
- Support the development of a green local economy by prioritizing the use of local businesses for sustainable goods and services.

Method(s)

Best practices review; engagement with City departments; development of policy; education on new policy implementation

Metrics

Completed policy document; completed trainings on policy implementation for City staff

Lead & Key Partners Finance—Procurement

KEY PARTNERS

- Public Works
- General Services
- Parks
- Recreation
- Cultural Services
- Police
- Fire

Timeframe

Near Term	Mid Term	Long Term	Ongoing
X			



Action #5: Expedited permitting for sustainability projects

Expedite plan review within the green building section of the code.

Method(s)

Code update

Metrics

Updated code

Lead & Key Partners

Community Development —Development Review

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Action #6: Reduce vehicle trips by municipal employees

Promote, accommodate, and incentivize commuting by walking, cycling, transit, carpooling, and telecommuting among City employees to reduce drive-alone commute trips.

Method(s)

TDM best practices; staff engagement

Metrics

Percent of City staff using alternate transportation; percent of staff reducing driving through telecommuting or flexible schedules; number of employees taking advantage of commuter benefits

Lead & Key Partners

Human Resources

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
			X



Action #7: City green teams

Create a “Green Teams” program to support City staff in leading sustainability initiatives in their departments or building.

Method(s)

Establish goals and structure for new program; identify and convene interested participants from each department

Metrics

Established Green Teams program; number of participating departments and buildings

Lead & Key Partners CMO

KEY PARTNERS

- **City departments: Buildings, Facilities**

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



Action #8: Municipal energy fund

Establish a municipal energy fund to create a self-sustaining source of funds for investing in energy-efficient municipal operations.

Method(s)

Evaluation of potential funding sources; budget allocation

Metrics

Established municipal energy fund; number of projects funded per year via the fund

Lead & Key Partners General Facilities

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
	X		



Action #9: Phase out of two-cycle lawn equipment

- Replace municipal two-cycle lawn equipment usage wherever feasible.
- Update Procurement guidelines to restrict usage of two-cycle lawn equipment by City contractors.
- Explore options for equitable implementation of a city-wide phaseout of two-cycle lawn equipment.

Method(s)

Develop language for Fleet and Procurement policies.
Develop draft ordinance for Council consideration.

Metrics

Adopted Fleet policy, Procurement guidelines, and a completed draft ordinance for Council Consideration.

Lead & Key Partners CMO

KEY PARTNERS

- Fleet
- Procurement

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X	X		

Action #10: Administrative policy alignment

Review city administrative policies, including travel policies, for alignment with city climate goals and amend as necessary.

Method(s)

Policy review

Metrics

Completed policy review with updates/revisions as needed.

Lead & Key Partners CMO

KEY PARTNERS

- Procurement

Timeframe			
Near Term	Mid Term	Long Term	Ongoing
X			



What We're Doing Next

This CAF will serve as a cohesive guide to help Vancouver meet its goals to reach carbon neutrality and to strengthen the overall resilience of our communities. To be successful, we will:

- **Make equity a guiding principle of implementation.** We will only be as successful as the most vulnerable in our community, and it will be essential that equity and a just transition guide everything we do.
- **Ensure alignment across City initiatives.** To bolster synergies with and maximize impacts of ongoing City planning programs efforts, CAF actions must align with, and in some cases be incorporated into, the Comprehensive Plan, Transportation System Plan, and other City efforts. This will help ensure a coordinated, efficient approach to climate action.
- **Maintain effective CAF governance.** As we formalize climate action across the city, we will establish and maintain clear roles and responsibilities for departmental executives, departmental CAF leads and support staff, and the City Manager's Office. We will also define policies, procedures, and guidance for CAF implementation and oversight. To ensure we are making tangible progress towards achieving carbon neutrality, this must include an integrated and efficient measuring, tracking, and reporting process.
- **Support an informed and decisive City Council.** The pace and scale of climate change and available climate solutions continue to accelerate. It is essential that our elected leaders have the information they need to make informed decisions about CAF implementation.



