



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 3, 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/35047?startStreamAt=0&stopStreamAt=7116

4:00 - 5:00 pm Complete Streets-Fourth Plain and Fort Vancouver Way Safety and Mobility Project

Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

Summary

Staff led Council through a discussion of the Complete Streets-Fourth Plain and Fort Vancouver Way Safety and Mobility Project.

5:00 - 6:00 pm Draft Legislative Agenda

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

Summary

Staff led Council through a discussion of the Draft Legislative Agenda.

COUNCIL DINNER / EXECUTIVE SESSION RE: PENDING LITIGATION / POTENTIAL LITIGATION (30 MIN)

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/35049?startStreamAt=0&stopStreamAt=7809

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 Hansen attended the meeting remotely.

Motion by Councilmember Paulsen, Seconded by Councilmember Stober, and carried unanimously, to add a 30-minute Executive Session immediately following Council Communications.

Approval of Minutes

Minutes - July 18, 2022

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve the meeting minutes of July 18, 2022.

Minutes - July 25, 2022

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve the meeting minutes of July 25, 2022.

Proclamations: Disability Employment Awareness Month

Mayor McEnery-Ogle read and presented a proclamation to Bob Freedland, Advisory Board Member of Developmental Disabilities Advisory Board, and Patricia Buescher, Developmental Disabilities Program Manager, proclaiming October 2022, as Disability Employment Awareness Month.

Community Communications

Mayor McEnery-Ogle opened Community Communication and received testimony from the following community members regarding Consent Agenda Items 1-10:

- Chad Seitz, Vancouver
- Justin Wood, Vancouver
- Kimberlee Elbon, La Center, WA

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

Consent Agenda (Items 1-10)

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to approve the Consent Agenda.

1. Partial Easement Release - Water

Staff Report: 134-22

The property owners have constructed new water main and recorded appropriate easements around those mains, thus allowing for abandonment of a short section of existing water main, and the existing water easement

over the existing main. The property owners are requesting the release of the portion of the original easement over the vacated water main, to allow for new building construction and removing any encumbrance.

Request: Authorize the City Manager or their designee to sign the attached easement release.

Tracy Tuntland, Technical Engineering Supervisor, 360-487-7168

Motion approved the request.

2. The NW Lavina St Water Main Replacement project (BID# 22-21) - Final Construction Acceptance

Staff Report: 135-22

McDonald Excavating, Inc. of Washougal, Washington has completed construction of approximately 2,850 linear feet of new water main in Northwest Lavina Street, Northwest Rose Street, Northwest 40th Street, and Northwest 41st Street. The new water mains were installed to address pressure deficiencies in meeting the minimum fire flow for the area as identified in the 2015 Comprehensive Water System Plan. In addition, 600 feet of sewer was installed to replace aging and substandard sanitary sewer mains within the project area. Interdepartmental coordination between the utility and transportation groups provided for the utility installation in advance of repaving the streets.

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

TOTAL CONTRACT COSTS	
<i>Labor, Equipment and Material</i>	<i>\$645,549.97</i>
<i>Sales Tax</i>	<i>\$54,871.74</i>
Total	\$700,421.71
<i>Retainage</i>	<i>BOND</i>

The original bid amount was \$700,650.39 compared to a final amount of \$700,421.71.

McDonald Excavating exceeded the 3% Apprenticeship Utilization goal for the project with 4% by using apprentices for 56 hours of the 1454.5 hours worked.

Request: On October 3, 2022, accept the NW Lavina St Water Main Replacement project as constructed by McDonald Excavating, Inc. of Washougal, Washington, and authorize release of bond, subject to receipt of all documentation required by law.

Michelle Henry, Senior Civil Engineer, 360-487-7155

Motion approved the request.

3. **Water Station 1 Phase 2 Reservoir and Security Upgrades project (BID #19-01) - Final Construction Acceptance**

Staff Report: 136-22

Water Station 1 is a 24.5-acre site, owned by the Water Utility, located on the southeast corner of East Fort Vancouver and Fourth Plain Boulevard. The Water Station 1 site has been used for water production since the late 1800's and is currently the City's most prolific water production facility, capable of pumping 34 million gallons per day. Water Station 1 currently operates around the clock to produce safe clean drinking water for the City's water service area that spans across the city limits and beyond. The site is the backbone of the City's water supply system.

To maintain this essential resource, a three-phase facility master plan was developed for Water Station 1 and approved to; 1) replace aging facilities to ensure reliability, increase efficiency, and meet current standards, 2) increase capacity and delivery capabilities necessary to meet future water needs, and 3) increase security of the site and improve protection for this vital water resource. Phase 1 of the three-phase plan was completed in 2019. This project, Phase 2, started in late 2019 and constructed three new water storage reservoirs, replacing the water reservoirs built in the early 1900's. The new seismic resilient water storage facilities increased water storage on the site from 5.25 million gallons to 9.0 million gallons. The project has improved access to the site, installed hi-security steel fencing to separate drinking water facilities from publicly accessible spaces, added surveillance cameras and intrusion alarms, added and retrofitted existing site lighting with LED fixtures that provide well-lit pathways, and improved bike connection points through and around the site. The project also restored historical site features and constructed a Water Station 1 site monument from salvaged wood beams taken from the original 1-million-gallon reservoir. Phase 3 of the project will replace three of the older wells and is scheduled for bid opening later this year with construction in 2023.

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

TOTAL CONTRACT COSTS	
Labor, Equipment and Material	\$19,403,027.28
Sales Tax	\$1,634,625.15
Total	\$21,037,653.43
Retainage	\$970,151.36

The original bid amount was \$20,501,041.60 compared to a final amount of \$21,037,653.43, for less than a 3% increase. The increase can be mostly attributed to modifications identified as needed during construction that were not easily identified prior, including pandemic related issues.

Apprenticeship utilization required was 8% and the contractor exceeded this with 9.4% by using apprentices 6,359 hours of the total 67,302.6 hours worked.

Request: On October 3, 2022, accept the Water Station 1 Phase 2 project as constructed by Rotschy Inc. of Vancouver, Washington, and authorize the release of bond, subject to receipt of all documentation required by law.

Michelle Henry, Senior Civil Engineer, 360-487-7155

Motion approved the request.

4. Bid Award for the Vancouver Low Rezone Water Main Installation - E Reserve - 13th to 17th project, per ITB 22-34

Staff Report: 137-22

The project addresses pressure deficiencies to existing water services along the project route that were identified in the 2015 Comprehensive Water System Plan as having low water pressures. The Washington Department of Health requires a minimum water pressure of 30 pounds per square inch (30 psi) be provided by the City at the water service connection to the meter. Approximately 1,450 linear feet of new ductile iron water main with a new fire hydrant will be installed in East Reserve Street, between East 13th Street and East 17th Street, to extend water to the area from a higher water pressure zone within the water system. This project will transfer a total of seventeen single-family and multi-family service connections from a lower water pressure zone onto a higher one. Two of the seventeen water services to be transferred were identified as having pressures below the State's minimum requirement and the others are only slightly above. Those residents currently experiencing low water pressures will experience higher water pressures once the project has been completed.

On August 30, 2022, the City received six bids for the subject project. The bids ranged between \$359,401.37 and \$645,089.90. The low bidder was responsive. The bids were as follows:

Summary of Bids	
Bidder	Amount
<i>Halme Excavating, Inc., Battle Ground, WA</i>	<i>\$359,401.37</i>
<i>Parker Pacific Development, Lake Oswego, OR</i>	<i>\$383,124.07</i>
<i>Advanced Excavating Specialists, LLC, Kelso, WA</i>	<i>\$388,511.65</i>
<i>Raz Construction Company, Ridgefield, WA</i>	<i>\$423,150.00</i>
<i>Nutter Corporation, Vancouver, WA</i>	<i>\$432,146.82</i>
<i>Odyssey Contracting, LLC, Yacolt, WA</i>	<i>\$645,089.90</i>
<i>Engineer's Estimate</i>	<i>\$350,000.00</i>

Halme Excavating, Inc. of Battle Ground, Washington, is the lowest responsive bidder, and has successfully completed similar utility

construction projects during the last three years. The Engineer's Estimate is below the threshold for an Apprenticeship Utilization goal, there will be no requirement of apprentice hours on this project.

Request: On October 3, 2022, award a construction contract for the Vancouver Low Rezone Water Main Installation - E Reserve - 13th to 17th project (ITB 22-34) to the lowest responsive and responsible bidder, Halme Excavating, Inc. of Battle Ground, Washington, at their bid price of \$359,401.37, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same; and authorize the City Manager to approve any legal action necessary to enforce the terms of the same.

Michelle Henry, Senior Civil Engineer, 360-487-7155

Motion approved the request.

5. Approval of Professional Services Agreement with TCF Architecture for architectural and engineering design services Phase 1 for the new Public Works Operations Campus

Staff Report: 138-22

A 2018 analysis determined that the existing site and location of the Public Works Operations Center was not suitable to remain and expand for future uses due primarily to seismic vulnerabilities. In 2019, a new site was chosen that would serve the existing and future City of Vancouver and its utility customers. Through 2020 and 2021, concept basis of design functions and service levels were validated for the new site and location. Governing policies and project goals were also established during this time. 2022 began the development of the project delivery plan and project delivery team structure.

As a key facility, the New Operations Campus will support the Public Works department in meeting service levels demands, providing for efficiency of operations, modernizing services, and serving as an Emergency Operations Center (EOC). Development and use of the new Operations Campus will achieve multiple City of Vancouver policy and strategic planning objectives.

The contract proposed provides a depth of professional and technical services to support the City's delivery of a new public works operations campus. TCF, the lead architecture firm, has completed multiple public works and maintenance facilities in the state of Washington for agencies which include Pierce County, Mason County, Sound Transit, and Chelan County.

Request: Authorize the City Manager, or designee, to enter into a professional services agreement and any amendments with TCF Architecture of Tacoma, WA for the provision of

architectural and engineering design services in an amount not to exceed \$2,970,352 for Phase 1 of this contract.

Jean Singer, Capital Projects Manager, 360-487-7755; Lisa Brandl, Deputy City Manager, 360-487-8500; Lon Pluckhahn, Deputy City Manager, 360-487-8500

Motion approved the request.

6. Accept U.S. Department Of Justice Grant Award for Police Camera Program

Staff Report: 139-22

City leaders have engaged community members, staff and stakeholders in establishing the foundation for a police camera program as part of a greater citywide initiative to enhance community policing and public safety.

While the Vancouver Police Department does not currently have local resources budgeted to implement this project without federal assistance, City leaders have moved forward in response to strong community support, and we are excited to announce that this grant award will make it possible for the City of Vancouver to purchase and launch a police camera system this fall.

In order to demonstrate responsiveness to community priorities and implement this project in the swiftest responsible manner, the City of Vancouver committed locally-funded staffing and resources to provide timely, inclusive, and transparent processes to ensure due diligence and prepare for successful deployment.

After a two-year public engagement process that has embedded community members, staff and stakeholders at each stage, key accomplishments currently in place include network design and infrastructure improvements, program and policy development, ratification of labor contract changes, and competitive procurement processes, which are nearing completion.

This Vancouver Police Camera Program is a key investment that will help to improve police-community interactions and provide a professional level of service that is consistent with industry best practices and the expectations of our community. We welcome this opportunity to enhance the safety of police officers and the public, while contributing to a climate of trust and transparency.

This federal grant will not supplant or replace local funds, but will instead accelerate project implementation by increasing the City's current budget available for this project, while also leveraging local resources by providing City leaders with time to plan and budget for the local funding needed to ensure longer-term program sustainability and ongoing costs.

Request: Authorize the City Manager or designee to execute this grant award with the United States Department of Justice to accept funding for police cameras and take any and all action necessary to enforce the terms thereof.

Troy Price, Assistant Police Chief, 360-487-7472; Katherine Nye, IT Technical Services Manager, 360-487-7660; Taylor Hallvik, Assistant City Attorney, 360-487-8521; Sara Baynard-Cooke, Assistant City Attorney, 360-487-8542; Brenda Tryon, Police Management Analyst, 360-487-7497

Motion approved the request.

7. Transportation System Plan Goals and Prioritization Framework

Staff Report: 140-22

The City began updating the Transportation System Plan (TSP) in 2020 and project staff have met with Council on several occasions to present information, review outreach, discuss values and goals, review policies, projects, and programs, and to discuss how the TSP goals provide a framework for prioritizing projects for inclusion in the Transportation Improvement Program and other project lists. The TSP Update chartering process dictates that Council affirm the Transportation System Plan goals and Prioritization Framework via resolution.

Goal Language Inputs

The Transportation System Plan goals were derived from input by Council, direction from the Transportation and Mobility Commission, and values and needs shared by the community through engagement activities. The City Council has clearly and repeatedly affirmed safety, equity and climate action as guiding policy priorities through TSP-specific feedback, in the current biennial budget process, as well as many other forums.

Between May and September of 2021, the TSP project team conducted multiple rounds of public engagement around the community's 'transportation values'. Engaging in discussion around values helped distill community priorities that could be shaped into Plan goals. Some examples of the engagement held over summer/fall of 2021 include:

- Interactive Google Jamboard activities (online whiteboarding activity);*
- Six small group discussions focused on engaging equity communities, including BIPOC, disabled, and low-income communities;*
- Six in-person events such as tabling at farmers markets, movies in the park, party in the park events and engaging in a 'transportation values wheel exercise;*
- A transportation values survey open for three months, and translated into Spanish, Vietnamese, and*

Russian; and

- *A BeHeard project website and open house page.*

Prioritization Framework Inputs

The purpose of the prioritization framework is to categorize projects in the twenty-year TSP into short-, medium-, and long-term implementation buckets. Projects selected for short-term implementation will be added to the six-year Transportation Improvement Program (TIP). The proposed framework evaluates the projects in two phases:

- *Geographic screening: where is it most important to invest in transportation infrastructure?*
- *Implementation screening: when should investments be made?*

Inputs into the geographic screening include criteria such as equity, safety, climate and transportation choice factors. The second implementation screen considers feasibility when assessing the timelines and includes considerations of cost, funding and coordination opportunities, potential environmental or right-of-way impacts, and ability to secure 'quick wins' to close network gaps.

While the framework will be used by staff to make recommendations on project prioritization, ultimately Council will use discretion and may weigh other considerations for the phasing and implementation of projects.

Request: Approve the resolution confirming the transportation system plan goals project prioritization framework.

Kate Drennan, Principal Transportation Planner, 360-487-7959

Motion adopted Resolution M-4191 to approve the request.

8. Amend Transportation and Mobility Commission term end date to coincide with the end of the calendar year

Staff Report: 141-22

The City Council established the Transportation and Mobility Commission (TMC) on January 6, 2020 to provide advice to City Council, the City Manager and City staff on programs, policies, and large capital projects related to the public right-of-way. The initial end date of member terms was set as October 6 of the year in which the term expires.

The current proposal recommends extending all current Commission term expiration dates to the end of the calendar year in which the term expires and applying the end of year expiration date to all future Commissioner terms.

Request: Set term end date for all Transportation & Mobility Commission

seats to December 31 of the calendar year in which the term ends, to better align with workplan and project schedules, alignment with other commissions that have interrelated responsibilities, and onboarding needs.

Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

Motion approved the request.

9. Proposed Settlement of Lawsuit By Kara Brandon

Staff Report: 142-22

On October 26, 2021, Kara Brandon filed a lawsuit in the United States District Court for the Western District of Washington against the City of Vancouver and three police officers. The lawsuit sought monetary damages from the City for the death of William Abbe, who was shot and killed by VPD officers on April 28, 2020. Ms. Brandon is Mr. Abbe's biological daughter and had been appointed the personal representative of his estate. Prior to filing the lawsuit, she filed a tort claim with the City demanding \$5 million.

The settlement does not concede any wrongdoing by the involved officers or the department. The three involved officers were all cleared of wrongdoing after an independent review by the Thurston County Prosecuting Attorney's Office. However, both the City and Ms. Brandon agreed that juries can reach different conclusions based on the same evidence.

One component of the federal court's scheduling order was a requirement to engage in mediation. The parties did so on September 13, 2022, before mediator Chris Anderson, and reached an agreed resolution that would, subject to City Council approval, require payment by the City to Ms. Brandon in the amount of \$725,000 in exchange for dismissal and release of all claims related to the April 28, 2020, incident. This amount is less than 20 percent of the original amount claimed prior to litigation, and is significantly less than what many other jurisdictions have paid to settle similar claims.

The terms of the settlement are encompassed in the attached settlement agreement. Ms. Brandon's attorney has agreed to the terms expressed therein.

Request: Authorize the City Manager, City Attorney, and/or designees to execute all agreements and documentation to resolve the lawsuit and claim brought by Kara Brandon for the terms expressed in the attached settlement agreement.

Motion approved the request.

10. Approval of Claim Vouchers

Request: Approve claim vouchers for October 3, 2022.

Motion approved claim vouchers in the amount of \$6,639,696.03.

Public Hearings (Item 11)

11. Fossil Fuel Code Changes

Staff Report: 132-22

AN ORDINANCE relating to use and development standards for fossil fuel storage and handling facilities; amending various sections in Chapters 20.150, 20.160, 20.410, 20.420, 20.430, 20.440, 20.450, and 20.895 of the Vancouver Municipal Code; terminating the existing moratorium prohibiting the establishment of new, or expansion of existing, large-scale fossil fuel facilities, originally enacted by Ordinance No. M-4295 and most recently extended by Ordinance No. M-4370; and providing clauses for savings, severability, and an effective date.

In June 2020, City Council enacted a six-month moratorium on new or expanded large-scale fossil fuel facilities, based on concerns about potential impacts to local public and environmental health and safety and to climate change. It has been enacted to allow time to update the land use code standards for such uses and to align them with other planning efforts currently underway, such as the Vancouver Strategic Plan update, Climate Action Plan, and other Title 20 code amendments. The moratorium was extended four times by the City Council and is currently scheduled to expire on November 6, 2022.

Over the past two years, staff has consulted with fossil fuel industry experts, and engaged in a series of meetings with environmental advocates and fuel industry stakeholders including the Port of Vancouver and numerous representatives from several existing bulk fuel facilities, as well as the Planning Commission and City Council. Planning staff have tried where possible to incorporate input on specific code language to make the ordinance clearer and to balance the stated objectives of the Council with industry and environmental perspectives.

Six large oil storage or transshipment facilities exist in the City of Vancouver, four within the Port of Vancouver, one further west at Tidewater Barge, and one near Fruit Valley Road. Five of the facilities are within the

IH, Heavy Industrial District and one is within the IL, Light Industrial District. All are located within areas susceptible to liquefaction in the event of an earthquake. All are located within the Fruit Valley Neighborhood in a census tract is identified by the State Department of Health being vulnerable to adverse health outcomes from environmental exposure due to lower median incomes, higher percentage of persons below the poverty line, higher percentage of Hispanic and non-white residents, and lower education attainment. Fruit Valley may be disproportionately impacted by the proposed ordinance because it contains most of the heavy industrially-zoned land in the City and is adjacent to a major railroad line; however, the ordinance attempts to address these issues by providing for extensive public review of individual applications to site a cleaner fuel facility and attaching stringent development standards related to health, safety and environmental protection.

The proposed ordinance has the potential to improve safety of existing facilities through seismic upgrades, and any new facilities would be heavily scrutinized for potential environmental or neighborhood impacts. A major improvement is that the proposed ordinance would ban new bulk fossil fuel facilities, coal energy facilities and solid fuel storage uses that would have been allowed in the IH District. Existing bulk fossil fuel facilities would be allowed to convert to cleaner fuels with minimal process and, as an incentive to transition away from fossil fuels, could expand capacity by up to 15% provided the facility meets seismic codes and other standards.

New small fossil fuel facilities less than 60,000 gallons total would be allowed in the IH Heavy Industrial District as a conditional use, which requires a public hearing to consider specific impacts. New small cleaner fuel facilities less than 60,000 gallons total would be allowed as a limited use in the IH District, subject to administrative approval (no hearing). Both categories of small fuel facility uses would additionally be required to comply with an extensive list of development standards to reduce impacts, including:

- Minimum 1,000' buffer from residential zoning*
- Construction to seismic standards; approval of fire response and spill control plans*
- Greenhouse gas (GHG) emission study required*
- Financial assurance in case of accident required*
- Annual report to City regarding capacity, shipment activity/type required*
- Permit oversight by the Southwest Washington Clean Air Agency and WA Department of Ecology*

Following a public hearing on September 13, 2022, the Planning Commission voted 3-1 to recommend approval of the proposed ordinance to City Council.

Request: On October 3, 2022, subject to second reading and public

hearing, approve the ordinance.

Chad Eiken, Community Development Director, 360-487-7882

Chad Eiken, Community Development Director, provided an overview of the Fossil Fuel Code Changes.

Council discussed the Item with staff at length.

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

- Tim Emineth, Vancouver
- H. Lehman Holder Jr., Vancouver
- Heidi Cody, Vancouver
- Daniel Serres, Portland, OR
- Anita Thomas, Vancouver
- Cathryn Chudy, Vancouver
- Philip Englund, Vancouver
- David De La Torre, Portland, OR
- Rebecca Ponzio, Seattle, WA
- Holli Johnson, Olympia, WA
- Kimberlee Elbon, La Center, WA
- Kevin Fuller, Clark County, WA

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 Ordinance M-4380.

Old Business (Item 12)

12. Approve a Contract with Axon Enterprise, Inc., for Vancouver Police Department Camera Systems

Staff Report: 143-22

Establishing a police camera program was identified as a top priority by the Community Task Force on Policing, which addressed key policies and operational changes for the VPD. The outcomes of this strategic process continue to guide the development of operational policies and expectations, which led to a formal procurement process that is now nearing completion.

Field testing and evaluation (T&E) of Axon police cameras took place in July - August 2022. During the T&E, five officers wore body worn cameras and five police vehicles were installed with Axon camera systems. Staff from VPD, Information Technology, VPD Records, and City Law evaluated Evidence.com, which is Axon's system for storing, managing, and redacting

police videos. The RFP committee received positive feedback from personnel who tested the camera systems and software. After committee members scored vendor proposals and a successful T&E was completed, Axon was selected as the City's preferred police camera system vendor.

The City and Axon have negotiated a contract for the police camera systems. The vendor contract cost of implementing a new police camera system is \$5,479,802.65 over five years, with an option to renew, which includes the following:

- Body worn cameras and accessories for officers;*
- New state-of-the-art tasers and training modules;*
- Fleet cameras will equip each vehicle with an automated license plate reader (ALPR), a forward-facing camera, back seat camera, and associated activating systems;*
- Interview room recording systems for East and West Precincts; and*
- Software and storage services.*

In addition to the City's intended procurement of a new, state-of-the-art camera system, staff have identified an opportunity to leverage its procurement of cameras from Axon to secure upgraded conducted energy devices (Tasers) at a greatly reduced price. If approved, the upgraded Taser X7 would enhance both community safety as well as police transparency by (1) providing a means for hands-free remote activation of police body cameras, (2) providing officers with increased functionality over the current Taser X26, thereby increasing the likelihood that officers can resolve violent encounters without the need for more severe modalities of force.

Request: Authorize the City Manager or designee to execute the contract with Axon Enterprise, Inc., for police camera systems, and take any and all action necessary to enforce the terms thereof.

Troy Price, Assistant Police Chief, 360-487-7472; Katherine Nye, IT Technical Services Manager, 360-487-7660

Troy Price, Assistant Police Chief, and Katherine Nye, IT Technical Services Manager, provided an overview of the Contract with Axon Enterprise, Inc., for Vancouver Police Department Camera Systems.

Council briefly discussed the Item with staff.

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously declaring Axon Enterprise, Inc., the sole source provider for the conducted energy devices meeting the needs of the Vancouver Police Department

Motion by Councilmember Paulsen, seconded by Councilmember Fox, and carried unanimously authorizing the City Manager to execute the contract with Axon Enterprise, Inc., for police camera systems and all other related equipment to go with it.

Communications

A. From the Council

Council agreed to reserve time on a future agenda to hold a Workshop on the humane treatment of animals in the City of Vancouver.

B. From the Mayor

Boards and Commissions

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to approve the adjustment of assignments between Councilmembers Harless, Perez, and Stober.

Councilmember Perez was assigned to the Community Action Advisory Board, Councilmember Stober was assigned to the Ending Community Homelessness Organization, and Councilmember Harless was assigned to the Metro Policy Advisory Committee.

C. From the City Manager

ARPA Update

Patrick Quinton, Economic Development Director, and Rebecca Kennedy, Deputy Community Development Director, provided an update regarding ARPA funded investments in the Main Street and Fourth Plain Corridors

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Adjournment

Good evening. My name is Lehman Holder and I live in Vancouver.

First, allow me to say "Thank You" for your work to date to protect the health and safety of our community from new and expanded fossil fuel facilities. It's important and it's appreciated.

I lived in an oil town once, and trust me, it wasn't a nice place to be. Also, I believe the evidence is clear that fossil fuels contribute to global warming. If there are any here tonight who still deny the reality of global warming, I hope they watched what happened last week in SW Florida. That was a direct result of a warmer-than-normal atmosphere heating ocean waters, which fed the hurricane and its 150-mph winds.

So, I ask the council to ensure there is a meaningful conditional use permit review process for any new, or changes in, existing fuel facilities. Your action on this will contribute to limiting the effect of overall global warming in addition to protecting Vancouver from fossil-fuel related safety hazards and health impacts.

I'm aware of the long effort by city staff to develop this ordinance and the input of many community members who have contributed to this effort. I approve of the ordinance language and earnestly ask you to pass the staff recommendation banning new and expanded bulk fossil fuel terminals.

Thank you again.

(end)

From: [Richard Kolber](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Thursday, September 29, 2022 6:07:34 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Richard Kolber

[REDACTED]
Vancouver, WA 98682

From: [J Chu](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Wednesday, October 5, 2022 8:45:58 AM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,

J Chu

[REDACTED]
Vancouver, WA 98661

From: [REDACTED]
To: [City Council](#)
Date: Tuesday, October 4, 2022 11:07:31 AM
Attachments: [text_0.txt](#)

Concerning your plans for 34th and 164th.

-The plan shows a bus stop too close to 164th. Traffic coming from north and south (on 164th) entering 34th to go East would cause severe back up when a bus is present. Drivers need the ability to go "around" the the bus.

-With only one lane headed East,bus stops to pick up passengers would cause back ups on 34th.

-Considering the amount of traffic on 34th the ONE lane proposal is is a very bad idea.

For commuters and neighborhood traffic this is a VERY POOR plan!

Thank you for the opportunity to give feedback from those who actually use these streets.

From: [Therese Livella](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 2:31:16 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Therese Livella

[REDACTED]
La Center, WA 98629

From: [Felipe Morales](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 3:49:24 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Felipe Morales

[REDACTED]
Washougal, WA 98671

From: [Monica](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, October 3, 2022 8:04:25 PM

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City Council Contact Form

Submitted date: Monday, October 3, 2022 - 7:58pm

Contact Information

First name:

Monica

Last name:

Zazueta

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98665

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

I urge the city to pass the ordinance to prohibit new large-scale fossil fuel facilities. The health and safety of the community will benefit by avoiding more fossil fuel terminals in Vancouver. The ordinance values community health, safety, and environmental justice.

Please ensure that communities with high levels of pollution have a voice in addressing spill, seismic, and fire risks from any new “cleaner” facilities or terminals that convert and expand storage for non-fossil fuels.

Residents deserve an opportunity to engage in new energy projects in their area, including cleaner

liquid fuel that may be toxic or flammable in a spill.

I live in Fruit Valley and I can see the trains passing by everyday right from my front door. Fear of an accident and poor air quality are always on my mind. Just because I am low income does not mean my family shouldn't be safe too.

Please resist industry pressure to water down the ordinance or limit public involvement in future energy projects.

We appreciate the long effort by City staff and Council to develop the ordinance, and also the many community members who are engaged.

I just want this nightmare of global warming to be over. I was just released from jail today in Washington DC because I sat on a beltway blocking traffic for 5 miles with 12 other environmental activist on July 4th of this year. I was taken away from my baby Rufio at one month of age for 4 days. I sat on that beltway because I wanted/want to bring awareness to the climate emergency we all face. I am so scared for my boy's and everyone on this planet because our elected officials are not treating our heating planet as a climate emergency. We need to move faster. The ones who are taking my son's and everyone's futures are out free and I was locked up trying to bring awareness and protect our futures. I don't want to feel scared anymore. Life is hard enough as it is. As a city let's work together to make life safer and healthier for all.

Thank you, take care.

Upload a file:

[signal-2022-10-03-11-41-14-553.jpg](#)



MONTGOMERY COUNTY DETENTION CENTER

THE TIME IS NOW!
JOIN OUR MOVEMENT: @THIRDACTORG
NO TIME TO WASTE
THIRD ACT
WWW.TH!RD ACT.ORG

! DECLARE EMERGENCY !

From: [Arthur Ungar](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:23:04 PM

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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 Councilmembers Vancouver,

The message below is one that you will receive many copies of. I'm adding my voice (and vote) to its requests.

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Arthur Ungar

[REDACTED]
Vancouver, WA 98660

From: [Luan Pinson](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Saturday, October 1, 2022 10:08:39 AM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Luan Pinson

[REDACTED]
Vancouver, WA 98664

From: [june Yamrick](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Saturday, October 1, 2022 1:28:07 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
june Yamrick

[REDACTED]
Vancouver, WA 98661

From: [Margaret OClaire](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Saturday, October 1, 2022 5:42:56 PM

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Dear City Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Margaret OClaire

[REDACTED]
Vancouver, WA 98685

From: [Dale Benjamin](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Sunday, October 2, 2022 8:53:04 AM

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Dear City Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Dale Benjamin

[REDACTED]
Battle Ground, WA 98604

From: [Mark Leed](#)
To: [City Council](#)
Subject: Bulk Fossil Fuel Ordinance - October 3
Date: Sunday, October 2, 2022 11:59:46 AM

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Dear City Council,

I appreciate the time and effort by city staff to develop a robust bulk fossil fuel ordinance. Thank you for encouraging community engagement and taking into consideration the thoughts of community members.

Please pass the staff recommendation banning new and expanded bulk fossil fuel terminals. Please also make sure there is a meaningful conditional use permit process for any new facilities, and for changes to existing facilities. A conditional use permitting process will allow the community, especially areas such as the Fruit Valley neighborhood that are low-income and disproportionately health-burdened, to be engaged in decisions that directly affect health and safety.

Once the ordinance is in effect, I urge the City of Vancouver to follow through on tracking and enforcing it to make sure that it is doing the intended job of protecting community health and public safety. It is important to me that this always be done with an eye on environmental justice.

Thanks again for your hard work,

Mark Leed

[REDACTED]
Vancouver, WA 98661

From: [Rebecca Hobbs-kasco](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Sunday, October 2, 2022 5:41:34 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

By passing this ordinance. You'll protect all of us - and your own families - from the worst case scenario! I love Vancouver, and want to live in a City where I don't have to worry about more large-scale Fossil Fuel projects.

The fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Rebecca Hobbs-kasco
[REDACTED]
Vancouver, WA 98664

From: [Janice Link](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Sunday, October 2, 2022 5:50:24 PM

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Dear City Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Janice Link

[REDACTED]
Vancouver, WA 98664

From: [Peter L. Fels](#)
To: [City of Vancouver - Office of the City Manager](#); [City Council](#)
Cc: [Cathryn Chudy](#); [Heidi Cody](#); [Dan Serres](#)
Subject: Fossil Fuel Ordinance - Oct. 3 agenda
Date: Sunday, October 2, 2022 7:38:51 PM

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Peter Fels

Vancouver WA 98663

telephone: [REDACTED] • plfels@gmail.com

October 2, 2022

RE: Fossil Fuel Code Changes

Dear Mayor and Council,

I appreciate your and the staff's work to propose new fossil fuel code language. It is definitely a positive step. Bulk fossil fuels present health and safety risks to the entire community, and particularly to the Fruit Valley community for the reasons stated in the City Manager's memorandum.

The fossil fuel industry has proposed many storage and export facilities in the Northwest, especially along the Columbia River. They will continue to do so until every community says no. Vancouver is now well positioned to stop bulk facilities in our town.

I would have preferred that every change or expansion of existing facilities be subject to public review under the conditional use process, but I understand the current proposal is a compromise.

With the City still considering its climate action framework and no implementing codes yet on the table, it is important to adopt this proposed ordinance now in order to assure we will not lose the opportunity to reduce our GHG emissions as a result of a new or expanded bulk storage or transfer facility which might have been allowed under the current code.

I encourage you to adopt the proposed ordinance.

Thank you,

s/

Peter Fels

From: [Susan Saul](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Sunday, October 2, 2022 7:41:34 PM

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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 Councilmembers Vancouver,

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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Susan Saul

[REDACTED]
Vancouver, WA 98664

From: [Tina Brakefield](#)
To: [City Council](#)
Subject: Oct. 3rd Fossil Fuel Ordinance
Date: Monday, October 3, 2022 5:51:09 AM

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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:

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. Our fossil fuel ordinance should protect community members hardest hit by pollution from industry and from our fossil fuel economy. I would have greatly liked to be at the meeting tonight however my family and I are struggling just to keep our head above water.

Please ensure there is a meaningful conditional use permit review process for any changes or new fuel facilities. This process will help protect us from fossil-fuel related safety hazards and health impacts.

We appreciate the long effort by City staff to develop the ordinance, and also the many community members who are engaged. I approve of this ordinance language and urge you to pass the staff recommendation banning new and expanded bulk fossil fuel terminals.

Thank you for your work to protect our community.

Sincerely,

Tina Brakefield

From: [Jim Steiner](#)
To: [City Council](#)
Subject: Banning bulk fossil fuel terminals in Clark County
Date: Monday, October 3, 2022 7:51:50 AM

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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.

Greetings,

My family has lived in Vancouver, WA for over 100 years. I was born here. My son was born here. The health and future of our community is very important to me.

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

-Jim Steiner

From: [James Steiner](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 7:52:21 AM

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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 Councilmembers Vancouver,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
James Steiner

[REDACTED]
Vancouver, WA 98684

From: [bruce hall](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 8:54:27 AM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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To this end, I urge you to

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
bruce hall

[REDACTED]
Vancouver, WA 98684

From: [Diane Adkin](#)
To: [City Council](#)
Subject: Fossil fuel ordinance
Date: Monday, October 3, 2022 9:19:25 AM

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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:

I appreciate the continuing work by the City to develop a permanent ordinance to prohibit new and expanded bulk fossil fuel facilities in Vancouver. Thank you for this work to protect our community's health and safety. I urge you to pass the staff recommendation banning new and expanded bulk fossil fuel terminals.

It is important to protect those community members hardest hit by pollution from industry and from our fossil fuel economy. A strong conditional use permit review process for changes or new fuel facilities should protect us from fossil-fuel related safety hazards and health impacts, and allow our community to engage in decisions that directly impact their health and safety. Neighborhoods close to these bulk fossil fuel facilities tend to be low-income and already disproportionately exposed to environmental toxins and air pollution. The City also needs to track and enforce the ordinance once passed.

Thank you for your work to protect our community.

Sincerely,

Diane Adkin

[REDACTED]

Camas WA 98607

From: [Tamira Hite](#)
To: [City Council](#)
Subject: Feedback re: SE 34th Street Safety & Mobility Project
Date: Sunday, October 2, 2022 9:50:20 AM

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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 of Vancouver,

I'm writing to you to voice my grave concern regarding this project the city is proposing to do on SE 34th Street. I attended the meeting on Sept. 22nd to hear more about the project and speak about my concerns. You asked for community feedback so here is mine:

Point #1: The design that is proposed absolutely WILL NOT WORK! I live in the Village at Fisher's Landing off SE 168th and commute every day to work using SE 34th. I leave my house at 7 AM and by the time I get up to the signal light at 34th / 164th, there are at least 20 cars at the light waiting to get on to SE 164th. The majority of those cars (at least 13-15) are in the 2 left turn lanes. The rest are in the through lane or right turn lane. I'm lucky if I can actually get through the light on the first go. Many times, I've had to wait just due to the number of cars turning left.

Point #2: To reduce this to one lane each way is absolutely absurd! The traffic that will back up to the east will be ridiculous and force people who commute to travel through the neighborhoods off SE 34th to avoid the congestion. That means more traffic in the neighborhoods and potential for increased accidents.

Point #3: Has the city actually come out to lay "eyes" on this street during peak traffic times to count cars and observe traffic? I know "studies" have been done, but did they really take a physical view into account? If this hasn't been done, you need to do it to really understand the impact on this area.

Point #4: The buses sharing the only lane. How exactly is that going to work? They will make frequent stops for several minutes and traffic will be even worse. This is not only city buses but school buses who travel this street.

Point #5: Future housing developments - the VIC. Your staff stated their studies took this future development into consideration when doing there projects, but again, I find this incredibly hard to believe. With the number of residences being developed, the traffic will increase tremendously.

Point #6: Why does there have to be more mobility lanes in this area of town when several streets to the north already have them: SE 29th, SE 20th, SE 15, Tech Center.

Point #7: During my daily time on SE 34th, I hardly ever see bicycles. I do see pedestrians on occasion but they use the sidewalk which is definitely wide enough. In fact, I'm a walker and use those very sidewalks all the time.

Point #8: The intersection of SE 172nd and SE 34th is extremely dangerous when trying to make a left turn onto 34th. Traffic is difficult to see and then if you have many more cars, people trying to get out of the neighborhood at that intersection won't be able to get out.

Point #9: Have you taken into account that you are working with post-COVID commute numbers? People are going back into the office and traffic will only increase through this corridor.

Please, please, please - reconsider this design and come up with something that won't be so drastic. Do not rush this plan through just because few want to see this done. That isn't fair to all the residents who

will be negatively impacted. Everyone I talk to about this plan does not support it. Please listen to our concerns and address them!

Sincerely,
Tamira Hite

[REDACTED]

Vancouver 98683
(360) 601-6999

From: [Lauren Garcia](#)
To: [City Council](#)
Subject: Do NOT make traffic worse on 34th st
Date: Sunday, October 2, 2022 3:52:14 PM

[You don't often get email from [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.

To whom it may concern,

I am a resident of Clearmeadows in Fishers Landing, Vancouver. I use 34th Street daily to go to and from my house. I am NOT in favor of the changes the city council wishes to make on 34th Street and urge you to LISTEN to Vancouver residents because no one wants these changes to happen.

Thank you,
Lauren Garcia
[REDACTED]
Vancouver, WA 98683

From: [Karl Rohde](#)
To: [City Council](#)
Subject: proposed changes to SE 34th st
Date: Saturday, October 1, 2022 9:23:53 AM

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To whom it may concern:

Regarding the proposed changes to SE 34th St between 164th and 192nd, there needs to be an overall survey of the local community. There is not a single person in the neighborhood that I've spoken to that agrees with the decision to reduce the traffic lanes on 34th St.

Although the intentions of our city planners are coming from right place, this will have a tremendous negative impact on the local families that actually live in those neighborhoods (such as myself). In addition, the proposed land use plan that abuts 34th street to the north will increase congestion 2 or 3 fold when that comes to fruition. Plus, we already have a reeeeeeeally wide street on 20th for bike and foot traffic.

Please do an actual survey of the local community first, instead of blowing smoke. People are not as stupid as you may think we are.

Thank you for reading!
Karl Rohde

From: [Hans Boehm](#)
To: [City Council](#)
Subject: Traffic lane changes on SE 34th Street
Date: Saturday, October 1, 2022 10:57:31 AM

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Council Members,

I, as a resident in the immediate neighborhood of SE 34th Street, oppose your plan of reducing car travel lanes to only one lane. Citing safety for such an ill-conceived traffic plan is not well received by the community in this neighborhood. Apparently, this area will become much more populated with multi-family housing, in addition to proposed commercial plans. With that, reducing traffic infrastructure will be absolutely counter-productive.

Besides, if motorists have to wait in their idling cars for two, three or more traffic light changes, that would only contribute to additional carbon monoxide emissions in the area (which is counter-productive to the current climate change agenda).

I am not sure how many, if any, of our Council members or traffic planner live in this neighborhood and are familiar with the area, and so, I recommend to please get adequate traffic studies done before embarking on such a controversial and expensive project.

Maybe, it would be more adequate using some of the allocated monies (or all) to fix roads and streets that are in such disrepair that car damage is an ongoing issue. As an example, I cite the access ramp from 164th to SR-14, which is so bad that motorists, in order to protect their cars' mechanics, are forced to use the bus lane. This section of roadway has not been addressed for many years.

Again, I feel, and so do a lot of our community members, that traffic planning needs to get a closer look, while the maintenance of our roadways, seems to be substandard!

Respectfully,

Hans R. Boehm

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Fwd: Most Read News of the Week
Date: Sunday, October 2, 2022 10:40:40 PM

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Give this to both councils and Dr. MELNECK

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

From: **Wynn Grcich** <[REDACTED]>
Date: Sun, Oct 2, 2022, 10:39 PM
Subject: Fwd: Most Read News of the Week
To: Elea Pilande [REDACTED]

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

From: **Children's Health Defense** [REDACTED]
Date: Sun, Oct 2, 2022, 6:06 AM
Subject: Most Read News of the Week
To: Wynn Grcich [REDACTED] >

Having trouble viewing this email? [View it in your web browser](#)

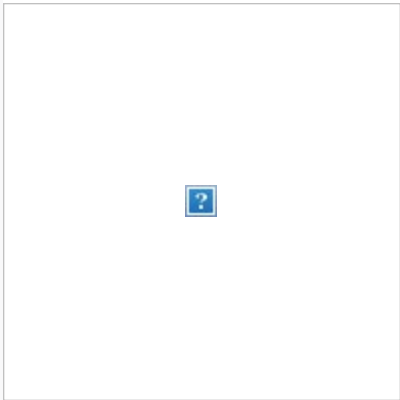
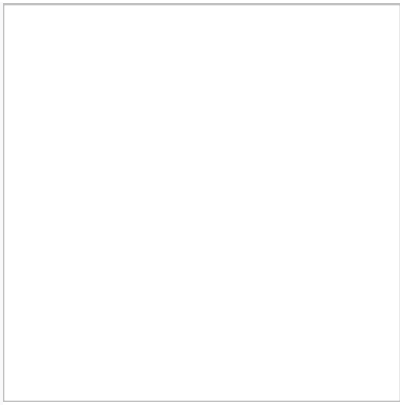
October 2, 2022

MOST READ NEWS OF THE WEEK

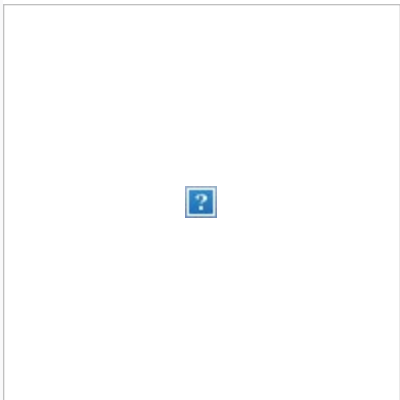


**Famous Pro-Vaccine Doctor Suspects
Pfizer Booster Shot Sent His Cancer Into
Overdrive**

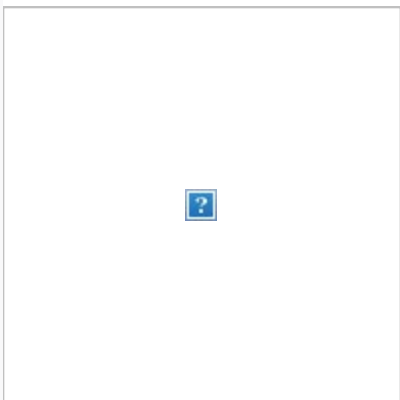
**First Gardasil Wrongful Death Lawsuit
Filed Alleging HPV Vaccine Caused 13-
Year-Old's Death**



36% Higher Risk of Asthma in Some Kids Who Had Vaccine-Related Aluminum Exposure, CDC Study Shows



Pro-Vaccine Cardiologist Now Calls for Immediate End to COVID Vaccines



Global Walkout Campaign Calls for ‘Unified Pushback Against Globalist Agenda’



After 21-Year Delay, Judge Hears Evidence in Lawsuit Alleging Cellphones Caused Plaintiffs' Brain Cancer



Prenatal Care, American Style — A Trojan Horse for Harmful Interventions?



If 'Children Of The Vine' Sounds Like a Horror Flick, That's Because It Is, Filmmaker Says



Vaccine Failure Is Not a Reason to Celebrate!

Fauci's Net Worth Soared to \$12.6 Million During Pandemic



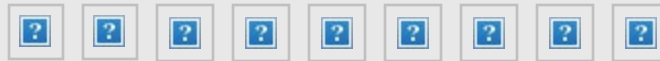
You Make It Possible

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 | ChildrensHealthDefense.org

From: [Wynn Grcich](#)
Subject: Watch "They CAN'T hide the truth any longer about this | Redacted with Clayton Morris" on YouTube
Date: Sunday, October 2, 2022 4:22:13 PM

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<https://youtu.be/MRcr0kG67aw>. Send this to the council members and Dr.
MELNECK. BOTH COUNCILS SHOULD NOT RECOMMEND THESE BOOSTERS.

From: [Richard Kolber](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Thursday, September 29, 2022 6:07:34 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Richard Kolber

[REDACTED]
Vancouver, WA 98682

From: [Ben Bierman](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Thursday, September 29, 2022 8:10:49 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities.

Developments like the new Vancouver Waterfront represent the future of Vancouver. Vancouver will continue to grow as a vibrant city by our beautiful river, not as a home to the dying fossil fuel industry, which will certainly be gone by 2050. These facilities make Vancouver a less attractive place to live.

As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

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To this end, I urge you to

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Ben Bierman

[REDACTED]
Vancouver, WA 98683

From: [Jan Verrinder](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Thursday, September 29, 2022 8:46:00 PM

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Dear City Councilmembers Vancouver,

Hi Council,

What year did we stay up together until 1 am hearing testimony on Tesoro? 2014? I've not forgotten the intensity of those testimonies.

My stance is unchanged and Monday is another opportunity to make a good choice.

Let's ban new or expansions of bulk fossil fuel terminals and continue to take a long look at any conditional use permits with a careful process to protect community health.

We need a strong fossil fuel ordinance; we don't need to add to the 6 bulk fossil fuel facilities already here.

I think we're beyond the argument that we must choose between a healthy community and a thriving economy. We need and can have both. You've worked on this issue a long time.

I appreciate you and thank you.
Jan Verrinder

PS We probably all have our memories from that massive meeting at the Hilton. I have three: Besides learning who Don Orange was and being very impressed, I remember it was likely the only time I ever agreed with Bill. He and I were both tuckered out. My friend Mary Ann and I left, exhausted, and not really wanting to ride our bikes back home (up the hill). Well, we got our wish. Her bike was stolen!

Regards,
Jan Verrinder

[REDACTED]
Vancouver, WA 98661

From: [Marcella Chandler](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Thursday, September 29, 2022 11:18:50 PM

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Dear City Councilmembers Vancouver,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Marcella Chandler
[REDACTED]
Vancouver, WA 98660

From: [Jean M. Avery](#)
To: [City Council](#)
Subject: Oct. 3 comment re fossil fuels
Date: Friday, September 30, 2022 5:33:23 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.