With these guiding principles and best practices in mind, our immediate next steps are to:

- **Continue to implement the Early Action Package.** CAF actions are designed to build from a successful Early Action Package.
- **Gather implementation guidance from stakeholders and communities and solidify a long-term community engagement strategy.** Continued collaboration and engagement with the City Council and staff, community and business leaders and partners, and the public will be key to effective implementation. We will engage impacted communities and stakeholders prior to administrative action and City Council deliberation. We will also prioritize engagement with overburdened communities, consistent with just transition principles such as self-determination. By focusing on a just transition, we will also ensure that equity guides strategic, meaningful implementation of CAF actions.
- **Assess climate risks.** The CAF process did not include a formal assessment of climate vulnerability and risk. The assessment will equip the City with an understanding of who and what are most vulnerable to the specific climate impacts in the Vancouver area, so we can ensure resilience actions are focused on the most vulnerable communities and sectors. While resilience actions in the CAF are based on community input, best available science, and City staff knowledge, they will need revisiting following completion of the climate risk assessment.
- **Build personnel and funding capacity.** Development of the CAF has shown that the personnel and funding capacity recommended in the Early Action Package are likely insufficient to reach Vancouver's carbon neutrality goals. Given the opportunities presented by the federal infrastructure bill, near-term action to expand staff capacity and bring in CAF funding is a priority.



Endnotes

- [1] The Intergovernmental Panel on Climate Change’s [6th Assessment Report](#) is clear that immediate, significant global action can stem the worst impacts of climate change. In particular, we need to reach carbon neutrality—where the GHG emissions released to the atmosphere are balanced by removing or storing the same amount of carbon—by mid-century.
- [2] Key state and federal standards include federal fuel efficiency standards and several state policies: the Clean Energy Transformation Act (CETA), which requires Washington’s electric utilities to be 100% carbon-free by 2045; the Clean Buildings Performance Standard, which requires large commercial and multi-family buildings to reduce their energy use intensity 15% and provide EV charging capability on-site at new buildings; the state building code which requires a 70% reduction in annual net energy consumption for new construction; the Clean Fuel Standard, which requires a 20% reduction in the carbon intensity of fuels by 2038; HB 1287 requiring EV charging capability for new single-family construction by 2024; and the Climate Commitment Act, which places an economy-wide cap on carbon, requires a 45% reduction in emissions by 2030, and requires a 95% reduction in emissions and net-zero by 2050 (consistent with best available science).



Appendix

Summary of Estimated Emissions Reductions and Costs of Key Actions

Estimated Emissions Reductions

We modeled estimated emissions reductions for key actions in the buildings & energy, transportation & land use, and natural systems focus areas. We selected these actions for modeling because they were likely to be impactful, were of interest to members of the stakeholder advisory group, and were able to reliably be modeled with available data.

Summary of Estimated Emissions Reductions from Key Actions through 2040

Strategy Name	Action Number	Action Name	H/M/L	Estimated Emissions Reduction by 2040 (MT CO ₂ e)	Rank	% of Total Estimated Emissions Reductions
Decarbonize and electrify vehicles	TLU3.23	Medium- and heavy-duty truck decarbonization	H	567,412	1	15%
Decarbonize and electrify vehicles	TLU3.20	EV infrastructure plan	H	527,560	2	14%
Require recycling and organic material management	MC1.1	Reduce organic waste to landfill	H	396,660	3	10%
Decarbonize homes, businesses, and other buildings	BE2.12	Commercial building electrification incentives	H	339,825	4	9%
Decarbonize homes, businesses, and other buildings	BE2.11	Home electrification incentives	H	276,994	5	7%
Decarbonize and electrify vehicles	TLU3.22	Electric vehicle advocacy & education	H	263,780	6	7%
Shift driving trips to clean, active modes of transportation	TLU2.11	Transportation demand management requirements	H	227,556	7	6%
Decarbonize homes, businesses, and other buildings	BE2.17	Natural gas carbon intensity	H	219,259	8	6%
Decarbonize and electrify vehicles	TLU3.21	EV charging requirements	H	211,024	9	6%
Shift driving trips to clean, active modes of transportation	TLU2.9	Transit ridership improvements	H	183,557	10	5%
Decarbonize homes, businesses, and other buildings	BE2.18	Contractor training for electric transition	H	166,107	11	4%
Shift driving trips to clean, active modes of transportation	TLU2.8	Improved pedestrian infrastructure	M	100,665	12	3%
Increase use and storage of renewable energy while reducing consumption	BE1.2	Energy upgrades for existing commercial buildings	M	82,019	13	2%