Dear Mayor and City Council,

Thank you for your tireless, forward-looking plans for a cleaner, greener Vancouver.

Please vote YES for a permanent ordinance to prohibit new and expanded bulk fossil fuel facilities in Vancouver.

This action will improve the future for our City's residents and the environment.

Gratefully,

Jean M. Avery
Vancouver resident
Sierra Cub member
Vancouver Audubon member
Volunteer with Parks and Recreation
Volunteer with Urban Forestry
Volunteer with The Watershed Alliance

From: [Celia Cruz](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:52:13 AM

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Dear City Councilmembers Vancouver,

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To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Celia Cruz

[REDACTED]
Vancouver, WA 98664

From: [John Cruz](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:52:14 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
John Cruz

[REDACTED]
Vancouver, WA 98664

From: [Niki Vogt](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:56:33 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
Niki Vogt

[REDACTED]
Vancouver, WA 98682

From: [Cheryl Speer](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:56:45 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
Cheryl Speer

[REDACTED]
Camas, WA 98607

From: [Annie Palmer](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:59:50 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
Annie Palmer
[REDACTED]
Camas, WA 98607

From: [Dan Rogers](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 10:02:07 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
Dan Rogers

[REDACTED]
Washougal, WA 98671

From: [mary n](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 10:33:20 AM

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Dear City Councilmembers Vancouver,

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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
mary n

[REDACTED]
Vancouver, WA 98683

From: [Hannah Liu](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 10:44:28 AM

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Dear City Councilmembers Vancouver,

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Thank you for your work to protect our community.

Regards,
Hannah Liu

[REDACTED]
Vancouver, WA 98686

From: [William Sneiderwine](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 10:48:57 AM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
William Sneiderwine
[REDACTED]
Vancouver, WA 98683

From: [Laura Toussaint](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 11:01:12 AM

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Thank you for your work to protect our community.

Regards,
Laura Toussaint
[REDACTED]
Vancouver, WA 98683

From: [Lynn Stiglich](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 11:22:52 AM

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Thank you for your work to protect our community.

Regards,
Lynn Stiglich

[REDACTED]
Vancouver, WA 98686

From: [Jim Gayden](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 11:39:58 AM

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Thank you for your work to protect our community.

Regards,
Jim Gayden

[REDACTED]
Vancouver, WA 98684

From: [Patti Brent](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 11:50:05 AM

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Thank you for your work to protect our community.

Regards,
Patti Brent

[REDACTED]
Vancouver, WA 98685

From: [Susan Kiplinger](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 12:17:47 PM

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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Susan Kiplinger

[REDACTED]
La Center, WA 98629

From: [Jeffrey Kaufman](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 12:21:04 PM

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- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Jeffrey Kaufman

[REDACTED]
Battle Ground, WA 98604

From: [Jim Byrne](#)
To: [City Council](#)
Subject: Fossil Fuel Ordinance
Date: Friday, September 30, 2022 2:54:55 PM

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Dear City Council:

Thank you for your work to protect Southwest WA community health and safety from new and expanded fossil fuel facilities. This fossil fuel ordinance should enhance our community.

Please ensure there is a meaningful conditional use permit review process for any changes or new fuel facilities; to help protect us from fossil-fuel related safety hazards and health impacts. Neighborhoods close to these bulk fossil fuel facilities tend to be low-income and BIPOC. They are already disproportionately exposed to environmental toxins and air pollution.

We appreciate the long effort by City staff to develop the ordinance, and also the many community members who are engaged. I urge you to pass the staff recommendation banning new and expanded bulk fossil fuel terminals.

Thank you for your work to protect our community.

Sincerely,

Jim Byrne

From: [Kristin Edmark](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Public Comment to Oct 3 City Council meeting on Bulk Fossil Fuel Terminals
Date: Thursday, September 29, 2022 8:30:40 PM

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Please accept my comment to the Oct 3 City Council meeting regarding Bulk Fossil Fuel Terminals.

Please accept the staff recommendation ban on new and expanded bulk fossil fuel terminals. Thank you for your important work to protect us and especially the most vulnerable of our area. Please also make sure that any changes or new facilities must go through a rigorous conditional use permit process with a chance for public input. The health and safety of all of our neighborhoods is so important to safeguard. Thank you. Sincerely,
Kristin Edmark

From: [Susan Saul](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Fossil Fuel Ordinance-Oct 3
Date: Thursday, September 29, 2022 8:32:12 PM
Attachments: [City of Vancouver Final Fossil Fuels Ordinance comments 9-29-22.docx](#)

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Written testimony for City Council hearing on the Fossil Fuels Ordinance attached.



P.O. Box 1966
Vancouver, WA 98668-1966

September 29, 2022

Dear Vancouver City Council:

Vancouver Audubon Society thanks you for your diligent work to protect community health and safety from new and expanded fossil fuel facilities. Our fossil fuel ordinance should protect community members hardest hit by pollution from industry and from our fossil fuel economy. In protecting human health and safety, you also are protecting the health and safety of birds in our community. We appreciate your commitment to this multi-year process.

Please ensure there is a meaningful conditional use permit review process for any changes to existing facilities or new fuel facilities. This process will help protect us from fossil-fuel related safety hazards and health impacts. A conditional use permitting process will also allow our community, and particularly the Fruit Valley neighborhood, to engage in decisions that directly impact their health and safety. Neighborhoods close to these bulk fossil fuel facilities tend to be low-income and BIPOC. They are already disproportionately exposed to environmental toxins and air pollution. The City of Vancouver also needs to follow through on tracking and enforcing the ordinance, once it is passed.

We approve of this ordinance language and urge you to pass the staff recommendation banning new and expanded bulk fossil fuel facilities.

Thank you for your leadership and work to protect our community.

Sincerely,

A handwritten signature in black ink that reads "Susan M. Saul". The signature is fluid and cursive.

Susan Saul
Conservation Chair

From: [Mike Bomar](#)
To: [McEnerny-Ogle, Anne](#); [City of Vancouver - Office of the City Manager](#)
Cc: [Holmes, Eric](#); [Eiken, Chad](#); [Snodgrass, Bryan](#); [Julianna Marler](#); [Mary Mattix](#); [Brian Carrico \(brian.carrico@wsp.com\)](#); [Small, Rebecca](#); [Ryan Hart](#)
Subject: Port of Vancouver - Additional Comment Letter on Fuel Ordinance
Date: Thursday, September 29, 2022 5:40:57 PM
Attachments: [image001.png](#)
[Port Comments on Proposed Regulations 9-29-22 FINAL.pdf](#)

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Mayor McEnerny-Ogle and members of the City Council,
Please see attached additional comments from the Port of Vancouver expressing concerns and suggested revisions regarding Agenda Item 11 (Fossil Fuel Code Changes Public Hearing) for the October 3rd regular council meeting.
Thank you for your consideration and for your service to this community.

Sincerely,

[Mike Bomar \(he/him\)](#)
Director of Economic Development

[REDACTED]
[REDACTED] (Internal) 5300
mbomar@portvanusa.com | www.portvanusa.com | [available port properties](#)

Leadership | Stewardship | Partnership





September 29, 2022

City of Vancouver

Attn: Mayor Anne McEnerny-Ogle and City Council

[REDACTED]

Vancouver, WA 98668-1995

Subject: Proposed Vancouver Fossil Fuel Code Standards

Dear Mayor and City Council members:

The Port of Vancouver USA appreciates the City Council's direction for developing the current fossil fuel facility code changes to VMC Title 20 to: a) prohibit new large-scale fossil fuel facilities in all zoning districts; provide definitions for regulated fossil fuels and large-scale facilities consistent with the June 2020 moratorium; consider whether expansion of existing large-scale fossil fuel facilities should be allowed and, if so, what standards should apply; and finally, to make the regulations as simple as possible.

While we are pleased to see recent updates to the definitions around fuels "used to generate energy" to clear up confusion as well as emergency generator allowances, and allowing cleaner fuel facilities to be established within the city, we still have concerns with the following:

- An existing fossil fuel facility should be allowed to expand the facility to accommodate cleaner fuels by up to 15% of the current baseline of the facility. While the current proposed code allows for expansion for cleaner fuels, it only allows for that portion of the facility that first converts to cleaner fuels. To incentivize growth in the cleaner fuel markets, existing facilities should be allowed to expand by up to 15% of the current baseline of the facility for cleaner fuels, not limited to only a percentage of that portion that first converts to cleaner fuels, provided that fossil fuel volumes of the facility do not exceed the pre-expansion baseline.
- Where no facility expansion is necessary, current fossil fuel facilities should be allowed to transition to cleaner fuels provided that the fossil fuel volumes do not exceed the pre-conversion baseline. The current proposed code would not allow fossil fuel facilities that chose to convert a portion of their facility to handle cleaner fuels to handle fossil fuels on that share of the facility in the future. In speaking with our partners, this is a huge disincentive to breaking into the cleaner fuels market and have indicated that the market uncertainty would mean they would continue to handle fossil fuels at Vancouver facilities and move cleaner fuels through other facilities outside of Vancouver. This is counter intuitive to what we feel the city is trying to accomplish and is certainly against the port's own goals for a transition to cleaner fuels and greenhouse gas reduction goals. As an example, a facility that has an existing diesel tank that would like to test the market for renewable diesel, would not be able to fill the tank with diesel again in the future should the market change. A modification to the proposed code to allow flexibility in handling

cleaner fuels at an existing facility as long as the baseline fossil fuel is not exceeded is critical.

- The volume and size limits on new cleaner fuel facilities should be removed from the proposed code (1 million gallons or 3 acres). New cleaner fuel facilities will undergo a robust conditional use permit process as well as permitting with other agencies with oversight of these projects and will have to adhere to robust requirements to address seismic, safety, and health impacts associated with these types of facilities. Facility impacts and necessary restrictions should be considered as part of that process. The current proposed capacity and size restrictions will likely result in no new cleaner fuel facilities which is not an improvement from the previous draft code version banning these new facilities and does not encourage the advancement and availability of cleaner fuels to our region. For example, sizes of green hydrogen facilities being announced throughout the country are larger than the current proposed code allowances. With the cleaner fuel markets emerging, flexibility in size will allow the city to be competitive in attracting these projects.

Please see the attached for proposed revisions to the current draft code to highlight the above issues.

The port continues to be committed to climate action through our own Climate Action Plan as well as the participation in the City of Vancouver's Climate Action Planning process. Additionally, our efforts are guided by our Commission resolution to support the transition of port activities away from fossil fuels and to attract cleaner and clean fuel facilities. To support federal, state and local goals to transition to cleaner fuels there must be facilities to handle them.

We appreciate the city's work on the draft code and look forward to the increased certainty that will come with a permanent code considering the above items. We look forward to working with City staff to finalize an ordinance that will help us all reach our mutual climate goals while supporting the transition away from fossil fuels. We also want to note that regulating a product through land use is a tricky thing to do so would welcome the opportunity to review the ordinance after a year to consider whether it is having the intended effect.

Thank you for your time.

Sincerely,



Mike Bomar
Director of Economic Development

Enclosure: Proposed revisions to draft VMC 20.895.110

cc: Chad Eiken, City Community and Economic Development Director
Bryan Snodgrass, City Principal Planner

VMC 20.895.110 Fossil Fuel or Cleaner Fuel Storage and Handling

F. Standards for Cleaner Fuels Storage and Handling Facilities – New or Expansion.

1. New Cleaner Fuel Storage and Handling Facilities are allowed subject to a conditional use permit if ~~no larger than 1 million gallons of cumulative storage, on a site 3 acres or less in size, and if~~ located at least 1,000 feet from residential zoned land. ~~Size cannot exceed the smaller of 1 million gallons or site acreage 3 acres.~~ Such facilities shall meet spill prevention/fire response, seismic upgrade, GHG assessment, and annual reports in subsection 3.b et seq.
2. Existing Bulk Fossil Fuel Storage and Handling Facilities may be converted to Cleaner Fuels as defined by VMC 20.150 Definitions as a limited use, subject to the requirements of subsections 3 b, c, and d below.
3. Existing Bulk Fossil Fuel Storage and Handling facilities converted to Cleaner Fuels may be expanded, subject to approval of a conditional use permit and compliance with the following criteria:
 - a. Total or partial conversion of an existing fossil fuel storage and handling to cleaner fuel infrastructure is allowed. ~~If a~~An existing fossil fuel facility is converted the facility may be increased to accommodate Cleaner Fuels by up to 15 percent above the baseline capacity. ~~The expansion shall be in proportion to the amount of cleaner fuel storage. For example, if 25% of the facility is converted to cleaner fuels, the storage and handling infrastructure may expand by 3.75%. If 50% of the facility is converted to cleaner fuels, storage and handling infrastructure may expand by 7.5%. If 100% of the facility is converted into cleaner fuels storage and handling, an existing fossil fuel facility has a baseline capacity of 1 million gallons then up to 15% of the infrastructure may be increased expanded to handle Cleaner Fuels, or 150,000 gallons of Cleaner Fuels. If a fossil fuel storage and handling facility is expanded to handle Cleaner Fuels, the baseline capacity of fossil fuels cannot be expanded. Products may be moved to different storage tanks on the site, provided the baseline capacity of fossil fuels cannot be exceeded.~~
 - b. If a fossil fuel storage and handling facility is partially or fully converted to cleaner fuel infrastructure ~~that share of the facility used for cleaner fuel storage, transportation, or transshipment of petroleum based fossil fuels shall be maintained on the overall site;~~ products may be moved to different storage tanks on the site provided ~~the cleaner fuel percentage of the total storage is maintained~~the baseline capacity of fossil fuels is not increased. The applicant shall provide a comprehensive spill prevention plan and fire response plan to the satisfaction of the Planning Official and Fire Marshal.
 - d. Seismic upgrades pursuant to current building code requirements shall be made to any existing fuel storage facilities seeking expansion or site modifications triggering site plan review.
 - e. GHG Assessment: Greenhouse gas emissions impacts shall be assessed for expanded facilities. The proponent is responsible to provide an expert evaluation

by a qualified professional to the satisfaction of the Planning Official. The evaluation shall document baseline lifecycle greenhouse gas emissions from the facility, net increases in lifecycle greenhouse gas emissions, and mitigation of greenhouse gas emission increases. Lifecycle emissions shall be quantified as defined in 42 U.S. Code § 7545. The Planning Official shall require mitigation to address the project's direct greenhouse gas emissions and may require mitigation to address the project's indirect emissions. The assessment shall address mitigation, which may include, but is not limited to the one or more of following: onsite efficiency improvements, carbon capture and storage, purchase of carbon offsets from any carbon registry approved by the Vancouver Land Use Department or state agency, implementation of strategies in Vancouver's Climate Action Plan, or other measures approved by the Planning Official. The mitigation may concurrently satisfy any other requirements imposed by county, state or federal governments. Mitigation shall be made conditions of approval, and shall be specific, identifiable, quantifiable, permanent; enforceable; and verifiable.

- f. Financial Assurance in Case of Accidents. To ensure applicants are able to mitigate the consequences of accidents, proof of financial assurance (such as trust funds, letters of credit, insurance, self-insurance, financial tests, corporate guarantees, payment bonds or performance bonds) shall be provided sufficient to comply with the financial responsibility requirements set forth in any State and federal law applicable to their proposed project. If the applicant relies on an insurance policy for compliance with a State or federal financial assurance requirement, the applicant must add the City of Vancouver as an additional insured as a condition of permit issuance.
- g. Annual Report. The applicant shall provide annual report to the Planning Official of the following:
 - i. A description of on-site storage capacity including the number of tanks, tank volumes, and products.
 - ii. The number of vessel transfers of fuel, both inbound and outbound from the site, the type and quantity of products transferred, and the product destination.
 - iii. The number of rail cars transporting fuels, both to and from the site, including a description of the product, volume, and destination.
 - iv. The number of trucks transporting fuels, both to and from the site, including a description of the product, volume, and destination.
 - v. Document that onsite activity is similar to the established baseline of storage and/or throughput.
 - vi. Conformity with applicable regional, state, and federal reporting or permit requirements pursuant to laws and rules implemented by Southwest Washington Clean Air Agency, Washington Department of Ecology, US Environmental Protection Agency, and US Energy Information Administration to ensure compliance with the requirements herein.

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Fwd: Fauci's Net Worth Soared During Pandemic + Vaccine Failure Is Not a Reason to Celebrate! + More
Date: Friday, September 30, 2022 12:27:48 PM

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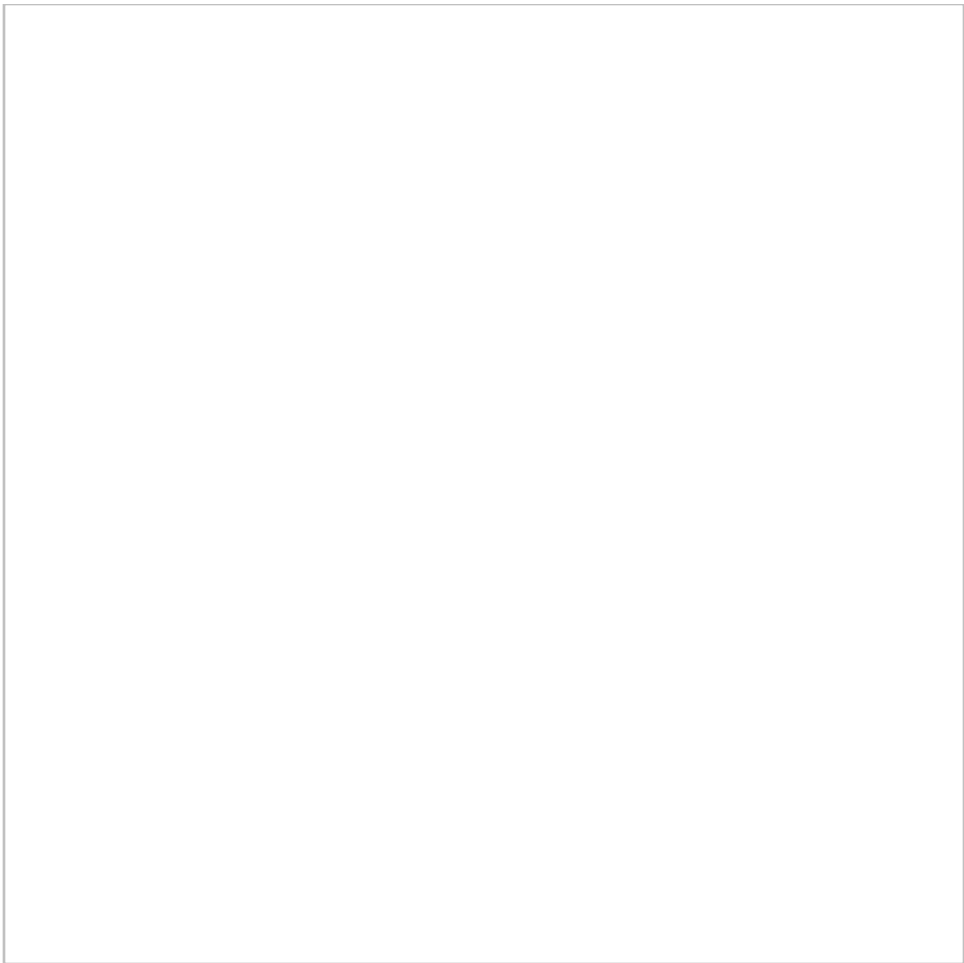
From: Children's Health Defe [REDACTED]
Date: Thu, Sep 29, 2022 at 1:21 PM
Subject: Fauci's Net Worth Soared During Pandemic + Vaccine Failure Is Not a Reason to Celebrate! + More
To: Wynn Grcich <[REDACTED]>

Look at how much Fauci made durring this pandemic. How much did you make? Share with councils

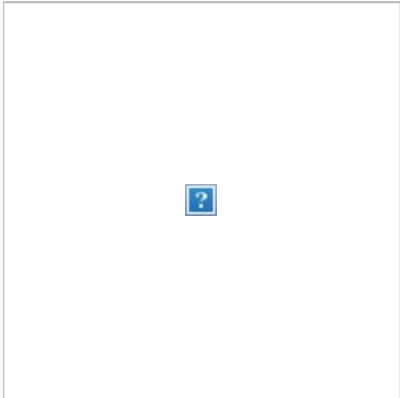
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September 29, 2022



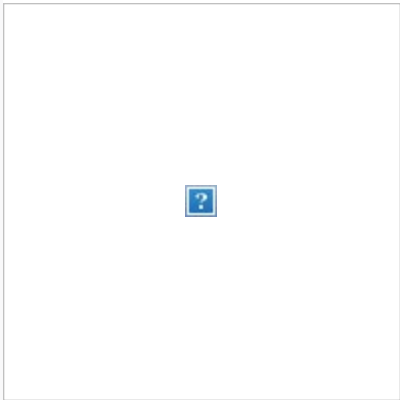
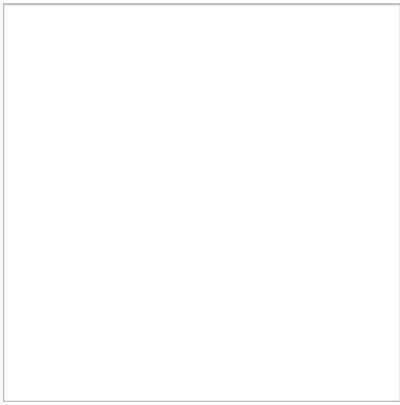


TOP NEWS OF THE DAY

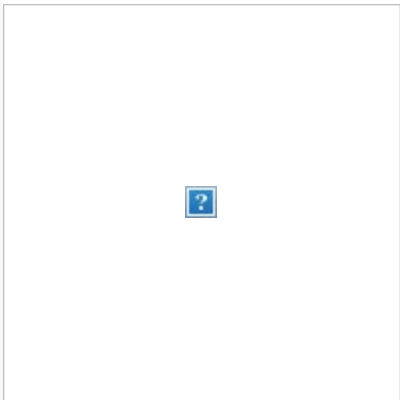


Vaccine Failure Is Not a Reason to Celebrate!

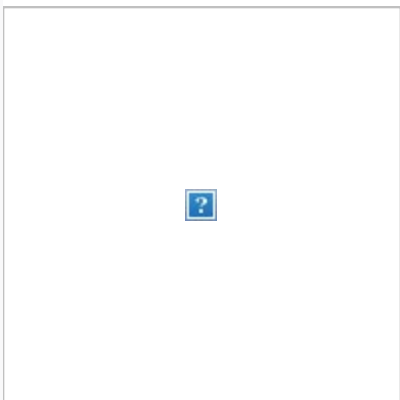
Prenatal Care, American Style — A Trojan Horse for Harmful Interventions?



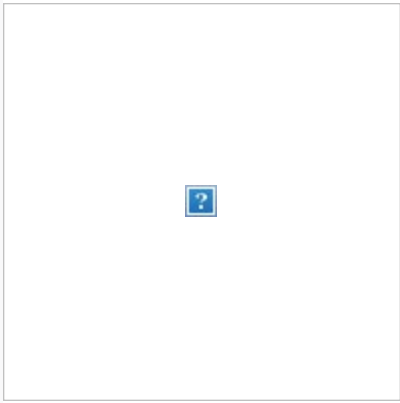
Global Walkout Campaign Calls for 'Unified Pushback Against Globalist Agenda'



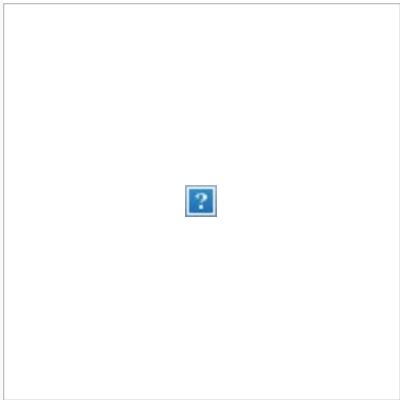
FDA Refuses to Release Autopsy Results on People Who Died After COVID Vaccines



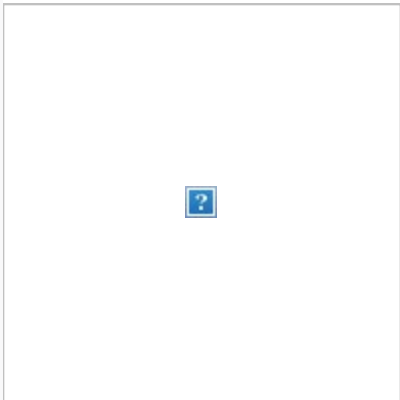
Fauci's Net Worth Soared to \$12.6 Million During Pandemic



How to Avoid Toxic Disposable Diapers



Big Pharma Is Chasing a \$55 Billion Prize of Safer Blood Thinners + More



Amazon Dominates the \$113 Billion Smart Home Market — Here's How It Uses the Data It Collects + More

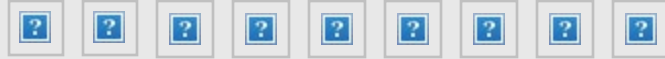
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Children's Health Defense

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

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From: [Wynn Grcich](#)
To: [Dollar, Sarah](#); [Rebecca Messinger](#)
Subject: Check this out – CDC database: 648 nursing babies harmed by COVID vax, 3 dead – ClarkCountyToday.com
Date: Friday, September 30, 2022 12:17:14 PM

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CDC database: 648 nursing babies harmed by COVID vax, 3 dead – ClarkCountyToday.com
<https://www.clarkcountytoday.com/news/cdc-database-648-nursing-babies-harmed-by-covid-vax-3-dead/>

The Clark County health board and city council of Vancouver needs to see this. Share this article. Dr. Melneck needs to warn people of this risk. Melneck was encouraging the public to take the untested booster. " only tested on 8 mice" Can the public sue him or the Health Council for suggesting a kill shot? Is that coercing the public without full disclosure of what is in those shots and how effective they are ? Children's health Defense.org a woman took the booster and died 10 mins. later. If your councils and health board coerce the public into taking unapproved or human tested jabs, You should be held liable for the results. The public would like to see both council member's vaccine passports. This should be on both your websites. Put this article and letter on public record. Both your websites should be user friendly and easy to find the public records or input. Have a special button for all public records and letters on your websites.

Please send me notice both councils got this letter and article. I Do want a response.
Wynn Grcich

From: [Dan Serres](#)
To: [City of Vancouver - Office of the City Manager](#); [City Council](#)
Subject: Comments and Petition from Columbia Riverkeeper in Support of Proposed Fossil Fuel Ordinance
Date: Monday, October 3, 2022 10:14:32 AM
Attachments: [Columbia Riverkeeper Comment and Petition in Support of Fossil Fuel Ordinance 10.3.2022.pdf](#)

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Dear Mayor McEnerny-Ogle, Councilmembers, and Staff:

Columbia Riverkeeper submits the attached comments in support of the proposed fossil fuel ordinance prohibiting large-scale fossil fuel facilities. The ordinance represents an important step to protect the health and safety of Vancouver residents while avoiding facilities that contribute health-harming and climate-changing pollution to Vancouver's environment.

The attached document includes a petition and comments signed by 85 Columbia Riverkeeper members and supporters as well as a guest opinion signed by a broad coalition of stakeholders, all in support of the proposed fossil fuel ordinance.

Thank you,

Dan Serres
Conservation Director
Columbia Riverkeeper

--

Dan Serres | He/Him/His | Conservation Director
Columbia Riverkeeper | [REDACTED] 97214
Direct: [REDACTED] [REDACTED]

[Love. Defend Clean Water—Read it Now](#)

Learn how Columbia Riverkeeper is defending clean water in our communities today!

October 3, 2022

Vancouver City Council
City of Vancouver

Vancouver, WA 98668-1995

Re: Comments in support of a fossil fuel ordinance

Dear Mayor McEnerny-Ogle, Councilmembers, and Staff:

Columbia Riverkeeper submits the following comments in support of the proposed fossil fuel ordinance prohibiting large-scale fossil fuel facilities. The ordinance represents an important step to protect the health and safety of Vancouver residents while avoiding facilities that contribute health-harming and climate-changing pollution to Vancouver's environment. We support the text of the ordinance recommended by the Planning Commission and staff.

Included below is a [guest opinion printed on October 3rd](#) in the Vancouver Columbian in support of the proposed fossil fuel ordinance. The opinion signers represent a broad coalition of stakeholders. Additionally, included below is a petition signed by 85 Columbia Riverkeeper members and supporters who encourage the Vancouver City Council to pass the proposed ordinance. All of the signers support the form comment urging passage of the ordinance, and many added their own short comment which are included in the rightmost column of the attached table.

Thank you for your work in reviewing the proposed fossil fuel ordinance.

Sincerely,

Dan Serres, Conservation Director, Columbia Riverkeeper

<https://www.columbian.com/news/2022/oct/03/local-view-vancouver-ok-prohibition-on-large-fossil-fuel-facilities/>

Local View: Vancouver, OK prohibition on large fossil-fuel facilities

By Heidi Cody, Cathryn Chudy, Monica Zazueta, Dan Serres, Rebecca Ponzio
Published: October 3, 2022, 6:01am

After years of community engagement in support of addressing the impacts of fossil fuel facilities, the city of Vancouver is poised to approve a strong ordinance that would prohibit new and expanded large-scale fossil fuel facilities.

These facilities can be fed by long trains carrying dangerous fuels, are most often located on liquefiable soils vulnerable in an earthquake, and pose major health, safety and spill risks. For these reasons, both city staff and our Planning Commission recommended that the city ban new and expanded large-scale fossil fuel terminals.

We are part of a local coalition that supports the draft ordinance, a significant effort by the city which centers community health, safety, and environmental justice. We urge the council to approve the ordinance today.

While ruling out expansion of existing large-scale fossil fuel storage and handling facilities, the proposed ordinance leaves important flexibility to address impacts from existing facilities. The ordinance would allow seismic retrofits, safety upgrades, and maintenance improvements at existing facilities, all located in the Fruit Valley neighborhood. The policy would allow existing facilities to convert to cleaner fuels.

As an incentive, facilities that convert to cleaner fuels would be allowed to expand storage by 15 percent if they meet safety and seismic upgrade standards and obtain a conditional use permit from the city.

City staff recommend that Vancouver require a conditional use permit — which involves public notice and a public hearing — for “cleaner” fuel facilities that store 60,000 gallons or more in Vancouver’s industrial areas, whether new facilities or expansions at existing facilities.

We strongly support this requirement for public engagement and a more robust evaluation of facilities, which can involve the storage of flammable, sometimes toxic, non-fossil fuels near the Columbia River and Vancouver neighborhoods. The staff’s proposed language allows community voices to review and shape these projects that would be located nearby, while allowing room for the city’s transition to cleaner energy.

The reasons to act are clear: people in Vancouver experience environmental health risks far too often, and these impacts disproportionately fall on Black, Indigenous and people of color, lower income, and otherwise marginalized communities. Vancouver needs better protections to lessen the harm of fossil fuel pollution on citizens who already bear the brunt of fossil fuel pollution. According to the Washington Department of Health, some areas of Vancouver are among the worst in the state for environmental health disparities, including smog exposure and other hazards associated with fossil fuel use.

In making its decision, we urge the Vancouver City Council to stand firm to protect the health and safety of its residents by resisting industry pressure to water down the prohibition on large-scale fossil fuel facilities. Terminal operators would also like to limit the community's voice in new energy projects. These changes would undermine the health and safety goals of the proposed ordinance. City council should reject such changes, in favor of the staff's recommendation.

The Columbian's Editorial Board neatly summarized the importance of the fossil fuel ordinance in August: "Prohibiting new fossil fuel infrastructure at a time when our nation must move toward clean energy is a logical next step. It would reflect the kind of community we wish to have."

We couldn't agree more. The ordinance deserves unanimous support as currently written.

This op-ed was submitted by: Heidi Cody, Alliance for Community Engagement; Cathryn Chudy, Sierra Club Loo Wit; Monica Zazueta, League of United Latin American Citizens, Sunrise SWWA; Dan Serres, Conservation Director, Columbia Riverkeeper; Rebecca Ponzio, Climate and Fossil Fuel Program Director, Washington Environmental Council/Washington Conservation Voters.

Text of comment petition:

Dear Vancouver City Councilmembers:

Thank you for your commitment to protecting community health and safety by pursuing a permanent ordinance prohibiting new or expanded large-scale fossil fuel facilities. I urge you to continue to move this work forward and ensure that this policy centers frontline communities already facing disparate environmental health and safety impacts created by fossil fuel facilities.

The current moratorium appropriately prohibits any new or expanded bulk fossil fuel projects on the basis of a wide range of health, safety, and quality of life concerns created by the storage, transfer, processing, and handling of fossil fuels in the City. The proposed permanent fossil fuel ordinance must safeguard community safety and health by avoiding loopholes that allow for fossil fuel expansions.

I urge the City Council to require facilities converting to cleaner fuels or establishing new cleaner fuel facilities to obtain a conditional use permit. This review process provides important safeguards for addressing seismic risks, public safety hazards, and averting fuel spill impacts. The public deserves to have a say in any flammable, toxic fuel storage near Vancouver's neighborhoods and the Columbia River.

By passing this ordinance, Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. I support the ordinance moving forward.

Thank you,

(See below for a table of comment petition signers, many of whom added short comments of their own.)

First Name	Last Name	City	State	Zip Code	Comment
Mary	Slowik Sicilianc	Vancouver	WA	98663-1008	Dear Vancouver Clty Commission: We do not need bulk fossil fuel facilities in or near our port. The port and the waterfront is flourishing without them, and those of use who live on the bluff above Vancouver Lake or who travel along Highway 14 want to do so in safety. We also want climate change to be the primary issue when considering the current moratorium, and keeping it strong and unamended, into the future. Thank you for listening to our voices.
John	Cruz	Vancouver	WA	98664-2836	Please take note: A fossil fuel ordinance gives us all an important opportunity to help Vancouver avert pollution, health impacts, and safety risks in neighborhoods that already rank among Washington's worst in environmental health disparities.
Heidi	Cody	Vancouver	WA	98664-5432	Our fossil fuel ordinance is meant to protect community health and safety. It is not meant to grease the skids for industry. Expanding polluting, flammable projects close to Fruit Valley is dangerous. Even if they're called cleaner fuels, the public has a right to weigh in on these projects through a CUP process before they get approved. Please don't lose track of the original intent of the ordinance. Thank you.
Susan	Schwartz	Vancouver	WA	98660	I see too many tanker trucks going by my by my apartment living room window.
Mona	McNeil	Vancouver	WA	98686-1533	I am proud of Vancouver's efforts to move away from fossil fuels and protect our environment. The climate crisis is urgent and needs you to do all you can. Thanks for your good work so far.
Beverly	Thomas	Vancouver	WA	98685-4113	

Michelle	Maani	Vancouver	WA	98685-2762	
CAROLYN	SOWDON	Vancouver	WA	98684-5704	Let's keep Vancouver, WA a healthy place for its people to live by saying 'no' to fossil fuel facilities. Thank you!
Jill	Boyer-Quick	Vancouver	WA	98661-6620	
Mark	Moerman	Vancouver	WA	98684-7852	
Frank	Marre	Vancouver	WA	98683-7691	Dear Sirs/Madams: Thank you for keeping our community, safe, clean and oriented towards a green fossil fuel free future. As a public health physician, I understand not only the economic importance of a green future but more importantly the human/environmental health imperative of a clean green future.
Tingwin	Chou	Vancouver	WA	98664-1681	
John	Baughner	Vancouver	WA	98685-1561	
Pat	Rucker	Vancouver	WA	98661-5336	
Sarah	Collmer	Vancouver	WA	98660-2420	
Jane	McDowell	Vancouver	WA	98682-8615	For the health and safety of the citizens of Clark county and particularly Vancouver, I urge you to vote no. Do not allow this to happen in our city
Luan	Pinson	Vancouver	WA	98664-1762	
Julie	Krieger	Vancouver	WA	98661-1036	
Barbara	Hedges	Vancouver	WA	98663-1543	
Cheryl	Gavin	Vancouver	WA	98686-4119	I will be watching carefully how City Council and planning commission act on this.
Angela	Taylor	Vancouver	WA	98660-2545	
Judith	Heath	Vancouver	WA	98663-1637	
Jill	Hawtrey	Vancouver	WA	98683-1847	
Gavin	Brinck	Vancouver	WA	98661-4644	I support less fossil fuels in Vancouver, and less large polluting industry.
Marta	Benson	Vancouver	WA	98661-1357	
Nelson	Brady	Vancouver	WA	98683-6674	

Merilee	Frets	Vancouver	WA	98683-7032	We wholeheartedly endorse efforts to keep Vancouver in a leadership position with regards to reducing environmental and social risks associated with transportation and storage of fossil fuels. Conditional use permits are just part of that process to safeguard our beautiful community and its neighborhoods.
Susan	Hoffman	Vancouver	WA	98682-7326	
Julie	Grobelny	Vancouver	WA	98661-3927	banning large scale fossil fuel industry here in our town is important to keep our community safe and thriving. Let's keep environmental disasters out of our community.
Nancy	Shaw	Vancouver	WA	98661-5601	
Tim	Rajeff	Vancouver	WA	98682-6790	Besides working in an industry that relies on cold clean water for our customers to recreate in, I live in a part of the city that could be devastated if there were an accident involving a large fossil fuel facility at the Vancouver port. I support any and all plans that move away from fossil fuel consumption and distribution and applaud the city's efforts to move towards a future without Fossil fuels.
Tim	Emineth	Vancouver	WA	98661-6647	
Celia	Cruz	Vancouver	WA	98664	Simply: Please pass this ordinance to avert the environmental dangers facing us all.
Karen	Wood	Vancouver	WA	98682	
Sarah	Martin	Vancouver	WA	98685-2417	
Jane	Nicolai	Vancouver	WA	98664-5385	Preventing a disaster is easier than recovering from one. Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. by requiring a conditional use permit.

Cathryn	Chudy	Vancouver	WA	98663-2807	I appreciate all the work the city staff and Council have done to keep Vancouver safe from bulk fossil fuel facilities since 2020 with the Moratorium which will be replaced with an updated ordinance that must continue to provide protections that are critical for ensuring the health and safety of our community. I support a strong ordinance that not only prohibits new bulk fossil fuel facilities but also sets crucial standards that must be followed for allowing conversions to 'cleaner' fuels and permitting smaller facilities that could possibly still involve risks to those most vulnerable.' The Conditional Use Permit is a necessary part of the protections that our community must have in place in order to ensure sufficient, careful, forward-thinking oversight, transparency, and public engagement in the process as we transition away from fossil fuels and towards cleaner ways to power our transportation system, while retaining the underlying health and safety of our community.
Vokouhi	Hovagimian	Vancouver	WA	98685-2025	We cannot afford risks. Remember the Wisconson tragedy.
Mary	Blackburn	Vancouver	WA	98663-1829	
Mark	Muenster	Vancouver	WA	98663-2211	The City should also move forward on phasing out 2 cycle gas leaf blowers and trimmers, which would cut down on noise pollution as well as air pollution.
Karen	Genest	Vancouver	WA	98683-4311	We need your support to protect our communities, now and for future generations. Thank you.
Renee	Bourgea	Vancouver	WA	98686-5772	Use permits should be standard and required for obtaining consent for facilities wishing to to convert to cleaner fuels.

Ruth	Flemming	Vancouver	WA	98664-4367	I worry about trail derailments like what happened in the Gorge as well as the predicted large earthquake. Remember that entire area is liquification area in the event of an earthquake.
Hannah	Liu	Vancouver	WA	98686-2258	
Nicole	Mortara	Vancouver	WA	98683-9208	
Jean	Avery	Vancouver	WA	98683-6595	Let's keep fossil fuels out of Vancouver.
Chad	Stemm	Vancouver	WA	98665-7428	
Lucille	Ausman	Vancouver	WA	98660	Please do not allow this project. I live in downtown Vancouver and this will directly impact my health and safety.
Elizabeth	Brinkley	Vancouver	WA	98661-7635	
Keisha	Landers	Vancouver	WA	98665-6205	
donna	joslyn	Vancouver	WA	98665-6145	We have to stop fouling our own nest.
Nan	Flaaten	Vancouver	WA	98684-4945	
Laurie	Rubin	Vancouver	WA	98664	It is vital to ban all fossil fuel expansion and move to zero fossil fuel use ASAP.
Emilie	Olson	Vancouver	WA	98683	
Alan	Unell	Vancouver	WA	98685-2025	We cannot afford risks. Remember the Wisconsin tragedy.
Michele	Schindler	Vancouver	WA	98663-1741	Our community must look forward to a cleaner future, not backward to dirty, outdated energy sources. A permanent ban would protect our community from the last gasps of a behind-the-times industry. Protect the future for our children now.
Mark	Leed	Vancouver	WA	98661-5176	Please pass as robust an ordinance as possible, and require a conditional use permit for facilities converting to cleaner fuels.
	W. Bruce Cook	Vancouver	WA	98662-1009	
Keith	Scheid	Vancouver	WA	98685-1102	

Phyllis	Moses	Vancouver	WA	98664	Fossil fuels are as old as dinosaurs...and obsolete! We need new clean, sustainable energy. I'm interested in my health, my neighbors health, my sons' health, and most importantly - the health of my grandchildren and all the next generations to come!
Linda	Neth	Vancouver	WA	98668-2039	Please don't dilute this ordinance. Thanks.
Brenda	Gardner	Vancouver	WA	98685-3151	I am opposed to any new oil or gas facilities in my community!
Mari	Stephenson	Vancouver	WA	98661-6672	We need to take all steps possible to slow climate change.
Elizabeth	Verbeck	Vancouver	WA	98660-2208	Let's put this matter to bed once and for all!
Robert	Joslyn	Vancouver	WA	98665-6145	
Laura	Clarson	Vancouver	WA	98660-2546	
Ben	Bierman	Vancouver	WA	98683-5710	Think about the future of Vancouver, will it grow best with more riverfront developing as the current Vancouver Waterfront has, or by hosting giant, polluting industrial facilities that employ very few people and pay little taxes on a per acre basis while depressing property values for all city residents?
Sarah	Hafer	Vancouver	WA	98684-5913	
Lehman	Holder	Vancouver	WA	98664-2411	As a longtime Vancouver resident, I strongly support this permanent ordinance moving our city toward cleaner fuels. Heartfelt thanks for your efforts.
Dan	Wilson	Vancouver	WA	98661-5505	This is the perfect time and opportunity for Vancouver to make a major step forward and visual statement that the City supports a future vision that is void of fossil fuels . We are becoming a positive environmental example of a truly liveable city in every sense of the word .
Rachel	Tramontini	Vancouver	WA	98683	
Janet	Hedgepath	Vancouver	WA	98660-1619	
Steven	Campana	Vancouver	WA	98663-2078	Climate change is real. I support making the moratorium permanent. :)

Bonnie	Bingle	Vancouver	WA	98665-0903	This is not a NIMBY wish. This is for the whole earth
Pauline	Igoe	Tacoma	WA	98465-1603	
Julie	Anderson	Stevenson	WA	98648-6038	
Jim	Byrne	Ridgefield	WA	98642-9139	Avoid fuels passing through Vancouver. Make them get a CUP, better yet just prohibit. Jim
Tracy	Ceravolo	Ridgefield	WA	98642-9597	
JL	Angell	Rescue	CA	95672-9411	
Camilla	Bishop	Hood River	OR	97031-1124	Thank you for taking care of the environment and our citizens, plants, and animals' health.
Julie	Martinson	Everett	WA	98201-1114	This permanent ordinance would protect the waters and air around the mouth of the Columbia, and all people and living creatures of the entire area. We need to convert from gas and oil to clean energy to protect our whole planet, starting as soon as possible.
Lyndee	cunningham	Camas	WA	98607-1268	Cheers to keeping our Vancouver clean, green and healthy!
Sherry	Fitzpatrick	Brush Prairie	WA	98606	No fossil fuel here in Port of Vancouver. We are going electric even with our cars Thank you
Kristin	Edmark	Battle Groun	WA	98604-7248	
Thomas	Gordon	Washougal	WA	98671-1129	Dear Members of the Vancouver City Council and Staff: My wife and I live in Washougal and don't want fossil fuel trains coming through our town or into Vancouver. Several years ago, I was stuck in traffic on Highway 14 as the oil train burned in Mosier, Or. I was amazed that the fire did not spread to the school a short distance away, and the wind was not blowing which would have scattered embers all over the hillsides and started a massive fire. Such luck can be counted on in the future. Anything that can be done to eliminate the chance of fossil train fires on either side of the Columbia River is a great idea. Thank You, Tom Gordon

From: [Laurie Gaffen-Meyer](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Written comments for City Council meeting
Date: Monday, October 3, 2022 6:16:42 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 am opposed to the changes that you are considering for 34th, 15th and 20th streets in SE Vancouver. Currently the traffic flow works well for the amount of drivers traveling on these streets.

The proposed changes and increased population will make a mess of travel and INCREASE the amount of toxins into the atmosphere while drivers are stuck in traffic. Please rework this plan and resubmit it to the community.

Laurie Gaffen-Meyer

From: [Cathryn Chudy](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Public Comments Oct. 3 Council Meeting Item #11 - Public Hearing, Fossil Fuel Code Changes
Date: Monday, October 3, 2022 6:14:20 AM
Attachments: [2022-10-03 City of Vancouver Public Hearing Testimony Fossil Fuel Code Changes.pdf](#)

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My public comments for Item # 11, Public Hearing: Fossil Fuel Code Changes - see attached

Cathryn Chudy

Vancouver, WA 98663

To: Vancouver Mayor and City Council
Re: Public Hearing/Fossil Fuel Code Changes/Cathryn Chudy

I am a long time Vancouver resident, living on the edge of Fruit Valley Neighborhood for nearly three decades.

I have long been conscious of the environmental health risks in the area where I live. The combination of serious health impacts as well as significant safety risks from fossil fuel infrastructure, with steadily worsening air quality connected to continued fossil fuel use, make it necessary to speak up out of concern for myself, my neighbors, and our community as a whole.

I am grateful that we have had the protection of the Moratorium on new or expanded bulk fossil fuel proposals in place since June of 2020. I appreciate the staff time and effort in drafting the proposed ordinance before you today. These code changes provide a way forward for our community to remain safe from unacceptable harms and hazards that come with large-scale fossil fuel facilities.

I know from long experience that public awareness and opportunity for involvement (asking questions, having a voice) in decisions that affect us is essential, and I fully support the conditional use permit process provisions in the proposed code changes.

I see public engagement as the critical pathway for the needs of our community to be represented and understood by those of us who live, work, play and raise our children here, so that energy proposals do not put industry priorities over the good of our community, or lose sight of environmental justice issues as they are presented for consideration.

I thank Council for finally bringing this to a Public Hearing and for taking our input carefully into account as you make the decision that will ensure the continued protection of our health and safety as well as the long term well-being of our community.

We advocate for ourselves, our surrounding neighbors and our community, as well as the children and grandchildren in future generations that will experience the benefits and protections inherent in the decision you make today.

I urge you to accept the staff recommendation for the proposed code changes as currently written. These are clearly grounded in community public health, safety, and environmental justice, and, as noted recently in the Columbian, will “reflect the kind of community we wish to have.”