Strategy Name	Action Number	Action Name	H/M/L	Estimated Emissions Reduction by 2040 (MT CO ₂ e)	Rank	% of Total Estimated Emissions Reductions
Increase use and storage of renewable energy while reducing consumption	BE1.1	Community energy efficiency incentives	M	51,626	14	1%
Decarbonize homes, businesses, and other buildings	BE2.14	All-electric incentives for new development	L	35,312	15	1%
Increase use and storage of renewable energy while reducing consumption	BE1.5	100% renewable energy for municipal buildings	L	34,232	16	1%
Create neighborhoods that support clean modes of transportation	TLU1.2	Sustainable Neighborhood-Scale Development	L	31,138	17	1%
Create neighborhoods that support clean modes of transportation	TLU1.1	Mixed use development	L	30,730	18	1%
Decarbonize and electrify vehicles	TLU3.24	Transit & waste collection fleet electrification	L	14,502	19	<1%
Increase carbon storage in trees, vegetation, and soil	NS1.4	Carbon sequestration on public lands	L	12,120	20	<1%
Shift driving trips to clean, active modes of transportation	TLU2.10	Driving trip reduction for local schools	L	11,428	21	<1%
Increase carbon storage in trees, vegetation, and soil	NS1.5	Carbon sequestration on private lands	L	10,507	22	<1%
Increase use and storage of renewable energy while reducing consumption	BE1.3	Clean energy financing	L	6,607	23	<1%
Increase use and storage of renewable energy while reducing consumption	BE1.4	Solar incentives	L	6,607	24	<1%
Increase carbon storage in trees, vegetation, and soil	NS1.1	Native & climate-resilient planting in municipal projects	L	1,497	25	<1%
Increase carbon storage in trees, vegetation, and soil	NS1.2	Native & climate-resilient planting in private projects	L	1,331	26	<1%
Increase use and storage of renewable energy while reducing consumption	BE1.6	Natural gas demand management	L	0*	27	<1%
Cumulative CAF reductions by 2040				3,810,057		100%

Estimated Costs

We modeled the costs to the City, costs to the community, and the cost of inaction of the top 13 most impactful actions reported at the December 2021 stakeholder advisory meeting.

Definitions

Action Number:	Refers to the strategy number and action number within each focus area.
NPV:	Net present value using a 3% discount rate. Negative numbers are cost savings, shown in green font .
Costs to City:	Refers to estimated costs incurred by the City of Vancouver.
Costs to Community:	Refers to estimated costs incurred by city partners and stakeholders such as C-TRAN, Clark PUD, NW Natural, and others.
Cost of inaction:	Based on the Washington Utilities & Transportation Commission (UTC) social cost of carbon of \$84 for the year 2025 (in 2020 dollars), which is midway between 2020 and the interim target of 2030.
Rating:	Costs are rated high , medium , or low . The table is organized from the highest to lowest per capita NPV community costs.