From: [Heather Jolma Fray](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Support of Fossil Fuel ordinance code changes
Date: Sunday, October 2, 2022 6:53:01 PM

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Good evening!

Please hear our request and lead us forward to support the Fossil Fuel Ordinance Code changes.

We appreciate your desire to make every effort to reduce greenhouse gasses in our town.

Thank you.

From: [Peter L. Fels](#)
To: [City of Vancouver - Office of the City Manager](#); [City Council](#)
Cc: [Cathryn Chudy](#); [Heidi Cody](#); [Dan Serres](#)
Subject: Fossil Fuel Ordinance - Oct. 3 agenda
Date: Sunday, October 2, 2022 7:38:50 PM

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Peter Fels

Vancouver WA 98663

telephone: [REDACTED] • [REDACTED]

October 2, 2022

RE: Fossil Fuel Code Changes

Dear Mayor and Council,

I appreciate your and the staff's work to propose new fossil fuel code language. It is definitely a positive step. Bulk fossil fuels present health and safety risks to the entire community, and particularly to the Fruit Valley community for the reasons stated in the City Manager's memorandum.

The fossil fuel industry has proposed many storage and export facilities in the Northwest, especially along the Columbia River. They will continue to do so until every community says no. Vancouver is now well positioned to stop bulk facilities in our town.

I would have preferred that every change or expansion of existing facilities be subject to public review under the conditional use process, but I understand the current proposal is a compromise.

With the City still considering its climate action framework and no implementing codes yet on the table, it is important to adopt this proposed ordinance now in order to assure we will not lose the opportunity to reduce our GHG emissions as a result of a new or expanded bulk storage or transfer facility which might have been allowed under the current code.

I encourage you to adopt the proposed ordinance.

Thank you,

s/

Peter Fels

From: [Cora O'Malley](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 8:57:06 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Cora O'Malley

[REDACTED]
Vancouver, WA 98662

From: [Susan Taylor](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Friday, September 30, 2022 9:01:06 PM

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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 Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities.

I appreciate living in a community that values the health and safety of its people and is taking on a leadership role in this area.

Please pass the staff recommended ordinance to keep our community safe for future generations. I appreciate the time you are devoting to this effort.

Regards,
Susan Taylor

[REDACTED]
Vancouver, WA 98683

From: [Jennifer Baker](#)
To: [City of Vancouver - Office of the City Manager](#); [City Council](#)
Subject: CREDC comments on the draft Fossil Fuels Plus code revision
Date: Monday, October 3, 2022 12:23:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[2022_COV Fossil Fuel and Beyond Code Proposal.10.03.pdf](#)

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 Mayor and City Councilors:

Please find CREDC's attached written submission responsive to tonight's hearing on proposed Fossil Fuels Plus language.

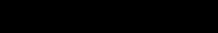
Thank you for your consideration.

Best regards,

Jen

Jennifer Baker

President & CEO

Columbia River Economic 







Columbia River Economic Development Council

Vancouver, WA 98660

| credc.org

October 3, 2022

Mayor Anne McEnery-Ogle and
City Councilors, City of Vancouver
415 West 6th Street
Vancouver, WA 98660

Dear Mayor and City Councilors:

This letter is written responsive to the City of Vancouver's proposed amendments and expansion of the current fossil fuel facility code changes to VMC Title 20.

While achieving concurrence between the City's Climate Action strategy (in-progress) and corresponding building policy code is admirable, there is concern among CREDC stakeholders that the current draft of the code, as of October 3, will invite unintended consequences that negatively impact our work attracting businesses and helping existing businesses expand or stay engaged.

As the leading economic development agency for Clark County, CREDC observes a consistent trend of industrial and light industrial business development projects that seek 30-50 acres (on average) or a minimum of 30,000 square feet of built environment. This trend extends to clean energy projects, which typically have sought even greater acreage for advancement of clean energy technologies. The City's code proposal suggests '3 acres or 1 million gallons per day' as a size limit for new cleaner energy facilities. In our experience, it is unimaginable that such size limits would facilitate cleaner energy facilities of any sort. We request from the City further diligence and clarification of those specified thresholds, as related to actual clean energy facilities and business attraction projects on a national level.

Further, to encourage existing companies to remain in our Clark County footprint, CREDC recommends a policy direction that does not penalize companies which are seeking to make strides in adopting cleaner and more efficient sources of power. Incremental action should be strongly encouraged in ways that yield diverse and more efficient energy sources. The ratcheting mechanisms of the code stand to make it increasingly difficult for companies to even pilot cleaner fuel opportunities and could lead ultimately to business (and jobs) attrition.

CREDC urges City Councils' strong consideration of unintended consequences over the "fossil fuels" code proposal which extends into code impacting cleaner energy sources--as there are existing checks and balances, and legal vehicles (such as development agreements) that also govern specific development opportunities on a case-by-case basis.

Thank you for your consideration of these written remarks.

Sincerely,

Jennifer Baker
President
Columbia River Economic Development Council

From: [T.C](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Fossil Fuel Facilities Ban
Date: Monday, October 3, 2022 11:23:06 AM

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I want to take this time to appreciate the work of the Vancouver City Council. It is always easiest to maintain the status quo; what you are about to do is not the status quo. Your work to stop new fossil fuel facilities from entering our community is crucial and forward-thinking. It is work like this that will continue to attract cutting-edge companies and talented, caring people to the city. It will make the city a healthier, more livable place for residents. I am proud that our city is saying no to powerful fossil fuel interests and taking a step towards a cleaner future. Please put in place the fossil fuel ordinance tonight and send a signal to the nation that Vancouver Washington is on the cutting edge of a green economy.

Sincerely,
Tracy Ceravolo

From: [Heidi Cody](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Testimony re: #11 fossil fuel ordinance 10.2.2022
Date: Monday, October 3, 2022 10:41:15 AM
Attachments: [10.3.22 hcody ffordinance.pdf](#)

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Good morning,

Attached is my personal testimony for tonight about the fossil fuel ordinance.

Thank you,
Heidi Cody

October 3, 2022
Heidi Cody

Vancouver City Council

Mayor McEnerny-Ogle, City Councilmembers and Staff,

My name is Heidi Cody and I live in Vancouver. Thank you for your perseverance to finally arrive at this hearing and vote, on a policy that protects Vancouver's health and safety. I am hopeful and excited about witnessing the passage of the fossil fuel ordinance that so many of us have been advocating for, for so long.

If we pass this ordinance, Vancouver won't contribute to any increase in mile-long trains carrying flammable fuel like LNG or LPG through our community. This ordinance also sends a clear message that new and expanded bulk fossil fuel projects are not welcome here.

Thank you to staff for crafting a policy with strong components, including establishing a 60,000 gallon threshold for smaller fuel facilities, allowing conversions of existing fossil fuel facilities only to cleaner fuels, and limiting "capacity" for expansions. From what I understand, staff has done a good job limiting loopholes.

I am grateful that conditional use permitting will be in place for most types of fuel facilities. The built-in public process for approving proposals is a crucial protection for our communities, particularly low-income and BIPOC neighborhoods that are already overburdened by health impacts and safety risks of bulk fossil fuel infrastructure.

The law will only be as strong as its enforcement and regulation. Will relying on Southwest Clean Air and the Washington Department of Ecology be enough to monitor new and expanded projects in our Heavy Industrial Zone? I don't know. I hope that the City can monitor and regulate these projects too. Air monitoring in the Fruit Valley Neighborhood should help with City oversight, as well as provide better information about Fruit Valley's exposure to air pollution.

Thank you for all your work on this ordinance.

Sincerely,

A handwritten signature in black ink that reads "Heidi Cody". The signature is written in a cursive, flowing style.

Heidi Cody

From: [Matthias Sayer](#)
To: [City Council](#)
Cc: [Jeff Pinter](#); [Kyle Plummer](#); [Sandra DuCharme](#)
Subject: Proposed Vancouver Fossil Fuel Code Standards
Date: Monday, October 3, 2022 12:03:43 PM
Attachments: [image003.png](#)
[POV letter 100322.pdf](#)

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To whom it may concern,

Please accept NGL Energy Partner's comment (attached) on the City of Vancouver's proposed Fossil Fuel Code Standard.

Thank you,

Matthias



MATTHIAS SAYER
[Senior Vice President, Legal](#)
[REDACTED]
Santa Fe, NM 87501
[REDACTED]

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Phone 918-481-1119 • Fax 918-481-5896

October 3, 2022

City of Vancouver
Attn: Mayor Anne McEnerny-Ogle and City Council
P.O. Box 1995
Vancouver, WA 98668-1995

Re: Proposed Vancouver

Dear Mayor and City Council members,

NGL Energy Partners is a diversified midstream MLP that provides multiple services to producers and end-users across the United States, including, amongst others, transportation, storage, blending, and marketing of energy products. Specific to the Port of Vancouver, in 2013, NGL acquired and began operating a propane terminal at the Port of Vancouver Terminal 4.

At this facility, NGL has and continues to safely manage the transportation and associated logistics of propane—moving product from railcar to onsite storage and from storage to trucks, without ever experiencing any accident, incident, or releases. From this facility, NGL supplies propane to local commercial, residential, and agricultural users and is the primary supplier for various local retail propane operations in Vancouver that service Southwest Washington and Clark County.

NGL applauds the Council's effort to mitigate greenhouse gas emissions and advance a greener energy program. NGL is engaged in its own efforts on this front and our sustainability report on our website showcases some of those efforts (<https://www.nglenergypartners.com/sustainability>). As the Council is aware, transitioning to cleaner fuels, like renewable propane, presents a non-trivial opportunity to achieve meaningful carbon reductions. Note that the carbon intensity of renewable propane is significantly lower than grid electricity and other fuels. According to the California Air Resources Board, renewable propane made with domestic, non-rendered, used cooking oil has a carbon intensity of 20.5 grams, compared to a carbon intensity of 80 grams for conventional propane.

NGL is actively engaged in negotiations to purchase renewable propane for processing at the Port of Vancouver Terminal for customers as soon as this winter. However, certain provisions of the proposed amendments to VMC Title 20 are working to hinder advances to this greener fuel source. Specifically, language proposing to eliminate flexibility to store petroleum-based fossil fuels once limited storage capacity has been used to store a cleaner fuel and language proposing to limit growth in cleaner fuels will result in a much slower transition to cleaner fuels.

Section 20.895.110 F.3.b conversion restrictions

The language proposed at 20.895.110 F.3.b presumably attempts to prevent the erosion of hoped-for growth in use of cleaner fuels like renewable propane by prohibiting the storage of traditional fuels, e.g. propane, once a cleaner fuel has occupied the storage space. This policy will have the inadvertent effect of slowing and likely preventing transition to cleaner fuels.

While cleaner fuels like renewable propane present meaningful climate-friendly energy opportunities, the market is nascent on both the supply and demand side, consequently, the transition period will be marked by ebbs and flows in volumes. Without the flexibility to match operations to market conditions, the risk attendant to transitioning to renewable propane under the present proposal is not tenable.

Under the proposal, any volume of renewable propane brought in to Vancouver presents a risk of capacity loss that, because of current market conditions, NGL cannot tolerate. Allowing a more flexible transition, however, would facilitate continued efforts to begin blending renewable propane into NGL's supply mix.

Section 20.895.110 E & F growth restrictions

Considering the aggressive reductions in carbon intensity associated with transitioning to cleaner fuels, like renewable propane, the language proposed at 20.440.030 B.34 and 20.895.110 E and F limiting expansion of the renewable propane market to 15% above the baseline capacity is counter-intuitive. As the renewable propane and associated cleaner fuels market matures, there will be non-trivial opportunities for Vancouver to more fully transition from traditional petroleum fuels to cleaner fuels, like renewable propane. This transition could help the Port of Vancouver achieve aggressive Scope 3 greenhouse gas reductions as well as broader reductions in the region. Placing arbitrary caps on this growth risks reliance on more carbon-intensive fuels during the transition period.

Rather than implement an arbitrary cap on growth, the City should adopt language facilitating growth, which growth will be checked by the market, but ensure that any growth in operational capacity be reserved for cleaner fuels.

In short, while NGL appreciates the City's efforts in the cleaner fuels space and looks forward to working with the City on its efforts, NGL is concerned that the City's proposal will have the inadvertent effect of stymieing any transition to cleaner fuels and may result in market fealty to traditional fuels over the coming decades. And, in fact, as noted above, the inadvertent consequences of this Proposal have had the immediate effect of halting NGL's advances in this space. To avoid these outcomes, NGL recommends adjusting the provisions discussed above as outlined in the attached.

Thank you for your time and consideration,



Matthias Sayer
SVP – Legal

Enclosure: Proposed adjustments to draft VMC 20.895.110

VMC 20.895.110 Fossil Fuel or Cleaner Fuel Storage and Handling

3. Existing Bulk Fossil Fuel Storage and Handling facilities converted to Cleaner Fuels may be expanded, subject to approval of a conditional use permit and compliance with the following criteria:

- a. Total or partial conversion of an existing fossil fuel storage and handling to cleaner fuel infrastructure is allowed. If a facility is converted, any increase in capacity above baseline capacity shall be reserved for cleaner fuels. ~~If a facility is converted the facility may be increased by up to 15 percent above the baseline capacity. The expansion shall be in proportion to the amount of cleaner fuel storage. For example, if 25% of the facility is converted to cleaner fuels, the storage and handling infrastructure may expand by 3.75%. If 50% of the facility is converted to cleaner fuels, storage and handling infrastructure may expand by 7.5%. If 100% of the facility is converted into cleaner fuels storage and handling, then 15% of the infrastructure may be increased.~~
- b. If a fossil fuel storage and handling facility is partially or fully converted to cleaner fuel infrastructure ~~that portion shall not be later used for storage, transportation, or transshipment of petroleum-based fossil fuels.~~ The applicant shall provide a comprehensive spill prevention plan and fire response plan to the satisfaction of the Planning Official and Fire Marshal.

From: [Stan Freidberg](#)
To: [City Council](#)
Subject: Fossil Fuel Ordinance
Date: Monday, October 3, 2022 11:58:01 AM

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Dear City Council Members,

Your vote this evening is a watershed moment for Vancouver and an opportunity to have a significant impact on preventing the environmental and financial devastation of climate change. The public health consequences of extreme weather with excessive heat, droughts, floods, and air pollution are in the news everyday. Scientists from over 150 countries have predicted what can be expected if we continue “business as usual”.

Transitioning from the use of fossil fuels is an imperative. I hope you will vote to ban new and expanded bulk fossil fuel terminals and ensure there is a meaningful conditional use permit process for new facilities.

Thank you,

Stan Freidberg M.D.

From: [Laurie Rubin](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 11:56:11 AM

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Dear City Councilmembers Vancouver,

I urge you to pass a permanent fossil fuel ordinance to put the City on the road to an end to all fossil fuel facilities and all burning of fossil fuels. I hope to be proud to invite my daughter and future grandchildren to visit me in a city that prioritizes human health and all of our children's futures.

I support your banning new and expanded large-scale fossil fuels facilities. For the near future I support a very complete conditional use permit review process for any changes at current facilities and any new proposed new facilities.

Thank you for passing the strongest possible fossil fuel ordinance for our community.

Regards,
Laurie Rubin

[REDACTED]
Vancouver, WA 98664

From: [Theodora Tsongas](#)
To: [City Council](#)
Subject: Fossil Fuel Ordinance Oct. 3rd
Date: Monday, October 3, 2022 11:52:57 AM

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As a resident of Portland Oregon, I support your efforts to reduce and prevent the adverse health, environmental, and societal impacts of fossil fuels through passing your staff's recommendations on the fossil fuel ordinance. We share the airshed and the world. Thanks for your courage and attention to this necessary work.

Theodora Tsongas, PhD, MS

From: [Hector Hinojosa](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 11:38:52 AM

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Dear City Councilmembers Vancouver,

Thank you for your leadership on a permanent ban on new bulk fossil fuel storage. I cannot express my hope strongly enough for the continued protection of our community's health and safety from new and expanded fossil fuel facilities. A huge majority of our residents turned out by the thousands to oppose the Tesoro/Savage oil terminal. Please understand you have a vast majority of support as you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy.

The ordinance should include the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I urge you to

Pass the staff recommendation around banning bulk fossil fuel terminals;

Ensure there is a meaningful conditional use permit process for any changes or new facilities;

Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your hard work and continued care for our community

Regards,
Hector Hinojosa

[REDACTED]
Vancouver, WA 98660

From: [Eric Strid](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 11:25:19 AM

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Dear City Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

I'm a retired high-tech CEO, who grew a semiconductor supply-chain company through three decades of Moore's Law technology evolution and disruptions. I confidently tell everyone that fossil fuels are already economically obsolete--fuel costs for an EV are equivalent to about \$1 per gallon; it's cheaper to build and operate a new wind or solar farm than to operate a coal or nuclear plant; "natural" gas electricity generation is also more expensive than renewables, and "natural" gas is a serious indoor pollutant that must be curtailed. All of the clean-energy technologies are getting cheaper as we build more, due to normal production learning rates. Thus, the future of fossil fuel business is short-lived and any jurisdiction helping to prolong the incumbent industry's polluting and obsolete business lines is wasting public money. The sooner we adopt clean energy, the more money we save.

Thank you for your work to protect our community.

Regards,
Eric Strid



White Salmon, WA 98672

From: [Cathryn Chudy](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 10:36:28 AM

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Dear City Councilmembers Vancouver,

It is time to shift from Vancouver's Moratorium on bulk fossil fuel facilities to protective ordinance, and the draft code changes being considered for a vote tonight at the Public Hearing do just that. Our move away from health and climate-harming fossil fuel infrastructure to clean energy use is a positive step forward for our city, with benefits for our community and protections for our river, our city, and our region.

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuel facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

As a Council you have an opportunity with this Ordinance to lead the way for a healthy and positive future for all of us, especially those who come after us who will inherit the legacy of this decision. Much appreciation for doing this on our behalf.

Regards,
Cathryn Chudy
[REDACTED]

Vancouver, WA 98663

From: [Dan Serres](#)
To: [City of Vancouver - Office of the City Manager](#); [City Council](#)
Subject: Comments and Petition from Columbia Riverkeeper in Support of Proposed Fossil Fuel Ordinance
Date: Monday, October 3, 2022 10:14:28 AM
Attachments: [Columbia Riverkeeper Comment and Petition in Support of Fossil Fuel Ordinance 10.3.2022.pdf](#)

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Dear Mayor McEnerny-Ogle, Councilmembers, and Staff:

Columbia Riverkeeper submits the attached comments in support of the proposed fossil fuel ordinance prohibiting large-scale fossil fuel facilities. The ordinance represents an important step to protect the health and safety of Vancouver residents while avoiding facilities that contribute health-harming and climate-changing pollution to Vancouver's environment.

The attached document includes a petition and comments signed by 85 Columbia Riverkeeper members and supporters as well as a guest opinion signed by a broad coalition of stakeholders, all in support of the proposed fossil fuel ordinance.

Thank you,

Dan Serres
Conservation Director
Columbia Riverkeeper

--

Dan Serres | He/Him/His | Conservation Director
Columbia Riverkeeper | [REDACTED]

[Love. Defend Clean Water—Read it Now](#)

Learn how Columbia Riverkeeper is defending clean water in our communities today!

October 3, 2022

Vancouver City Council
City of Vancouver
PO Box 1995
Vancouver, WA 98668-1995

Re: Comments in support of a fossil fuel ordinance

Dear Mayor McEnerny-Ogle, Councilmembers, and Staff:

Columbia Riverkeeper submits the following comments in support of the proposed fossil fuel ordinance prohibiting large-scale fossil fuel facilities. The ordinance represents an important step to protect the health and safety of Vancouver residents while avoiding facilities that contribute health-harming and climate-changing pollution to Vancouver's environment. We support the text of the ordinance recommended by the Planning Commission and staff.

Included below is a [guest opinion printed on October 3rd](#) in the Vancouver Columbian in support of the proposed fossil fuel ordinance. The opinion signers represent a broad coalition of stakeholders. Additionally, included below is a petition signed by 85 Columbia Riverkeeper members and supporters who encourage the Vancouver City Council to pass the proposed ordinance. All of the signers support the form comment urging passage of the ordinance, and many added their own short comment which are included in the rightmost column of the attached table.

Thank you for your work in reviewing the proposed fossil fuel ordinance.

Sincerely,

Dan Serres, Conservation Director, Columbia Riverkeeper

<https://www.columbian.com/news/2022/oct/03/local-view-vancouver-ok-prohibition-on-large-fossil-fuel-facilities/>

Local View: Vancouver, OK prohibition on large fossil-fuel facilities

By Heidi Cody, Cathryn Chudy, Monica Zazueta, Dan Serres, Rebecca Ponzio
Published: October 3, 2022, 6:01am

After years of community engagement in support of addressing the impacts of fossil fuel facilities, the city of Vancouver is poised to approve a strong ordinance that would prohibit new and expanded large-scale fossil fuel facilities.

These facilities can be fed by long trains carrying dangerous fuels, are most often located on liquefiable soils vulnerable in an earthquake, and pose major health, safety and spill risks. For these reasons, both city staff and our Planning Commission recommended that the city ban new and expanded large-scale fossil fuel terminals.

We are part of a local coalition that supports the draft ordinance, a significant effort by the city which centers community health, safety, and environmental justice. We urge the council to approve the ordinance today.

While ruling out expansion of existing large-scale fossil fuel storage and handling facilities, the proposed ordinance leaves important flexibility to address impacts from existing facilities. The ordinance would allow seismic retrofits, safety upgrades, and maintenance improvements at existing facilities, all located in the Fruit Valley neighborhood. The policy would allow existing facilities to convert to cleaner fuels.

As an incentive, facilities that convert to cleaner fuels would be allowed to expand storage by 15 percent if they meet safety and seismic upgrade standards and obtain a conditional use permit from the city.

City staff recommend that Vancouver require a conditional use permit — which involves public notice and a public hearing — for “cleaner” fuel facilities that store 60,000 gallons or more in Vancouver’s industrial areas, whether new facilities or expansions at existing facilities.

We strongly support this requirement for public engagement and a more robust evaluation of facilities, which can involve the storage of flammable, sometimes toxic, non-fossil fuels near the Columbia River and Vancouver neighborhoods. The staff’s proposed language allows community voices to review and shape these projects that would be located nearby, while allowing room for the city’s transition to cleaner energy.

The reasons to act are clear: people in Vancouver experience environmental health risks far too often, and these impacts disproportionately fall on Black, Indigenous and people of color, lower income, and otherwise marginalized communities. Vancouver needs better protections to lessen the harm of fossil fuel pollution on citizens who already bear the brunt of fossil fuel pollution. According to the Washington Department of Health, some areas of Vancouver are among the worst in the state for environmental health disparities, including smog exposure and other hazards associated with fossil fuel use.

In making its decision, we urge the Vancouver City Council to stand firm to protect the health and safety of its residents by resisting industry pressure to water down the prohibition on large-scale fossil fuel facilities. Terminal operators would also like to limit the community's voice in new energy projects. These changes would undermine the health and safety goals of the proposed ordinance. City council should reject such changes, in favor of the staff's recommendation.

The Columbian's Editorial Board neatly summarized the importance of the fossil fuel ordinance in August: "Prohibiting new fossil fuel infrastructure at a time when our nation must move toward clean energy is a logical next step. It would reflect the kind of community we wish to have."

We couldn't agree more. The ordinance deserves unanimous support as currently written.

This op-ed was submitted by: Heidi Cody, Alliance for Community Engagement; Cathryn Chudy, Sierra Club Loo Wit; Monica Zazueta, League of United Latin American Citizens, Sunrise SWWA; Dan Serres, Conservation Director, Columbia Riverkeeper; Rebecca Ponzio, Climate and Fossil Fuel Program Director, Washington Environmental Council/Washington Conservation Voters.

Text of comment petition:

Dear Vancouver City Councilmembers:

Thank you for your commitment to protecting community health and safety by pursuing a permanent ordinance prohibiting new or expanded large-scale fossil fuel facilities. I urge you to continue to move this work forward and ensure that this policy centers frontline communities already facing disparate environmental health and safety impacts created by fossil fuel facilities.

The current moratorium appropriately prohibits any new or expanded bulk fossil fuel projects on the basis of a wide range of health, safety, and quality of life concerns created by the storage, transfer, processing, and handling of fossil fuels in the City. The proposed permanent fossil fuel ordinance must safeguard community safety and health by avoiding loopholes that allow for fossil fuel expansions.

I urge the City Council to require facilities converting to cleaner fuels or establishing new cleaner fuel facilities to obtain a conditional use permit. This review process provides important safeguards for addressing seismic risks, public safety hazards, and averting fuel spill impacts. The public deserves to have a say in any flammable, toxic fuel storage near Vancouver's neighborhoods and the Columbia River.

By passing this ordinance, Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. I support the ordinance moving forward.

Thank you,

(See below for a table of comment petition signers, many of whom added short comments of their own.)

First Name	Last Name	City	State	Zip Code	Comment
Mary	Slowik Sicilianc	Vancouver	WA	98663-1008	Dear Vancouver Clty Commission: We do not need bulk fossil fuel facilities in or near our port. The port and the waterfront is flourishing without them, and those of use who live on the bluff above Vancouver Lake or who travel along Highway 14 want to do so in safety. We also want climate change to be the primary issue when considering the current moratorium, and keeping it strong and unamended, into the future. Thank you for listening to our voices.
John	Cruz	Vancouver	WA	98664-2836	Please take note: A fossil fuel ordinance gives us all an important opportunity to help Vancouver avert pollution, health impacts, and safety risks in neighborhoods that already rank among Washington's worst in environmental health disparities.
Heidi	Cody	Vancouver	WA	98664-5432	Our fossil fuel ordinance is meant to protect community health and safety. It is not meant to grease the skids for industry. Expanding polluting, flammable projects close to Fruit Valley is dangerous. Even if they're called cleaner fuels, the public has a right to weigh in on these projects through a CUP process before they get approved. Please don't lose track of the original intent of the ordinance. Thank you.
Susan	Schwartz	Vancouver	WA	98660	I see too many tanker trucks going by my by my apartment living room window.
Mona	McNeil	Vancouver	WA	98686-1533	I am proud of Vancouver's efforts to move away from fossil fuels and protect our environment. The climate crisis is urgent and needs you to do all you can. Thanks for your good work so far.
Beverly	Thomas	Vancouver	WA	98685-4113	

Michelle	Maani	Vancouver	WA	98685-2762	
CAROLYN	SOWDON	Vancouver	WA	98684-5704	Let's keep Vancouver, WA a healthy place for its people to live by saying 'no' to fossil fuel facilities. Thank you!
Jill	Boyer-Quick	Vancouver	WA	98661-6620	
Mark	Moerman	Vancouver	WA	98684-7852	
Frank	Marre	Vancouver	WA	98683-7691	Dear Sirs/Madams: Thank you for keeping our community, safe, clean and oriented towards a green fossil fuel free future. As a public health physician, I understand not only the economic importance of a green future but more importantly the human/environmental health imperative of a clean green future.
Tingwin	Chou	Vancouver	WA	98664-1681	
John	Baughner	Vancouver	WA	98685-1561	
Pat	Rucker	Vancouver	WA	98661-5336	
Sarah	Collmer	Vancouver	WA	98660-2420	
Jane	McDowell	Vancouver	WA	98682-8615	For the health and safety of the citizens of Clark county and particularly Vancouver, I urge you to vote no. Do not allow this to happen in our city
Luan	Pinson	Vancouver	WA	98664-1762	
Julie	Krieger	Vancouver	WA	98661-1036	
Barbara	Hedges	Vancouver	WA	98663-1543	
Cheryl	Gavin	Vancouver	WA	98686-4119	I will be watching carefully how City Council and planning commission act on this.
Angela	Taylor	Vancouver	WA	98660-2545	
Judith	Heath	Vancouver	WA	98663-1637	
Jill	Hawtrey	Vancouver	WA	98683-1847	
Gavin	Brinck	Vancouver	WA	98661-4644	I support less fossil fuels in Vancouver, and less large polluting industry.
Marta	Benson	Vancouver	WA	98661-1357	
Nelson	Brady	Vancouver	WA	98683-6674	

Merilee	Frets	Vancouver	WA	98683-7032	We wholeheartedly endorse efforts to keep Vancouver in a leadership position with regards to reducing environmental and social risks associated with transportation and storage of fossil fuels. Conditional use permits are just part of that process to safeguard our beautiful community and its neighborhoods.
Susan	Hoffman	Vancouver	WA	98682-7326	
Julie	Grobelny	Vancouver	WA	98661-3927	banning large scale fossil fuel industry here in our town is important to keep our community safe and thriving. Let's keep environmental disasters out of our community.
Nancy	Shaw	Vancouver	WA	98661-5601	
Tim	Rajeff	Vancouver	WA	98682-6790	Besides working in an industry that relies on cold clean water for our customers to recreate in, I live in a part of the city that could be devastated if there were an accident involving a large fossil fuel facility at the Vancouver port. I support any and all plans that move away from fossil fuel consumption and distribution and applaud the city's efforts to move towards a future without Fossil fuels.
Tim	Emineth	Vancouver	WA	98661-6647	
Celia	Cruz	Vancouver	WA	98664	Simply: Please pass this ordinance to avert the environmental dangers facing us all.
Karen	Wood	Vancouver	WA	98682	
Sarah	Martin	Vancouver	WA	98685-2417	
Jane	Nicolai	Vancouver	WA	98664-5385	Preventing a disaster is easier than recovering from one. Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. by requiring a conditional use permit.

Cathryn	Chudy	Vancouver	WA	98663-2807	I appreciate all the work the city staff and Council have done to keep Vancouver safe from bulk fossil fuel facilities since 2020 with the Moratorium which will be replaced with an updated ordinance that must continue to provide protections that are critical for ensuring the health and safety of our community. I support a strong ordinance that not only prohibits new bulk fossil fuel facilities but also sets crucial standards that must be followed for allowing conversions to 'cleaner' fuels and permitting smaller facilities that could possibly still involve risks to those most vulnerable.' The Conditional Use Permit is a necessary part of the protections that our community must have in place in order to ensure sufficient, careful, forward-thinking oversight, transparency, and public engagement in the process as we transition away from fossil fuels and towards cleaner ways to power our transportation system, while retaining the underlying health and safety of our community.
Vokouhi	Hovagimian	Vancouver	WA	98685-2025	We cannot afford risks. Remember the Wisconson tragedy.
Mary	Blackburn	Vancouver	WA	98663-1829	
Mark	Muenster	Vancouver	WA	98663-2211	The City should also move forward on phasing out 2 cycle gas leaf blowers and trimmers, which would cut down on noise pollution as well as air pollution.
Karen	Genest	Vancouver	WA	98683-4311	We need your support to protect our communities, now and for future generations. Thank you.
Renee	Bourgea	Vancouver	WA	98686-5772	Use permits should be standard and required for obtaining consent for facilities wishing to to convert to cleaner fuels.

Ruth	Flemming	Vancouver	WA	98664-4367	I worry about trail derailments like what happened in the Gorge as well as the predicted large earthquake. Remember that entire area is liquification area in the event of an earthquake.
Hannah	Liu	Vancouver	WA	98686-2258	
Nicole	Mortara	Vancouver	WA	98683-9208	
Jean	Avery	Vancouver	WA	98683-6595	Let's keep fossil fuels out of Vancouver.
Chad	Stemm	Vancouver	WA	98665-7428	
Lucille	Ausman	Vancouver	WA	98660	Please do not allow this project. I live in downtown Vancouver and this will directly impact my health and safety.
Elizabeth	Brinkley	Vancouver	WA	98661-7635	
Keisha	Landers	Vancouver	WA	98665-6205	
donna	joslyn	Vancouver	WA	98665-6145	We have to stop fouling our own nest.
Nan	Flaaten	Vancouver	WA	98684-4945	
Laurie	Rubin	Vancouver	WA	98664	It is vital to ban all fossil fuel expansion and move to zero fossil fuel use ASAP.
Emilie	Olson	Vancouver	WA	98683	
Alan	Unell	Vancouver	WA	98685-2025	We cannot afford risks. Remember the Wisconson tragedy.
Michele	Schindler	Vancouver	WA	98663-1741	Our community must look forward to a cleaner future, not backward to dirty, outdated energy sources. A permanent ban would protect our community from the last gasps of a behind-the-times industry. Protect the future for our children now.
Mark	Leed	Vancouver	WA	98661-5176	Please pass as robust an ordinance as possible, and require a conditional use permit for facilities converting to cleaner fuels.
	W. Bruce Cook	Vancouver	WA	98662-1009	
Keith	Scheid	Vancouver	WA	98685-1102	

Phyllis	Moses	Vancouver	WA	98664	Fossil fuels are as old as dinosaurs...and obsolete! We need new clean, sustainable energy. I'm interested in my health, my neighbors health, my sons' health, and most importantly - the health of my grandchildren and all the next generations to come!
Linda	Neth	Vancouver	WA	98668-2039	Please don't dilute this ordinance. Thanks.
Brenda	Gardner	Vancouver	WA	98685-3151	I am opposed to any new oil or gas facilities in my community!
Mari	Stephenson	Vancouver	WA	98661-6672	We need to take all steps possible to slow climate change.
Elizabeth	Verbeck	Vancouver	WA	98660-2208	Let's put this matter to bed once and for all!
Robert	Joslyn	Vancouver	WA	98665-6145	
Laura	Clarson	Vancouver	WA	98660-2546	
Ben	Bierman	Vancouver	WA	98683-5710	Think about the future of Vancouver, will it grow best with more riverfront developing as the current Vancouver Waterfront has, or by hosting giant, polluting industrial facilities that employ very few people and pay little taxes on a per acre basis while depressing property values for all city residents?
Sarah	Hafer	Vancouver	WA	98684-5913	
Lehman	Holder	Vancouver	WA	98664-2411	As a longtime Vancouver resident, I strongly support this permanent ordinance moving our city toward cleaner fuels. Heartfelt thanks for your efforts.
Dan	Wilson	Vancouver	WA	98661-5505	This is the perfect time and opportunity for Vancouver to make a major step forward and visual statement that the City supports a future vision that is void of fossil fuels . We are becoming a positive environmental example of a truly liveable city in every sense of the word .
Rachel	Tramontini	Vancouver	WA	98683	
Janet	Hedgepath	Vancouver	WA	98660-1619	
Steven	Campana	Vancouver	WA	98663-2078	Climate change is real. I support making the moratorium permanent. :)

Bonnie	Bingle	Vancouver	WA	98665-0903	This is not a NIMBY wish. This is for the whole earth
Pauline	Igoe	Tacoma	WA	98465-1603	
Julie	Anderson	Stevenson	WA	98648-6038	
Jim	Byrne	Ridgefield	WA	98642-9139	Avoid fuels passing through Vancouver. Make them get a CUP, better yet just prohibit. Jim
Tracy	Ceravolo	Ridgefield	WA	98642-9597	
JL	Angell	Rescue	CA	95672-9411	
Camilla	Bishop	Hood River	OR	97031-1124	Thank you for taking care of the environment and our citizens, plants, and animals' health.
Julie	Martinson	Everett	WA	98201-1114	This permanent ordinance would protect the waters and air around the mouth of the Columbia, and all people and living creatures of the entire area. We need to convert from gas and oil to clean energy to protect our whole planet, starting as soon as possible.
Lyndee	cunningham	Camas	WA	98607-1268	Cheers to keeping our Vancouver clean, green and healthy!
Sherry	Fitzpatrick	Brush Prairie	WA	98606	No fossil fuel here in Port of Vancouver. We are going electric even with our cars Thank you
Kristin	Edmark	Battle Groun	WA	98604-7248	
Thomas	Gordon	Washougal	WA	98671-1129	Dear Members of the Vancouver City Council and Staff: My wife and I live in Washougal and don't want fossil fuel trains coming through our town or into Vancouver. Several years ago, I was stuck in traffic on Highway 14 as the oil train burned in Mosier, Or. I was amazed that the fire did not spread to the school a short distance away, and the wind was not blowing which would have scattered embers all over the hillsides and started a massive fire. Such luck can be counted on in the future. Anything that can be done to eliminate the chance of fossil train fires on either side of the Columbia River is a great idea. Thank You, Tom Gordon

From: [Holli Johnson](#)
To: [City Council](#)
Cc: [Erin Mobley](#)
Subject: WSPA Comments City of Vancouver Fossil Fuel Changes - Item #11
Date: Monday, October 3, 2022 10:06:08 AM
Attachments: [image001.png](#)
[WSPA Council Comment re City of Vancouver Fossil Fuel.pdf](#)

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Dear City of Vancouver Council,

Enclosed here are Western States Petroleum Association comments as they pertain to the City of Vancouver Fossil Fuel code changes (Item #11 on October 3 agenda).

Please let me know if you would like additional information pertaining to our comments and issues with the code changes.

Thank you,

[Holli Johnson](#)

MANAGER, NW REGION



[REDACTED] Olympia, WA 98507
wsipa.org



Holli Johnson
Senior Manager NW Region

October 3, 2022

Via Email:
council@cityofvancouver.us

Mayor Anne McEnerny-Ogle and
Vancouver City Council Members
Post Office Box 1995
Vancouver, Washington 98668-1995

Re: Western States Petroleum Association Comments on the City of Vancouver's Proposed Fossil Fuel Zoning Code Amendments

Dear Mayor McEnerny-Ogle and City Council Members:

Western States Petroleum Association (WSPA) appreciates the opportunity to provide comments to the City of Vancouver (the "City") on its revised Fossil Fuel Code Standards Proposal (the "Proposal"). The Proposal consists of proposed zoning code amendments, City Council version (revised September 6, 2022).

WSPA is a nonprofit trade association representing companies that explore for, produce, refine, transport, and market petroleum and petroleum products in five western states, including Washington. WSPA members have operated petroleum terminals in the City for many years. These facilities supply fuel to the region, provide critical emergency infrastructure, and have many positive impacts on the economy, including providing family-wage jobs.

Vancouver's industrial districts provide key energy and emergency infrastructure as recognized by various city, state, and federal documents. The Proposal would constrain existing operations and projects for current and near-future regional needs for energy, including the need for lower-emission fuels.

WSPA and operators of facilities targeted by the existing moratorium and the Proposal have previously outlined for the City the significant harm these regulations are having and will continue to have on structure safety, transition to lower-carbon fuels, reduction of greenhouse gases (GHG), improvements to existing infrastructure, and displacement of fuel transportation to less-safe methods—all of which have direct and significant environmental impacts.

The revised Proposal continues to suffer from these defects, and inserts additional uncertainty through vague Conditional Use Permit ("CUP") and mitigation requirements. The CUP and mitigation elements would prevent and discourage safety upgrades and cleaner fuel transitions.

The current Proposal would make Small Fossil Fuel and Cleaner Fuel Storage and Distribution Facilities subject to this burdensome CUP process.¹ Existing Bulk Fossil Fuel Facilities would not even be able to perform basic “[m]aintenance and safety improvements” without going through this Limited Use process.² To our knowledge, no other use in the City of Vancouver is subject to this level of uncertainty, cost, and delay to perform maintenance or safety improvements. This substantially undermines the City’s position that the Proposal is intended to improve health and safety.

These facilities play an integral role in the local, state, and regional economies. The discretionary CUP and Limited Use processes unnecessarily restricts operational flexibility and creates a strong disincentive and potential impediments to facility improvements that are required to respond to market demands for different products (including cleaner fuels) and other important improvements at the refineries that are necessary for safety, efficiency, and environmental protection. WSPA respectfully asks the City to reconsider and reevaluate the CUP and Limited Use requirement to eliminate these disincentives and impediments.

Similarly, the Proposal inserts uncertain assessment and mitigation requirements for Existing Bulk Fossil Fuel Facilities that seek to expand to provide cleaner fuels. For these clean-fuel transition projects, the applicant must provide expert emission evaluation “to the satisfaction of the Planning Official.”³ This gives such applicants no guidance on what might ultimately be required, how long it will take, and whether ultimate approval is even feasible. The Proposal further requires an applicant to provide mitigation to address the cleaner-fuel project’s indirect emissions.⁴ There is again no guidance on what mitigation would be sufficient, how much it would cost, or if it is even feasible. This will have the undesired effect of preventing or at least discouraging cleaner-fuel projects.

The Proposal would create substantial barriers to fuel facility upgrades that would improve safety, lower facility emissions, and allow for the introduction of new fuel technology. Each time fuels with lower emissions are developed or required by a governmental entity, new or updated infrastructure is needed to provide that fuel. The Proposal would prohibit improvements and beneficial innovation to the City’s fuel infrastructure. Its effect is to freeze the current fuel supply system in place. Further, by uniformly blocking new fuel infrastructure in the City, the Proposal would force fuel distribution into less-efficient routes around the City and by modes such as truck distribution that would increase GHG and other emissions.

In summary, the Proposal affects the City’s fuel facilities in the following ways:

- Prevents and discourages fuel facility equipment upgrades necessary to meet market demand or comply with lower-emission federal and state fuels law;
- Discourages fuel facility safety upgrades, which most often occur concurrently with market-based infrastructure expansion and improvement;

¹ Proposed VMC 20.440.030.B.37

² Id.

³ Proposed VMC 20.895.110.F.3.e

⁴ Id.

- Prevents fuel facility efficiency upgrades that generally reduce GHG emissions, in contravention to the Proposal's climate change prevention goals;
- Discourages transition of the City's fuel facilities to newer, lower-carbon-fuel sources;
- Prevents the introduction of future technologies that do not fit within the current fossil-fuel infrastructure framework;
- Prohibits new fuel tanks for blended fuels that transition toward lower-carbon-fuel sources;
- Prevents market-based fuel facility upgrades that would trigger seismic safety improvements and retrofits; and
- Forces fuel facilities to stay in areas with heightened seismic and groundwater risk by prohibiting fuel suppliers from relocating facilities to areas that have lower seismic risk and lower risk of impacting City groundwater resources.

In short, the Proposal freezes existing infrastructure in place and prohibits beneficial changes to fuel infrastructure. If the Proposal had been passed 20 or 30 years ago, the City would have missed out on years of safety and emissions improvements, which would have resulted in higher emissions and less-safe facilities today. The effect of the Proposal is to increase emissions and decrease safety over time. The Proposal fails to deliver, and in fact hinders, its intended benefits of reducing emissions and improving local safety.

We respectfully request that the City reconsider its approach to regulating fuel facilities. The Proposal would have the undesired effect of making the City's fuel infrastructure less safe and more carbon-intensive over time by blocking and discouraging projects that would increase safety and reduce emissions. The uncertainty, delay, and costs imposed by the Proposal would result in the City's freezing its fuel infrastructure in its current condition.

Sincerely,



cc: Jodie Muller, WSPA
Jessica Spiegel, WSPA

From: [Sally Keely](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 9:32:46 AM

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Dear City Councilmembers Vancouver,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

To this end, I urge you to

- 1) Pass the staff recommendation around banning bulk fossil fuel terminals;
- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Sally Keely

[REDACTED]
Woodland, WA 98674

From: [Kent Daussin](#)
To: [City Council](#)
Subject: Pass a Strong and Clear Fossil Fuel Ordinance
Date: Monday, October 3, 2022 9:30:46 AM

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Dear City Councilmembers Vancouver,

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- 2) Ensure there is a meaningful conditional use permit process for any changes or new facilities; and
- 3) Follow through on tracking and enforcing the code to ensure the community, and particularly the Fruit Valley neighborhood has the ability to engage in decisions that directly impact their health and safety.

Thank you for your work to protect our community.

Regards,
Kent Daussin

[REDACTED]
Vancouver, WA 98660

From: [Dennis Hite](#)
To: [City Council](#)
Subject: SE 34th St Safety & Mobility Project
Date: Monday, October 3, 2022 10:17:32 AM

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Dear Mayor & City Council Members,

I am writing to you today to express my opposition to the proposed changes to SE 34th St between SE 164th Ave & SE 192nd Ave. As you are aware, this is a thoroughfare that is made up of two lanes of traffic in each direction. The proposal before you reduces this roadway to one lane in each direction, with the addition of a "Multi-Use" mobility lane with a safety barrier separating the two. This section of road has been identified as dangerous to bicyclists and other individuals that travel this roadway. That this section should be altered because there is a lack of other routes for bicyclists and other users to travel between SE 164th & 192nd Aves. This is clearly false, what the committee failed to recognize is there are three parallel routes in close proximity to SE 34th St. SE 29th, SE 20th, and SE 15th streets all have mobility lanes that travel between SE 164th & SE 192nd avenues.

I don't see the need to make every city street, and medium-density road equipped with mobility lanes at the expense of automobile travel. In my view, healthy cities are much like the human body. You need major arteries, medium-density arteries, and small veins to efficiently distribute the blood to all parts of the body. If you about it, cities have the same needs. You can't put everyone on the major arteries and then funnel them down to the small veins you will cause backups that create safety issues. SE 34th St. is for a lack of a better term a medium-density artery. Its purpose is to expedite the travel of the neighborhood residents out of the neighborhoods to the major arteries, schools, and shopping centers in a safe efficient way.

The SE 34th St Safety & Mobility project will create traffic delays, increase travel through the neighborhoods, and make the neighborhood streets the SE 34 St serves more dangerous. The committee claims they have done traffic studies that include the future development of the Vancouver Innovation Center, and the vacant land on SE 39th St. that is slated to get 90-100 new homes in the near future. I openly question if any of these studies were done with pre-Covid numbers in mind. Not one of the neighbors I have spoken to believes these statements. I attended a zoom call hosted by the committee, and not one person on that call was in favor of this project. I have posted two articles on the local Next-door Neighbor website and not one person was in favor of this project. I have lived in the Fishers Landing neighborhood since 2005 and it is my personal opinion that this project will be a complete disaster.

The following are my points against this project:

- As mentioned above, there are three alternative close routes with mobility lanes to be used instead of SE 34 St.
- It is not uncommon to sit and wait on westbound SE 34th St. at SE 164th Ave for two left-hand turn light cycles before getting through the intersection. It was worse Pre-Covid.
- The intersection at SE 164th Ave. was so backed up the city determined that not only do we need two left-hand turn lanes, but they should sign them indicating what each lane is designated for.
- The current plan has reduced the westbound lanes at SE 164th to one left turn lane, one pass-through lane, and one right turn lane. All are to be fed from one lane back at SE 168th Ave. When residents routinely have to sit through three and four light cycles at SE 164th Ave. they will find alternate routes

through the neighborhoods. This isn't speculation, it is already being discussed.

- In addition to reducing the lanes down to one lane in each direction, the plan calls for the city buses to stop in the only travel lane left to the automobiles to pick up and drop off passengers. There are four stops in each direction on this section of the road. That is an insult to injury.

- The addition of aggressive safety curbs alongside the travel lanes to create a barrier for the safety lane is irresponsible, to say the least. My wife and I have been witness to a horrendous accident on Tech Center Drive involving a motorist hitting one of these curbs and careening into a tree at the roadside. If the barrier is going to be eight feet wide, why would you need to have such an aggressive barrier?

- The image on the city website depicting the intersection at SE 176 Ave is deceiving. It is not representative of the center median that currently exists on SE 34th St. The center median is over fifteen feet in width. It could be reduced to make enough room for a bike lane if needed.

When I look at the city website it pretty much looks like this is a done deal. You all have your schedules made, and timelines set for construction. This looks completely like lip service. Many of the residents have expressed their displeasure with the city publicly showing themselves as open, and inviting public opinion when everything else on your website indicates otherwise.

This project is a mistake, it will have disastrous effects on the surrounding neighborhoods and you will be forced through necessity to correct it in the near future.

Thank you for your time,

Dennis Hite

[REDACTED]

Vancouver, WA 98683



Fourth Plain Blvd and Fort Vancouver Way Safety and Mobility Project

Project Update
Council Workshop
November 14, 2022



Kate Drennan, Principal Planner, CDD, City of Vancouver
Ryan Farncomb, Consultant Project Manager, Parametrix

Agenda

- Project Update
- Outreach Milestone #2 Update
- Phase 2 Design Options Review
- Next Steps



Project Overview

The Fourth Plain Blvd and Fort Vancouver Way Safety and Mobility Study is:

- **Looking at ways to make the streets safer for everyone** – including people who drive, walk, ride a bike, use a mobility device, or ride the bus
- Considering how to **repurpose existing road space** to make the corridor safer for all
- **Identifying other potential safety improvements**

Prior Review: **Transportation and Mobility Commission**

April 5, 2022

- Discussed issues and needs on Fourth Plain Blvd
- Reviewed traffic analysis results

June 7, 2022

- Discussed issues and needs on Fort Vancouver Way
- Reviewed traffic analysis results

September 6, 2022

- Reviewed Phase 1 design options and heard TMC feedback

October 4, 2022

- Phase 1 public hearing

November 1, 2022

- Phase 2 design workshop with TMC feedback

Prior Review: City Council

July 19, 2021

- Reviewed project scope and goal
- Funded project's planning process in 2021-22 budget

December 20, 2021

- Project timeline update

July 11, 2022

- Council workshop to provide project update
- Feedback received on public outreach process, issues in both corridors

October 3, 2022

- Review Phase 1 Recommendations for Fourth Plain Cycle Track and Fort Vancouver Way lane reconfiguration
- Outreach updates from Phase 1 and Phase 2

Oct 24, 2022

- Adopted Phase 1 Design Recommendations via Consent

Project Construction Phases

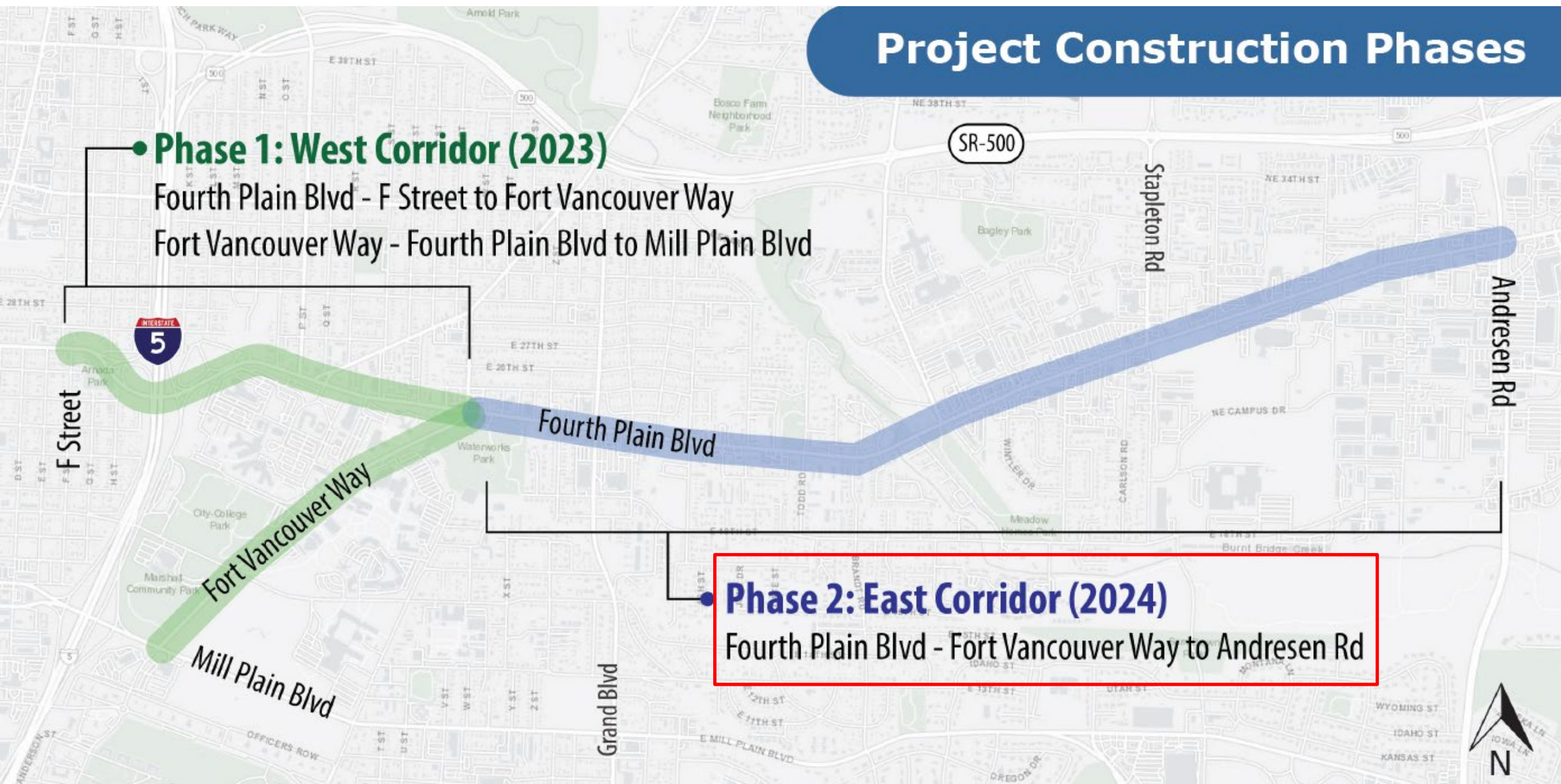
• Phase 1: West Corridor (2023)

Fourth Plain Blvd - F Street to Fort Vancouver Way

Fort Vancouver Way - Fourth Plain Blvd to Mill Plain Blvd

• Phase 2: East Corridor (2024)

Fourth Plain Blvd - Fort Vancouver Way to Andresen Rd



Community Feedback – Milestone 2

- Online open house and survey
- Mailer to residents & businesses
- Events:
 - Fourth Plain Forward Arte en el Parque - 24 people
 - LULAC Mercado – 82 people
 - Multicultural Resource Fair – 30+ people
 - Vancouver Farmers Market – 34 people
 - Focus groups – in-depth conversations about solutions
- Business canvassing – 34 people at 28 businesses



Community Feedback Summary – Milestone 2

In-Person Outreach | Aug – Oct 2022

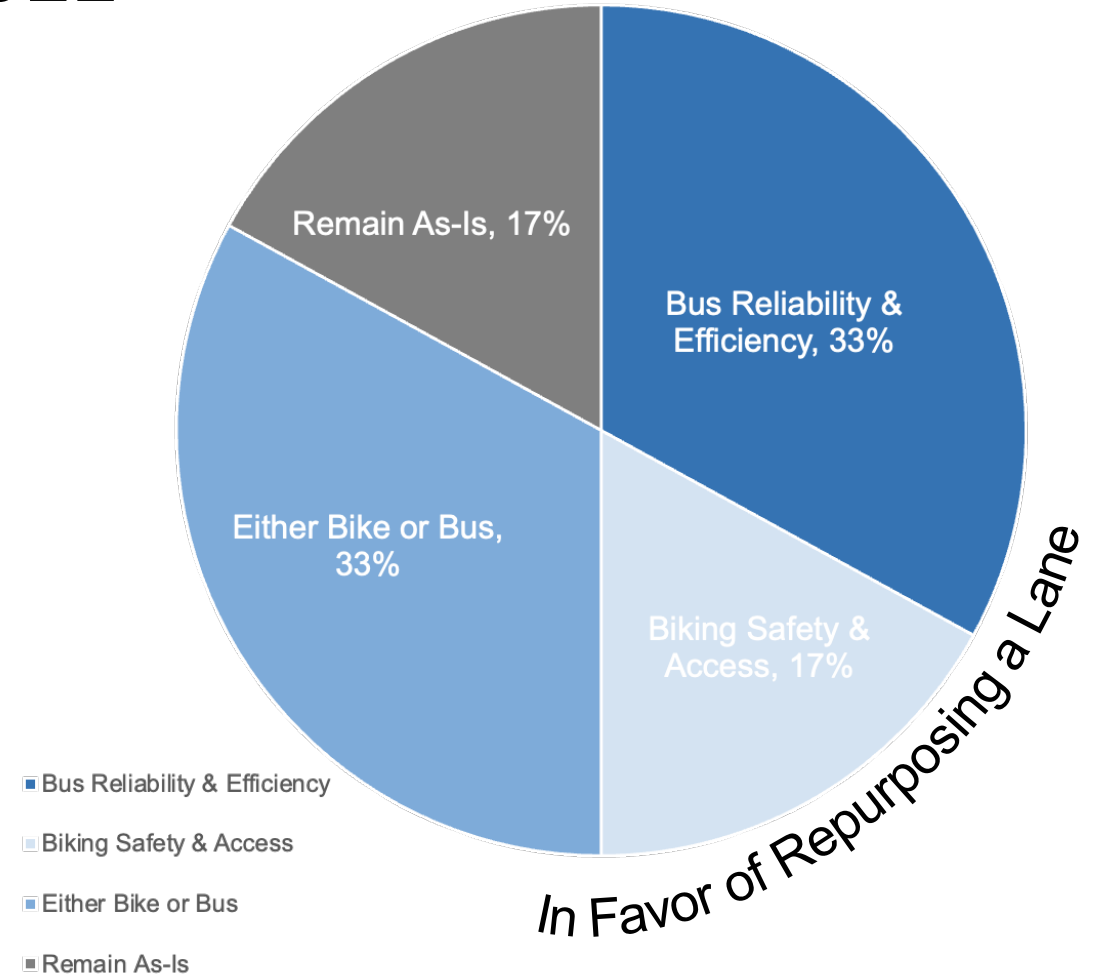
Feedback themes:

About 83% of people *responded favorably* for repurposing a lane.

Engaged 211+ people, 162 shared sentiment on repurposing a lane.

Some comments included:

- “Would be in line with other roads in the city”
- “Would appreciate any change that makes it safer to bike”
- “Something needs to change on these roads”
- “Will allow for more safety, give people a space if they don’t drive”
- “Very favorable for mobility for those who don’t drive”



Community Feedback Summary – Milestone 2

Business Canvassing

Spoke to 34 people at 28 businesses and organizations

Prioritized BIPOC community businesses and organizations

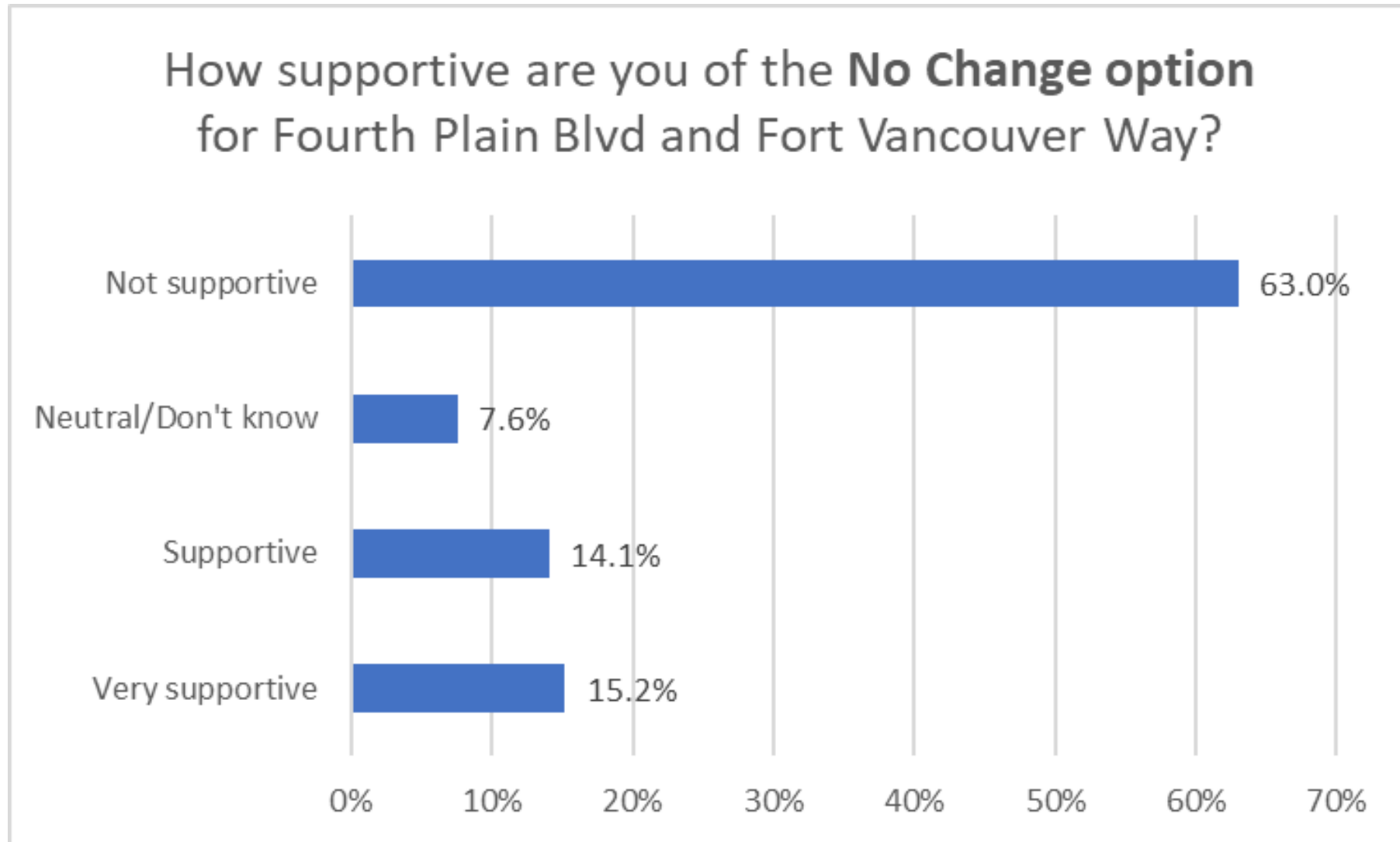
About 88% of people asked responded favorably to repurposing a lane,
with 44% favoring bus improvements and 9% favoring bike improvements.

Some comments included:

- “Better sidewalks and safer crosswalks would go a long way”
- “We never see any bikes at our business”
- "Our people need to get to work and many of us take the bus. I'd love to see more buses, more often."

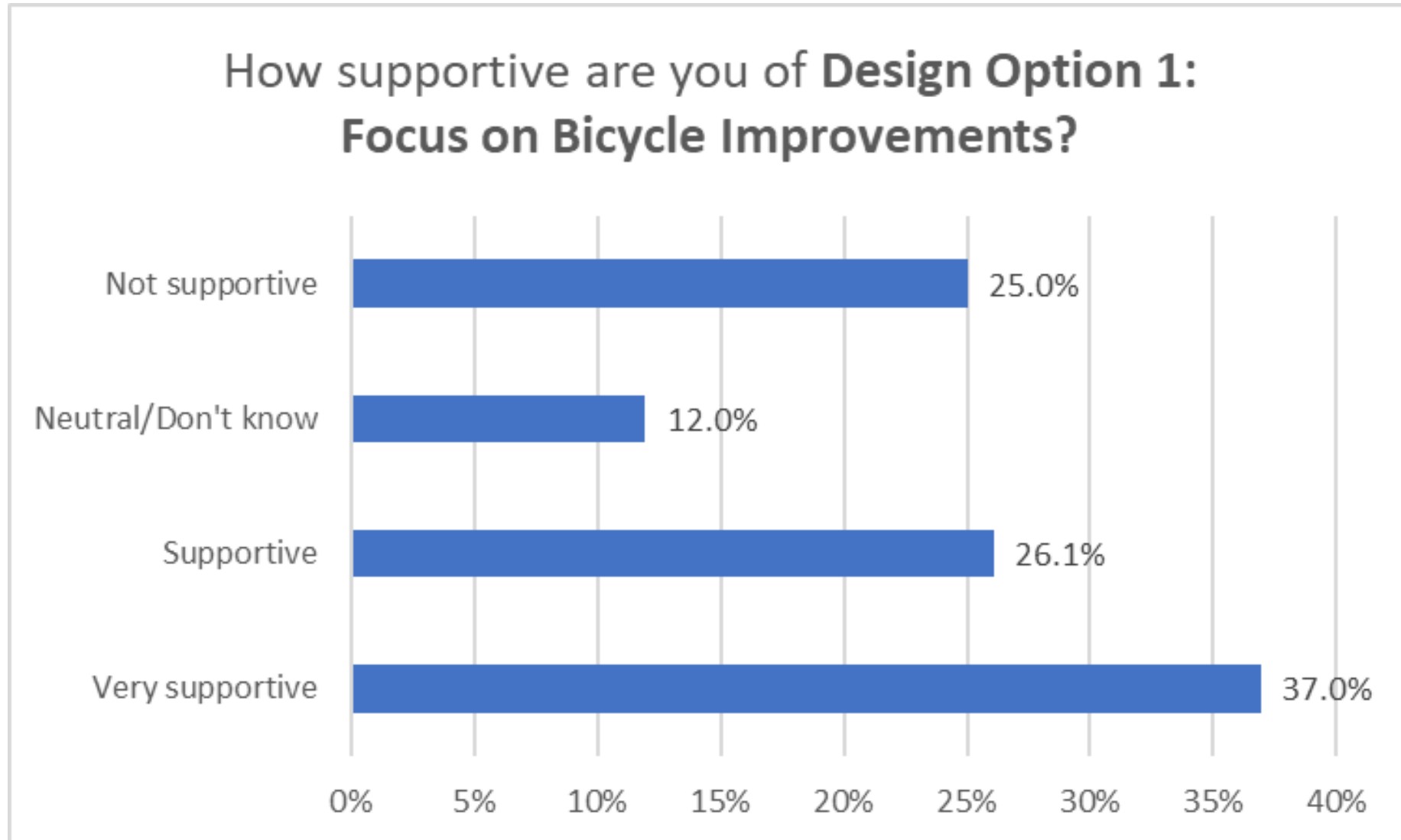
Community Feedback Summary – Milestone 2

Online Open House and Survey Results | Sept 20 – Oct 21



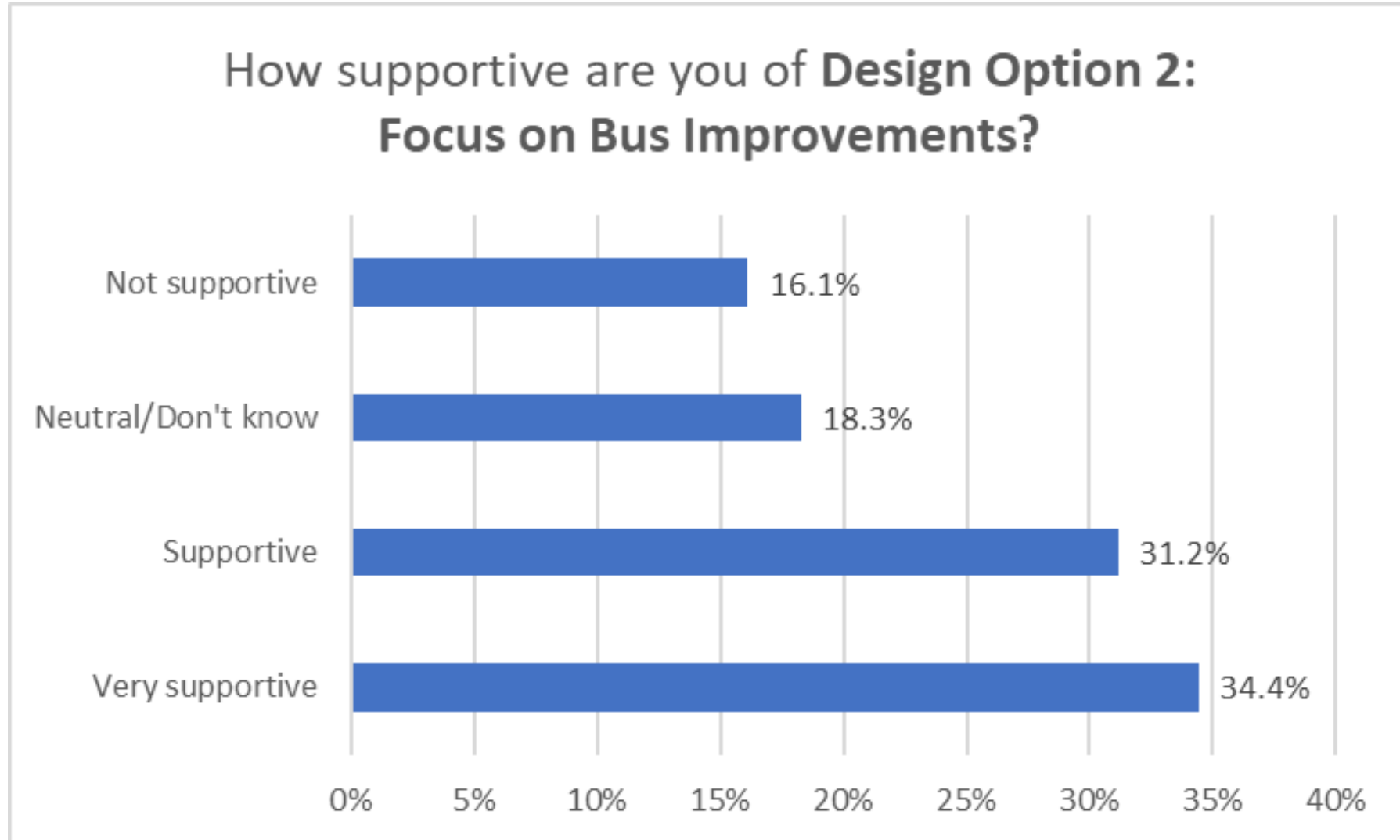
Community Feedback Summary – Milestone 2

Online Open House and Survey Results | Sept 20 – Oct 21



Community Feedback Summary – Milestone 2

Online Open House and Survey Results | Sept 20 – Oct 21



Community Feedback Summary – Milestone 2

Online Open House and Survey Results | Sept 20 – Oct 21

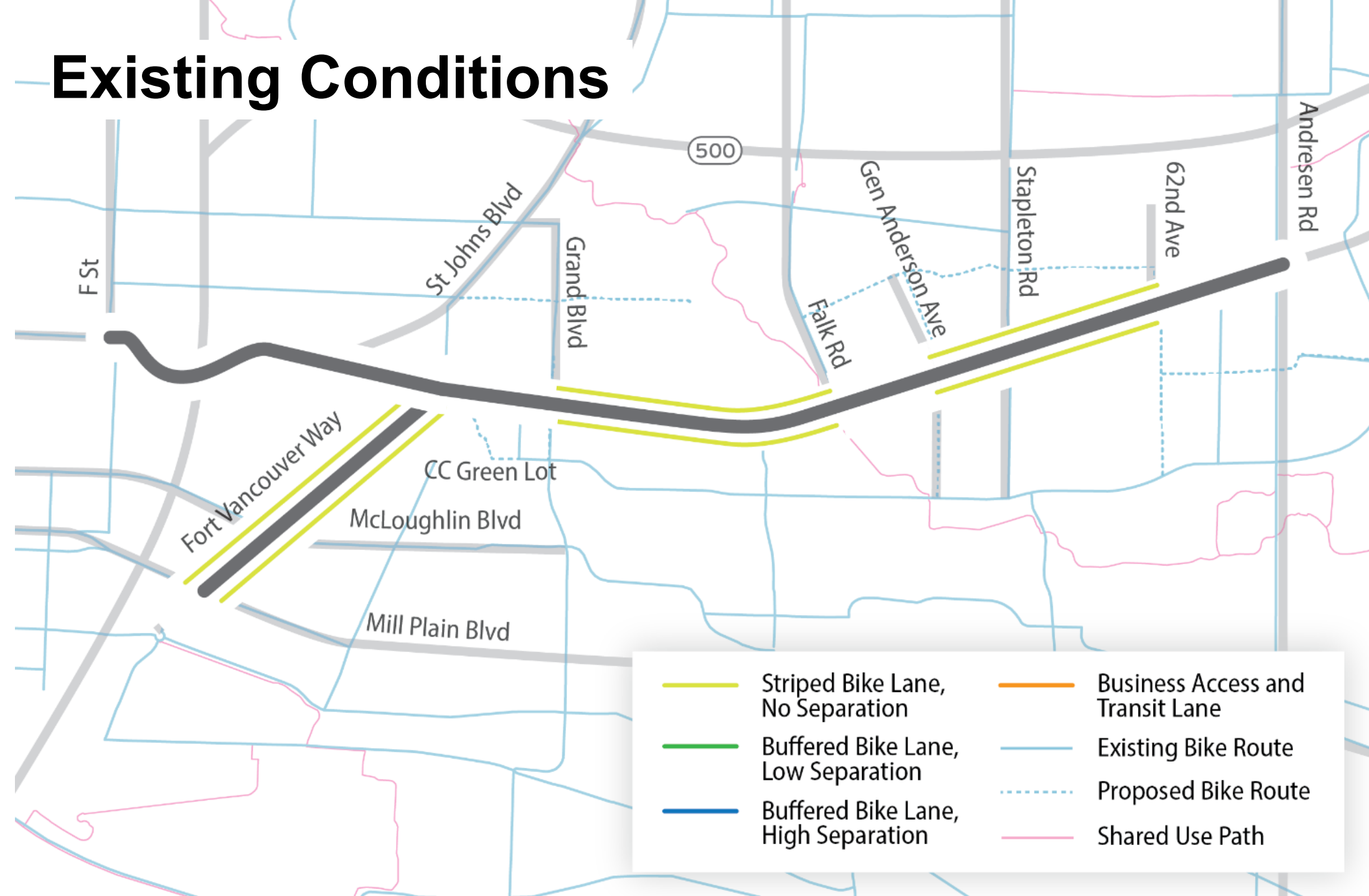
Of people who walk, bike, or roll, the top 3 priorities are:

1. Increasing physical space between cars and people walking, biking, or rolling
2. Improving pavement/repairing potholes
3. Slowing traffic

Phase 2 Design Options Review



Existing Conditions



Traffic Analysis – quick reminder

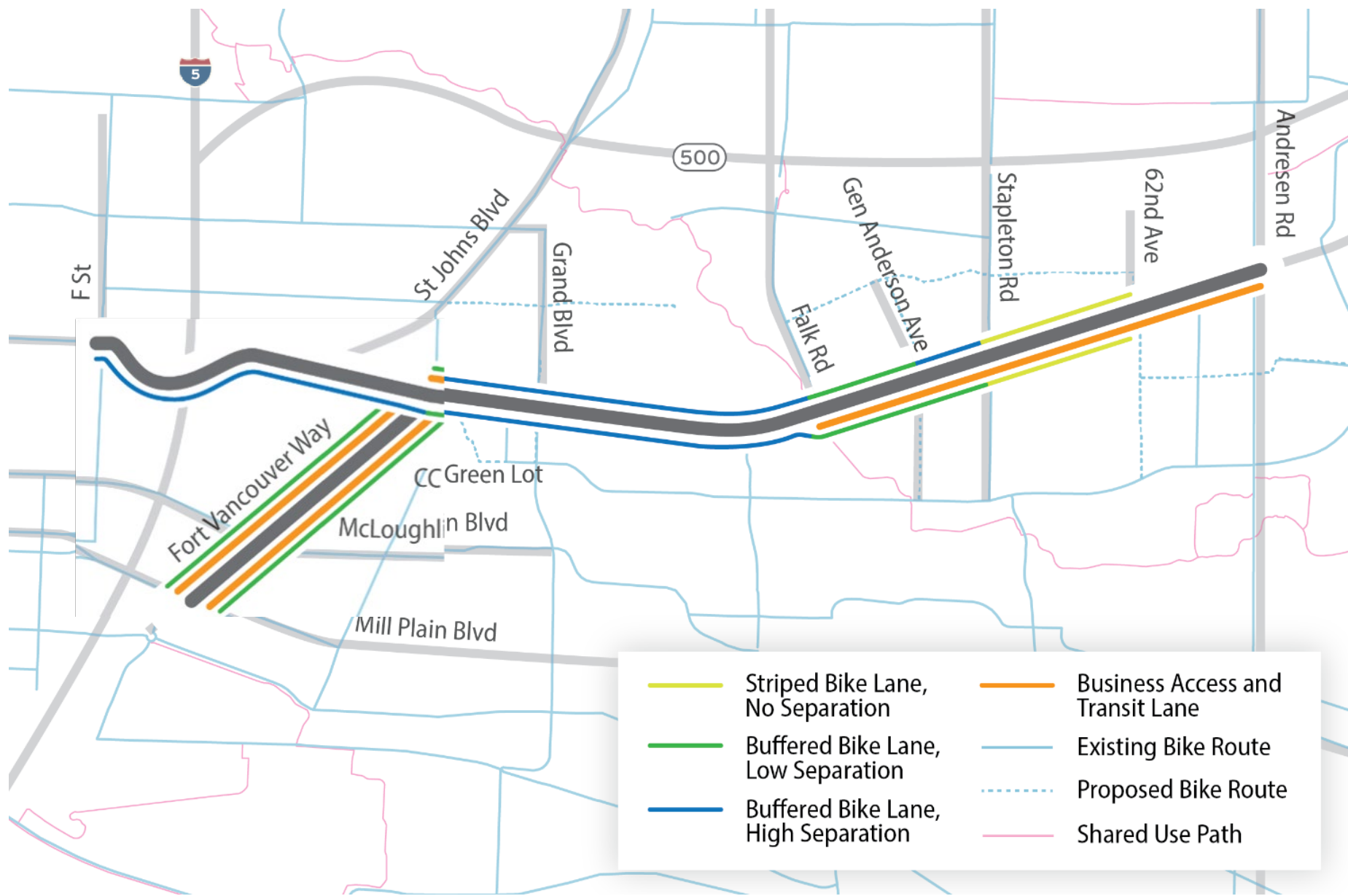
	Existing Conditions	2040 “No Build”	2040 Alternative *
Corridor average speed during MORNING peak hour (7:30 – 8:30 AM)	EB: 24 MPH WB: 24 MPH	EB: 23 MPH WB: 23 MPH	EB: 24 MPH WB: 23 MPH
Corridor average speed during EVENING peak hour (4:00 – 5:00 PM)	EB: 23 MPH WB: 22 MPH	EB: 22 MPH WB: 21 MPH	EB: 22 MPH WB: 21 MPH

*2040 alternative includes one travel lane repurposed in each direction, except for the retention of 2 WB travel lanes between Stapleton and 62nd

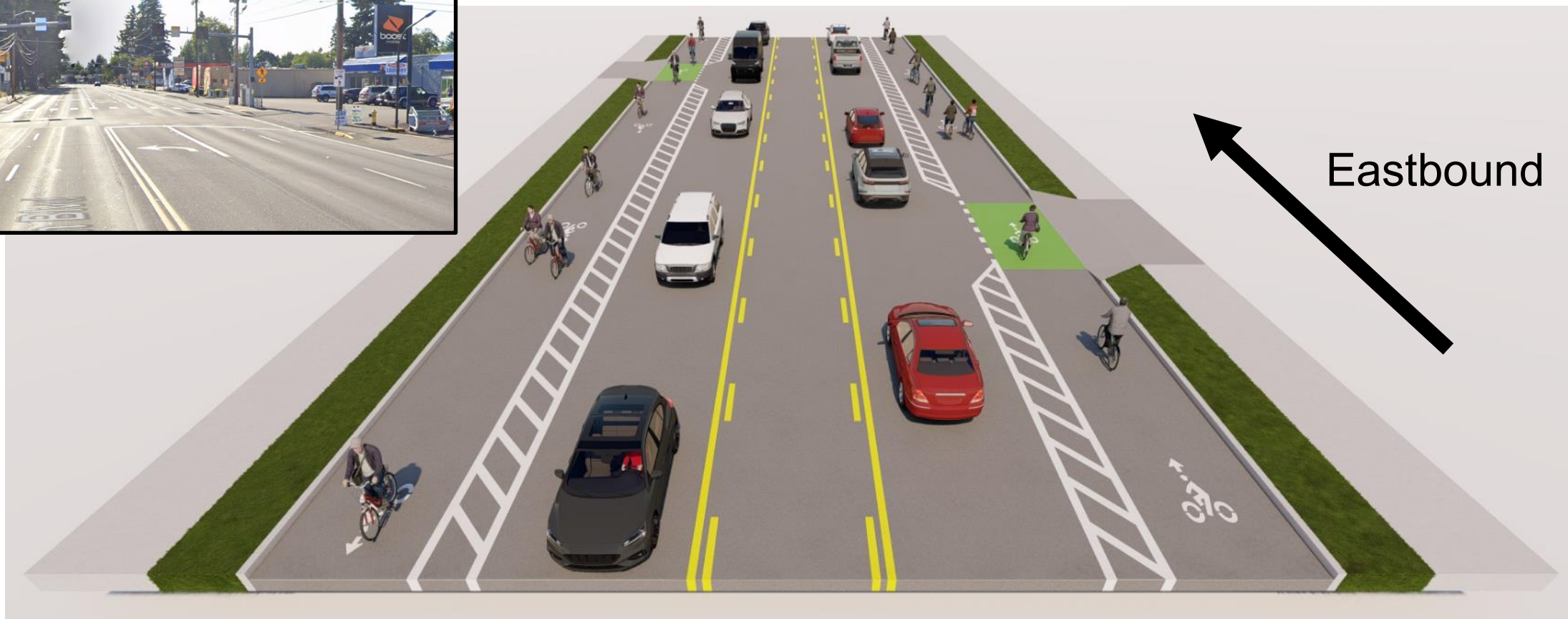
Corridor Constraints

- This project by itself can address many, but not all, corridor needs and issues.
- There are important constraints and tradeoffs.
 - **Constraints** include:
 - Working within the existing “curb to curb” pavement. Some parts of the corridors are narrower than others.
 - Prior obligations made by CTRAN as part of the funding agreement for The Vine with the federal government.
 - Available funding.
 - Maintain two westbound travel lanes between Stapleton and Andresen to maintain traffic mobility.

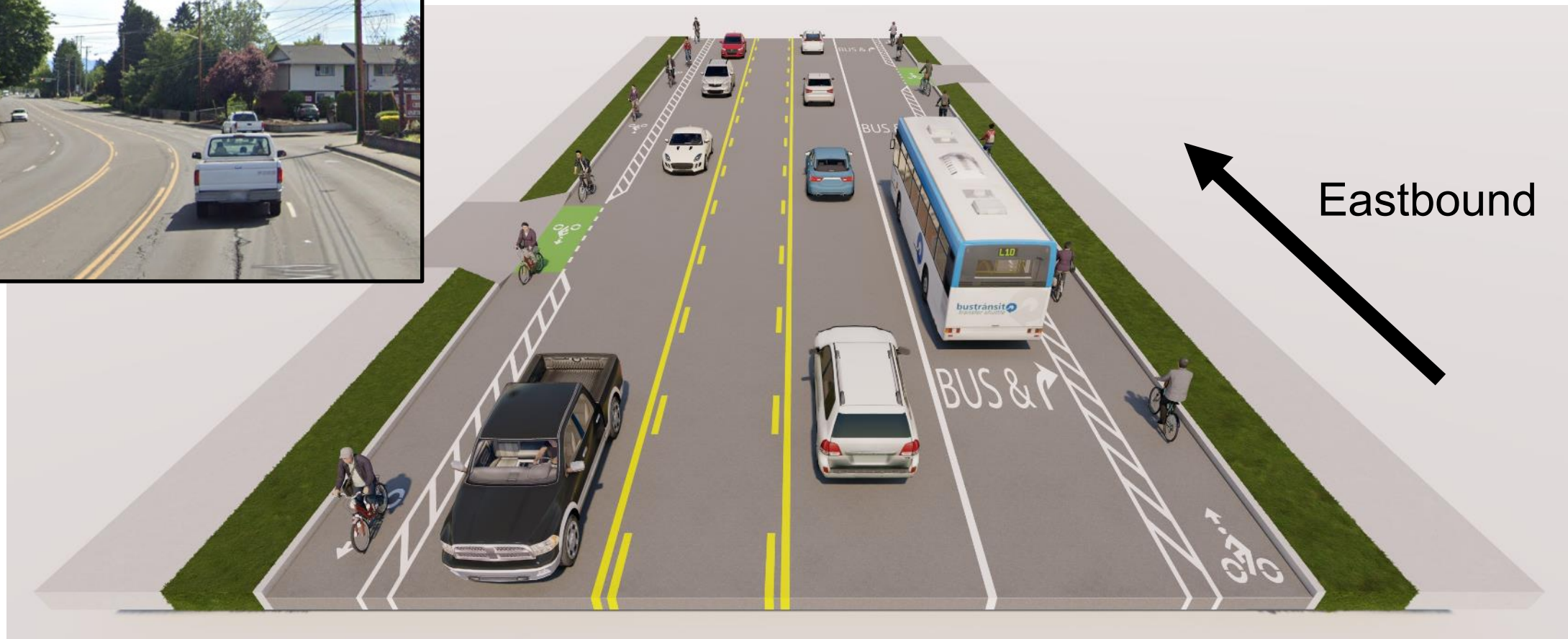
Phase 2 Alternative 1: Enhanced Mobility Lane Focus



Ft. Vancouver Way to Falk Road



Falk to Stapleton



Stapleton to 62nd

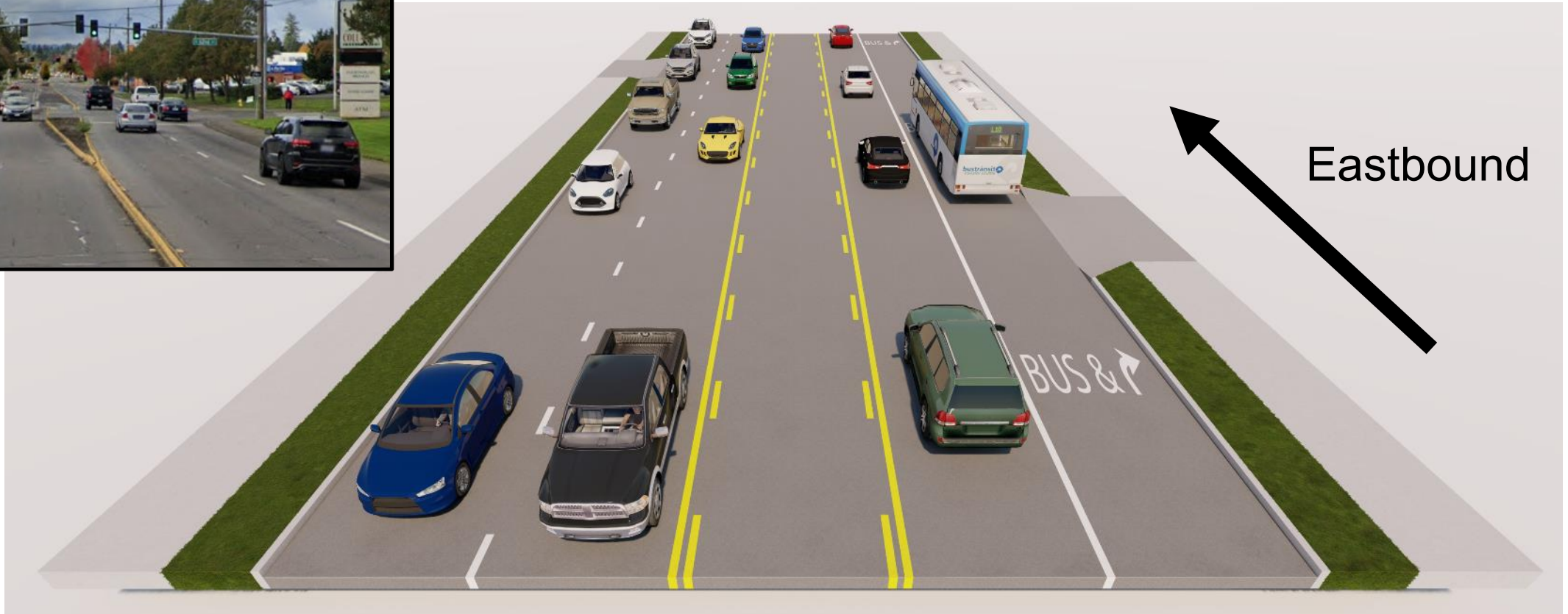


Fourth Plain east of Stapleton

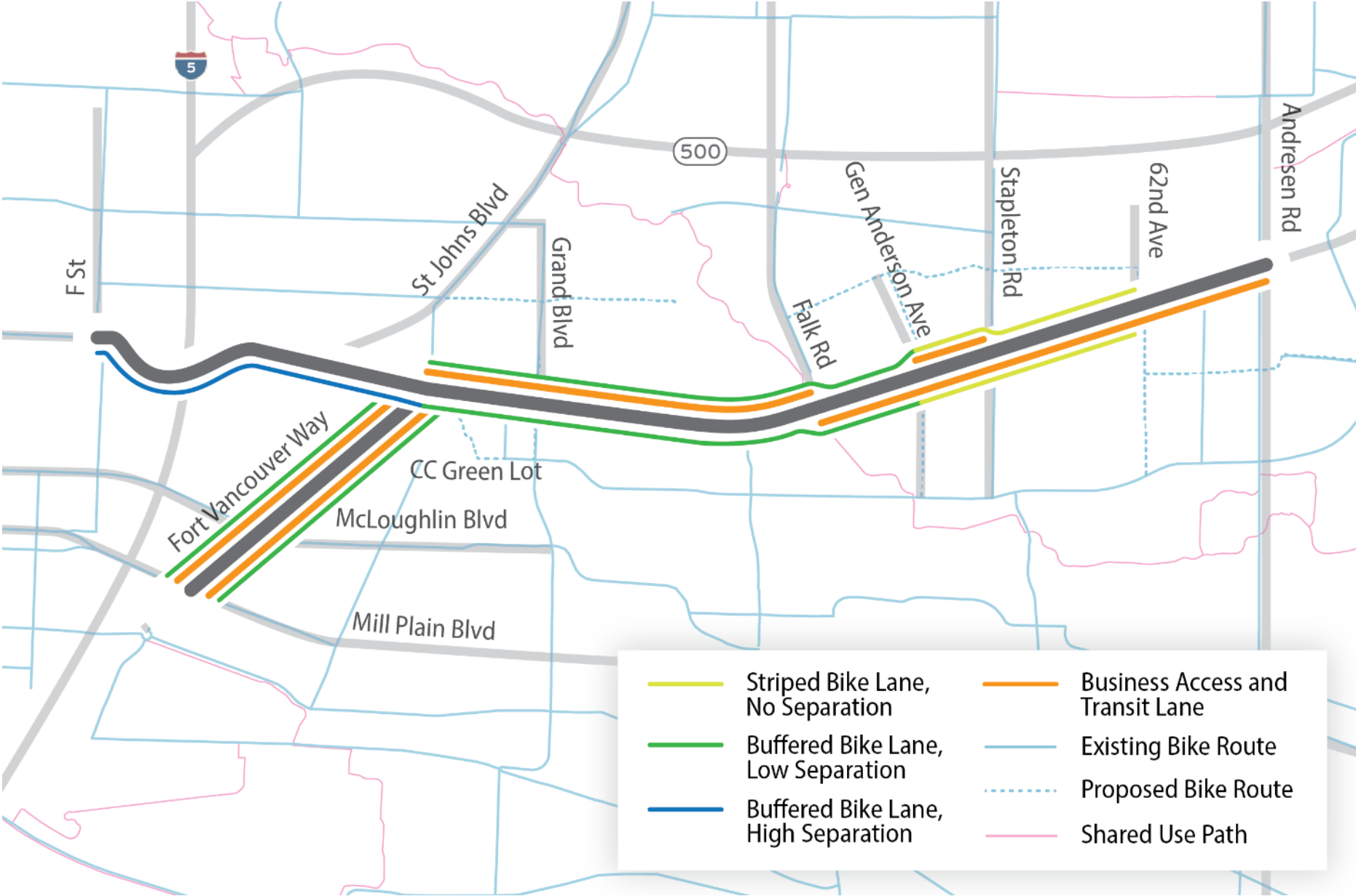
- **Transit reliability is prioritized** because of greater traffic and greater need to maintain bus travel speed and reliability.
- Corridor is more constrained east of 62nd
- Retaining two westbound travel lanes between Stapleton and Andresen to maintain traffic mobility
- With any alternative, continuous bicycling facilities would be included on Fourth Plain corridor from F Street to 62nd Ave



62nd to Andresen



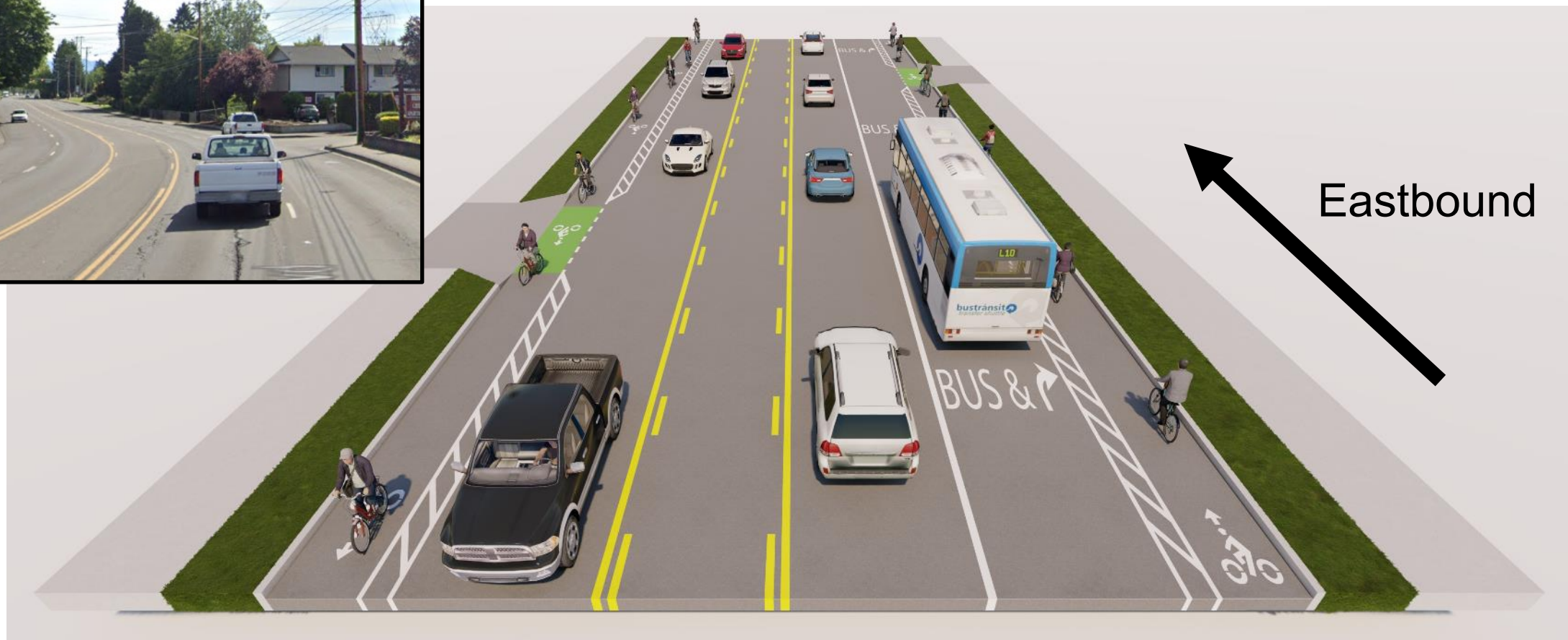
Phase 2 Alternative 2: Enhanced Transit Mobility Focus



Ft. Vancouver Way to Falk Road



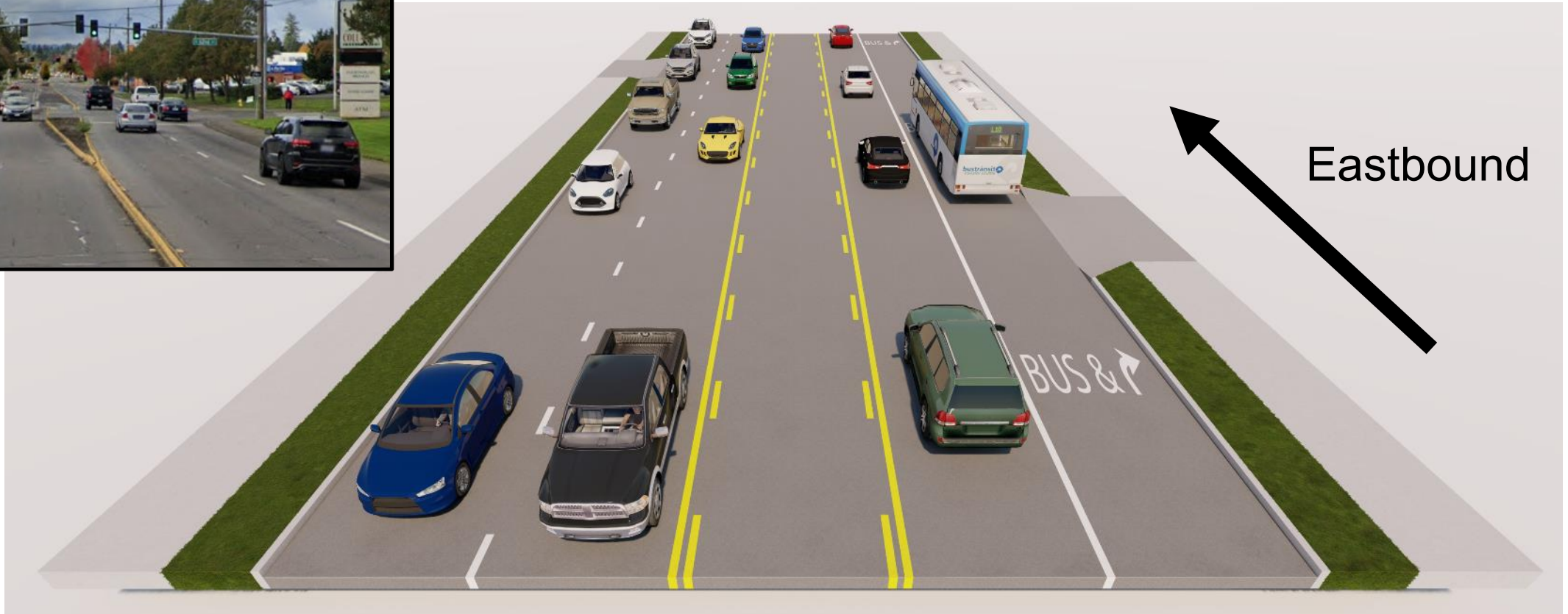
Falk to Stapleton



Stapleton to 62nd



62nd to Andresen



Alternatives Comparison Summary

Segment	Alternative 1 – Mobility Lane Emphasis	Alternative 2 – Transit Mobility Emphasis
Ft. Vancouver Way to Falk Road	Enhanced buffered mobility lanes	BAT lane westbound Buffered mobility lanes
Falk to Stapleton	BAT lane eastbound Buffered mobility lanes (enhanced buffer in places)	BAT lane eastbound Short BAT lane westbound Buffered mobility lanes
Stapleton to 62 nd	BAT lane eastbound Mobility lanes Two westbound travel lanes	BAT lane eastbound Mobility lanes Two westbound travel lanes
62 nd to Andresen	BAT lane eastbound No mobility lanes Two westbound travel lanes	BAT lane eastbound No mobility lanes Two westbound travel lanes

Transportation and Mobility Commission

Phase 2 Design Feedback

- Safety needs to be the primary consideration in designing the roadway
- Vehicle mobility and congestion should not be prioritized over safety and multimodal travel options
- Design consistency across the corridor is important to reduce confusion
- Be sure we can meet transit travel time promises with design alternatives

Transportation and Mobility Commission

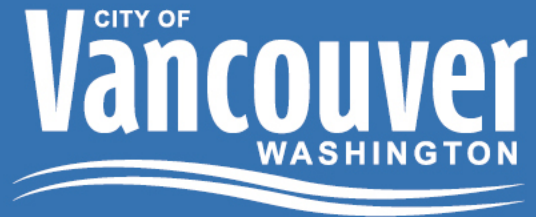
Phase 2 Design Feedback, cont.