Summary of Estimated Costs of Key Actions through 2040

Strategy Name	Action Number	Action Name	NPV Costs to City	Per Capita NPV Community Costs	Cost of Inaction
Shift driving trips to clean, active modes of transportation	TLU2.9	Transit ridership improvements	\$133,529	\$2,940	\$15,418,815
Decarbonize homes, businesses, and other buildings	BE2.11	Home electrification incentives	\$32,309,531	\$690	\$23,267,527
Decarbonize homes, businesses, and other buildings	BE2.17	Natural gas carbon intensity	\$32,098	\$680	\$18,417,762
Decarbonize homes, businesses, and other buildings	BE2.18	Contractor training for electric transition	\$25,670,687	\$368	\$13,953,013
Decarbonize homes, businesses, and other buildings	BE2.12	Commercial building electrification incentives	\$7,784,366	\$360	\$28,545,300
Decarbonize and electrify vehicles	TLU3.20	EV infrastructure plan	\$34,691,084	\$30	\$44,315,072
Increase carbon storage in trees, vegetation, and soil	NS1.2	Native & climate-resilient planting in private projects	\$1,289,142	\$18	\$111,772
Require recycling & organic material management	SW1.1	City-wide composting and organics management	\$15,630,814	\$0	\$33,319,452
Increase carbon storage in trees, vegetation, and soil	NS1.1	Native & climate-resilient planting in municipal projects	\$7,500,720	\$0	\$125,744
Decarbonize and electrify vehicles	TLU3.23	Medium- and heavy-duty truck decarbonization	\$267,059	(\$226)	\$47,662,633
Decarbonize and electrify vehicles	TLU3.22	Electric vehicle advocacy & education	\$25,735,126	(\$546)	\$22,157,537
Shift driving trips to clean, active modes of transportation	TLU2.11	Transportation demand management requirements	\$407,665	(\$671)	\$19,114,735
Decarbonize and electrify vehicles	TLU3.21	EV charging requirements	\$73,260	(\$1,780)	\$17,726,029
Total			\$151,525,081	\$1,863	\$284,135,392
Average per year			\$7,975,004	\$98	\$14,954,494
Average FTE requirement			2.66		





MEMORANDUM

DATE: November 23, 2022

TO: Mayor and City Council

FROM: Eric J. Holmes, City Manager
Laura Shepard, Communications Director

RE: **Community Communication Forums**

CC: Eric Holmes, City Manager

Executive Summary

The City held a pilot series of three community forums in July-September of 2022 to explore the potential of a different way for Council to engage with the community. A total of 75-90 community members attended the three forums combined. Key learnings from the series are:

- Community members who participated saw the forums as a positive experience.
- The forums are resource intensive to design, promote and produce
 - If the city continues these forums as an ongoing program, attendance may increase over time making this a more effective use of limited engagement resources.
- It is impractical to provide virtual participation opportunities, and the resulting in-person only format excludes some community members from being able to participate.
- It not practical to combine a Council business meeting with a community forum of this design in any location other than City Hall
 - If forums are to be continued as a program, they should not occur on an evening with council business. This could be accommodated within the constraints of the annual council meeting calendar through advance planning of council business.
- The value of community feedback in this format is enhanced if the forum is centered on a particular issue, topic or project.
- Should Council wish to continue the forums on a programmatic basis, staff recommends two forums per year (spring/early fall).

Background/Overview

At Council direction, staff planned a short pilot program of alternative Community Communication Forums. Three forums were held in different locations to provide more opportunities for the public to attend and share issues or concerns with Council.

The regular City Council Meeting and forums were held on July 25 at Ft. Vancouver Regional Library, August 15 at Clark College, and September 26 at ESD 112. As the community emerged from COVID-19 restrictions, we found it difficult to secure venues across the city as many spaces were not staffed to accommodate the City for an evening event that was compliant with the Open Public Meetings Act and Council policies governing business meeting protocol.

The formats varied from providing traditional three minute testimony, open roundtable discussion, and a structured roundtable on community visioning. To produce and promote three forums and Council meetings off-site, took more than 225 staff hours across the three forums.

Attendance

On average, between 25-30 people attended each forum. Through feedback forms, 31 attendees shared their opinions about the two roundtable forums (as part of our learning, we realized we did not have a feedback form for the first forum).