- Prefer to have mobility lane facilities across the entirety of corridor for connectivity, and to limit sidewalk conflicts
- Focus on intersection transitions to increase safety and limit confusion
- Consider reducing turn lanes to 'recapture space' for other uses

Next Steps

- City staff will continue discussions with TMC, CTRAN, and WSDOT.
- **Tentative TMC public hearing on Phase 2 design (February 2023)**
- **Council review of Phase 2 design approach (February 2023)**

Thank You



DATE: October 31, 2022

TO: Mayor and City Council

FROM: Kate Drennan, Principal Transportation Planner, Community Development Department;
Ryan Farncomb, Parametrix

RE: Fourth Plain and Ft. Vancouver Way Traffic Safety and Mobility Projects - Phase II Update

Introduction

The City is advancing two important projects that help implement the City's Complete Streets Policy: The Fourth Plain and Fort Vancouver Way Safety and Mobility Projects. These two corridors have historically high crash rates and do not provide safe or comfortable facilities for people walking, cycling, using a mobility device, or accessing transit. These projects will look at new ways to use the existing road space to make the corridors safer, which could include changing the number of lanes for driving to make more room for people walking, biking, rolling, using mobility devices or using the bus. The final design for Phase 1, which includes Ft. Vancouver Way and Fourth Plain between F Street and Ft. Vancouver Way, were reviewed and approved by the Council previously. Phase 2 alternatives, which includes Fourth Plain between Ft. Vancouver Way and Andresen Road, are the subject of the Nov. 14, 2022 Council workshop.

Summary of Work Completed To-Date

- Conducted traffic analysis to understand current and anticipated future corridor traffic performance with and without a potential lane reconfiguration.
- Held outreach this past summer (outreach milestone #1) to hear feedback on corridor issues, including in-person and online methods. Outreach milestone #2 focused on reviewing and providing feedback on various alternatives and was completed October 31, 2022 (main findings are included below).
- Developed initial alternatives for the Fourth Plain and Ft. Vancouver corridors. "Alternatives" are different lane reconfiguration approaches that address needs and issues, and that consider constraints and tradeoffs in the corridor.
- Coordinated with agency and institutional partners including WSDOT, CTRAN, RTC, Clark College, Clark County Public Health, and the Veteran's Administration on the projects to keep all parties informed and hear feedback on alternatives.

Fourth Plain and Ft. Vancouver Way Traffic Safety and Mobility Projects - Update

October 31, 2022

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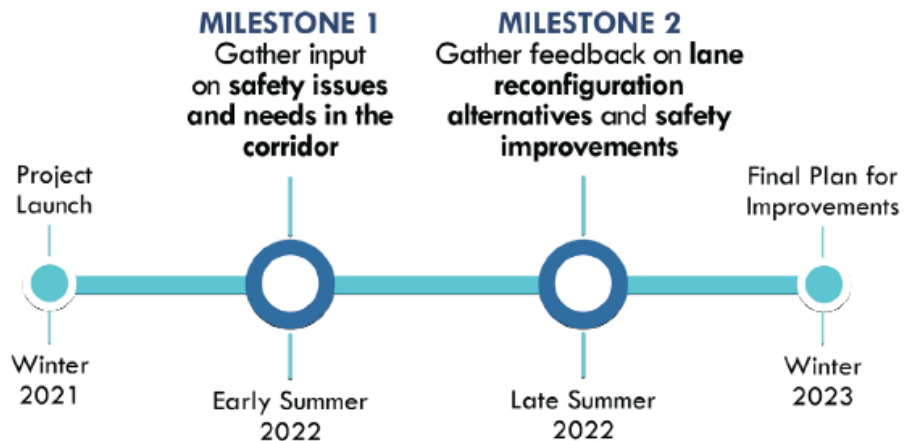
- Met with the Transportation and Mobility Commission (TMC) several times in 2021 and 2022 to review the project and take feedback. The TMC will review Phase 2 alternatives on November 1, 2022.

Milestone 2 Engagement Summary

There were two main outreach milestones:

Milestone 1, occurred in May and June 2022 and informed the community about the project and its purpose and goals. The team heard feedback on needs and issues.

Milestone 2, in September and October 2022, involved deeper discussions with the community on potential lane reconfiguration options 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 included tabling at events, direct canvassing at corridor businesses, an online open house, mailer, and focus groups. The team spoke to over 200 people in-person, including 34 business representatives, and received 300 visits to the online open house as of October 23rd and 100 surveys completed. Key findings from Milestone #2 outreach include:



- 83% of people engaged in-person, including 88% of people spoken to at businesses and organizations, were in favor of repurposing lanes on Fourth Plain to improve safety and multimodal travel.
- 63% of online survey participants are in similarly in favor of making changes.
- Opinions were split about which user groups should be prioritized (people walking, cycling, or using the bus). Business owners were strongly in favor of supporting transit in the corridor.
- Of those who walk, bike, or roll in the corridor today, the top priority mentioned was “Increasing physical space between cars and people walking, biking, or rolling.”

Traffic Analysis and Phase 2 Alternatives Development

The project team has developed lane reconfiguration alternatives for Phase 2 of the project, on Fourth Plain between Ft. Vancouver Way and Andresen. Lane reconfigurations are proven to improve safety for all roadway users, slow speeding traffic, and create new space for other travel modes. The alternatives reflect feedback from the community and stakeholders, as well as technical analysis. Traffic analysis and modeling previously showed that:

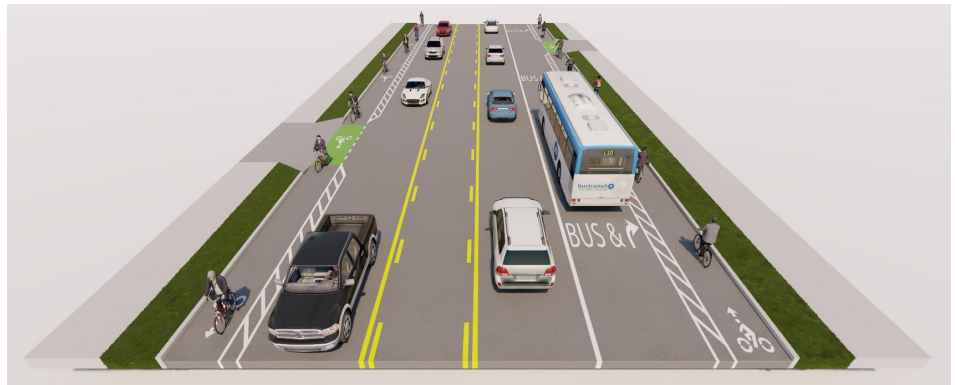
Fourth Plain and Ft. Vancouver Way Traffic Safety and Mobility Projects - Update

October 31, 2022

Page 3 of 4

- A lane reconfiguration that removes a travel lane in each direction in most of the Phase 2 corridor would perform similar to “no build” (i.e., keeping the corridor the same configuration as today). This is because some drivers would change their behavior in response to the lane reconfiguration in several ways, such as changing the time they drive, using SR-500 for through travel, and shifting to other transportation modes.
- Analysis showed that two westbound travel lanes should be maintained between Andresen Road and Stapleton to avoid significant impacts to traffic mobility.
- With a lane reconfiguration, travel speeds would be similar to “no build” during peak travel periods. The City’s concurrency standard is approximately 10 MPH for the Phase 2 corridor; analysis shows average end-to-end corridor speed would be approximately 20 MPH or greater.

Phase 2 lane reconfiguration alternatives include approaches to re-allocating lane space to implement enhanced mobility lanes, transit-only lanes that enhance transit travel times while still allowing turns, and a center turn lane through much of the corridor.



Example lane reconfiguration alternative for a section of Fourth Plain

The project team must consider constraints in the development of alternatives that include:

- The width of the existing corridor pavement (from curb to curb), since the lane reconfiguration will not move the curbs in the corridor.
- Agreements that CTRAN has with the Federal Transit Administration which specify how The Vine BRT system must operate in the corridor, including not pulling out of traffic.
- The need to maintain two westbound travel lanes between Andresen Road and Stapleton to maintain traffic mobility.
- The need to implement a transit-only lane eastbound between Stapleton and Andresen Road to maintain transit travel times.

Lane reconfiguration alternatives would address many transportation issues, but not all needs identified. The project team has been keeping track of other issues and concerns from community input that may be addressed through other avenues, including upcoming investments of federal American Rescue Plan Act (ARPA) funds as well as future programmatic investments.

Next Steps

After hearing TMC and Council feedback on the alternatives, the project team will conduct a final evaluation and develop a recommended alternative. The evaluation framework previously reviewed by the TMC and Council as well as community feedback will serve as the main evaluation tools to develop the recommended alternative. The evaluation results and recommended alternative will be reviewed by the TMC at a public hearing tentatively scheduled for February, and by the Council later

Fourth Plain and Ft. Vancouver Way Traffic Safety and Mobility Projects - Update

October 31, 2022

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that month. The final preferred alternative will be implemented in 2024 as part of the planned corridor paving project on Fourth Plain between Ft. Vancouver Way and Andresen Road.

The City is also developing an Implementation Plan for phases 1 and 2 that will address:

- Community outreach before and during construction
- Plan for addressing unanticipated traffic diversion if it occurs, and
- Monitoring, education and enforcement approach post-implementation



Fall 2022 Comprehensive Plan and Zoning Amendments

November 14, 2022
Vancouver City Council
Workshop



Bryan Snodgrass
Principal Planner
Community Development Department

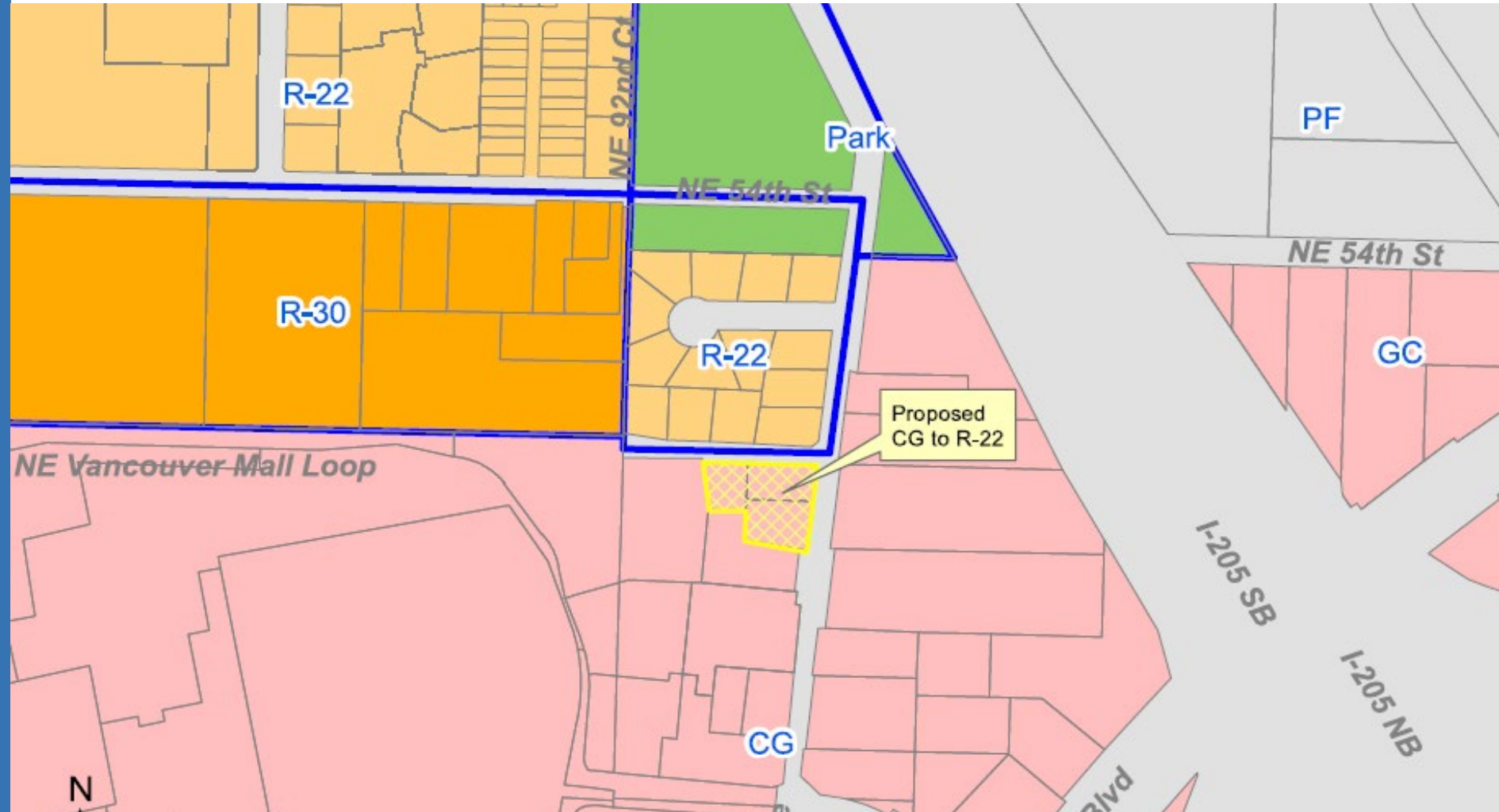
Presentation Overview

- Council review of three Comprehensive Plan and zoning map designation change requests, one Comprehensive Plan and associated zoning code text change, and 17 zoning code text changes.
- Unanimous recommendation for approval by Planning Commission on October 11, with two exceptions noted
- City Council first reading scheduled for December 12, public hearing on December 19
- Workshop intended to identify Council concerns prior to public hearing

**Stutesman
Plan/zone map
change –
CG to R-22
in the Van Mall
Neighborhood,
Intended to allow
11 townhome
units.**



Stutesman Plan/zone map change - Vicinity Zoning



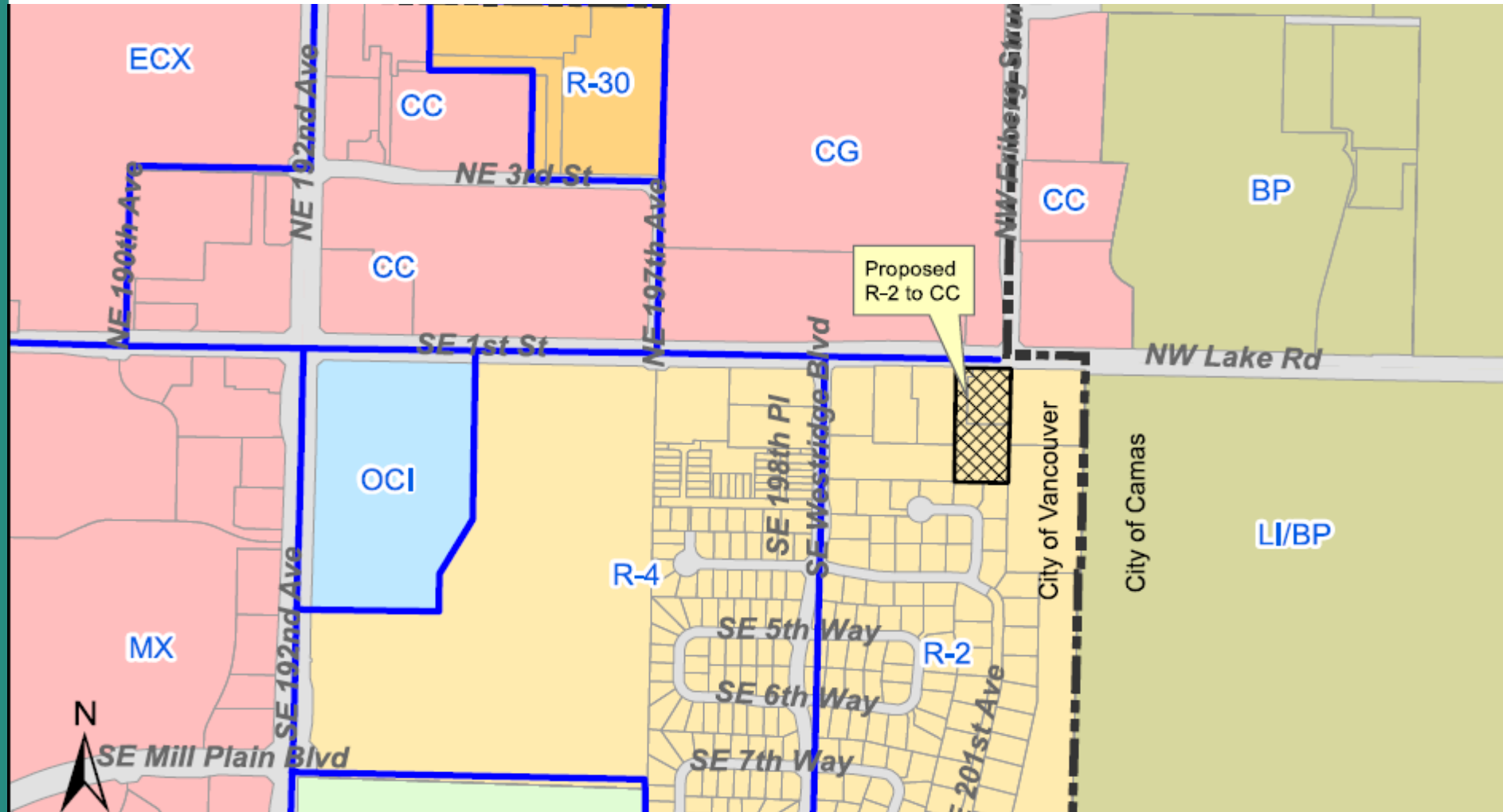
Stutesman Plan/zone map change - Background

- Located at a transition point between residential and commercial zoning districts
- Planning Commission recommended for approval:
 - Found site to be a good location to meet long term housing needs;
 - Indicated there is ample commercial zoning and development nearby;
 - Concerns about displacement of existing mobile home tenants can be partially addressed by longer period till ordinance effective date to allow tenants to plan for relocation.
- No public testimony at hearing, one advance letter in opposition

Schwartz
Plan/zone map
change - R-2 to
CC in East
Vancouver,
Intended to allow
expansion of
existing home
business.



Schwartz Plan/zone map change - Vicinity zoning



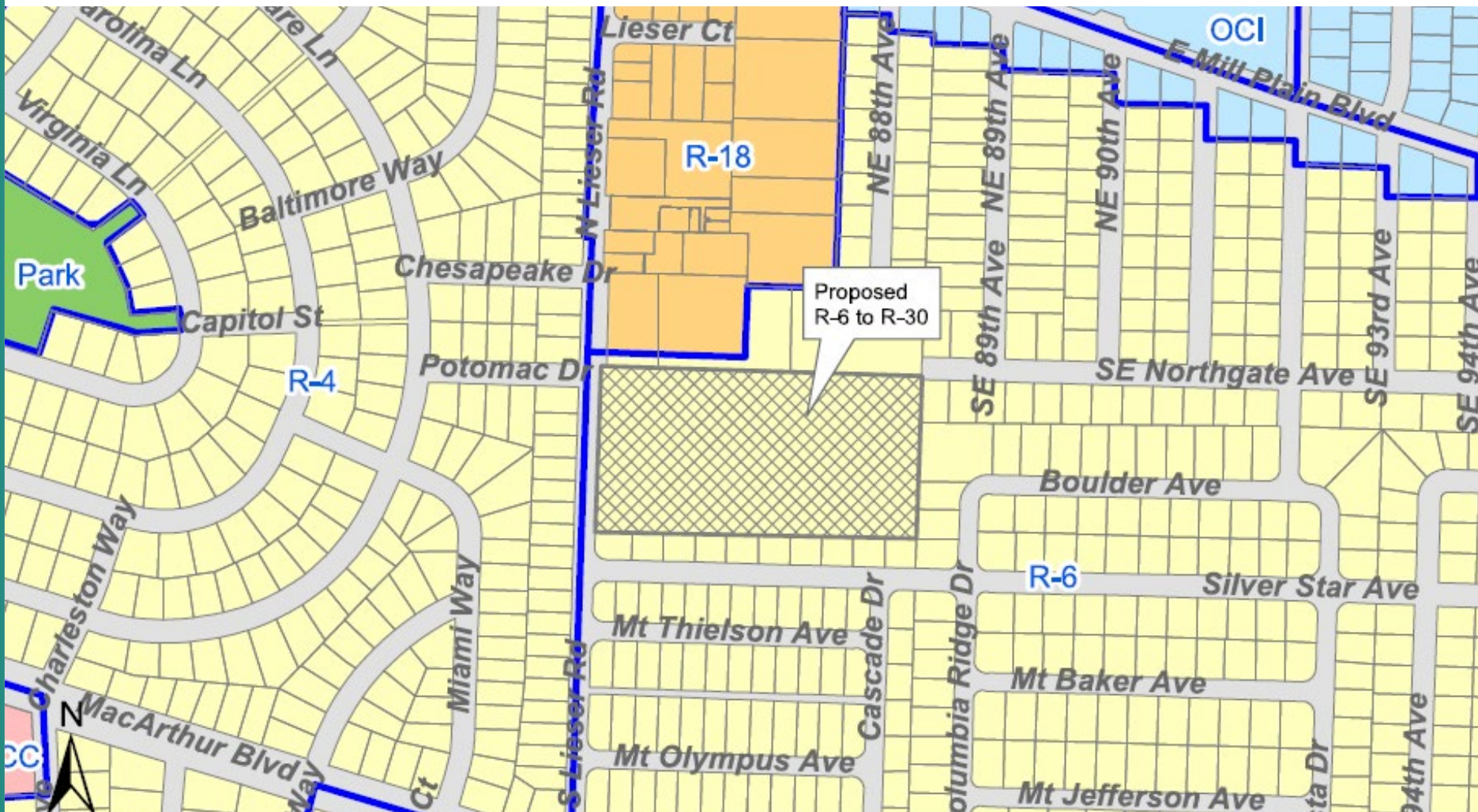
Schwartz Plan/zone map change - Background

- Planning Commission recommended denial by 3-2 vote, based on concerns that commercial zoning at this site alone could hinder efficient redevelopment of abutting large homesites, preclude changes to higher density residential zoning, and is premature given pending Comprehensive Plan update.
- Applicant argued that the proposal meets rezone criteria, and 1st Street has developed and is more appropriate for commercial development rather than single family housing.
- No public testimony at hearing, one advance comment in opposition.

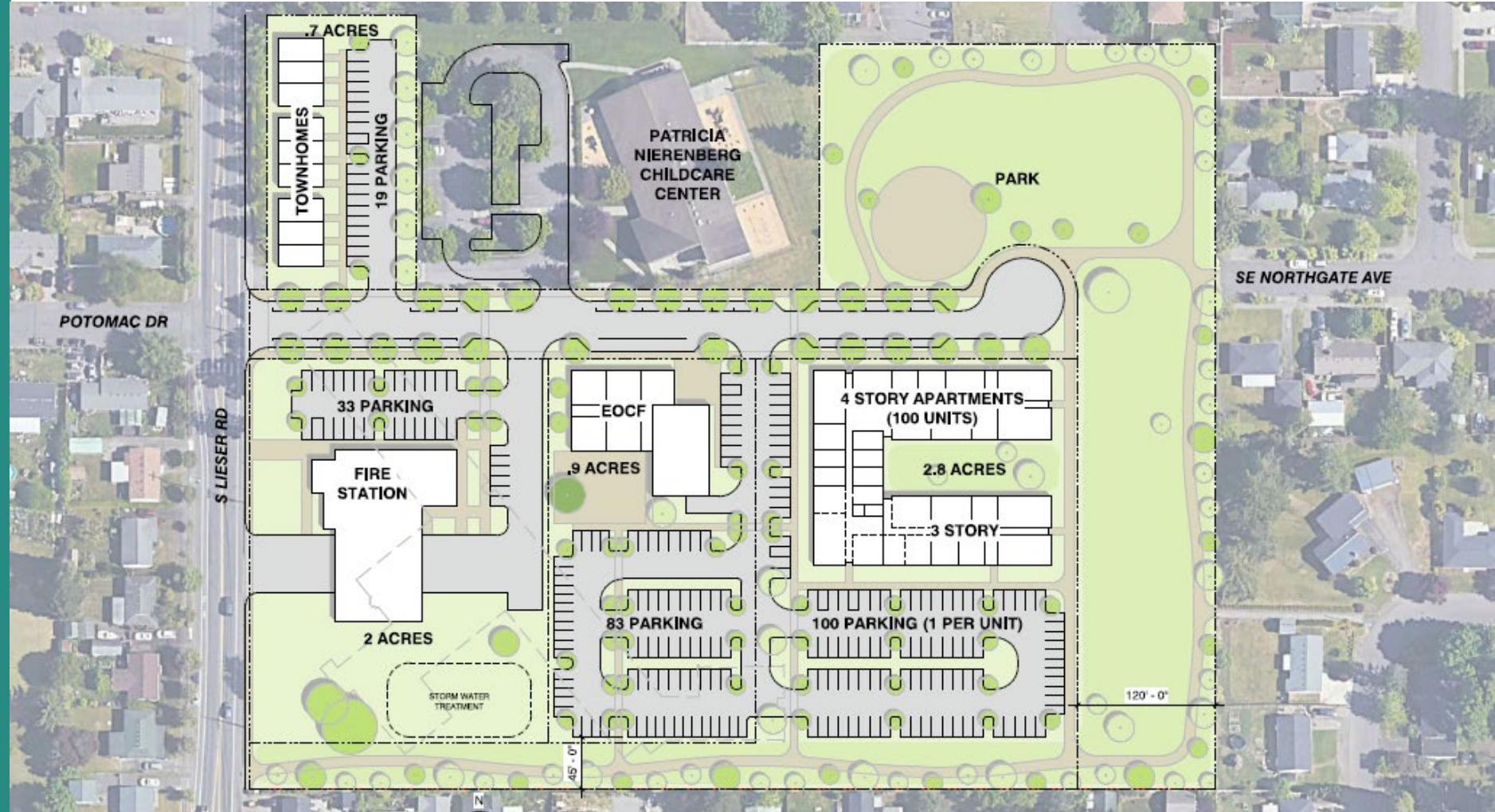
Lieser School -
R-6 to R-30 in
Vancouver
Heights
Neighborhood,
Intended to allow
redevelopment
including park,
fire station,
housing, EOCF
facilities.



Lieser School - Vicinity zoning



Lieser School - Potential Future Site Plan



Lieser School - Background

- Planning Commission recommended approval based on proposal's provision of affordable housing, on-site public facilities and services, and the various outreach measures and events conducted for the redevelopment proposal.
- Two persons testified at the hearing and one advance comment was received with concerns about traffic, services, neighborhood character, and a desire for additional information.

School District capital facility plans and impact fee updates

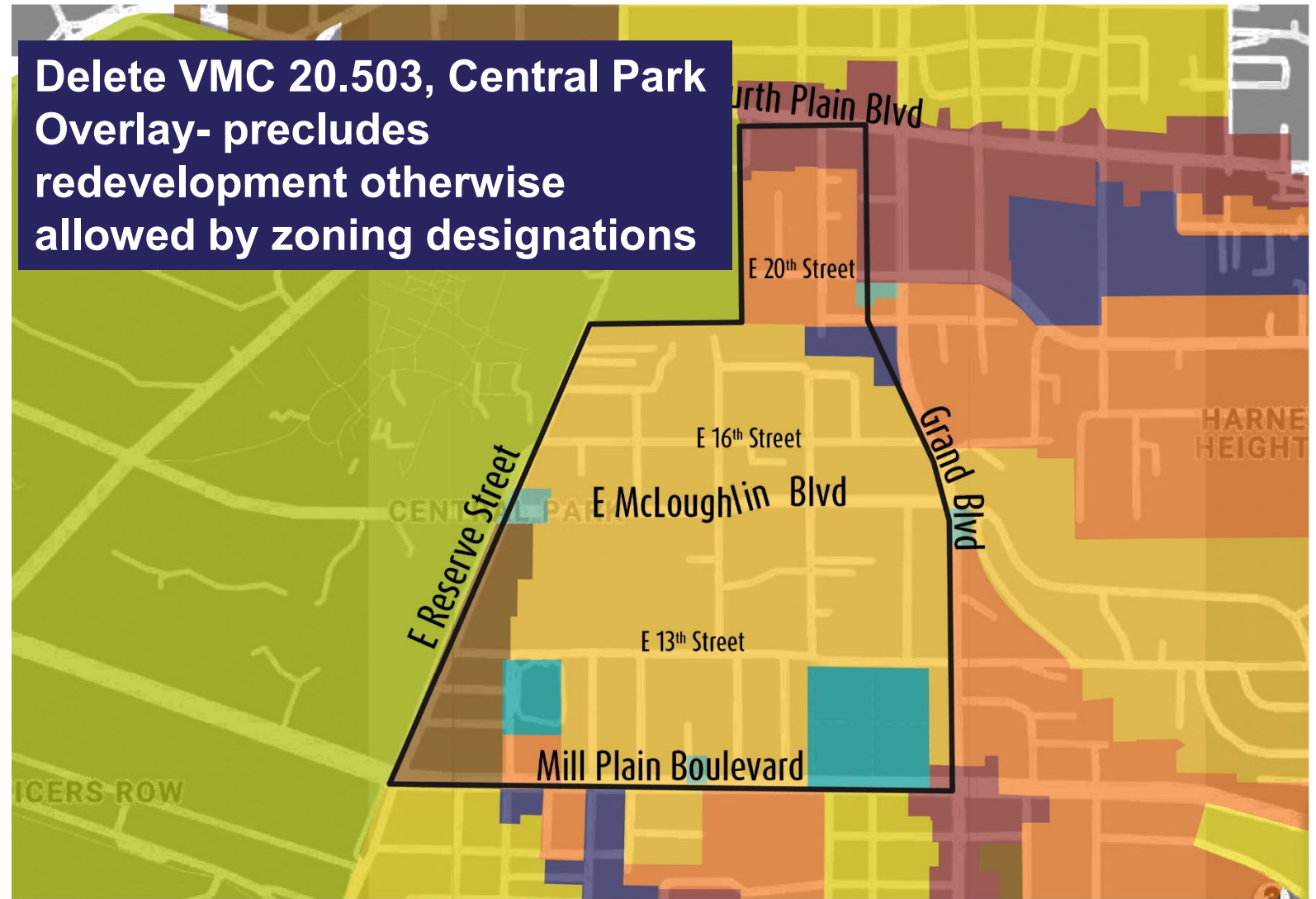
- Updated 6-year Battleground, Camas and Vancouver School Districts capital facilities plans proposed for adoption by reference in Appendix E of the Comprehensive Plan. Associated new School Impact Fees proposed in VMC Table 20.915.060-1:

School District	Single-Family	Multi-Family
Battle Ground	\$6,397 <u>\$10,760</u>	\$2,285 <u>\$3,845</u>
Camas	\$5,371 <u>\$6,650</u>	\$5,371 <u>\$6,650</u>
Vancouver	\$2,880 <u>\$2,786</u>	\$2,381 <u>\$2,486</u>

- No comments received

Zoning Code Text Changes - Central Park Overlay

Delete VMC 20.503, Central Park
Overlay- precludes
redevelopment otherwise
allowed by zoning designations



Zoning Codes



Central Park Overlay - background

- Overlay established in 2000 following request from Central Park N.A. 40% of neighborhood housing units estimated to be multi-family at the time.
- Overlay prohibits adding housing units through redevelopment, which has prevented homesites in multi-family zoned areas from developing as allowed by underlying zoning. Land divisions or ADUs in single family zone comprising most the residential area have been permitted.
- Overlay contains only two provisions. Restriction is unique citywide, and arguably inconsistent with City Comprehensive Plan goals addressing redevelopment and efficient use of land, and housing affordability crisis in recent years
- Residents and owners in Overlay area notified by postcard. Neighborhood Association contacted. Limited public feedback to date

Zoning Code Text Changes (cont.)

- 20.970, Solid Waste Disposal and Recycling Standards, 20.927, Narrow Lot Standards, and 20.950 Cluster Lot Development – Add solid waste related provisions codifying existing practices
- 20.885, Temporary Uses – Clarify and shorten existing standards
- 20.960, Commercial District Standards – Address signs on top of multi-story buildings
- 20.150, Residential Care Homes, and 20.860, Adult Care Homes – update definition to allow up to 8 persons rather than current 6, consistent with state guidance

Zoning Code Text Changes (cont.)

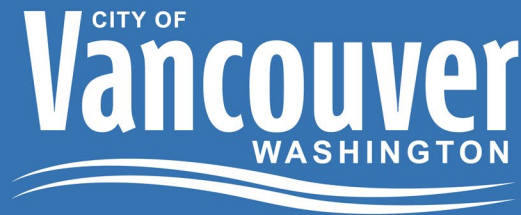
- 20.150, Definitions – Add a senior housing definition
- 20.670, Heights District – Limit first floor 16-foot height minimum to commercial uses, not residential
- 20.320, Subdivisions – Delete sales history requirements, correct reference and typo
- 20.710, Archaeological Resources – Update Map
- 20.150, Definitions; 20.920, Infill Standards; 20.790, SEPA; 20.570, Airport Overlay; Various – Correct definitions and references

Zoning Code Text Changes (cont.)

- 20.450. Update map embedded in zoning text to reflect zoning overlay map changes approved in 2021 for Port property near Vancouver Lake
- 20.430. Amend footnote allowance for affordable housing located near transit with 35-minute or less service intervals to eliminate reference to outdated C-Tran document
- 20.180.060, 20.180.070, 20.180.080. Update fees to eliminate outdated January 2022 fee listings, clarify language for tenant improvements, and separate out Right-of-Way permits for residential and commercial uses. Per City Code, VMC 20.180 fee changes were not reviewed by the Planning Commission.

Questions and Discussion

Bryan Snodgrass, Principal Planner, Community Development Department
bryan.snodgrass@cityofvancouver.us, 360-487-7946



Memorandum

DATE: October 27, 2022

TO: Mayor and City Council

FROM: Bryan Snodgrass, Principal Planner, Community Development Department

RE: November 14, 2022 workshop for fall 2022 zoning code map and text clean-up changes

CC: Eric Holmes, City Manager

Proposed Comprehensive Plan and zoning map and text changes from private parties and City staff are reviewed annually by the Vancouver Planning Commission and City Council. The 2022 items listed below were unanimously recommended for approval by the Planning Commission at a October 11 public hearing with limited public testimony, with two exceptions noted. A City Council public hearing is scheduled for December 19 following first reading on December 12. Detailed information is available in the Planning Commission hearing [staff report](#) , [presentation](#), and [recording](#). Below are summaries:

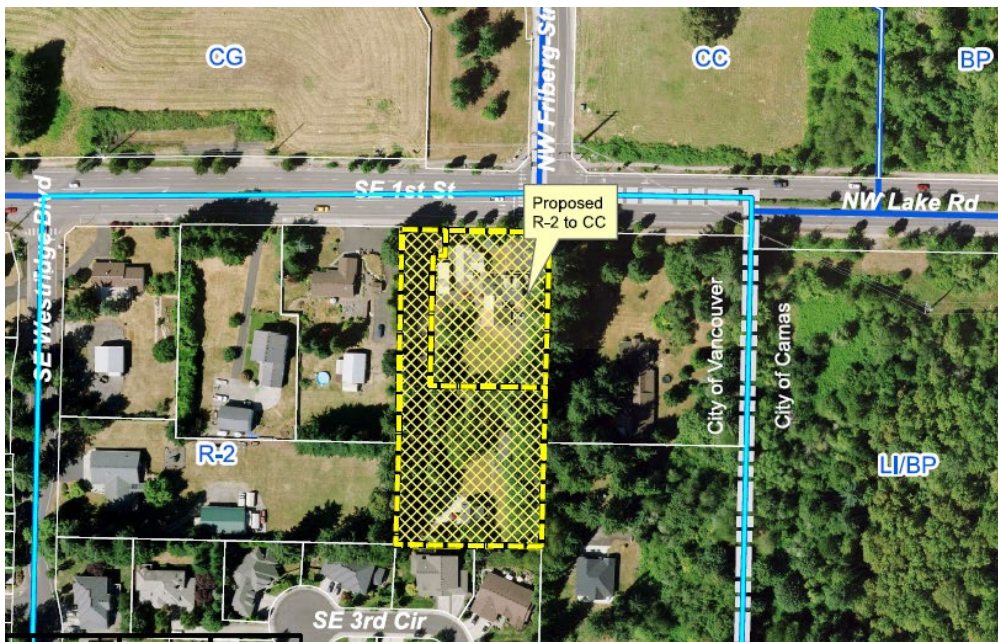
Comprehensive Plan and zoning map designation changes (3)

1. **Stutesman** – Commercial/CG to Urban High Density/R-22 in the Vancouver Mall Neighborhood. Intended to allow future townhome development.



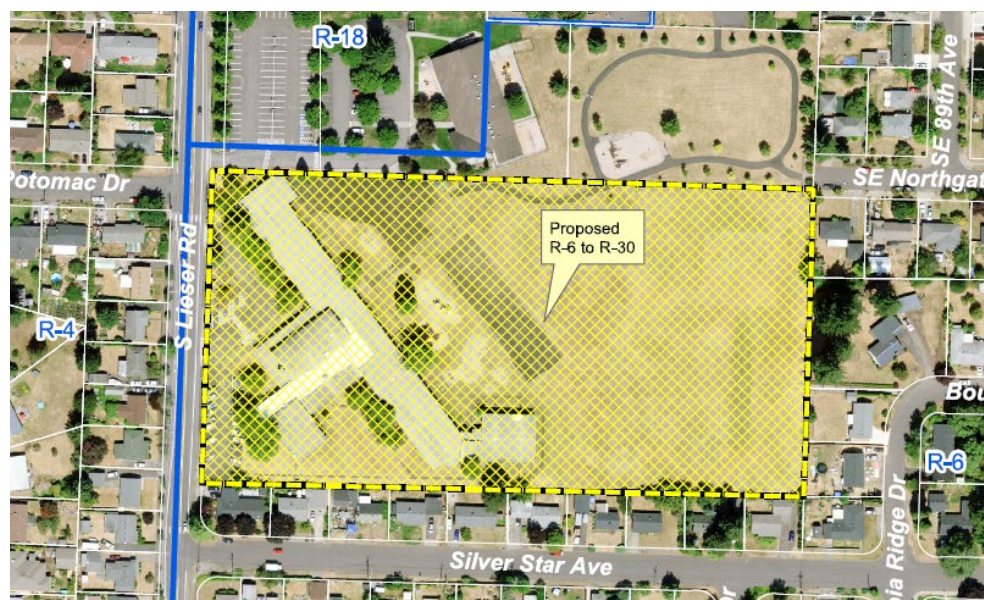
In limited deliberation the Commission unanimously recommended approval, noting that the site provided a good location to meet increasing housing needs, and there was ample commercial zoning and development nearby. There was no public testimony at the hearing, and one advance letter submitted by a neighbor in opposition. In response to concerns raised at an earlier Commission workshop about potential displacement of existing mobile home residents on the rezone site, staff provided advance notice to the on-site tenants, and recommended a longer phase in period for the final ordinance to become effective to allow extended time for residents to plan for relocation.

2. **Schwartz** – Urban Low Density/R-2 to Community Commercial/CC on 1st Street near the City of Camas border. Intended to allow expansion of existing home business.



The Commission voted 3-2 to deny the proposal, based on concerns that a change to commercial zoning at this site alone might hinder the efficient redevelopment over time of other adjacent large lot residences, would preclude a potentially more appropriate change to higher density residential zoning, and is premature given the pending Comprehensive Plan update. The applicant argued that the proposed commercial zoning meets City rezone criteria, particularly since 1st Street has developed and is more appropriate for commercial development rather than single family development. The applicant indicated that a revised proposal to multi-family zoning may or may not be feasible, but would need to be considered in this year's annual review cycle. There was no public testimony at the hearing. One advance comment was submitted in opposition.

3. **Lieser School Redevelopment** – Urban Low Density/R-6 to Urban High Density/R-30 in the Vancouver Heights neighborhood. Intended to allow redevelopment at the former Lieser school site, including a fire station, park, approximately 10 townhomes and 100 affordable rental housing units, and an Educational Opportunities for Children and Families (EOCF) early childhood development facility with childcare, offices, and a commercial kitchen.



Two persons testified at the hearing and one advance comment was received with concerns about traffic, services, neighborhood character, and a desire for additional information. The Commission unanimously recommended the proposal based on its provision of affordable housing and public services, and the extensive outreach conducted on the redevelopment proposal.

Comprehensive Plan and related zoning code text change (1)

The Commission unanimously approved adopting into the Comprehensive Plan and zoning code updated six-year capital facilities plans and associated new School Impact Fees (SIFs) proposed by the Battle Ground, Camas, and Vancouver School Districts. Impact fees would change as follows:

<u>School District</u>	<u>Single-Family</u>	<u>Multi-Family</u>
<u>Battle Ground</u>	\$6,397 <u>\$10,760</u>	\$2,285 <u>\$3,845</u>
<u>Camas</u>	\$5,371 <u>\$6,650</u>	\$5,371 <u>\$6,650</u>
<u>Vancouver</u>	\$2,880 <u>\$2,786</u>	\$2,381 <u>\$2,486</u>

Zoning code text changes (16)

The Planning Commission unanimously recommended approval of the 16 zoning code text changes identified in the staff report and addendum. One person testified and two advance letters were received regarding the first text change listed, the proposed removal of VMC 20.503, the Central Park Overlay District, which has greater policy implications than the other changes.