- 19 strongly agreed the meeting format worked well for them
- 13 strongly agreed they felt they had enough time to share ideas with City Council (one respondent from forum two strongly agreed they had enough time, with the remaining respondents agreeing or were neutral)

Attendees also commented that they appreciated the experimentation, would like more time to talk, and would have liked a way for talk to more than one Councilor. With the exception of a few regular individuals who participate in public comment, the forums were largely attended by people who have not attended the Council Communication Forum in the last six months.

Challenges and Opportunities

Producing a City Council meeting outside of City Hall does come with its share of challenges. Approximately 138 hours (60% of total staff time) were spent on producing, executing, and other activities related to holding the Council Business Meeting in a location outside of City Hall. The technical requirements to produce a City Council Meeting are limited in many locations. Projecting presentations, reliable connectivity, and providing accommodations like assistive listening devices, closed captioning, and other accommodations were a challenge in venues outside of City Hall. Rental fees associated with most venues is also a consideration.

Anecdotally, members of the community expressed appreciation for the community forums and the willingness of Council to try new things. Attendees mentioned being able to talk to Council directly and hearing from other community members as positive aspects. While some mentioned the Boy Scouts as a positive addition to the second forum, some noted they held back on what they wanted to say with “kids” in attendance. If built around a subject, the forums can provide usable input on specific projects. Alternatively, they are good way to hear about issues from the community Council may not be aware of.

Considerations and Recommendation

Should Council wish to continue these types of community forums in the future, a few considerations:

- Resource effectiveness: At about 1.3 hours of staff time per attendee, there is a relatively high cost/engagement ratio of these events. Also, with the combined attendance of approximately 75-90 people, this represents a low proportion of the total population we serve. Should the City continue these forums as a program, attendance would likely grow over time.
- Inclusion: The nature of the event itself accommodates only individuals who have the means (time, transportation, etc.) to participate, and does not lend itself to virtual or remote participation. The format also is difficult to accommodate participation by community members with visual, auditory, or other disabilities. The format requires participants to go out of their way to participate.
- Business meeting/forum production: Given the technical challenges and number of staff needed to produce a City Council Business Meeting outside of City Hall, future forums would be much more efficiently produced as standalone events and not held the same evening as City Council business meeting. With sufficient advance planning, this could be incorporated into the annual council meeting calendar without addition of more meeting nights or disruption of council business.
- Competing engagement priorities: While positive events, the amount of staff time needed to organize and hold these kinds of forums will make it a challenge to fit in among other engagement and input opportunities.
- Options:
 - Format: The pilot series in summer 2022 experimented with three formats. The City’s regular meeting schedule for 2023 includes 18 opportunities for open public forums that allow for virtual/remote participation. Based on the 2022 pilot series experience, as well as the fact that there are many opportunities for residents to engage with Council in open forums throughout the year, staff recommends designing future forums around specific Council priorities or

current projects to help guide the conversation and provide actionable feedback.

- Location: The pilot series occurred in multiple public facility locations, though primarily west of 65th street. Future forums should be held at venues that support geographic equity, enable ease of travel for participants (always on public transit routes with evening service) and allows for ADA accommodation.
 - Partnerships: the City may wish to explore partnerships with groups or other jurisdictions as relevant to a specific topic or to support engagement with historically under heard or unheard voices. Entering into a formal partnership to produce forums is unlikely to reduce the amount of city resources needed to produce an event but may bring added value or enhance participation.
 - Frequency: The frequency of forums should take into account commitment of Council time, scheduling of regular council business, other community engagement efforts related to projects and programs, and organizational capacity to produce effective events in context of other community engagement work. More frequent forums could diminish the value and contribute to engagement fatigue.
- Recommendation:
 - Based on the above and the experience with the summer 2022 pilot series, staff recommends holding two forums per year. Proposed timing would be early spring (May/June) and early fall (August/September). The option to add additional forums if there is a specific topic or need is always available, and if a priority for Council would be elevated in the context of other community engagement work.