As noted in the Commission hearing staff report, the Central Park Overlay District under [VMC 20.503](#) includes two longstanding provisions which are unique to the Central Park area and arguably inconsistent with the City Comprehensive Plan and State Growth Management Act. One places unique limits on the rebuilding of multi-family homes or non-residential uses, and the other prevents any residential remodels or redevelopments which add to the total number of neighborhood housing units in place when the chapter was [adopted](#) in 2000. The standards were adopted at the request of Central Park Neighborhood Association at that time, in apparent response to concerns about the proliferation of multi-family housing. Staff has interpreted the standards as allowing land divisions and ADUs in the single-family zoned portions of the overlay, which comprise most of the area, but in the smaller multi-family zoned areas at the north and southwest corners of the Overlay District, existing homesites or duplexes have not been able to redevelop according to the densities the underlying zoning designations envision. Removal of the Overlay District would have no practical effect in the single-family zoned areas, other than eliminating potential confusion. In the multi-family zoned areas, it would allow properties to redevelop as zoned.

Because of the unique nature of the proposal staff provided advance email notice to the Central Park and Rose Village Neighborhood Associations, and hardcopy mail notice to all residents and property owners within the Overlay District. The proposal was also included on the [BeHeard Vancouver](#) site. Responses were primarily inquiries about the effect of the change.

There was no testimony or Commission discussion on the other text changes

Additional zoning code text change related to fees (1)

Per VMC 20.285.020, changes to fees in VMC 20.180 are not reviewed by the Planning Commission. Community Development Department staff propose changes to VMC 20.180.060 (Planning Fees), 20.180.070 (Development Engineering Fees) and 20.180.080 (Fire Fees) listed in Attachment A.

These changes are primarily standard updates to eliminate a column referencing now outdated January 2022 fees for various activities, leaving the still-applicable July 2022 column in place. Clarifying Planning Fee language changes for tenant improvements are proposed for VMC 20.180.060 section 39. Additional Development Engineering Fee language is also proposed for VMC 20.180.070 section 9 creating separate fees for residential and commercial Right-of-Way permits, and various permit activities are proposed to be retitled under sections 14 and 16.

Attachments

- A. Proposed amended VMC 20.180.060 (Planning Fees), 20.180.070 (Development Engineering Fees) and 20.180.080 (Fire Fees)

ATTACHMENT A: Amended Planning, Development Engineering and Fire Fees

20.180.060 Planning Fees.

Required planning fees. Fees for planning-related applications, permits, and services are set forth in Table 20.180.060.

Table 20.180.060.

Section	Activity	January 2022	July 2022
1.	Address Changes	\$507.00	\$523.00
2.	Airport Height Combining District	\$723.00	\$746.00
3.	Appeals (to Hearing Examiner, Planning Commission, or City Council)		
A.	Filed by a recognized city neighborhood association	\$154.00	\$159.00
B.	Involving an individual single-family or duplex lot	\$712.00	\$735.00
C.	All other (see SEPA fees for SEPA procedural appeal fee)	\$2,034.00	\$2,099.00
4.	Archaeological Review		
A.	Predeterminations		
1.	Base fee	\$662.00	\$683.00
2.	Plus fee per acre for each acre more than five	\$112.00	\$116.00
B.	Surveys and other special studies	Cost recovery ²	Cost recovery ²
5.	Binding Site Plan		
A.	Conceptual – Requiring subsequent site plan review		
1.	Same as comparable short subdivision or subdivision	See short subdivision or subdivision	See short subdivision or subdivision
B.	Detailed – Not requiring subsequent site plan review		

Section	Activity	January 2022	July 2022
1.	Same as comparable short subdivision or subdivision	See short subdivision or subdivision	See short subdivision or subdivision
2.	Plus 1/2 comparable site plan review	See site plan review	See site plan review
6.	Boundary Line Adjustments		
	Base fee	\$1,068.00	\$1,102.00
	Plus fee per lot for each additional lot more than two	\$346.00	\$357.00
7.	Comprehensive Plan Amendments (includes rezone in conjunction with plan amendment)	\$14,036.00	\$14,485.00
8.	Conditional Use Permit		
A.	Initial (community centers, group meal service, shelters)	\$1,527.00	\$1,576.00
B.	Initial (all others)	\$8,597.00	\$8,872.00
C.	Major modification, Type III	\$1,527.00	\$1,576.00
D.	Minor modification, Type I	\$346.00	\$357.00
9.	Continuance of Public Hearing		
A.	Initiated by applicant after public notice is mailed	\$2,034.00	\$2,099.00
B.	Resulting from inadequate information provided by the applicant. Does not apply in cases where new information is presented at the hearing by staff or other parties.	\$2,034.00	\$2,099.00
C.	Hearing examiner reconsideration request	\$2,034.00	\$2,099.00
10.	Covenant Release - Full and Partial	\$9,052.00	\$9,342.00
11.	Critical Areas Permit		

Section	Activity	January 2022	July 2022
A.	Single-family and duplex lots (fee per applicable critical area)		
1.	Fish and wildlife habitat areas	\$1,527.00	\$1,576.00
2.	Frequently flooded areas	\$306.00	\$316.00
3.	Geologic hazard areas	\$306.00	\$316.00
4.	Wetland areas	\$1,527.00	\$1,576.00
B.	All others (fee per applicable critical area)		
1.	Fish and wildlife habitat areas	\$3,053.00	\$3,151.00
2.	Frequently flooded areas	\$701.00	\$723.00
3.	Geologic hazard areas	\$701.00	\$723.00
4.	Wetland areas	\$3,053.00	\$3,151.00
C.	Minor exception request		
1.	Single-family and duplex lots	\$701.00	\$723.00
2.	All others	\$732.00	\$755.00
D.	Reasonable use request		
1.	Single-family and duplex lots	\$4,477.00	\$4,620.00
2.	All others	\$8,903.00	\$9,188.00
E.	Digitizing critical areas geographic information	Cost recovery ²	Cost recovery ²
12.	Design Review (Downtown)		
A.	Minor exterior reviews only	\$611.00	\$631.00
B.	All others, including new buildings	\$2,034.00	\$2,099.00
13.	Development Agreement		
A.	Initial	\$6,843.00	\$7,062.00

Section	Activity	January 2022	July 2022
B.	Modification	\$3,137.00	\$3,237.00
C.	Extension	\$582.00	\$601.00
14.	Extension of Preliminary Approval	\$712.00	\$735.00
15.	Grading and Erosion Control Permit (includes plan check and inspection)		
A.	50 cubic yards or less and less than 1 foot in depth	No fee	No fee
B.	51 to 100 c.y. or greater than 1 foot in depth	\$133.00	\$137.00
C.	101 to 500 c.y.		
1.	Base fee	\$267.00	\$276.00
2.	Plus fee per 100 c.y. (or fraction thereof) above 500 c.y.	\$18.00 (Note: Maximum total grading and erosion control fee shall be \$362.00)	\$19.00 (Note: Maximum total grading and erosion control fee shall be \$374.00)
D.	Fees resulting from work in progress without a permit	2 × regular fee	2 × regular fee
16.	Home Occupation		
A.	General	\$202.00	\$208.00
B.	Penalty – When application is received after code enforcement action has been initiated	2 × regular fee	2 × regular fee
17.	Impact Fee Deferral for Single-Family Housing (administrative fee per lot)	\$638.00	\$658.00
18.	Joint Use Parking Agreement	\$1,144.00	\$1,181.00
19.	Land Use Permit (single-family residential; sheds; decks; driveways; fences, etc.)	\$53.00	\$55.00
20.	Lot Determination		

Section	Activity	January 2022	July 2022
A.	Base fee (one to two lots)	\$2,229.00	\$2,300.00
B.	Plus per-lot fee over two	\$712.00	\$735.00
21.	Master Plan²		
A.	Conceptual (requiring subsequent site plan review)	\$7,908.00	\$8,161.00
B.	Detailed (not requiring subsequent site plan review)	\$7,908.00 plus 1/2 applicable site plan review fee	\$8,161.00 plus 1/2 applicable site plan review fee
C.	Hybrid (conceptual approval for overall site, plus partial detailed approval)	\$7,908.00 plus 1/2 applicable site plan review fee for area for which detailed approval is sought	\$8,161.00 plus 1/2 applicable site plan review fee for area for which detailed approval is sought
22.	Planned Development		
A.	Residential		
1.	Base fee	\$2,473.00	\$2,552.00
2.	Plus fee per unit	\$112.00	\$116.00
3.	Minimum: Maximum: Subdivision fee reduced by 1/2 when filed simultaneously.	Min. – \$3,536.00 Max. – \$15,990.00	Min. – \$3,649.00 Max. – \$16,502.00
B.	Nonresidential		
1.	Base fee	\$2,441.00	\$2,519.00
2.	Plus fee per sq. ft. – Ground floor	\$0.62	\$0.64
3.	Plus fee per sq. ft. – Upper floors	\$0.28	\$0.29
4.	Minimum:	Min. – \$3,632.00	Min. – \$3,748.00

Section	Activity	January 2022	July 2022
	Maximum:	Max. – \$23,904.00	Max. – \$24,669.00
C.	Mixed		
1.	Base fee	\$2,441.00	\$2,519.00
2.	Plus fee per sq. ft. – Ground floor	\$0.62	\$0.64
3.	Plus fee per sq. ft. – Upper floors	\$0.28	\$0.29
4.	Minimum: Maximum: No rezone fee. Subdivision reduced by 1/2 when filed simultaneously.	Min. – \$3,632.00 Max. – \$24,070.00	Min. – \$3,748.00 Max. – \$24,840.00
23.	Planning Official Review		
A.	Temporary use		
1.	Seasonal or special event	\$99.00	\$102.00
2.	Temporary sales office, model home, or unforeseen emergency	\$299.00	\$309.00
3.	Temporary use in a commercial or industrial district	\$1,404.00	\$1,449.00
B.	Similar use determination or other	\$1,404.00	\$1,449.00
24.	Plat Alteration	\$6,571.00	\$6,781.00
25.	Post-Decision Reviews		
A.	Post-decision review – Type I	\$346.00	\$357.00
B.	Post-decision review – Type II	\$974.00	\$1,005.00
C.	Post-decision review – Type III	\$1,527.00	\$1,576.00
26.	Preapplication Conference Process		
A.	Preapplication conference request – Single-family and duplex lots	\$306.00	\$316.00
B.	Preapplication conference request - All others	\$1,078.00	\$1,112.00

Section	Activity	January 2022	July 2022
C.	Preapplication waiver request	\$154.00	\$159.00
27.	Zoning Verification Letter (authorizes replacement of destroyed structure)	\$233.00	\$240.00
28.	Reporting (misc. application and permit information)	Cost recovery ²	Cost recovery ²
29.	SEPA Checklist (Environmental Review)		
A.	Grading permit		
1.	Single-family and duplex lots	\$135.00	\$139.00
2.	All other		
a.	Base fee	\$997.00	\$1,029.00
b.	Plus fee per acre of land disturbed by the project	\$18.00	\$19.00
B.	Subdivision or planned development		
a.	Base fee	\$814.00	\$840.00
b.	Plus fee per acre of land disturbed by the project	\$9.30	\$9.60
C.	Site plan review – Residential		
a.	Base fee per unit up to five units	\$202.00	\$208.00
b.	Plus fee per unit more than five	\$20.00	\$21.00
D.	Nonprojects (including rezone and annual review applications)	\$2,237.00	\$2,309.00
E.	All other reviews		
a.	Base fee	\$1,628.00	\$1,680.00
b.	Plus fee per acre of land disturbed by the project	\$54.00	\$56.00
F.	SEPA procedural appeal (See “Appeals – All others” for substantive SEPA appeal fee)	\$132.00	\$136.00
G.	Environmental impact statement (EIS) review	Cost recovery ²	Cost recovery ²

Section	Activity	January 2022	July 2022
30.	Shoreline Permits		
A.	Shoreline substantial development permit	\$7,119.00	\$7,347.00
B.	Shoreline conditional use permit	\$7,832.00	\$8,083.00
C.	Shoreline variance request	\$7,832.00	\$8,083.00
31.	Short Subdivisions		
A.	Preliminary (nine lots or fewer) plats	\$6,917.00	\$7,138.00
B.	Final plat check	\$2,350.00	\$2,425.00
32.	Signs – All Except Sandwich Board Signs	\$346.00	\$357.00
33.	Site Plan Review (Type I)		
A.	Residential	\$299.00	\$309.00
B.	Nonresidential	\$1,404.00	\$1,449.00
C.	Qualifying planned action	Same as Type II site plan review fees	Same as Type II site plan review fees
34.	Site Plan Review (Type II) – Residential		
A.	Base fee	\$1,759.00	\$1,815.00
B.	Plus fee per unit	\$122.00	\$126.00
C.	Maximum fee	\$24,801.00	\$25,595.00
35.	Site Plan Review (Type II) – Nonresidential		
A.	General case		
1.	Base fee	\$4,780.00	\$4,933.00
2.	Plus fee per sq. ft. – Ground floor	\$0.19	\$0.20
3.	Plus fee per sq. ft. – Upper floors	\$0.09	\$0.09

Section	Activity	January 2022	July 2022
B.	Commercial pad within a previously approved site plan that was not originally reviewed for the proposed specific use or structure	\$3,264.00	\$3,368.00
C.	Land-extensive uses such as a golf course	\$3,935.00	\$4,061.00
D.	Unoccupied commercial and utility structures	\$1,812.00	\$1,870.00
36.	Special Valuation – Historic Preservation	\$517.00	\$534.00
37.	Subdivisions – Preliminary		
A.	2 – 9 lots (not qualifying as a short subdivision)	\$7,314.00	\$7,548.00
B.	10 – 22 lots	\$10,576.00	\$10,914.00
C.	23+ Lots		
1.	Base fee (for first 23 lots)	\$10,576.00	\$10,914.00
2.	Plus fee per lot (each lot more than 23)	\$264.00	\$272.00
D.	In conjunction with a planned development	1/2 regular fee	1/2 regular fee
38.	Subdivisions – Final Plat Check	\$5,326.00	\$5,496.00
39.	Tenant Improvement (if exempt from site plan review), including multi-family (if exempt from site plan review)	\$99.00	\$102.00
40.	Tree Plan Review		
A.	Levels 1, 2, 4, 5	\$336.00	\$347.00
B.	Levels 3, 6, 7	\$112.00	\$116.00
41.	Variance (full fee for 1 variance; 1/2 cost for 2nd; \$0.00 for 3rd or more)		
A.	Type I		
1.	Single-family and duplex lots	\$701.00	\$723.00
2.	All other	\$732.00	\$755.00

Section	Activity	January 2022	July 2022
B.	Type II		
1.	Single-family and duplex lots	\$2,210.00	\$2,281.00
2.	All other	\$5,324.00	\$5,494.00
42.	Zoning Certificates	\$763.00	\$787.00
43.	Zoning Map or Text Change (not involving comprehensive plan amendment)	\$9,170.00	\$9,463.00

1 Fees effective on January 1, 2022, shall be further adjusted as provided for under VMC [20.180.050](#).

2 Cost Recovery: Applicants or persons requesting reports will be required to sign an agreement that they will pay the actual cost of the work being performed. Actual costs will be calculated based on the salary and benefits of the employees performing work plus overhead at a rate of 30 percent.

3 Projects with approved master plans, which include preliminary stormwater and transportation plans, shall be entitled to a 30 percent reduction in the fee for stormwater and transportation plan review.

(Amended during 7/22 update; Ord. M-4376 § 11 (Exh. A), 2022; Ord. M-4363 § 10 (Exh. A), 2022; ACM dated 12/28/2021, CPI Increase; ACM dated 11/30/2020, CPI-increase; ACM dated 12/19/2019, CPI Increase; Ord. M-4255 § 4, 2018; ACM dated 11/7/2018, CPI Increase; ACM dated 12/20/2017, CPI Increase; Ord. M-4205 § 1; ACM dated 11/23/2016, CPI Increase; Ord. M-4172 § 3, 2016; ACM dated 12/31/2015, CPI Increase; Ord. M-4097 § 2, 2014; ACM dated 1/1/2014, CPI Increase; Ord. M-4034 § 4, 2012; ACM dated 1/4/2012, CPI Increase; ACM dated 1/25/2011, CPI Increase; Ord. M-3959 § 5, 2010; Ord. M-3932 §§ 2, 3, 2009; Ord. M-3922 § 5, 2009; Ord. M-3895 § 3, 2008; Ord. M-3844 § 4, 2007; Ord. M-3840 § 5, 2007; Ord. M-3701 § 5, 2005; Ord. M-3692 § 10, 2005; Ord. M-3663 § 4, 2004; Ord. M-3643, 2004)

20.180.070 Development Engineering Fees.

Fees for development engineering. Fees for development engineering related applications, permits, and services are set forth in Table 20.180.070:

Table 20.180.070. Development Engineering Fees

Section	Engineering Activity	January 2022	July 2022
1.	Binding Site Plan (in addition to underlying site plan review fee)	See short plat or subdivision	See short plat or subdivision
A.	Conceptual – Requiring subsequent site plan review		
1.	Same as comparable short plat or subdivision	See short plat or subdivision	See short plat or subdivision
B.	Detailed – Not requiring subsequent site plan review		
1.	Same as comparable short plat or subdivision	See short plat or subdivision	See short plat or subdivision
2.	Plus same as comparable site plan review	See site plan	See site plan
2.	Conditional Use Permit		
A.	Stormwater plan review	\$1,025.00	\$1,058.00
B.	Transportation plan review	\$1,378.00	\$1,422.00
3.	Continuance of Public Hearing (applicant-initiated)	\$585.00	\$604.00
4.	Drainage Projects (special)		
A.	Plan review fee	\$520.00	\$537.00
B.	Construction inspection fee	\$533.00	\$550.00
C.	Fees resulting from working without a permit	2 × regular fee	2 × regular fee
5.	Escrow Review and Administration		
A.	\$0.00 to \$10,000 (final city-approved escrow amount)		

Section	Engineering Activity	January 2022	July 2022
1.	Base fee	\$347.00	\$358.00
2.	Plus percentage of final city-approved escrow amount	1.50%	1.50%
B.	\$10,001 to \$100,000 (final city-approved escrow amount)		
1.	Base fee	\$696.00	\$718.00
2.	Plus percentage of final city-approved escrow amount	1.00%	1.00%
C.	Greater than \$100,000 (final city-approved escrow amount)		
1.	Base fee	\$1,391.00	\$1,436.00
2.	Plus percentage of final city-approved escrow amount	1.00%	1.00%
6.	Inspection Fees – Additional		
A.	Construction inspection after normal work hours ¹	Cost recovery²	Cost recovery ²
B.	Construction reinspection during normal work hours	Cost recovery²	Cost recovery ²
7.	Plan Review, Final Engineering – Additional		
A.	Each additional review (beyond three) for either stormwater or transportation	\$540.00	\$557.00
8.	Post-Decision Review – Specifications		
A.	Change specifications prior to submittal	No fee	No fee
B.	Change specifications after first review	1/2 regular fee	1/2 regular fee
C.	Change specifications after final approval	Full regular fee	Full regular fee
9.	Right-of-Way Permits		
A.	City of Vancouver		
	<u>Residential</u>		
<u>1.</u>	<u>Base fee</u>		<u>\$30.00</u>

Section	Engineering Activity	January 2022	July 2022
2.	Plus fee per square foot of sidewalk (after the first 100)		\$0.05
3.	Plus fee per lineal foot of driveway (after the first 10)		\$0.23
	Commercial		
1.	Base fee	\$139.00	\$143.00
2.	Plus fee per lineal foot of improvement (includes all frontage improvements and trenching in right-of-way)	\$2.50	\$2.58
B.	Clark County	Amount per Clark County Code (CCC) Chapter 13.12A as amended	Amount per Clark County Code (CCC) Chapter 13.12A as amended
C.	WSDOT	\$309.00	\$319.00
10.	Site Plans		
A.	Stormwater plan review (includes preliminary and final) ³		
1.	General case		
a.	Base fee	\$1,544.00	\$1,593.00
	Plus charge per square foot of impervious area as follows (including roof area):		
b.	First 1.00 acre	\$0.04	\$0.04
c.	Next 1 to 5 acres	\$0.02	\$0.02
d.	Over 5 acres	\$0.004	\$0.004
2.	Unoccupied commercial and utility structures	\$500.00	\$516.00
3.	Tenant improvements	\$104.00	\$107.00
B.	Transportation plan review (includes preliminary and final) ³		

Section	Engineering Activity	January 2022	July 2022
1.	General case	\$3,944.00	\$4,070.00
2.	Unoccupied commercial and utility structures	\$1,638.00	\$1,690.00
3.	Tenant Improvements	\$145.00	\$150.00
C.	Construction inspection fees (stormwater and transportation)		
1.	Small projects (less than 1 acre of impervious surface)		
a.	Base fee	\$989.00	\$1,021.00
b.	Plus charge per square foot of impervious surface	\$0.01	\$0.01
2.	Medium projects (1.0 to 4.99 acres of impervious surface)		
a.	Base fee	\$1,976.00	\$2,039.00
b.	Plus charge per square foot of impervious surface	\$0.005	\$0.005
3.	Large projects (over 5 acres of impervious surface) – \$10,000 maximum		
a.	Base fee	\$3,951.00	\$4,077.00
b.	Plus charge per square foot of impervious surface	\$0.002	\$0.002
4.	Unoccupied commercial and utility structures	\$330.00	\$341.00
5.	Tenant Improvements	\$104.00	\$107.00
11.	Short Subdivisions (2 – 9 lots)		
A.	Plan review fee (includes preliminary and final)		
1.	Stormwater	\$1,543.00	\$1,592.00
2.	Transportation	\$2,143.00	\$2,212.00
B.	Construction inspection fee		
1.	Stormwater	\$1,345.00	\$1,388.00

Section	Engineering Activity	January 2022	July 2022
2.	Transportation	\$1,345.00	\$1,388.00
12.	Subdivision (2 – 9 lots, not qualifying as short subdivision)	Same as subdivision	Same as subdivision
13.	Subdivision		
A.	Plan review fees		
1.	Stormwater		
a.	Base fee	\$1,391.00	\$1,436.00
b.	Plus per-lot fee		
	1. Less than 23 lots	\$59.00	\$61.00
	2. 23 or more lots	\$53.00	\$55.00
2.	Transportation		
a.	Base fee	\$3,088.00	\$3,187.00
b.	Plus per-lot fee	\$74.00	\$76.00
B.	Construction inspection fees		
1.	Stormwater		
a.	Base fee	\$916.00	\$945.00
b.	Plus per-lot fee	\$90.00	\$93.00
2.	Transportation		
a.	Base fee	\$2,888.00	\$2,980.00
b.	Plus per-lot fee	\$27.00	\$28.00
14.	Street Modification – Transportation		
A.	Prior to public hearing or administrative decision		
1.	Administrative modification Minor modification	\$194.00	\$200.00

Section	Engineering Activity	January 2022	July 2022
2.	Technical (minor) modification	\$1,415.00	\$1,460.00
3.	Design (major) modification Major modification	\$2,810.00	\$2,900.00
B.	After public hearing or administrative decision		
1.	Administrative modification Minor modification	\$194.00	\$200.00
2.	Technical (minor) modification	\$1,776.00	\$1,833.00
3.	Design (major) modification Major modification	\$3,179.00	\$3,281.00
C.	Appeal to hearing examiner	\$1,415.00	\$1,460.00
15.	Traffic Signal Plan Review and Inspection		
A.	Plan review fee	\$4,633.00	\$4,781.00
B.	Civil construction inspection fee	\$2,782.00	\$2,871.00
16.	Transportation Concurrency Review		
A.	Concurrency certificate request evaluation (preliminary scoping) Trip Generation and Distribution Report/Trip Compliance Letter/Trip Generation Letter	\$194.00	\$200.00
B.	Traffic study review	\$386.00	\$398.00
C.	Model maintenance fee per trip (peak hour); \$1,500 maximum	\$59.00	\$61.00
17.	Variance (all cases)		
A.	Stormwater	\$773.00	\$798.00
B.	Transportation	\$1,071.00	\$1,105.00
18.	Right-of-Way Use Permit Fees		
A.	Type A application fee short-term permit	\$32.00	\$33.00
B.	Type B encroachment permit fee	\$32.00	\$33.00
C.	Type C use fee temporary use and occupation permit	\$32.00	\$33.00

Section	Engineering Activity	January 2022	July 2022
D.	Type D long-term ROW use and occupation permit	\$577.00	\$595.00
E.	Type E material encroachment permit	\$2,308.00	\$2,382.00

1 Costs for construction inspection services scheduled after normal business hours solely for the convenience of the contractor (i.e., not resulting from delays caused by the city) shall be reimbursed to the city on a cost recovery basis (see Note 2).

2 Cost recovery. Contractor will be required to sign an agreement that they will pay actual costs of the inspection. Actual costs will be salary and benefits for employees performing work plus overhead at the rate of 30 percent. The contractor will be sent an itemized billing.

3 Projects with approved master plans, which include preliminary stormwater and transportation plans, shall be entitled to a 30 percent reduction in the fee for stormwater and transportation plan review.

(Amended during 7/22 update; Ord. M-4376 § 11 (Exh. A), 2022; Ord. M-4363 § 10 (Exh. A), 2022; ACM dated 12/28/2021, CPI Increase; ACM dated 11/30/2020, CPI-increase; ACM dated 12/19/2019, CPI Increase; ACM dated 11/7/2018, CPI Increase; Ord. M-4223 § 4, 2017; ACM dated 12/20/2017, CPI Increase; ACM dated 11/23/2016, CPI Increase; ACM dated 12/31/2015, CPI Increase; Ord. M-4097 § 3, 2014; ACM dated 1/1/2014, CPI Increase; Ord. M-4034 § 5, 2012; Ord. M-4016 § 3, 2012; ACM dated 1/4/2012, CPI Increase; ACM dated 1/1/2011, CPI Increase; Ord. M-3959 § 6, 2010; Ord. M-3932 § 4, 2009; Ord. M-3922 § 6, 2009; Ord. M-3895 § 4, 2008; Ord. M-3769 § 1; Ord. M-3643, 2004)

20.180.080 Fire Review Fees.

A. *Fees payable for fire review.* Fees for reviewing and inspecting land development applications and building plans for compliance with the requirements of the International Fire Code are set forth in Table 20.180.080 VMC:

Table 20.180.080. Fire Review Fees

Section	Activity	January 2022	July 2022
1.	Planning and Development Review		
A.	Site plan review		
1.	Type I	\$320.00	\$330.00
2.	Type II	\$889.00	\$917.00
3.	All other site plan reviews (e.g., post-decision review)	\$320.00	\$330.00
B.	Land divisions		
1.	Short subdivision (9 lots or less)	\$889.00	\$917.00
2.	Subdivision (10 lots or more)		
a.	Base fee for first 23 lots	\$1,336.00	\$1,379.00
b.	Plus fee per lot over 23	\$50.00	\$52.00
C.	Planned development		
a.	Base fee for up to 23 lots	\$1,336.00	\$1,379.00
b.	Plus fees for lots over 23	\$50.00	\$52.00
D.	Fire official review	\$262.00	\$262.00
E.	All other land use applications	\$223.00	\$230.00

(Amended during 7/22 update; Ord. M-4376 § 11 (Exh. A), 2022; Ord. M-4363 § 10 (Exh. A), 2022; ACM dated 12/28/2021, CPI Increase; ACM dated 11/30/2020, CPI-increase; ACM dated 12/19/2019, CPI Increase; ACM dated 11/7/2018, CPI Increase; ACM dated 12/20/2017, CPI Increase; ACM dated 11/23/2016, CPI Increase; ACM dated 12/31/2015, CPI Increase; Ord. M-4097 § 4, 2014; ACM dated 1/1/2014, CPI Increase; ACM dated 1/4/2012, CPI

Increase; Ord. M-3932 § 5, 2009; Ord. M-3922 § 7, 2009; Ord. M-3895 § 5, 2008; Ord. M-3883 § 2, 2008; Ord. M-3643, 2004)



Staff Report: 162-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Continued use of C-101045: Sourcewell Contract 093021-SWZ for the purchase of goods and services for Schwarze street sweepers

Key Points

- The City contracts with SWS Equipment through Sourcewell Contract 093021-SWZ for purchasing of goods and services for Schwarze street sweepers.
- Purchases from this contract will exceed the City's \$300,000 purchasing threshold.
- The City has ongoing equipment repairs and replacement needs.
- The contract is set to expire November 16, 2025.
- The original contract was competitively bid and conforms to the bidding requirements set forth by Sourcewell and the City of Vancouver.

Strategic Plan Alignment

Goal 1: Ensure our built urban environment is one of the safest, most environmentally responsible and well maintained in the Pacific NW

Present Situation

Over the lifespan of this contract, three sweepers will be due for replacement. This contract also provides price discounts for goods and services needed for maintenance and repairs. Since these purchases will exceed the current contract's \$300,000 spending threshold, we are proactively asking that this contract be amended for purchases to be made according to the departments' current authorized budget in place of setting a new spending threshold. In keeping with Fleet Service's effort to streamline the City's fleet, staff is requesting the ability to purchase from this contract and take advantage of the contract pricing.

Advantage(s)

1. The equipment purchased through this contract match the current City standard.

2. The vendor covered under this contract has continuously provided high quality, dependable equipment and service that help maintain uniformity in the City fleet and the operational needs of multiple City maintenance departments.
3. The approval for continued use of this contract will enable Fleet Services to order the required replacement equipment while taking advantage of the contract's competitive pricing.

Disadvantage(s)

None

Budget Impact

The City will utilize the contract for purchasing high priority essential parts and equipment and will stay within the current authorized budget.

Prior Council Review

None

Action Requested

Authorize the City Manager or their designee to approve purchases under C-101045: Sourcewell 093021-SWZ for the life of the contract with SWS Equipment up to the current authorized budget.

Dan Zenger, Fleet Services Manager, 360-487-8205

ATTACHMENTS:

- ▢ Sourcewell Contract

**Solicitation Number: RFP #093021****CONTRACT**

This Contract is between Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 (Sourcewell) and Schwarze Industries, Inc., 1055 Jordan Road, Huntsville, AL 35811 (Supplier).

Sourcewell is a State of Minnesota local government unit and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to eligible federal, state/province, and municipal governmental entities, higher education, K-12 education, nonprofit, tribal government, and other public entities located in the United States and Canada. Sourcewell issued a public solicitation for Street Sweepers and Specialty Sweepers, with Related Equipment, Accessories, and Supplies from which Supplier was awarded a contract.

Supplier desires to contract with Sourcewell to provide equipment, products, or services to Sourcewell and the entities that access Sourcewell's cooperative purchasing contracts (Participating Entities).

1. TERM OF CONTRACT

- A. **EFFECTIVE DATE.** This Contract is effective upon the date of the final signature below.
- B. **EXPIRATION DATE AND EXTENSION.** This Contract expires November 16, 2025, unless it is cancelled sooner pursuant to Article 22. This Contract may be extended one additional year upon the request of Sourcewell and written agreement by Supplier.
- C. **SURVIVAL OF TERMS.** Notwithstanding any expiration or termination of this Contract, all payment obligations incurred prior to expiration or termination will survive, as will the following: Articles 11 through 14 survive the expiration or cancellation of this Contract. All rights will cease upon expiration or termination of this Contract.

2. EQUIPMENT, PRODUCTS, OR SERVICES

- A. **EQUIPMENT, PRODUCTS, OR SERVICES.** Supplier will provide the Equipment, Products, or Services as stated in its Proposal submitted under the Solicitation Number listed above.

Supplier's Equipment, Products, or Services Proposal (Proposal) is attached and incorporated into this Contract.

All Equipment and Products provided under this Contract must be new and the current model. Supplier may offer close-out or refurbished Equipment or Products if they are clearly indicated in Supplier's product and pricing list. Unless agreed to by the Participating Entities in advance, Equipment or Products must be delivered as operational to the Participating Entity's site.

This Contract offers an indefinite quantity of sales, and while substantial volume is anticipated, sales and sales volume are not guaranteed.

B. **WARRANTY.** Supplier warrants that all Equipment, Products, and Services furnished are free from liens and encumbrances, and are free from defects in design, materials, and workmanship. In addition, Supplier warrants the Equipment, Products, and Services are suitable for and will perform in accordance with the ordinary use for which they are intended. Supplier's dealers and distributors must agree to assist the Participating Entity in reaching a resolution in any dispute over warranty terms with the manufacturer. Any manufacturer's warranty that extends beyond the expiration of the Supplier's warranty will be passed on to the Participating Entity.

C. **DEALERS, DISTRIBUTORS, AND/OR RESELLERS.** Upon Contract execution and throughout the Contract term, Supplier must provide to Sourcewell a current means to validate or authenticate Supplier's authorized dealers, distributors, or resellers relative to the Equipment, Products, and Services offered under this Contract, which will be incorporated into this Contract by reference. It is the Supplier's responsibility to ensure Sourcewell receives the most current information.

3. PRICING

All Equipment, Products, or Services under this Contract will be priced at or below the price stated in Supplier's Proposal.

When providing pricing quotes to Participating Entities, all pricing quoted must reflect a Participating Entity's total cost of acquisition. This means that the quoted cost is for delivered Equipment, Products, and Services that are operational for their intended purpose, and includes all costs to the Participating Entity's requested delivery location.

Regardless of the payment method chosen by the Participating Entity, the total cost associated with any purchase option of the Equipment, Products, or Services must always be disclosed in the pricing quote to the applicable Participating Entity at the time of purchase.

A. **SHIPPING AND SHIPPING COSTS.** All delivered Equipment and Products must be properly packaged. Damaged Equipment and Products may be rejected. If the damage is not readily apparent at the time of delivery, Supplier must permit the Equipment and Products to be

returned within a reasonable time at no cost to Sourcewell or its Participating Entities. Participating Entities reserve the right to inspect the Equipment and Products at a reasonable time after delivery where circumstances or conditions prevent effective inspection of the Equipment and Products at the time of delivery. In the event of the delivery of nonconforming Equipment and Products, the Participating Entity will notify the Supplier as soon as possible and the Supplier will replace nonconforming Equipment and Products with conforming Equipment and Products that are acceptable to the Participating Entity.

Supplier must arrange for and pay for the return shipment on Equipment and Products that arrive in a defective or inoperable condition.

Sourcewell may declare the Supplier in breach of this Contract if the Supplier intentionally delivers substandard or inferior Equipment or Products.

B. SALES TAX. Each Participating Entity is responsible for supplying the Supplier with valid tax-exemption certification(s). When ordering, a Participating Entity must indicate if it is a tax-exempt entity.

C. HOT LIST PRICING. At any time during this Contract, Supplier may offer a specific selection of Equipment, Products, or Services at discounts greater than those listed in the Contract. When Supplier determines it will offer Hot List Pricing, it must be submitted electronically to Sourcewell in a line-item format. Equipment, Products, or Services may be added or removed from the Hot List at any time through a Sourcewell Price and Product Change Form as defined in Article 4 below.

Hot List program and pricing may also be used to discount and liquidate close-out and discontinued Equipment and Products as long as those close-out and discontinued items are clearly identified as such. Current ordering process and administrative fees apply. Hot List Pricing must be published and made available to all Participating Entities.

4. PRODUCT AND PRICING CHANGE REQUESTS

Supplier may request Equipment, Product, or Service changes, additions, or deletions at any time. All requests must be made in writing by submitting a signed Sourcewell Price and Product Change Request Form to the assigned Sourcewell Supplier Development Administrator. This approved form is available from the assigned Sourcewell Supplier Development Administrator. At a minimum, the request must:

- Identify the applicable Sourcewell contract number;
- Clearly specify the requested change;
- Provide sufficient detail to justify the requested change;

- Individually list all Equipment, Products, or Services affected by the requested change, along with the requested change (e.g., addition, deletion, price change); and
- Include a complete restatement of pricing documentation in Microsoft Excel with the effective date of the modified pricing, or product addition or deletion. The new pricing restatement must include all Equipment, Products, and Services offered, even for those items where pricing remains unchanged.

A fully executed Sourcewell Price and Product Change Request Form will become an amendment to this Contract and will be incorporated by reference.

5. PARTICIPATION, CONTRACT ACCESS, AND PARTICIPATING ENTITY REQUIREMENTS

A. PARTICIPATION. Sourcewell's cooperative contracts are available and open to public and nonprofit entities across the United States and Canada; such as federal, state/province, municipal, K-12 and higher education, tribal government, and other public entities.

The benefits of this Contract should be available to all Participating Entities that can legally access the Equipment, Products, or Services under this Contract. A Participating Entity's authority to access this Contract is determined through its cooperative purchasing, interlocal, or joint powers laws. Any entity accessing benefits of this Contract will be considered a Service Member of Sourcewell during such time of access. Supplier understands that a Participating Entity's use of this Contract is at the Participating Entity's sole convenience and Participating Entities reserve the right to obtain like Equipment, Products, or Services from any other source.

Supplier is responsible for familiarizing its sales and service forces with Sourcewell contract use eligibility requirements and documentation and will encourage potential participating entities to join Sourcewell. Sourcewell reserves the right to add and remove Participating Entities to its roster during the term of this Contract.

B. PUBLIC FACILITIES. Supplier's employees may be required to perform work at government-owned facilities, including schools. Supplier's employees and agents must conduct themselves in a professional manner while on the premises, and in accordance with Participating Entity policies and procedures, and all applicable laws.

6. PARTICIPATING ENTITY USE AND PURCHASING

A. ORDERS AND PAYMENT. To access the contracted Equipment, Products, or Services under this Contract, a Participating Entity must clearly indicate to Supplier that it intends to access this Contract; however, order flow and procedure will be developed jointly between Sourcewell and Supplier. Typically, a Participating Entity will issue an order directly to Supplier or its authorized subsidiary, distributor, dealer, or reseller. If a Participating Entity issues a purchase order, it may use its own forms, but the purchase order should clearly note the applicable Sourcewell

contract number. All Participating Entity orders under this Contract must be issued prior to expiration or cancellation of this Contract; however, Supplier performance, Participating Entity payment obligations, and any applicable warranty periods or other Supplier or Participating Entity obligations may extend beyond the term of this Contract.

Supplier's acceptable forms of payment are included in its attached Proposal. Participating Entities will be solely responsible for payment and Sourcewell will have no liability for any unpaid invoice of any Participating Entity.

B. ADDITIONAL TERMS AND CONDITIONS/PARTICIPATING ADDENDUM. Additional terms and conditions to a purchase order, or other required transaction documentation, may be negotiated between a Participating Entity and Supplier, such as job or industry-specific requirements, legal requirements (e.g., affirmative action or immigration status requirements), or specific local policy requirements. Some Participating Entities may require the use of a Participating Addendum; the terms of which will be negotiated directly between the Participating Entity and the Supplier. Any negotiated additional terms and conditions must never be less favorable to the Participating Entity than what is contained in this Contract.

C. SPECIALIZED SERVICE REQUIREMENTS. In the event that the Participating Entity requires service or specialized performance requirements not addressed in this Contract (such as e-commerce specifications, specialized delivery requirements, or other specifications and requirements), the Participating Entity and the Supplier may enter into a separate, standalone agreement, apart from this Contract. Sourcewell, including its agents and employees, will not be made a party to a claim for breach of such agreement.

D. TERMINATION OF ORDERS. Participating Entities may terminate an order, in whole or in part, immediately upon notice to Supplier in the event of any of the following events:

1. The Participating Entity fails to receive funding or appropriation from its governing body at levels sufficient to pay for the equipment, products, or services to be purchased; or
2. Federal, state, or provincial laws or regulations prohibit the purchase or change the Participating Entity's requirements.

E. GOVERNING LAW AND VENUE. The governing law and venue for any action related to a Participating Entity's order will be determined by the Participating Entity making the purchase.

7. CUSTOMER SERVICE

A. PRIMARY ACCOUNT REPRESENTATIVE. Supplier will assign an Account Representative to Sourcewell for this Contract and must provide prompt notice to Sourcewell if that person is changed. The Account Representative will be responsible for:

- Maintenance and management of this Contract;
- Timely response to all Sourcwell and Participating Entity inquiries; and
- Business reviews to Sourcwell and Participating Entities, if applicable.

B. BUSINESS REVIEWS. Supplier must perform a minimum of one business review with Sourcwell per contract year. The business review will cover sales to Participating Entities, pricing and contract terms, administrative fees, sales data reports, supply issues, customer issues, and any other necessary information.

8. REPORT ON CONTRACT SALES ACTIVITY AND ADMINISTRATIVE FEE PAYMENT

A. CONTRACT SALES ACTIVITY REPORT. Each calendar quarter, Supplier must provide a contract sales activity report (Report) to the Sourcwell Supplier Development Administrator assigned to this Contract. Reports are due no later than 45 days after the end of each calendar quarter. A Report must be provided regardless of the number or amount of sales during that quarter (i.e., if there are no sales, Supplier must submit a report indicating no sales were made).

The Report must contain the following fields:

- Participating Entity Name (e.g., City of Staples Highway Department);
- Participating Entity Physical Street Address;
- Participating Entity City;
- Participating Entity State/Province;
- Participating Entity Zip/Postal Code;
- Participating Entity Contact Name;
- Participating Entity Contact Email Address;
- Participating Entity Contact Telephone Number;
- Sourcwell Assigned Entity/Participating Entity Number;
- Item Purchased Description;
- Item Purchased Price;
- Sourcwell Administrative Fee Applied; and
- Date Purchase was invoiced/sale was recognized as revenue by Supplier.

B. ADMINISTRATIVE FEE. In consideration for the support and services provided by Sourcwell, the Supplier will pay an administrative fee to Sourcwell on all Equipment, Products, and Services provided to Participating Entities. The Administrative Fee must be included in, and not added to, the pricing. Supplier may not charge Participating Entities more than the contracted price to offset the Administrative Fee.

The Supplier will submit payment to Sourcwell for the percentage of administrative fee stated in the Proposal multiplied by the total sales of all Equipment, Products, and Services purchased

by Participating Entities under this Contract during each calendar quarter. Payments should note the Supplier's name and Sourcewell-assigned contract number in the memo; and must be mailed to the address above "Attn: Accounts Receivable" or remitted electronically to Sourcewell's banking institution per Sourcewell's Finance department instructions. Payments must be received no later than 45 calendar days after the end of each calendar quarter.

Supplier agrees to cooperate with Sourcewell in auditing transactions under this Contract to ensure that the administrative fee is paid on all items purchased under this Contract.

In the event the Supplier is delinquent in any undisputed administrative fees, Sourcewell reserves the right to cancel this Contract and reject any proposal submitted by the Supplier in any subsequent solicitation. In the event this Contract is cancelled by either party prior to the Contract's expiration date, the administrative fee payment will be due no more than 30 days from the cancellation date.

9. AUTHORIZED REPRESENTATIVE

Sourcewell's Authorized Representative is its Chief Procurement Officer.

Supplier's Authorized Representative is the person named in the Supplier's Proposal. If Supplier's Authorized Representative changes at any time during this Contract, Supplier must promptly notify Sourcewell in writing.

10. AUDIT, ASSIGNMENT, AMENDMENTS, WAIVER, AND CONTRACT COMPLETE

A. **AUDIT.** Pursuant to Minnesota Statutes Section 16C.05, subdivision 5, the books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by Sourcewell or the Minnesota State Auditor for a minimum of six years from the end of this Contract. This clause extends to Participating Entities as it relates to business conducted by that Participating Entity under this Contract.

B. **ASSIGNMENT.** Neither party may assign or otherwise transfer its rights or obligations under this Contract without the prior written consent of the other party and a fully executed assignment agreement. Such consent will not be unreasonably withheld. Any prohibited assignment will be invalid.

C. **AMENDMENTS.** Any amendment to this Contract must be in writing and will not be effective until it has been duly executed by the parties.

D. **WAIVER.** Failure by either party to take action or assert any right under this Contract will not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right. Any such waiver must be in writing and signed by the parties.

E. **CONTRACT COMPLETE.** This Contract represents the complete agreement between the parties. No other understanding regarding this Contract, whether written or oral, may be used to bind either party. For any conflict between the attached Proposal and the terms set out in Articles 1-22 of this Contract, the terms of Articles 1-22 will govern.

F. **RELATIONSHIP OF THE PARTIES.** The relationship of the parties is one of independent contractors, each free to exercise judgment and discretion with regard to the conduct of their respective businesses. This Contract does not create a partnership, joint venture, or any other relationship such as master-servant, or principal-agent.

11. INDEMNITY AND HOLD HARMLESS

Supplier must indemnify, defend, save, and hold Sourcewell and its Participating Entities, including their agents and employees, harmless from any claims or causes of action, including attorneys' fees incurred by Sourcewell or its Participating Entities, arising out of any act or omission in the performance of this Contract by the Supplier or its agents or employees; this indemnification includes injury or death to person(s) or property alleged to have been caused by some defect in the Equipment, Products, or Services under this Contract to the extent the Equipment, Product, or Service has been used according to its specifications. Sourcewell's responsibility will be governed by the State of Minnesota's Tort Liability Act (Minnesota Statutes Chapter 466) and other applicable law.

12. GOVERNMENT DATA PRACTICES

Supplier and Sourcewell must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by or provided to Sourcewell under this Contract and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Supplier under this Contract.

13. INTELLECTUAL PROPERTY, PUBLICITY, MARKETING, AND ENDORSEMENT

A. INTELLECTUAL PROPERTY

1. *Grant of License.* During the term of this Contract:

- a. Sourcewell grants to Supplier a royalty-free, worldwide, non-exclusive right and license to use the trademark(s) provided to Supplier by Sourcewell in advertising and promotional materials for the purpose of marketing Sourcewell's relationship with Supplier.
- b. Supplier grants to Sourcewell a royalty-free, worldwide, non-exclusive right and license to use Supplier's trademarks in advertising and promotional materials for the purpose of marketing Supplier's relationship with Sourcewell.

2. *Limited Right of Sublicense.* The right and license granted herein includes a limited right of each party to grant sublicenses to their respective subsidiaries, distributors, dealers,

resellers, marketing representatives, and agents (collectively "Permitted Sublicensees") in advertising and promotional materials for the purpose of marketing the Parties' relationship to Participating Entities. Any sublicense granted will be subject to the terms and conditions of this Article. Each party will be responsible for any breach of this Article by any of their respective sublicensees.

3. *Use; Quality Control.*

- a. Neither party may alter the other party's trademarks from the form provided and must comply with removal requests as to specific uses of its trademarks or logos.
- b. Each party agrees to use, and to cause its Permitted Sublicensees to use, the other party's trademarks only in good faith and in a dignified manner consistent with such party's use of the trademarks. Upon written notice to the breaching party, the breaching party has 30 days of the date of the written notice to cure the breach or the license will be terminated.

4. As applicable, Supplier agrees to indemnify and hold harmless Sourcewell and its Participating Entities against any and all suits, claims, judgments, and costs instituted or recovered against Sourcewell or Participating Entities by any person on account of the use of any Equipment or Products by Sourcewell or its Participating Entities supplied by Supplier in violation of applicable patent or copyright laws.

5. *Termination.* Upon the termination of this Contract for any reason, each party, including Permitted Sublicensees, will have 30 days to remove all Trademarks from signage, websites, and the like bearing the other party's name or logo (excepting Sourcewell's pre-printed catalog of suppliers which may be used until the next printing). Supplier must return all marketing and promotional materials, including signage, provided by Sourcewell, or dispose of it according to Sourcewell's written directions.

B. PUBLICITY. Any publicity regarding the subject matter of this Contract must not be released without prior written approval from the Authorized Representatives. Publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Supplier individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this Contract.

C. MARKETING. Any direct advertising, marketing, or offers with Participating Entities must be approved by Sourcewell. Send all approval requests to the Sourcewell Supplier Development Administrator assigned to this Contract.

D. ENDORSEMENT. The Supplier must not claim that Sourcewell endorses its Equipment, Products, or Services.

14. GOVERNING LAW, JURISDICTION, AND VENUE

The substantive and procedural laws of the State of Minnesota will govern this Contract. Venue for all legal proceedings arising out of this Contract, or its breach, must be in the appropriate state court in Todd County, Minnesota or federal court in Fergus Falls, Minnesota.

15. FORCE MAJEURE

Neither party to this Contract will be held responsible for delay or default caused by acts of God or other conditions that are beyond that party's reasonable control. A party defaulting under this provision must provide the other party prompt written notice of the default.

16. SEVERABILITY

If any provision of this Contract is found by a court of competent jurisdiction to be illegal, unenforceable, or void then both parties will be relieved from all obligations arising from that provision. If the remainder of this Contract is capable of being performed, it will not be affected by such determination or finding and must be fully performed.

17. PERFORMANCE, DEFAULT, AND REMEDIES

A. **PERFORMANCE.** During the term of this Contract, the parties will monitor performance and address unresolved contract issues as follows:

1. *Notification.* The parties must promptly notify each other of any known dispute and work in good faith to resolve such dispute within a reasonable period of time. If necessary, Sourcewell and the Supplier will jointly develop a short briefing document that describes the issue(s), relevant impact, and positions of both parties.
2. *Escalation.* If parties are unable to resolve the issue in a timely manner, as specified above, either Sourcewell or Supplier may escalate the resolution of the issue to a higher level of management. The Supplier will have 30 calendar days to cure an outstanding issue.
3. *Performance while Dispute is Pending.* Notwithstanding the existence of a dispute, the Supplier must continue without delay to carry out all of its responsibilities under the Contract that are not affected by the dispute. If the Supplier fails to continue without delay to perform its responsibilities under the Contract, in the accomplishment of all undisputed work, the Supplier will bear any additional costs incurred by Sourcewell and/or its Participating Entities as a result of such failure to proceed.

B. **DEFAULT AND REMEDIES.** Either of the following constitutes cause to declare this Contract, or any Participating Entity order under this Contract, in default:

1. Nonperformance of contractual requirements, or
2. A material breach of any term or condition of this Contract.

The party claiming default must provide written notice of the default, with 30 calendar days to cure the default. Time allowed for cure will not diminish or eliminate any liability for liquidated or other damages. If the default remains after the opportunity for cure, the non-defaulting party may:

- Exercise any remedy provided by law or equity, or
- Terminate the Contract or any portion thereof, including any orders issued against the Contract.

18. INSURANCE

A. REQUIREMENTS. At its own expense, Supplier must maintain insurance policy(ies) in effect at all times during the performance of this Contract with insurance company(ies) licensed or authorized to do business in the State of Minnesota having an "AM BEST" rating of A- or better, with coverage and limits of insurance not less than the following:

1. *Workers' Compensation and Employer's Liability.*

Workers' Compensation: As required by any applicable law or regulation.

Employer's Liability Insurance: must be provided in amounts not less than listed below:

Minimum limits:

\$500,000 each accident for bodily injury by accident

\$500,000 policy limit for bodily injury by disease

\$500,000 each employee for bodily injury by disease

2. *Commercial General Liability Insurance.* Supplier will maintain insurance covering its operations, with coverage on an occurrence basis, and must be subject to terms no less broad than the Insurance Services Office ("ISO") Commercial General Liability Form CG0001 (2001 or newer edition), or equivalent. At a minimum, coverage must include liability arising from premises, operations, bodily injury and property damage, independent contractors, products-completed operations including construction defect, contractual liability, blanket contractual liability, and personal injury and advertising injury. All required limits, terms and conditions of coverage must be maintained during the term of this Contract.

Minimum Limits:

\$1,000,000 each occurrence Bodily Injury and Property Damage

\$1,000,000 Personal and Advertising Injury

\$2,000,000 aggregate for Products-Completed operations

\$2,000,000 general aggregate

3. *Commercial Automobile Liability Insurance.* During the term of this Contract, Supplier will maintain insurance covering all owned, hired, and non-owned automobiles in limits of liability not less than indicated below. The coverage must be subject to terms

no less broad than ISO Business Auto Coverage Form CA 0001 (2010 edition or newer), or equivalent.

Minimum Limits:

\$1,000,000 each accident, combined single limit

4. *Umbrella Insurance*. During the term of this Contract, Supplier will maintain umbrella coverage over Employer's Liability, Commercial General Liability, and Commercial Automobile.

Minimum Limits:

\$2,000,000

5. *Network Security and Privacy Liability Insurance*. During the term of this Contract, Supplier will maintain coverage for network security and privacy liability. The coverage may be endorsed on another form of liability coverage or written on a standalone policy. The insurance must cover claims which may arise from failure of Supplier's security resulting in, but not limited to, computer attacks, unauthorized access, disclosure of not public data – including but not limited to, confidential or private information, transmission of a computer virus, or denial of service.

Minimum limits:

\$2,000,000 per occurrence

\$2,000,000 annual aggregate

Failure of Supplier to maintain the required insurance will constitute a material breach entitling Sourcewell to immediately terminate this Contract for default.

B. CERTIFICATES OF INSURANCE. Prior to commencing under this Contract, Supplier must furnish to Sourcewell a certificate of insurance, as evidence of the insurance required under this Contract. Prior to expiration of the policy(ies), renewal certificates must be mailed to Sourcewell, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 or sent to the Sourcewell Supplier Development Administrator assigned to this Contract. The certificates must be signed by a person authorized by the insurer(s) to bind coverage on their behalf.

Failure to request certificates of insurance by Sourcewell, or failure of Supplier to provide certificates of insurance, in no way limits or relieves Supplier of its duties and responsibilities in this Contract.

C. ADDITIONAL INSURED ENDORSEMENT AND PRIMARY AND NON-CONTRIBUTORY INSURANCE CLAUSE. Supplier agrees to list Sourcewell and its Participating Entities, including their officers, agents, and employees, as an additional insured under the Supplier's commercial general liability insurance policy with respect to liability arising out of activities, "operations," or "work" performed by or on behalf of Supplier, and products and completed operations of Supplier. The policy provision(s) or endorsement(s) must further provide that coverage is

primary and not excess over or contributory with any other valid, applicable, and collectible insurance or self-insurance in force for the additional insureds.

D. **WAIVER OF SUBROGATION.** Supplier waives and must require (by endorsement or otherwise) all its insurers to waive subrogation rights against Sourcewell and other additional insureds for losses paid under the insurance policies required by this Contract or other insurance applicable to the Supplier or its subcontractors. The waiver must apply to all deductibles and/or self-insured retentions applicable to the required or any other insurance maintained by the Supplier or its subcontractors. Where permitted by law, Supplier must require similar written express waivers of subrogation and insurance clauses from each of its subcontractors.

E. **UMBRELLA/EXCESS LIABILITY/SELF-INSURED RETENTION.** The limits required by this Contract can be met by either providing a primary policy or in combination with umbrella/excess liability policy(ies), or self-insured retention.

19. COMPLIANCE

A. **LAWS AND REGULATIONS.** All Equipment, Products, or Services provided under this Contract must comply fully with applicable federal laws and regulations, and with the laws in the states and provinces in which the Equipment, Products, or Services are sold.

B. **LICENSES.** Supplier must maintain a valid and current status on all required federal, state/provincial, and local licenses, bonds, and permits required for the operation of the business that the Supplier conducts with Sourcewell and Participating Entities.

20. BANKRUPTCY, DEBARMENT, OR SUSPENSION CERTIFICATION

Supplier certifies and warrants that it is not in bankruptcy or that it has previously disclosed in writing certain information to Sourcewell related to bankruptcy actions. If at any time during this Contract Supplier declares bankruptcy, Supplier must immediately notify Sourcewell in writing.

Supplier certifies and warrants that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Supplier certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this Contract. Supplier further warrants that it will provide immediate written notice to Sourcewell if this certification changes at any time.

21. PROVISIONS FOR NON-UNITED STATES FEDERAL ENTITY PROCUREMENTS UNDER UNITED STATES FEDERAL AWARDS OR OTHER AWARDS

Participating Entities that use United States federal grant or FEMA funds to purchase goods or services from this Contract may be subject to additional requirements including the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. § 200. Participating Entities may have additional requirements based on specific funding source terms or conditions. Within this Article, all references to “federal” should be interpreted to mean the United States federal government. The following list only applies when a Participating Entity accesses Supplier’s Equipment, Products, or Services with United States federal funds.

A. **EQUAL EMPLOYMENT OPPORTUNITY.** Except as otherwise provided under 41 C.F.R. § 60, all contracts that meet the definition of “federally assisted construction contract” in 41 C.F.R. § 60-1.3 must include the equal opportunity clause provided under 41 C.F.R. §60-1.4(b), in accordance with Executive Order 11246, “Equal Employment Opportunity” (30 FR 12319, 12935, 3 C.F.R. §, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, “Amending Executive Order 11246 Relating to Equal Employment Opportunity,” and implementing regulations at 41 C.F.R. § 60, “Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor.” The equal opportunity clause is incorporated herein by reference.

B. **DAVIS-BACON ACT, AS AMENDED (40 U.S.C. § 3141-3148).** When required by federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. § 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 C.F.R. § 5, “Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction”). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-federal entity must report all suspected or reported violations to the federal awarding agency. The contracts must also include a provision for compliance with the Copeland “Anti-Kickback” Act (40 U.S.C. § 3145), as supplemented by Department of Labor regulations (29 C.F.R. § 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-federal entity must report all suspected or reported violations to the federal awarding agency. Supplier must be in compliance with all applicable Davis-Bacon Act provisions.

C. CONTRACT WORK HOURS AND SAFETY STANDARDS ACT (40 U.S.C. § 3701-3708). Where applicable, all contracts awarded by the non-federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. §§ 3702 and 3704, as supplemented by Department of Labor regulations (29 C.F.R. § 5). Under 40 U.S.C. § 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. § 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence. This provision is hereby incorporated by reference into this Contract. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

D. RIGHTS TO INVENTIONS MADE UNDER A CONTRACT OR AGREEMENT. If the federal award meets the definition of “funding agreement” under 37 C.F.R. § 401.2(a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or subrecipient must comply with the requirements of 37 C.F.R. § 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency. Supplier certifies that during the term of an award for all contracts by Sourcewell resulting from this procurement process, Supplier must comply with applicable requirements as referenced above.

E. CLEAN AIR ACT (42 U.S.C. § 7401-7671Q.) AND THE FEDERAL WATER POLLUTION CONTROL ACT (33 U.S.C. § 1251-1387). Contracts and subgrants of amounts in excess of \$150,000 require the non-federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. § 7401- 7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. § 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). Supplier certifies that during the term of this Contract will comply with applicable requirements as referenced above.

F. DEBARMENT AND SUSPENSION (EXECUTIVE ORDERS 12549 AND 12689). A contract award (see 2 C.F.R. § 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 C.F.R. § 180 that implement Executive Orders 12549 (3 C.F.R. § 1986 Comp., p. 189) and 12689 (3 C.F.R. § 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names

of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549. Supplier certifies that neither it nor its principals are presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation by any federal department or agency.

G. BYRD ANTI-LOBBYING AMENDMENT, AS AMENDED (31 U.S.C. § 1352). Suppliers must file any required certifications. Suppliers must not have used federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any federal contract, grant, or any other award covered by 31 U.S.C. § 1352. Suppliers must disclose any lobbying with non-federal funds that takes place in connection with obtaining any federal award. Such disclosures are forwarded from tier to tier up to the non-federal award. Suppliers must file all certifications and disclosures required by, and otherwise comply with, the Byrd Anti-Lobbying Amendment (31 U.S.C. § 1352).

H. RECORD RETENTION REQUIREMENTS. To the extent applicable, Supplier must comply with the record retention requirements detailed in 2 C.F.R. § 200.333. The Supplier further certifies that it will retain all records as required by 2 C.F.R. § 200.333 for a period of 3 years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed.

I. ENERGY POLICY AND CONSERVATION ACT COMPLIANCE. To the extent applicable, Supplier must comply with the mandatory standards and policies relating to energy efficiency which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act.

J. BUY AMERICAN PROVISIONS COMPLIANCE. To the extent applicable, Supplier must comply with all applicable provisions of the Buy American Act. Purchases made in accordance with the Buy American Act must follow the applicable procurement rules calling for free and open competition.

K. ACCESS TO RECORDS (2 C.F.R. § 200.336). Supplier agrees that duly authorized representatives of a federal agency must have access to any books, documents, papers and records of Supplier that are directly pertinent to Supplier's discharge of its obligations under this Contract for the purpose of making audits, examinations, excerpts, and transcriptions. The right also includes timely and reasonable access to Supplier's personnel for the purpose of interview and discussion relating to such documents.

L. PROCUREMENT OF RECOVERED MATERIALS (2 C.F.R. § 200.322). A non-federal entity that is a state agency or agency of a political subdivision of a state and its contractors must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation

and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. § 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition, where the purchase price of the item exceeds \$10,000 or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

M. FEDERAL SEAL(S), LOGOS, AND FLAGS. The Supplier not use the seal(s), logos, crests, or reproductions of flags or likenesses of Federal agency officials without specific pre-approval.

N. NO OBLIGATION BY FEDERAL GOVERNMENT. The U.S. federal government is not a party to this Contract or any purchase by an Participating Entity and is not subject to any obligations or liabilities to the Participating Entity, Supplier, or any other party pertaining to any matter resulting from the Contract or any purchase by an authorized user.

O. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS OR RELATED ACTS. The Contractor acknowledges that 31 U.S.C. 38 (Administrative Remedies for False Claims and Statements) applies to the Supplier's actions pertaining to this Contract or any purchase by a Participating Entity.

P. FEDERAL DEBT. The Supplier certifies that it is non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowance, and benefit overpayments.

Q. CONFLICTS OF INTEREST. The Supplier must notify the U.S. Office of General Services, Sourcewell, and Participating Entity as soon as possible if this Contract or any aspect related to the anticipated work under this Contract raises an actual or potential conflict of interest (as described in 2 C.F.R. Part 200). The Supplier must explain the actual or potential conflict in writing in sufficient detail so that the U.S. Office of General Services, Sourcewell, and Participating Entity are able to assess the actual or potential conflict; and provide any additional information as necessary or requested.

R. U.S. EXECUTIVE ORDER 13224. The Supplier, and its subcontractors, must comply with U.S. Executive Order 13224 and U.S. Laws that prohibit transactions with and provision of resources and support to individuals and organizations associated with terrorism.

S. PROHIBITION ON CERTAIN TELECOMMUNICATIONS AND VIDEO SURVEILLANCE SERVICES OR EQUIPMENT. To the extent applicable, Supplier certifies that during the term of this Contract it will comply with applicable requirements of 2 C.F.R. § 200.216.

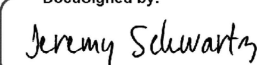
T. DOMESTIC PREFERENCES FOR PROCUREMENTS. To the extent applicable, Supplier certifies that during the term of this Contract will comply with applicable requirements of 2 C.F.R. § 200.322.

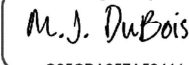
22. CANCELLATION

Sourcwell or Supplier may cancel this Contract at any time, with or without cause, upon 60 days' written notice to the other party. However, Sourcwell may cancel this Contract immediately upon discovery of a material defect in any certification made in Supplier's Proposal. Cancellation of this Contract does not relieve either party of financial, product, or service obligations incurred or accrued prior to cancellation.

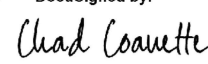
Sourcwell

Schwarze Industries, Inc.

DocuSigned by:

By: C0FD2A139D06489...
Jeremy Schwartz
Title: Chief Procurement Officer
11/22/2021 | 8:54 AM CST
Date: _____

DocuSigned by:

By: C65CBA257A53411...
M.J. DuBois, President, DuCo, LLC
Title: Authorized Contract Administrator
11/15/2021 | 10:16 AM PST
Date: _____

Approved:

DocuSigned by:

By: 7E42B8F817A64CC...
Chad Coauette
Title: Executive Director/CEO
11/22/2021 | 10:13 AM CST
Date: _____

RFP 093021 - Street Sweepers and Specialty Sweepers, with Related Equipment, Accessories, and Supplies

Vendor Details

Company Name: DuCo, LLC
Address: 1079 Tamiami Trl N
#350
Nokomis, Florida 34275
Contact: MJ DUBOIS
Email: mjdubois@ducollc.com
Phone: 410-924-1004
Fax: 410-924-1004
HST#: 81-1963530

Submission Details

Created On: Thursday August 12, 2021 13:01:39
Submitted On: Wednesday September 22, 2021 09:28:53
Submitted By: MJ DUBOIS
Email: mjdubois@ducollc.com
Transaction #: e7e11140-46a9-4b3f-9740-d923b41df94e
Submitter's IP Address: 24.145.112.96

Specifications**Table 1: Proposer Identity & Authorized Representatives**

General Instructions (applies to all Tables) Sourcewell prefers a brief but thorough response to each question. Do not merely attach additional documents to your response without also providing a substantive response. Do not leave answers blank; respond "N/A" if the question does not apply to you (preferably with an explanation).

Line Item	Question	Response *	
1	Proposer Legal Name (one legal entity only): (In the event of award, will execute the resulting contract as "Supplier")	Schwarze Industries, Inc. EIN: 63-0427445	*
2	Identify all subsidiary entities of the Proposer whose equipment, products, or services are included in the Proposal.	n/a	*
3	Identify all applicable assumed names or DBA names of the Proposer or Proposer's subsidiaries in Line 1 or Line 2 above.	n/a	*
4	Proposer Physical Address:	1055 Jordan Road Huntsville, AL 35811	*
5	Proposer website address (or addresses):	www.schwarze.com	*
6	Proposer's Authorized Representative (name, title, address, email address & phone) (The representative must have authority to sign the "Proposer's Assurance of Compliance" on behalf of the Proposer and, in the event of award, will be expected to execute the resulting contract):	M.J. DuBois, President of DuCo, LLC will be acting as both Contract Administrator and Authorized Negotiator for the duration of the proposal period and any subsequent contract award. See attached Authorization Letter. DuCo, LLC 1079 Tamiami Trl N #350 Nokomis, FL 34275 email: mjdubois@ducollc.com Phone: 410-924-1004	*
7	Proposer's primary contact for this proposal (name, title, address, email address & phone):	M.J. DuBois, Authorized Contract Administrator DuCo, LLC 1079 Tamiami Trl N #350 Nokomis, FL 34275 email: mjdubois@ducollc.com Phone: 410-924-1004	*
8	Proposer's other contacts for this proposal, if any (name, title, address, email address & phone):	Joe Hendrickson, Schwarze VP of Sales and Marketing 1055 Jordan Road Huntsville, AL 35811 email: jhendrickson@schwarze.com Phone: 256-851-1150	

Table 2: Company Information and Financial Strength

Line Item	Question	Response *
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9	Provide a brief history of your company, including your company's core values, business philosophy, and industry longevity related to the requested equipment, products or services.	Over 47 years ago, the founder of Schwarze Industries, Bob Schwarze, was a sweeping contractor. Because he wasn't able to find a sweeper design that truly met his needs, he built the company's first sweeper for his own use in cleaning parking areas. Within a decade, the combination of engineering craftsmanship, integrity, and strong customer services elevated Schwarze Industries to its position as the largest manufacturer of parking area sweepers in the United States. Due to the excellent reputation of its sweepers, Schwarze Industries is fast becoming one of the world's leading manufacturers of road sweepers as well. The Schwarze family credited its success with building innovative, simple-to operate sweepers and backing them with good old-fashioned attention to detail and customer support. In 2000, Schwarze Industries, Inc. was purchased by the Alamo Group (stock sign ALG), a publicly traded company whose various lines of commercial mowers are world-renowned for ruggedness and dependability. That means they can now additionally offer the financial strength and stability of a public company. All Schwarze sweepers are proudly built in Huntsville, Alabama. Schwarze Industries sweepers are in use throughout North America and over 35 countries around the world. Schwarze Industries distributes their "large" sweeper products exclusively through a worldwide dealer network, most of which are "government houses" specializing in equipment purchased by government entities. As a proud subsidiary company of The Alamo Group, Inc. (ALG), Schwarze Industries, Inc. adheres to the following Code of Business Conduct: "We at Schwarze Industries, Inc. are as committed to maintaining the highest ethical standards and to conducting our business in a manner consistent with our moral and legal obligations to our customers, suppliers, employees, shareholders and the public." The Code of Business Conduct and Ethics has been approved and adopted by The Alamo Group's Board of Directors and senior management and covers such concepts as confidential and proprietary information, inventions, conflicts of interest and fair dealing, corporate opportunities, insider trading and tipping, the Foreign Corrupt Practices Act, The Bribery Act 2010 and similar ant bribery laws, antitrust compliance, export controls, fraud, confidential reporting procedures and non-retaliation measures. The Code sets forth specific policies governing their conduct worldwide in Schwarze facilities and where they transact business. This Code is intended to be applied in good faith with reasonable business judgment within the framework of the law and sound ethical practices. It is the Company policy to observe and comply with all laws applicable to Schwarze Industries, Inc. and operations wherever business is located and to always act in a legal and ethical manner regardless of the location. The laws which apply to any given situation may only be the minimum standard. At all times, they must conduct themselves with integrity and honesty. (See Attachment)
10	What are your company's expectations in the event of an award?	As a current Sourcwell contract holder, Schwarze has an expectation that a contract awarded in response to this solicitation will hold the same benefit. They hope to continue to build on their past success and to providing your members with a continued exemplary level of service, quality products and discounted prices that reflect the quantities expected and previously experienced with the prior awarded contracts.
11	Demonstrate your financial strength and stability with meaningful data. This could include such items as financial statements, SEC filings, credit and bond ratings, letters of credit, and detailed reference letters. Upload supporting documents (as applicable) in the document upload section of your response.	Schwarze Industries is financially sound. Schwarze's parent company is Alamo Group, which is a publicly traded entity. See the attached Alamo Group SEC report attached as well as the Alamo Code of Ethics.
12	What is your US market share for the solutions that you are proposing?	Schwarze operates in product categories that are sold primarily to the municipal government market segment and to a smaller degree, the commercial market segment. Schwarze's market share is 25%. Schwarze is among the top three manufacturers in municipal sweeper sales in North America and the number one manufacturer in parking lot sweepers.
13	What is your Canadian market share for the solutions that you are proposing?	Schwarze's Canadian Market Share is 10%. Schwarze has dealers in Canada and has received orders from Canadian entities utilizing the Sourcwell Contract.
14	Has your business ever petitioned for bankruptcy protection? If so, explain in detail.	Neither Schwarze Industries nor its parent company, Alamo Group, have ever petitioned for bankruptcy protection.
15	How is your organization best described: is it a manufacturer, a distributor/dealer/reseller, or a service provider? Answer whichever question (either a) or b) just below) best applies to your organization. a) If your company is best described as a distributor/dealer/reseller (or similar entity), provide your written authorization to act as a distributor/dealer/reseller for the manufacturer of the products proposed in this RFP. If applicable, is your dealer network independent or company owned? b) If your company is best described as a manufacturer or service provider, describe your relationship with your sales and service force and with your dealer network in delivering the products and services proposed in this RFP. Are these individuals your employees, or the employees of a third party?	B, Schwarze Industries is a manufacturer, located in Huntsville Alabama, which works directly through a worldwide dealer network. Dealers in North America are individually owned companies. The dealerships are assigned a geographic territory for exclusive Schwarze product representation of their Street and Airport Sweepers. Each of their dealerships has sales, service and parts representation. Schwarze Industries also employs "in house" small product sales personnel that represents only small truck mounted parking lot sweepers.
16	If applicable, provide a detailed explanation outlining the licenses and certifications that are both required to be held, and actually held, by your organization (including third parties and subcontractors that you use) in pursuit of the business contemplated by this RFP.	a) State of Alabama Business License - required to manufacture and sell vehicles b) City of Huntsville, AL Business License- Required to do business in the City of Huntsville, AL c) State of Alabama Regulatory License – Alabama Department of Revenue Motor Vehicle Division requires this license to manufacture/sell motor vehicles. See attached documents.
17	Provide all "Suspension or Debarment" information that has applied to your organization during the past ten years.	Schwarze Industries as never been suspended or disbarred from participating with any agency.

Table 3: Industry Recognition & Marketplace Success

Line Item	Question	Response *	
18	Describe any relevant industry awards or recognition that your company has received in the past five years	2020 American Infrastructure Magazine Brand Survey Winner 2021 North American Power Sweeping Association - Gold Partner 2018 Operation Green Team Award Recipient Patent No. 10.711.416 Roadway Sweeper with multiple sweeping modes Patent No. 10.190.275 Pavement sweeper with conveyor lift-out drop-in system Patent No 9.783.942 Gutter broom position-control system	*
19	What percentage of your sales are to the governmental sector in the past three years	72% of Schwarze's sales are to the government sector for the past three years.	*
20	What percentage of your sales are to the education sector in the past three years	1% of Schwarze's sales are to the education sector for the past three years.	*
21	List any state, provincial, or cooperative purchasing contracts that you hold. What is the annual sales volume for each of these contracts over the past three years?	HGAC - Average Sales Volume \$945,000.00 per year STS - \$1,000,000 per year Missouri DOT - \$503,330.00 per year	*
22	List any GSA contracts or Standing Offers and Supply Arrangements (SOSA) that you hold. What is the annual sales volume for each of these contracts over the past three years?	Schwarze does not hold an GSA contracts or Standing Offer and Supply Arrangements.	*

Table 4: References/Testimonials

Line Item 23. Supply reference information from three customers who are eligible to be Sourcwell participating entities.

Entity Name *	Contact Name *	Phone Number *	
Delaware DOT See the attached Testimonial	Lawrence Hardy lawrence.hardy@delaware.gov	302-760-2505	*
City of Greenville See the attached Testimonial	Ben Carroll, Operations Manager	864-467-4345	*
County of San Joaquin See the attached Testimonial	Kevin Myose, Fleet Manager	209-468-3099	*

Table 5: Top Five Government or Education Customers

Line Item 24. Provide a list of your top five government, education, or non-profit customers (entity name is optional), including entity type, the state or province the entity is located in, scope of the project(s), size of transaction(s), and dollar volumes from the past three years.

Entity Name	Entity Type *	State / Province *	Scope of Work *	Size of Transactions *	Dollar Volume Past Three Years *	
City of Phoenix DOT	Government	Arizona - AZ	Provide both air and mechanical sweepers	11 units	\$3,372,911.00	*
City of Philadelphia	Government	Pennsylvania - PA	Provide mechanical sweepers	15 units	\$5,199,515.00	*
City of Edmonton	Government	AB - Alberta	Provide mechanical sweepers	8 units	\$2,771,688.00	*
New Jersey DOT	Government	New Jersey - NJ	Provide High Dump Sweepers	8 units	\$2,653,462.00	*
Delaware DOT	Government	Delaware - DE	Provide both air and mechanical sweepers	7 units	2,835,598.00	*

Table 6: Ability to Sell and Deliver Service

Describe your company's capability to meet the needs of Sourcewell participating entities across the US and Canada, as applicable. Your response should address in detail at least the following areas: locations of your network of sales and service providers, the number of workers (full-time equivalents) involved in each sector, whether these workers are your direct employees (or employees of a third party), and any overlap between the sales and service functions.

Line Item	Question	Response *
25	Sales force.	The Schwarze Industries internal sales force is comprised of a Vice President of Sales and Marketing, Customer Service Manager, Sales Operation Manager, four sales support positions, four Regional Sales Managers broken down into geographic regions, and two Product Managers. Schwarze Industries also employs "In House" small product sales (parking lot sweepers) personnel that consist of one National Sales Manager, one Product Manager and four Sales Representatives. Schwarze dealers function as the outward facing sales arm of the Schwarze business. Schwarze dealers are contractually exclusive distributors of sweeper products.
26	Dealer network or other distribution methods.	Schwarze's dealer network functions as the outward facing sales arm Schwarze business. Their dealers are contractually exclusive distributors of their sweeper products and are trained in the selling, servicing and maintenance of the Schwarze equipment. Each dealer is required to fulfill specific facility and department (service, sales, parts and marketing) requirements to ensure exceptional customer service. Each dealer employs two to eight sales people who actively call on prospective clients in their areas of responsibility. Each dealership is individually owned and operated. Schwarze dealers are specialists and the sales force concentrates in the specialized field of pavement cleaning equipment. See attached detailed Dealer Location Chart
27	Service force.	Schwarze has an internal team dedicated to the success of their products sold both through their dealer network as well as through the direct sales force. This team includes three Service/Warranty Technicians that assist the customer both internally and if required, travel extensively worldwide in support of their products as challenges develop. Schwarze also maintains servicing dealers that all have services locations spread within their respective territories. Road service is offered in most locations within the contiguous US, Hawaii and Alaska. Schwarze built a training facility in Huntsville Alabama to train local dealer's service force with a Manufacturer's Service Certification Program. They also provide service school at this new facility for their customers on a quarterly basis. The service school program can be attended by any customer who can travel to their facility.
28	Describe the ordering process. If orders will be handled by distributors, dealers or others, explain the respective roles of the Proposer and others.	The Member or dealer will contact a DuCo team member (Contract Administrator) for initial information, contract questions and quotations. DuCo will provide the customer/dealer with a quotation meeting the Sourcewell Contract requirements, terms, and conditions. The member will issue a Purchase Order directly to Schwarze. Schwarze will build the customer equipment, will ship the order to the local dealer for pre-delivery inspection and test. The local dealer will then deliver the unit, train the Member personnel and Schwarze will invoice the item/s to the Member. The dealer will receive the proceeds of the sale in their respective territory. This will encourage their contract participation. In the case where a dealer owns a stock unit that is to be sold to the member, DuCo will provide the Member a letter authorizing the dealer to receive the Purchase Order directly. This will allow accuracy in the required sales reporting when a dealer receives a PO directly. MJ DuBois and the DuCo team will be the single source "quarterback" for the Sourcewell Contract sales and will also report the sales to Sourcewell as required.
29	Describe in detail the process and procedure of your customer service program, if applicable. Include your response-time capabilities and commitments, as well as any incentives that help your providers meet your stated service goals or promises.	Schwarze's Customer Service Team consists of both Schwarze employees as well as Schwarze's extensive dealer network with over 100 locations across North America. Schwarze dealers are expected to maintain adequate parts inventory to maintain the population of Schwarze Products in their contracted area of responsibility. The commonly stocked parts include wear items or common maintenance parts. Schwarze also maintains a large inventory of parts to support the customer and dealer network in the field. Schwarze also has a robust service parts shipping process. With over 95% "on time" shipping, Schwarze is an established service business designed to keep their customers up and running. As part of becoming a contracted dealer, Schwarze requires regular training of the parts and service personnel to ensure timely and accurate assistance in servicing Schwarze customers.
30	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in the United States.	Schwarze currently sells throughout the United States and is willing to provide products, parts and service to all Sourcewell participating entities.
31	Describe your ability and willingness to provide your products and services to Sourcewell participating entities in Canada.	Schwarze currently sells throughout Canada and is willing to provide products, parts and service to all Canadian Sourcewell participating entities.
32	Identify any geographic areas of the United States or Canada that you will NOT be fully serving through the proposed contract.	Schwarze expects to sell, service a support their products within all of the United States and Canada and does not anticipate any geographic area that will not be fully serviced.
33	Identify any Sourcewell participating entity sectors (i.e., government, education, not-for-profit) that you will NOT be fully serving through the proposed contract. Explain in detail. For example, does your company have only a regional presence, or do other cooperative purchasing contracts limit your ability to promote another contract?	Schwarze expects to sell, service and support their products to all participating entities within all of the United States and Canada
34	Define any specific contract requirements or restrictions that would apply to our participating entities in Hawaii and Alaska and in US Territories.	There will be no restrictions in sales, service and support to Hawaii, Alaska and in US Territories other than the expense and time allowance for shipping. All quotations will show the extra costs involved prior to a Member issuing a Purchase Order.

Table 7: Marketing Plan

Line Item	Question	Response *
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35	Describe your marketing strategy for promoting this contract opportunity. Upload representative samples of your marketing materials (if applicable) in the document upload section of your response.	Schwarze will train all of their internal and dealer's sales force with the assistance of DuCo, Contract Administrator, and make use of Sourcewell's available employees and extensive collection of vendor support materials. This will be accomplished both by group sales meetings and one-on-one virtual meetings. DuCo has been training dealerships and manufacturers in marketing and sales of Sourcewell Contracts for over 13 years with an abundance of success with many manufacturers. Schwarze takes an aggressive approach to marketing Sourcewell. Schwarze includes the Sourcewell Logos in their product brochures (see attached example), their advertising (on-line and paper publications), and on their website (see attached). Schwarze wants their customers to immediately know that they are a proud holder of this exclusive contract and have them know that they can take advantage of purchasing on this contract whether they are already a member or would like to become a member. Schwarze will also include Sourcewell graphic banners at trade shows to further market their participation. In order to further ensure that Schwarze is fully marketing the value of Sourcewell, they encourage Schwarze salespeople and their dealer sales representatives to attend regional Sourcewell training sessions as well as utilize their assigned Supplier Development Administrator to assist in answering questions for Members interested in learning more about the value of the Sourcewell procurement process.
36	Describe your use of technology and digital data (e.g., social media, metadata usage) to enhance marketing effectiveness.	Schwarze uses the following digital marketing techniques to enhance its marketing effectiveness. Website Schwarze provides areas on its website where customers can answer their own questions or seek answers from Schwarze representatives by filling out a simple request form on its product pages (Conversion Optimization.) This information is then submitted to sales or service representatives and recorded in the company's CRM software. Schwarze also uses Google Analytics to analyze how users are finding the Schwarze website and how users behave once on the website to further increase Schwarze's marketing effectiveness. Search Engine Optimization Schwarze optimizes its online content in a way that search engines such as Google Search like to show the content as a top result for searches of a particular sweeper related keyword. Schwarze does this by regularly creating high-quality content for its website. Content Marketing Schwarze builds a strong relationship with its target audience by giving them high-quality content that is very relevant to them on a consistent basis. These articles are called Schwarze Stories and are published bi-weekly on their website and social media. Similar articles are also printed in industry related magazines on a monthly basis. Search Engine Marketing Schwarze bids for ad placement (via Google AdWords) in Google's search sponsored links (very top spot on the Google results page) when someone searches for a particular keyword that is related to their business offering. These ads will link to either the Schwarze website or Schwarze dealer website depending on the targeted audience or marketing campaign. Social Media Marketing Schwarze uses social media platforms to promote Schwarze products and services through both free and paid advertisement. Schwarze actively utilizes Facebook, Instagram, Twitter, LinkedIn and YouTube to increase brand recognition, improve customer loyalty and increase inbound traffic. Digital Display Advertising Schwarze uses display advertising formats (text, image or video banners) to target potential customers on various sweeper industry websites such as worldsweeper.com, betterroads.com and northamericansweeper.com. Email marketing Schwarze uses e-mail as a way to improve customer service and more quickly respond to specific needs or help requests. Schwarze uses email marketing to stay in front of customers and prospects who have said that they want to hear from us. Examples: Monthly parts sales/newsletter. Dealer sales product bulletins/white papers. Remarketing Schwarze targets customers who have already visited the Schwarze website, based on cookie technology. When people leave the Schwarze website, ads appear on other websites (via Google AdWords) they visit for the particular Schwarze products they have looked at.
37	In your view, what is Sourcewell's role in promoting contracts arising out of this RFP? How will you integrate a Sourcewell-awarded contract into your sales process?	Sourcewell knows how to promote a contract! Schwarze believes that Sourcewell's marketing model works and that is demonstrated by the growth in Sourcewell Contract Sales. Representatives from Schwarze have met and know the Sourcewell employees that deal with Schwarze's existing contract. The basis of their longevity is service-related and Sourcewell is well aware of this concept. Schwarze's expectation is that of Sourcewell's continued existence at trade shows, Getting to Know You events and Sourcewell University events will continue as possible in the new COVID environment. Schwarze believes Sourcewell has stepped up to the plate in planning education and information Webinars when travel has not been available. Schwarze is firmly committed to the Sourcewell contract buying concept and is in agreement that it is the way of the future. Schwarze has created a session at their National Dealer Meetings dedicated solely to Sourcewell sales education and training. These sessions include how to properly sell using the Sourcewell contract, question and answer periods, and testimonials from dealers who have had great success. Schwarze has utilized the flexibility that Sourcewell contracts offer and it has become common knowledge for most of their dealers to lead the buying process with this contract. Schwarze has sent senior management representatives annually to the H2O Conference. Schwarze has also agreed to subsidize the contract fees to make the Sourcewell contract even more attractive to their respective dealer sales forces. Schwarze's contract sales have grown over the years and this is a testament of Sourcewell and Schwarze's commitment to the same goal; to offer the best products, service and quantity discounts in support of customers/members. Schwarze has established Breakout Sessions at their National Dealer Meetings where pricing strategy has been and will be a major topic. Schwarze has also developed a secure "Dealer Only" web site that contains the Sourcewell contract and contract pricing, fees and contract required terms and conditions.
38	Are your products or services available through an e-procurement ordering process? If so, describe your e-procurement system and how governmental and educational customers have used it.	The products represented in this response do not lend themselves to E-Procurement. The sweepers are "made to order" and have an extreme amount of variables.

Table 8: Value-Added Attributes

Line Item	Question	Response *
39	Describe any product, equipment, maintenance, or operator training programs that you offer to Sourcewell participating entities. Include details, such as whether training is standard or optional, who provides training, and any costs that apply.	Schwarze has a hearty operator and maintenance training program. Dealers will train at time of delivery at no cost to the Member. Dealers also will do follow up training for members beyond the initial delivery for an additional fee. For those who are look for a more in-depth Training Option, Schwarze has a successful (8 years' operating) Global Training Academy. Schwarze's state-of-the-art facility trains on average 10 to 12 students a month on Maintenance and operations of their products. Cost of the class is \$150. See attached training schedule. Schwarze will also provide operations and maintenance videos to Members when available.
40	Describe any technological advances that your proposed products or services offer.	With this new contract proposal, Schwarze is continuing to innovate for their customers. They follow a strict Voice of the Customer (VOC) product management structure. Based on customer current needs, Schwarze is offering 5 new products to Sourcewell members. Two Non-CDL mechanical sweepers addresses customer request for units that do not require a specialized CDL operator to run. Three new single engine design products eliminate the need for a secondary engine and reduces the dependency on third party service organizations to maintain additional equipment and increasing uptime capabilities. CAN control system is utilized on all Schwarze commercial sweepers. This system eliminates over 200 connections and approximately 2500 feet of wire when building a sweeper. It allows for easy addition of options and system upgrades at any time in the machine lifetime. CAN technology conveniently gives operator and service technicians important vital on-board diagnostics for chassis and sweeper in an easy to view full color display. Some examples of this are sweeping hours, gutter broom hours, water pump hours, fuel consumption, percentage of load on engines, engine temperature, oil pressure, hydraulic temperature, and water tank level to name a few. Incorporated through the CAN system is full engine protection for automatic shutdown to prevent engine damage in case of an engine system failure. All CAN switches are color coded for easy identification and ease of use. Overall CAN technology is the now and the future of auto, truck, and machinery operating systems. Schwarze Industries has chosen to embrace this technology and utilize it to its maximum capabilities on their sweepers. Schwarze has just completed their new state of the art On-Line Parts/Service site. Located at shop.schwarze.com, customers can access: - Wear Parts, Search by Model - Have online access to parts and service manuals - Access to How-to videos, model walk-arounds, operator and maintenance tips. - Auxiliary Engine and Chassis resources 2D and 3D parts drawing assemblies
41	Describe any "green" initiatives that relate to your company or to your products or services, and include a list of the certifying agency for each.	Schwarze's approach to sustainability is built around three dimensions: environmental responsibility, people and community, and governance and ethics. Within each dimension, Schwarze has identified specific material topics that help focus their efforts where they matter most. At Schwarze, their environmental responsibility covers both the efficient use of natural resources in their facilities and the development of new products with sustainability goals in mind. In their facilities, the primary areas of focus are energy, emissions, water, and waste management, all guided by a corporate environmental policy. Below are our internal metrics for Sustainability KEY METRIC - GOALS BY 2025 RENEWABLE ELECTRICITY - ABOVE 20% RENEWABLE ENERGY RECYCLED WASTE - ABOVE 85% RECYCLED WASTE WATER USAGE - BELOW 1.00 CUBIC METERS/METRIC TONS SHIPPED SCOPE 1 CO2 EMISSIONS - BELOW 0.25 METRIC TONS/METRIC TONS SHIPPED SCOPE 2 CO2E EMISSIONS - BELOW 0.60 METRIC TONS/METRIC TONS SHIPPED ENERGY - BELOW 6.00 GIGAJOULES/METRIC TONS SHIPPED Schwarze also is heavily involved in partnering with their customers in Storm-water Management Education and outreach. They provide case studies, graphical wraps, and other educational materials as resources for municipalities to educate their citizens on the value of sweeping and the direct impact it has on our planet.
42	Identify any third-party issued eco-labels, ratings or certifications that your company has received for the equipment or products included in your Proposal related to energy efficiency or conservation, life-cycle design (cradle-to-cradle), or other green/sustainability factors.	South Coast Air Quality Management District Certified (see attached) Certified Air Movement and Control Association for fan performance (see attached original cert 4/4/2000 and re-certified 2019) ISO 9001-2015 Certified - Renewed certification in 2020 AQMD PM10 Certified
43	Describe any Women or Minority Business Entity (WMBE), Small Business Entity (SBE), or veteran owned business certifications that your company or hub partners have obtained. Upload documentation of certification (as applicable) in the document upload section of your response.	Most of the local dealers that will be involved in this process are SBE, MBE, WMBE or Veteran owned businesses. The actual participation of each will be dictated by the customer's delivery area. That actual percentage of SBE, MBE, WMBE or Veteran owned business information will be provided to the customer upon request prior to the order being placed. Schwarze is also utilizing a Small Woman Owned Business, DuCo, LLC, to administer any awarded Sourcewell Contract. Schwarze is committed to hiring Veterans and Persons with disabilities in their hiring practices. They have many veterans currently employed. Schwarze partners with Veteran organizations when recruiting for all positions.

44	What unique attributes does your company, your products, or your services offer to Sourcewell participating entities? What makes your proposed solutions unique in your industry as it applies to Sourcewell participating entities?	With the most diverse product offering in the sweeping industry, Schwarze Industries provides a consultative approach to guiding Sourcewell Members to find the right equipment to meet their needs. With over 100 dealer locations across North America, employing over 800 Sales and Service personnel, Schwarze has built a sales and service network fully capable of addressing a Sourcewell Member's sweeping equipment needs. With 50 years in business and a member of the Alamo Group, Schwarze has forged strong partnerships with brands such as Freightliner, Cummins, Isuzu, John Deere, and many more in order to maximize the service strength to their customers. Schwarze also offer Industry leading warranties such as: Schwarze stainless steel hoppers with lifetime warranty shall be warranted against rust perforation and corrosion perforation for the "LIFETIME" of the sweeper of the ownership period of the original owner. This warranty is non-transferable. Schwarze warranties hydraulic valves and motors for a period of two years and hydraulic pumps and fittings for five years. This warranty applies to the original owner only and is non-transferable. State of the art online parts and service support referenced above in question 40.	*
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Table 9: Warranty

Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may upload representative samples of your warranty materials (if applicable) in the document upload section of your response in addition to responding to the questions below.

Line Item	Question	Response *
45	Do your warranties cover all products, parts, and labor?	Schwarze warrants their equipment be free of defects in material and workmanship for one year or 1200 usage hours after purchase. Schwarze also warrants new parts be free from defects in material and workmanship for 90 days after purchase. Schwarze covers the repair or replacement of defective parts in both scenarios. Schwarze stainless steel hoppers come with a lifetime warranty. They are warranted against rust perforation and corrosion perforation for the 'LIFETIME' of the sweeper of the ownership period of the original owner, of which LIFETIME WARRANTY must be acknowledged on the original sales order. Warranty repairs must be made by Schwarze Industries or authorized agents. This warranty is non-transferable. Schwarze warranties hydraulic valves and motors for a period of 2 years and hydraulic pumps and fittings for 5 years. These warranties are subject to maintenance requirements and annual inspections by a Schwarze authorized agent/dealer. This warranty applies to the original owner only and is non-transferable. All Schwarze Single Engine Sweepers warranty the VPD (single engine drive device) for a period of three years with unlimited hours of use. All labor on pre-authorized warranty items is covered under Schwarze's warranty. Schwarze is committed to providing parts for warranty claims within 48 hours of the claim being filed. There are longer warranty coverage periods for units mounted on commercial chassis. That coverage, for example, would come from the chassis manufacturer and carries a three year standard warranty. Also, some Schwarze models utilize John Deere auxiliary engines that have a two year coverage period. Each OEM component would be covered by their own warranty. Extended multiple year warranties are available to purchase at a "pass through" price for these OEM components when the original purchase of the machine is made.
46	Do your warranties impose usage restrictions or other limitations that adversely affect coverage?	The above warranty information states 1200 usage hours. If beyond the 1200 hour standard warranty, warranty would be negotiated. Each component's warranty will carry the original equipment manufacturers warranty.
47	Do your warranties cover the expense of technicians' travel time and mileage to perform warranty repairs?	The warranty coverage will be reviewed on a case-by-case basis with the customers dedicated Warranty Specialist. Travel time and mileage may be considered to be covered under warranty. Typically, the customer is expected to take the unit in to a local dealer to perform warranty repairs.
48	Are there any geographic regions of the United States or Canada (as applicable) for which you cannot provide a certified technician to perform warranty repairs? How will Sourcewell participating entities in these regions be provided service for warranty repair?	Every geographic region of the United States and Canada will be covered by either local dealer's certified technicians or Schwarze will provide each customer specialized assistance for warranty repairs. Each Member not accessible to a local dealer will have to contact Schwarze's dedicated warranty specialists, communicate the issue of concern and receive a written Statement of Warranty work from their Warranty Specialist. If the customer is comfortable with working on the unit with the written permission from Schwarze, they will be shipped parts at no cost, return any defective parts required (at no cost) and will be issued a labor credit at the current dealer warranty labor rate that they may use to purchase replacement parts in the future.
49	Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer?	Schwarze will not cover warranty service for items made by other manufacturers that are part of this proposal. The warranties are issued and serviced by authorized OEM dealers throughout the United States and Canada. Examples of these OEM's would consist of John Deere, Cummins, and Freightliner. If any member should have trouble with this arrangement, Schwarze will help the Member facilitate the utilization of these OEM warranties.
50	What are your proposed exchange and return programs and policies?	Because each unit is built to order, there is no set exchange or return policies.
51	Describe any service contract options for the items included in your proposal.	Customers that outsource their warranty, service or repair work on their equipment may contact the local servicing dealer. Each dealer is independently owned and employ dedicated parts and service personnel. Schwarze dealers have been specifically chosen to represent products based on their sustained financial stability, ability to provide superior product support both before and after the sale. It is important to Schwarze that all of their dealers develop a strong trust and commitment with their local customers. All Schwarze dealers have their own in-house maintenance facilities along with road-side mobile service repair. Each local dealer will have the capability to provide service contracts and do so regularly. These service contracts are dictated by case by case customer relationships. Schwarze does not offer service contract options directly to their customers.

Table 10: Payment Terms and Financing Options

Line Item	Question	Response *	
52	Describe your payment terms and accepted payment methods?	Payment terms are net 30 days unless otherwise arranged prior to purchase on a case-by-case basis. Payments for units can be paid for my check, wire transfer or Automated Clearing House transfer (AHC). P-Cards can be used to purchase parts only.	*
53	Describe any leasing or financing options available for use by educational or governmental entities.	Schwarze does utilize municipal and non-profit leasing through third party vendors if there is Member interest. Schwarze does not quote rates or terms for leasing, however it should be known to Members that we have this service available to them. Schwarze will work with other Sourcewell Awarded Vendors (NCL) or any leasing agency of the Member's choice.	*
54	Describe any standard transaction documents that you propose to use in connection with an awarded contract (order forms, terms and conditions, service level agreements, etc.). Upload a sample of each (as applicable) in the document upload section of your response.	See the attached sample Sourcewell Quote.	*
55	Do you accept the P-card procurement and payment process? If so, is there any additional cost to Sourcewell participating entities for using this process?	Schwarze will accept the P-card or credit cards for all Members with no fees for parts. P-card will not be available for sweeper units.	*

Table 11: Pricing and Delivery

Provide detailed pricing information in the questions that follow below. Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract as described in the RFP, the template Contract, and the Sourcewell Price and Product Change Request Form.

Line Item	Question	Response *	
56	Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the Sourcewell discounted price) on all of the items that you want Sourcewell to consider as part of your RFP response. If applicable, provide a SKU for each item in your proposal. Upload your pricing materials (if applicable) in the document upload section of your response.	It is Schwarze's intent to offer a percentage discount from the manufacturer list price to the Sourcewell Members on all of the items being proposed in this offer. Schwarze's discount will be based on a percentage off of the profit-making base model portion of this award. Schwarze mounts their products on commercial truck chassis. In order to provide the customer with convenience and the best pricing available, Schwarze will provide the truck chassis with no profit associated or at a Pass-Through price. This gives the Members the ability to utilize quantity discounts that are offered by the chassis manufacturers to the body manufacturers. Schwarze purchases chassis with substantial quantity discounts. Schwarze will also allow the customer to supply their own chassis in which to mount the body.	*
57	Quantify the pricing discount represented by the pricing proposal in this response. For example, if the pricing in your response represents a percentage discount from MSRP or list, state the percentage or percentage range.	Schwarze is proposing a 5% discount from the base model list price for all of their sweeper products. Schwarze is proposing a 3% discount and free shipping for parts and accessories over \$12,000, on a single order. Members will receive these special discounts after issuing a Purchase Order for parts only with their Sourcewell Member number.	*
58	Describe any quantity or volume discounts or rebate programs that you offer.	Schwarze will offer additional discounts for volume purchases. There will be an additional 2% discount off the base unit discounted price for a single Purchase Order for 4 or more units. At this time, Schwarze does not offer any rebate programs.	*
59	Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.	It is Schwarze's intention to cover all items available on their commercial price lists. Schwarze does realize, from time to time, there may be individual requirements that will not be listed. Schwarze will provide any items "specific" to Sourcewell Members needs that they are able to. The pricing for such items will be cost plus 20%. Prior to accepting an order with Open Market items from a Sourcewell Member, Schwarze will discuss the availability of a specific request and price the item. Any documentation of cost that Schwarze can provide for these items will be presented on an individual basis when requested.	*

60	Identify any element of the total cost of acquisition that is NOT included in the pricing submitted with your response. This includes all additional charges associated with a purchase that are not directly identified as freight or shipping charges. For example, list costs for items like pre-delivery inspection, installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer.	There are several costs not included in the pricing submitted in this proposal. These costs are listed below: Freight and Delivery: Freight costs will be pre-paid and added to the Members Quote and Invoice. Small items will be, in most cases, delivered by UPS. Other freight carriers may be utilized in shipments, i.e. Federal Express, DHL and common carrier for truck freight. The actual cost of shipment will be passed through to the customer. Schwarze will not mark up this item for profit. Minimal handling fees may be added where special packaging is required. The Member will be notified of these charges if applicable prior to order placement. Federal Excise Tax: Schwarze is required by law to collect Federal Excise Tax on any truck mounted unit rated above 33,000 GVW. This tax will be added to the customer invoice as a separate line item. Schwarze will pay this tax directly to the Internal Revenue Service. The rate of tax is calculated at 12%. Most municipal and non-profit entities are exempt from this tax. If Schwarze is provided a Federal Excise Tax Exemption Certificate, they will not be required to collect this tax. Mounting Fee: This fee is charged to the customer when ordering a truck mounted unit. Mounting fees cover the cost of the mounting of the body on the desired truck chassis. Federally Mandated Items: The cost of any federally mandated items will be passed on to the Member. Schwarze pricing includes any federally mandated items that are mandated at the time of this proposal. Should there be a Federal Mandate after the date of this proposal, any cost incurred to meet the requirements of this mandate will be passed on to the member. Any costs applicable will be provided to the Member prior to any Purchase Order being issued. This fee would typically be charged to meet any future EPA standards that may arise. An example of such costs would be in meeting Federal Emission Standards. Local Dealer Pre-Delivery Inspection, On Site Training, and Local Delivery Fees: These costs are charged by local dealers to inspect, test, in service the unit, local extended delivery and follow up training. These costs are a pass through cost to the member from the local dealer.	*
61	If freight, delivery, or shipping is an additional cost to the Sourcewell participating entity, describe in detail the complete freight, shipping, and delivery program.	All freight charges are pre-paid and added to the Member quotation for convenience. Members always have the choice of picking up the units at the factory or retain a 3rd party of their choice to deliver the equipment. The freight charges are at a pass-through price. Schwarze has negotiated quantity-discounted shipping rates and will pass those discounts on to the Members. Most offered items are custom built to customer specification. Anticipated delivery of items ordered on a stock chassis or customer supplied chassis is expected to be 45-90 days after receipt of order or customer chassis. Anticipated delivery of an item ordered on a "special order" chassis is expected to be 120-180 days after receipt of order; however, this time can vary greatly depending upon chassis manufacturer back log. Delivery of truck mounted units will be pre-paid and added to Member Quotation and Invoice. Both "Drive-A-Way" service and common carrier service will be used.	*
62	Specifically describe freight, shipping, and delivery terms or programs available for Alaska, Hawaii, Canada, or any offshore delivery.	The shipping and delivery charges for Canada, Alaska and Hawaii and any other off shore location are the same as the previously stated delivery programs for the contiguous US. The shipping charges to the port location will be calculated in the same manner. If the customer wishes that Schwarze deliver via ocean transport, Schwarze will pass on the negotiated shipping rates that they will pay to the ocean transport carrier to the Member. It has been their experience that the customers in these locations usually have their own negotiated rates with shipping carriers. If this is the case, Schwarze will provide the customer shipping to their desired port and provide the customer with the appropriate documentation required. Schwarze strives to provide the equipment as customer specified and to their satisfaction upon delivery.	*
63	Describe any unique distribution and/or delivery methods or options offered in your proposal.	As stated above, Schwarze does pass on negotiated, competitively bid freight pricing to their customers. Most of the Schwarze Dealers do have units in stock and Member's can purchase those units to enhance delivery times and in some cases better prices for any previous year's inventory.	*

Table 12: Pricing Offered

Line Item	The Pricing Offered in this Proposal is: *	Comments
64	c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.	Schwarze fully recognizes the value of the national Sourcewell Contract and as such gives the best discounts available to Sourcewell Members.

Table 13: Audit and Administrative Fee

Line Item	Question	Response *
65	Specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with Sourcewell. This process includes ensuring that Sourcewell participating entities obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to Sourcewell. Provide sufficient detail to support your ability to report quarterly sales to Sourcewell as described in the Contract template.	Due to the unique nature of this proposed contract representation, Schwarze builds in an automatic audit process. DuCo, LLC, being the proposed Contract Administrator and single source for Sourcewell quotations, allows for this self-audit process. Schwarze will not have to rely on multiple reports from individual dealerships for an accurate accounting of sales. DuCo will have the ability to account for every sale at time of order. There is no after-the-fact gathering of information. DuCo prepares the quotation for each Member under the Contract guidelines. Every Sourcewell Member quotation delineates the Sourcewell Contract Number. When a Purchase Order is received, Schwarze will require the Purchase Order to reference the contract number. This process makes it clear for all personnel to recognize that it is a Sourcewell contract sale. The sale, when received, is booked and accounted for on the Sourcewell sales spreadsheet. This makes the end of quarter reporting complete at the actual end of quarter. As a secondary check, when Schwarze receives a payment for a unit, Schwarze will verify the contract used in its purchase. This ensures the correct accounting for the sale on a second level.
66	If you are awarded a contract, provide a few examples of internal metrics that will be tracked to measure whether you are having success with the contract.	Schwarze values the ability to service Sourcewell Members with their products. In order for Schwarze to ensure they are providing a product that Sourcewell Members want, they will be evaluating the sales, Quarterly and Annually, to ensure growth. Schwarze will respond accordingly to specific regional performance through Dealer Training as well as participation in Sourcewell training classes. As a member of the Alamo Group, Schwarze is expected to increase their sales each year. Schwarze operates with an annual marketing plan to ensure that they maximize their outreach to potential customers, including Sourcewell Members in order to achieve their goal. It is Schwarze's goal to not only increase its company sales to Sourcewell Members each year but increase their market share within the sweeper products offered to Sourcewell Members. If they are able to see measured increase in Sourcewell market share when compared to other companies in their product category, they feel this is a strong measurement of success with the Sourcewell Contract.
67	Identify a proposed administrative fee that you will pay to Sourcewell for facilitating, managing, and promoting the Sourcewell Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See the RFP and template Contract for additional details.)	Schwarze proposes an administrative fee of 1%. The fee will be calculated on the Member price less Chassis cost, sales tax (if applicable), and dealer prep/delivery fees.

Table 14A: Depth and Breadth of Offered Equipment Products and Services

Line Item	Question	Response *
68	Provide a detailed description of the equipment, products, and services that you are offering in your proposal.	Regenerative Air Sweeper Machines A4 Storm - 4.5 Cubic Yard Non-CDL regenerative air road sweeping truck. Ideal for small areas in cities and towns. Very maneuverable in tight quarters yet very powerful. A7 Tornado Twin engine or Single engine - -8.4 Cubic Yard Large Multi- Purpose Regenerative Air Sweeper. Ideal for roads and highways picking up large amounts of debris. Helps cities and contractors meet the EPA's MS4 requirements to mitigate storm water runoff. Easy to maintain, yet powerful enough for the most demanding applications. A7 Zephyr -8.4 Cubic Yard Regenerative Air Runway Sweeper. The Zephyr is the choice for runways and airfields. With sweeping speed capability of up to 25 mph, the Zephyr is designed to cover a large amount of surface quickly. This is very important to the aviation industry (commercial and military) so as to rapidly remove debris that could cause FOD Foreign Object Damage to Aircraft. FOD is the single largest controllable cause of damage to Aircraft on runways. A8 Twister Twin Engine or Single Engine -6 Cubic Yard High Dump Regenerative Air sweeper. The Twister Incorporates all of the powerful road cleaning features of the A7 Tornado with a High Dump Hopper. The Stainless steel Hopper Has dump height range of 2' to 12' high. This is convenient for dumping accumulated debris directly into waste hauling trucks or containers. A9 Monsoon Twin Engine or Single Engine - 9.6 Cubic Yard Regenerative Air Street Sweeper. Largest payload in the regenerative air sweeping industry. This means more time on the job before dumping. Not only is the hopper larger but so are the debris screens in the hopper . More sweeping time before clean-outs, and steady performance throughout the entire loading process. Ideal for long stretches of roadway that need to be cleaned. Pure Vacuum Sweeper Hypervac Pure Vacuum road sweeper - 8.4 Cubic Yard Pure Vacuum sweeper. The Hypervac uses massive power of the A series sweepers in the vacuum design of the Hypervac, however instead of the air being re-circulated, the air is essentially scrubbed free of dirt and debris before being exhausted into the Atmosphere. This machine uses as many as 5 brushes as once to clean the road surface. This application process conforms to any irregular surface conditions leaving roadway clean and debris free. The 5 brush design is revolutionary in the pure vacuum market and is only a

		Schwarze product. Mechanical Sweepers M4 Cascade Mechanical Broom Sweeper - 4 Cubic Yard Mechanical Broom Sweeper. The M4 Cascade leads the way in compact heavy debris sweeping. Non- CDL in design, this machine is ideal for removing bulky debris from construction sites. The small cab over chassis configuration makes the M4 highly maneuverable for sweeping tight congested areas. High dump capability, up to ten feet, enables on site dumping into containers or mobile trucks for waste containment. Over all the M4 fills many needs for smaller contractors and governments that have the need for heavy sweeping. M5 Torrent Mechanical Broom Sweeper - 4.5 cubic yard Mechanical Broom Sweeper. The M5 Torrent incorporates all of the features of the compact M4 cascade into a slightly larger footprint. Designed with a larger stainless steel 4.5 cu/yd Hopper, the Torrent is built on a heavier GVWR Chassis. This allows for larger loads and chassis that can withstand the rigors of long highway travel in between jobs. The M5 remains Non-CDL, staying under the 26,000 lb threshold. M6 Avalanche Mechanical Broom Sweeper Twin engine or Single engine - 5 Cubic Yard Mechanical Broom Sweeper. The M6 Avalanche is the pinnacle of large debris commercial mechanical sweepers. The rugged design is meant for the most demanding of sweeping scenarios. Routinely used by paving contractors behind milling machines as well as tar and chip operations, the M6 Avalanche has the power to meet these needs. A fully integrated CAN operation system allows for memory presets "Six Sense" for on the fly quick adjustments to the sweeper for matching ever changing debris and road surface conditions. Parking Lot Sweepers Super Vac Gale force - 4.5 Cubic Yard Parking Area Sweeper. The Gale Force Is the most powerful parking lot sweeper on the market. With a 74hp auxiliary engine dedicated to sweeping functions, and 39 inch diameter gutter broom the Gale Force cleans up quickly and efficiently. Built for The most demanding parking lot sweeping contractors, the Gale Force is built to do the job day in day out. A standard stainless steel hopper is meant to last a lifetime with easy cleaning. Super Vac Vortex - 4.5 Cubic Yard Parking Area Sweeper. The Vortex maintains the generous capacities of the Gale Force, but with a smaller power plant to meet the needs of the smaller sweeping contractors. Standard Stainless steel hopper, 93 gallon dust suppression system, and vertical steel digger type gutter brooms ensure the Vortex is ready to meet the challenges of parking lot sweeping. Super Updraft - 3 cubic yard Low Profile Parking Lot Area Sweeper. The Super Updraft provides the unrivaled performance of Schwarze parking lot sweepers in a low profile format. By using a pick up truck chassis and a smaller 3 cu/yd hopper, the Super Updraft can sweep in areas with vertical overhead clearance limits. This specifically is in regard to parking garages. No Matter where, the Super Updraft will effortlessly keep these areas clean. Updraft - -2 Cubic Yard low profile parking area sweeper. This light weight, low profile sweeper is ideal for parking areas with delicate surfaces. The poly wafer gutter broom will not mark surfaces such a decorative brick and pavers. Built with a stainless steel hopper, the Updraft is built to last. Ideal for Colleges, Universities, and beautified downtown areas. Super Vac Aero - 2 Cubic Yard Portable Slide in/ Tow Behind Trailer sweeper. The Aero is an ideal machine to be kept on site for quick cleanups post event. Sports Arenas, Concert venues, and public Parks can utilize the Aero with great efficacy. Additionally The Aero has the ability to blast air off to the side of the machine where blowing off debris is a better option. Road and Asphalt Repair Patchers Road Patcher - 6.5 Cubic Yard Truck Mounted Road Patcher. The truck Mounted road patcher is a one person operation. With a fully automated hydraulic boom the Road Patcher makes fixing pot holes quick and easy. The machine uses air, aggregate (stone) and emulsion (tar) to clean, prep and fill the pot hole or deviation in the road surface. The truck mounted road patcher keeps the operator off the street and safely inside the cab of the truck. 2 Cubic Foot Spray Patcher tow behind Street Max. This tow behind machine is fed aggregate from a standard dump body that is towing it. This allows for Multiple repairs with a trailer-able unit that is not limited by capacity due to the fed by dump design. -2 Cubic Yard Spray Patcher tow behind Road King. Road King is a fully self contained tow behind spray patcher with a 2 cu/yd aggregate capacity. The Road King is ideal for those who do not want to dedicate a full time vehicle to road patching operations. Demonstration equipment, dealer stock and used equipment is also being offered within this response. Wear parts are being offered to Sourcewell Members with a 3% discount when purchasing parts in excess of \$12,000.00. This offer also come with free shipping via Schwarze delivery platform.
69	Within this RFP category there may be subcategories of solutions. List subcategory titles that best describe your products and services. [Refer also to RFP Section II. B. 2 for potential subcategory descriptors.]	Regenerative Air Street Sweepers- CDL Regenerative Air Street Sweepers- Non CDL Mechanical Street Sweepers- CDL Mechanical Street Sweepers-Non CDL Pure Vacuum Street Sweepers Parking Lot Sweepers High Speed Runway Sweepers Pothole Patching Equipment

Table 14B: Depth and Breadth of Offered Equipment Products and Services

Indicate below if the listed types or classes of equipment, products, and services are offered within your proposal. Provide additional comments in the text box provided, as necessary.

Line Item	Category or Type	Offered *	Comments	
70	Street, sidewalk, and parking lot sweeping and cleaning equipment	☒ Yes ☐ No	Schwarze offers many types of units in this category (from 2 yard debris hoppers to the industries largest, 9 yard debris hopper as well as two different types of vacuum systems in each of the size categories. Schwarze offers three different types of mechanical broom sweepers. In order to meet individual Member requirements, there are three different types of fuel platforms (gas, diesel or CNG), as well as single engine or twin engine technologies.	*
71	Runway sweeping and cleaning equipment	☒ Yes ☐ No	Schwarze offers the same variety of Runway sweepers as listed in the above street sweepers.	*
72	Litter, trash, and debris vacuums	☒ Yes ☐ No	Schwarze sweepers have optional vacuum hoses on their varied size sweepers for the purpose of litter, trash and debris removal.	*
73	Supplies and replacement or wear parts related to the solutions in Lines 70 - 72 above	☒ Yes ☐ No	Schwarze is offering wear parts in this response with a 3% Discount	*

Table 15: Exceptions to Terms, Conditions, or Specifications Form

Line Item 74. NOTICE: To identify any exception, or to request any modification, to the Sourcewell template Contract terms, conditions, or specifications, a Proposer must submit the exception or requested modification on the **Exceptions to Terms, Conditions, or Specifications Form** immediately below. The contract section, the specific text addressed by the exception or requested modification, and the proposed modification must be identified in detail. Proposer's exceptions and proposed modifications are subject to review and approval of Sourcewell and will not automatically be included in the contract.

Contract Section	Term, Condition, or Specification	Exception or Proposed Modification

Documents**Ensure your submission document(s) conforms to the following:**

- Documents in PDF format are preferred. Documents in Word, Excel, or compatible formats may also be provided.
- Documents should NOT have a security password, as Sourcewell may not be able to open the file. It is your sole responsibility to ensure that the uploaded document(s) are not either defective, corrupted or blank and that the documents can be opened and viewed by Sourcewell.
- Sourcewell may reject any response where any document(s) cannot be opened and viewed by Sourcewell.
- If you need to upload more than one (1) document for a single item, you should combine the documents into one zipped file. If the zipped file contains more than one (1) document, ensure each document is named, in relation to the submission format item responding to. For example, if responding to the Marketing Plan category save the document as "Marketing Plan."

- [Pricing](#) - Schwarze Sourcewell PRICE LIST 09_30_2021.zip - Wednesday September 22, 2021 09:28:08
- [Financial Strength and Stability](#) - Financial Str and Licenses.zip - Thursday September 16, 2021 10:47:24
- [Marketing Plan/Samples](#) - Brochures Ads Website.zip - Thursday September 16, 2021 10:47:46
- [WMBE/MBE/SBE or Related Certificates](#) (optional)
- [Warranty Information](#) - Training and Dealer Network.zip - Thursday September 16, 2021 10:48:38
- [Standard Transaction Document Samples](#) - SAMPLE SOURCEWELL QUOTE TO MEMBER.pdf - Thursday September 16, 2021 10:50:01
- [Upload Additional Document](#) - RepLetter Ref Letter Certs.zip - Thursday September 16, 2021 10:50:33

Addenda, Terms and Conditions**PROPOSER AFFIDAVIT AND ASSURANCE OF COMPLIANCE**

I certify that I am the authorized representative of the Proposer submitting the foregoing Proposal with the legal authority to bind the Proposer to this Affidavit and Assurance of Compliance:

1. The Proposer is submitting this Proposal under its full and complete legal name, and the Proposer legally exists in good standing in the jurisdiction of its residence.
2. The Proposer warrants that the information provided in this Proposal is true, correct, and reliable for purposes of evaluation for contract award.
3. The Proposer, including any person assisting with the creation of this Proposal, has arrived at this Proposal independently and the Proposal has been created without colluding with any other person, company, or parties that have or will submit a proposal under this solicitation; and the Proposal has in all respects been created fairly without any fraud or dishonesty. The Proposer has not directly or indirectly entered into any agreement or arrangement with any person or business in an effort to influence any part of this solicitation or operations of a resulting contract; and the Proposer has not taken any action in restraint of free trade or competitiveness in connection with this solicitation. Additionally, if Proposer has worked with a consultant on the Proposal, the consultant (an individual or a company) has not assisted any other entity that has submitted or will submit a proposal for this solicitation.
4. To the best of its knowledge and belief, and except as otherwise disclosed in the Proposal, there are no relevant facts or circumstances which could give rise to an organizational conflict of interest. An organizational conflict of interest exists when a vendor has an unfair competitive advantage or the vendor's objectivity in performing the contract is, or might be, impaired.
5. The contents of the Proposal have not been communicated by the Proposer or its employees or agents to any person not an employee or legally authorized agent of the Proposer and will not be communicated to any such persons prior to Due Date of this solicitation.
6. If awarded a contract, the Proposer will provide to Sourcewell Participating Entities the equipment, products, and services in accordance with the terms, conditions, and scope of a resulting contract.
7. The Proposer possesses, or will possess before delivering any equipment, products, or services, all applicable licenses or certifications necessary to deliver such equipment, products, or services under any resulting contract.
8. The Proposer agrees to deliver equipment, products, and services through valid contracts, purchase orders, or means that are acceptable to Sourcewell Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to Sourcewell Members under an awarded Contract.
9. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
10. The Proposer understands that Sourcewell will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statutes Section 13.591, subdivision 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals become public data. Minnesota Statutes Section 13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
11. Proposer its employees, agents, and subcontractors are not:
 1. Included on the "Specially Designated Nationals and Blocked Persons" list maintained by the Office of Foreign Assets Control of the United States Department of the Treasury found at: <https://www.treasury.gov/ofac/downloads/sdnlist.pdf>;
 2. Included on the government-wide exclusions lists in the United States System for Award Management found at: <https://sam.gov/SAM/>; or
 3. Presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from programs operated by the State of Minnesota; the United States federal government or the Canadian government, as applicable; or any Participating Entity. Vendor certifies and warrants that neither it nor its principals have been convicted of a criminal offense related to the subject matter of this solicitation.

☒ By checking this box I acknowledge that I am bound by the terms of the Proposer's Affidavit, have the legal authority to submit this Proposal on behalf of the Proposer, and that this electronic acknowledgment has the same legal effect, validity, and enforceability as if I had hand signed the Proposal. This signature will not be denied such legal effect, validity, or enforceability solely because an electronic signature or electronic record was used in its formation. - M.J. DuBois, Contract Administrator, DuDo LLC for Schwarze Industries

The Proposer declares that there is an actual or potential Conflict of Interest relating to the preparation of its submission, and/or the Proposer foresees an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the bid.

☒ Yes ☐ No

The Bidder acknowledges and agrees that the addendum/addenda below form part of the Bid Document.

Check the box in the column "**I have reviewed this addendum**" below to acknowledge each of the addenda.

File Name	I have reviewed the below addendum and attachments (if applicable)	Pages
Addendum_2_Street_Sweepers_RFP_093021 Wed August 25 2021 07:12 PM	☒	1
Addendum_1_Street_Sweepers_RFP_093021 Fri August 13 2021 02:49 PM	☒	2



Staff Report: 163-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Completion of Construction - Tower Mall Demolition

Key Points

- The Project demolished and removed Tower Mall and the Allstate / Bank of America Building. All hazardous building materials were removed and properly disposed.
- 3 Kings Environmental of Battle Ground, Washington was awarded the contract for construction in September 2021. Construction began in October 2021 and was physically complete in June 2022.
- Final construction costs for the project are \$2,024,643.57.
- The apprenticeship goal for this project was 5% of the project's labor hours. The contractor attempted to get apprentices from the local Laborers Union, but none were available for most of the project. City of Vancouver staff reviewed the contractor's Good Faith Effort to meet the apprenticeship goal, found it acceptable, and waived the penalty for not meeting the apprenticeship goal.

Strategic Plan Alignment

Goal 8, Objective 8.2: Strengthen neighborhood business districts

Present Situation

The Project demolished and removed Tower Mall and the Allstate / Bank of America Building. All hazardous building materials were removed and properly disposed.

The original construction contract bid amount was \$1,906,331.87. Change orders and quantity adjustments during construction increased the contract amount by 6.2% to \$2,024,643.57. The largest change order was the removal and disposal of excess crushed concrete, beyond the amount that was able to be placed at the Tower Mall site. This change order increased the contract amount by \$44,537.04. 3 Kings Environmental of Battle Ground, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications.

The apprenticeship goal for this project was 5% of the project's labor hours. Before construction began, the Contractor contacted the Oregon-Columbia Laborers Apprenticeship Program through the Laborers' Union. Unfortunately, the Union was not able to supply apprentices for the vast majority of the project. As a result, the Contractor's actual apprenticeship utilization was less than 1% of the project's labor hours. The contractor documented multiple communications with the Laborers' Union in which they requested apprentices. City of Vancouver Procurement Services and Construction Services staff reviewed this Good Faith Effort documentation, found it acceptable, and waived the penalty for not meeting the apprenticeship goal.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party bond claims and facilitates release of retainage.

Disadvantage(s)

None

Budget Impact

Funds for the project were appropriated in the Capital Improvement Fund in the 2021-2022 Budget.

Prior Council Review

The City Council awarded the construction contract September 13, 2021.

Action Requested

On November 14, 2022, accept the Tower Mall Demolition Project as constructed by 3 Kings Environmental of Battle Ground, Washington, and authorize release of the retainage in the amount of \$93,301.55, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 164-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Completion of Construction - Broadway Corridor Improvements Phase 1

Key Points

- The project constructed improvements on Broadway between East 13th Street and McLoughlin Boulevard, including upgrading existing water and sewer mains, installing ADA-compliant curb ramps, repairing sections of failed sidewalk, replacing dying and hazardous trees, and paving the full width of the street.
- Catworks Construction of Vancouver, Washington was awarded the contract for construction in March 2021. Construction began in April 2021 and was physically complete in February 2022.
- Final construction costs for the project are \$1,421,014.13.
- The apprenticeship goal for this project was 4% of the project's labor hours. The contractor was able to exceed the goal and achieve an actual apprenticeship utilization of 8%.

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 project constructed improvements on Broadway between East 13th Street and McLoughlin Boulevard, including upgrading existing water and sewer mains, installing ADA-compliant curb ramps, repairing sections of failed sidewalk, replacing dying and hazardous trees, and paving the full width of the street.

The original construction contract bid amount was \$1,349,727.70. Change orders and quantity adjustments during construction increased the contract amount by 5.3% to \$1,421,014.13. The largest change order was adding two years of maintenance for all the trees planted as part of the project. This change order increased the contract amount by \$19,361.44. Catworks Construction of Vancouver, Washington, has satisfactorily completed the subject improvements in accordance

with the plans and specifications.

The apprenticeship goal for this project was 4% of the project's labor hours. The contractor was able to exceed the goal and achieve an actual apprenticeship utilization of 8% by using 534.5 apprenticeship hours of the total 7104.7 project hours.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party bond claims and facilitates release of retainage.

Disadvantage(s)

None

Budget Impact

The project is funded through the Pavement Management Program, as well as Sewer and Water Capital Funds.

Prior Council Review

The City Council awarded the construction contract March 1, 2021.

Action Requested

On November 14, 2022, accept the Broadway Corridor Improvements Phase 1 Project as constructed by Catworks Construction of Vancouver, Washington, and authorize release of the retainage bond, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 165-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Completion of Construction - 2022 Joint Agency Slurry Seal Project

Key Points

- The project applied slurry seal surfacing to approximately 33 lane miles of streets.
- Blackline, Incorporated of Vancouver, Washington was awarded the contract for construction in March 2021 as part of a multi-agency contract with an option for two one-year extensions. In late 2021, the City and Clark County agreed to extend the contract for 2022.
- In March 2022, the City issued an Addendum to Blackline to add \$452,100.00 of slurry surfacing to the Contract for 2022. Construction began in July 2022 and was physically complete in September 2022.
- Final construction costs for the project are \$408,043.47.
- There was no apprenticeship goal for the project because the Engineer's Estimate was below the \$500,000.00 threshold for establishing an apprenticeship goal.

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 project applied slurry seal surfacing to approximately 33 lane miles of streets.

The original construction contract bid amount was \$452,100.00. Quantity adjustments during construction decreased the contract amount by 9.7% to \$408,043.47. The largest quantity adjustment can be attributed to removing some of the streets in Fisher's Landing from the 2022 slurry surfacing list so that additional pavement repairs could be performed on those streets in 2023 prior to slurry surfacing. Blackline, Incorporated of Vancouver, Washington, has satisfactorily completed the subject improvements in accordance with the plans and specifications.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party bond claims and facilitates release of retainage.

Disadvantage(s)

None

Budget Impact

The project is funded through the Pavement Management Program in the Street Fund. No additional budget appropriation is required.

Prior Council Review

The City Council awarded the construction contract March 7, 2022.

Action Requested

On November 14, 2022, accept the 2022 Joint Agency Slurry Seal Project as constructed by Blackline, Incorporated of Vancouver, Washington, and authorize release of retainage in the amount of \$20,402.17, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 166-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT 2022 Crack Sealing and Mastic Repair - Final Construction Acceptance and Release of Retainage

Key Points

- Accepts construction improvements to facilitate the release of the contractor's retainage.
- This project applied crack sealant and mastic repairs to 80 lane miles of street.
- Final construction costs for the project are \$371,028.00.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible, and well maintained

Present Situation

BVC Inc. of Wenatchee, Washington has completed the work for crack sealing 80 lane mile of streets that will receive preservation treatments, including AR chip seals, microsurfacing, and cape seals.

The original bid amount was \$371,500.00 compared to the final amount of \$371,028.00.

The engineer's estimate was below the \$500,000.00 threshold, so this project did not require a minimum apprenticeship utilization goal.

The work was completed was satisfactory and in accordance with the plans and specifications.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party claims and facilitates release of

the Contractor's retainage.

Disadvantage(s)

None

Budget Impact

The funds for this project were approved in the Pavement Management Program from the Street Fund.

Prior Council Review

Approved for award of bid with Staff Report 034-22 dated March 7, 2022.

Action Requested

On November 14, 2022, accept the 2022 Crack Sealing and Mastic Repair project as constructed by BVC Inc. of Wenatchee, Washington and authorize release of retainage in the amount of \$18,551.40, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 167-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Completion of Construction - 2022 Pavement Repairs

Key Points

- Accepts construction improvements to facilitate the release of the contractor's bond.
- Street improvements, including pavement repairs, planning of roadways, paving of existing roads, minor utility adjustments, and temporary striping has been completed.
- Final construction costs for the project are \$1,605,338.53.
- Contractor met the minimum apprenticeship utilization goal of 3% for this project.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible, and well maintained

Present Situation

Granite Construction Co., of Vancouver, Washington has completed construction of street repairs including pavement repairs, planning of roadways, paving of existing roads, minor utility adjustments, and temporary striping in advance of 2022 preservation treatment.

The work was completed satisfactorily in accordance with the plans and specifications. The original bid amount was \$1,345,460.00 compared to the final amount of \$1,605,338.53, an approximate 19% cost increase. The cost increase is attributed to additional pavement repair on NE 164th Ave and SE 192 Ave that was determined after project award. The pavement repairs were necessary to prepare the street for their respective treatment types.

Granite Construction Co. met the minimum apprenticeship utilization goal of 3% by using 178 apprenticeship hours of the 5563.3 total project hours.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party bond claims and facilitates release of the Contractor's retainage.

Disadvantage(s)

None

Budget Impact

The funds for this project were approved in the Pavement Management Program from the Street Funding Initiative Fund.

Prior Council Review

Approved for award of bid with Staff Report 049-22 dated April 11, 2022.

Action Requested

On November 14, 2022, accept the 2022 Pavement Repairs project as constructed by Granite Construction Co., of Vancouver, Washington and authorize release of retainage bond, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 168-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT 2022 Central Curb Ramps - Final Construction Acceptance and Release of Retainage

Key Points

- Accepts construction improvements to facilitate the release of the contractor's retainage.
- This project constructed 35 curb ramps.
- Final construction costs for the project are \$386,147.54.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible, and well maintained

Present Situation

Hedval Sitework Specialties, LLC of La Center, Washington has completed construction of 35 curb ramps as part of the 2022 Central Curbs Ramps contract.

The original bid amount was \$490,949.76 compared to the final amount of \$386,147.54, an approximate 21% cost decrease. The cost decrease is attributed to the City electing to delete 7 ramps and some sidewalk work on NE 122nd Ave from the original scope of work because there will be an Sewer Connection Incentive Program (SCIP) project at that location next year. The ramps will get installed after the SCIP project is done and before the preservation treatment is done in 2024.

The contractor was unable to meet the minimum apprenticeship utilization goal of 3% and a good faith effort waiver of the penalty was approved. The good faith effort was justified in that the subcontractor intending to reach the goal requested apprentices several times throughout the project and was unable to obtain any apprentices, the remaining subcontractors were truck drivers, owner operators, or specialty contractors which limited their ability to provide apprentices. In addition, the project duration was only for 60 days, which can be challenging to obtain apprentices

in that limited amount of time.

The work was completed satisfactorily in accordance with the plans and specifications.

Advantage(s)

1. Completes the City's contractual and statutory process for accepting the project.
2. Formal project acceptance allows for closure on third-party claims and facilitates release of the Contractor's retainage.

Disadvantage(s)

None

Budget Impact

The funds for this project were approved in the Pavement Management Program in the Street Fund. No additional budget appropriation was required.

Prior Council Review

Approved for award of bid with Staff Report 017-22 dated February 14, 2022.

Action Requested

On November 14, 2022, accept the 2022 Central Curb Ramps project as constructed by Hedval Sitework Specialties, LLC of La Center, Washington and authorize release of retainage in the amount of \$19,307.38, subject to receipt of all documentation required by law.

Charles Fell, Senior Civil Engineer, 360-487-7790



Staff Report: 169-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Bid Award for Fruit Valley Road Stormwater Overflow, per Bid # 22-39

Key Points

- The project will provide a stormwater overflow system for a section of Fruit Valley Road that currently experiences roadway flooding.
- The City received 8 bids for the project.
- Staff proposes awarding a contract to the lowest, responsive bidder, Tapani, Inc. of Battle Ground, WA, at the bid price of \$599,995.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible, and well maintained.

Present Situation

Currently, there is recurring local roadway flooding within the 4800 block of NW Fruit Valley Road that occurs during severe or prolonged storm events. This creates a driving hazard when high water backs up within the roadway and flooding of adjacent properties.

On October 18, 2022, the City received 8 bids for the subject project. The bids ranged between \$599,995 and \$912,123. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Tapani, Inc., Battle Ground, WA	\$599,995.00
Advanced Excavating Specialists, LLC., Kelso, WA	\$620,932.00
Western United Civil Group, LLC, Yacolt, WA	\$629,545.00
Nutter Corporation, Vancouver, WA	\$640,551.00

Cat Works, LLC, Vancouver, WA	\$765,766.50
North Cascade Excavating, LLC., Woodland, WA	\$847,244.00
Clark & Sons Excavating, Inc., Battle Ground, WA	\$894,183.00
Lee Contractors, Battle Ground, WA	\$912,123.00
Engineers' Estimate	\$741,340.00

The contractor plans to meet or exceed the 3% apprenticeship goal by using 36 apprentice hours of the total 723 hours.

Advantage(s)

The project will provide an emergency overflow system for a section of Fruit Valley Road. The system will prevent unsafe flooding conditions within the roadway and flooding impacts to adjacent businesses.

Disadvantage(s)

None

Budget Impact

Funds are in the Surface Water capital budget and Transportation budget.

Prior Council Review

None

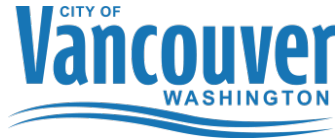
Action Requested

Award a construction contract for the Fruit Valley Road Stormwater Overflow project to the lowest responsive and responsible bidder, Tapani, Inc., Battle Ground, WA, USA at their bid price of \$599,995.00, which includes Washington State sales tax, and authorize the City Manager or designee to execute the same.

Mike Swanson, Civil Engineer, 360-487-7182

ATTACHMENTS:

- ▢ Contract
- ▢ Vicinity Map
- ▢ Flood Area



CONTRACT # C-101055
BID 22-39: Fruit Valley Road Stormwater Overflow

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 Tapani, Inc. hereinafter referred to as "Contractor," whose address is 1904 SE 6th Place, Battle Ground, WA 98604, hereinafter referred to "Parties."

WHEREAS, the City desires to engage the Contractor to provide public work and other related services for Fruit Valley Road Stormwater Overflow. Contractor has agreed to offer its services to perform said work per the City issued Invitation to Bid (ITB) No. 22-39 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 improvement of the construction of 1,632 linear feet of 24-inch storm main, 7 storm manholes, 2 pipe bores totaling 70-feet using 30" casing pipe, stormwater dispersion trench, associated pavement restoration 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 60 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) \$599,995.00.

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	\$3,000,000
Annual Aggregate	\$6,000,000
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

Lance Tapani
Tapani, Inc.
1904 SE 6th Place
Battle Ground, WA 98604

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:
Tapani, Inc.

Eric Holmes, City Manager

Signature

Date

Printed Name /Title

Attest:

Date

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

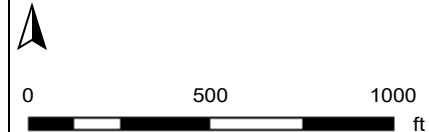
Fruit Valley Road Stormwater Overflow



Project Site



Taxlots



Map Generated on 11/08/2022

This product and the information shown is provided "AS IS" and exists for informational purposes only. The City of Vancouver (COV) makes no warranties regarding the accuracy of such data. This product and information is not prepared, nor is suitable, for legal, engineering, or surveying purposes. Any sale, reproduction or distribution of this information, or products derived therefrom, in any format is expressly prohibited. Data are provided by multiple sources and subject to change without notice. ©2021 COV

Notes

Fruit Valley Road



Taxlots



Stormwater System

Stormwater Inlets (City)

— Curb Inlet

Stormwater Manholes (City)

○ Standard Manhole

○ Continuous

○ Deflective
Separation (CDS)

Stormwater Mains (City)

→ Gravity

→ Perforated

Stormwater Virtual Flowlines

—



Map Generated on 11/08/2022

0 100 200
ft

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Notes

Flooding Area



Staff Report: 170-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Bid Award for Ellsworth Water Plant Disinfection System

Key Points

- The Ellsworth Water Treatment Plant is essential to the City's water system in providing safe, clean drinking water.
- This project replaces the chlorine gas water disinfection system with a new sodium hypochlorite generation system for water treatment.
- Four (4) responsive bids were received and Rotschy, Inc. has been determined to be the lowest responsive and responsible bidder.
- Rotschy, Inc. anticipates exceeding the City's 3% apprenticeship utilization goal.

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 Ellsworth Water Station is a 40-acre site that includes three wells, two booster pump stations and a treatment plant. The Ellsworth wells are in a deep, protected aquifer that contains elevated concentrations of naturally occurring iron and manganese. The treatment system has successfully removed iron and manganese from the water since the treatment facility began operations in 1995.

The project replaces existing chlorine gas disinfection equipment. New equipment will provide an updated disinfection system meeting current city standards. The new disinfection system utilizes salt, water and electricity to generate a low-strength sodium hypochlorite disinfection solution. All new equipment will utilize existing buildings and no new structures are required for this project. This project is our fifth sodium hypochlorite generation system installation project and continues our efforts to install disinfection systems that were selected as our standard in 2015.

On October 25, 2022, the City received four (4) responsive bids for the subject project. The bids

are as follows:

SUMMARY OF RESPONSIVE BIDS	
BIDDER	AMOUNT
Rotschy, Inc. Vancouver, WA	\$1,223,248.87
Pease & Sons, Inc., Tacoma, WA	\$1,458,343.08
McClure and Sons, Inc., Mill Creek, WA	\$1,734,660.03
Tapani, Inc., Battle Ground, WA	\$2,293,147.50
<i>Engineer's Estimate with Tax</i>	\$1,400,000.00

Rotschy, Inc. has completed projects of similar size and scope in the past and has met the requested supplemental responsible bidder criteria.

Rotschy Inc. plans to meet or exceed the City's Apprenticeship Utilization goal of 3% on this project by utilizing 300 apprenticeship hours of the 3055 total project hours.

Advantage(s)

- Provides a new water treatment system replacing aging facilities.
- Eliminates community and worker safety risks replacing the chlorine gas with a low-strength disinfectant (0.8% sodium hypochlorite).
- Ensures reliable supply of safe, clean drinking water.

Disadvantage(s)

None

Budget Impact

The funds for this project are budgeted in the Water Fund, 2021-2022 Capital Budget.

Prior Council Review

Project approved in the 2021 - 2022 Water Capital Improvement Budget.

City Council approved an equipment purchase contract for the sodium hypochlorite generation units with Process Solutions, Inc. on August 24, 2015.

Action Requested

On November 14, 2022, award a construction contract for the Ellsworth Water Plant Disinfection System project to the lowest responsive and responsible bidder, Rotschy, Inc. of Vancouver, WA at their bid price of \$1,223,248.87, which includes Washington State sales tax; and authorize the City Manager or designee to execute a contract with Rotschy, Inc. for the same.

Tyler Clary, Water Engineering Program Manager, 360-487-7169

ATTACHMENTS:

- ▣ City-Rotschy Contract



CONTRACT # C-101056
BID 22-37: Ellsworth WTP Sodium Hypochlorite Generation System

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 Rotschy, Inc., hereinafter referred to as "Contractor," whose address is 7408 NE 113th Cir, Vancouver, WA 98662, hereinafter referred to "Parties."

WHEREAS, the City desires to engage the Contractor to provide public work and other related services for Ellsworth WTP Sodium Hypochlorite Generation System. Contractor has agreed to offer its services to perform said work per the City issued Invitation to Bid (ITB) No. 22-37 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 installation of a sodium hypochlorite generation system and other work, all in accordance with the attached Contract Plans, these Contract Provisions, and the Standard Specifications.

The contract work shall be fully complete by April 30, 2023.

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) \$1,223,248.87.
- 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	\$3,000,000
Annual Aggregate	\$6,000,000
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.
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- 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. Supplemental Conditions (to the EJCDC),
 7. EJCDC General Conditions (Division 0),
 8. General Requirements (Division 1),

- 9. Specifications (Divisions 2 to 46)
- 10. Construction Plan Set,
- 11. Exhibits.

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

Rotschy, Inc.
7408 NE 113th Cir
Vancouver, WA 98662

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:
Rotschy, Inc.

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: 171-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Award of contract for Television Video Production, Broadcast Equipment & Related Services, per Bid # 22-40

Key Points

- Clark/Vancouver Television ("CVTV") utilizes a wide variety of video production equipment in multiple City and Clark County locations to provide video coverage of public meetings and events.
- CVTV spends between \$200,000 to \$300,000 annually for video equipment upgrades.
- Equipment purchases include video cameras, video switchers, audio boards, microphones and editing equipment from a broad range of manufacturers, including Sony, Canon, Yamaha, and EditShare.
- Funding for these purchases come from PEG Capital Support Fund. Under the terms of the City's cable franchise agreement with Comcast, \$1.00 per month per residential cable subscriber is collected and can be used for grants to support capital equipment purchases by designated Public, Education and Government (PEG) access providers. CVTV is the designated Government access provider.

Strategic Plan Alignment

Goal 3: Create new programs that engage people of all ages, cultures, family configurations, educational backgrounds, trades and professions

Objective 3.1: Strengthen community identity and sense of belonging

Present Situation

Clark/Vancouver Television typically purchases between \$200,000 and \$300,000 annually of video production and broadcast equipment. The amount varies based off the video equipment needed to be replaced. The City sought bids based off of percentage discounts from video production equipment manufacturers resold by the vendor.

On October 18, 2022, the City received one bid for the subject project. The bid was advertised publicly in three separate newspapers for two weeks and also sent directly to multiple supplier rosters that included certified minority firms. The bid price was based off of the discounted amount from video equipment manufacturers' retail price, not reflective of the amount expected to be spent. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Key Code Media, Inc., Seattle, WA	\$7,325.92

Advantage(s)

1. Key Code Media, Inc. has extensive experience providing video equipment to local governments throughout the region.
2. CVTV has utilized Key Code Media, Inc. for a number of past video equipment upgrade projects.

Disadvantage(s)

Received only 1 responsive bid.

Budget Impact

None. This additional purchase authority is already budgeted within the current biennial budget appropriation. This contract will not impact annual spending and will not require any change in budget authorization.

Prior Council Review

None

Action Requested

On November 14, 2022, award a 1-year contract for Television Video Production, Broadcast Equipment and Related Services to the lowest responsive and responsible bidder, Key Code Media, Inc. of Seattle, WA not to exceed \$300,000.00, which includes Washington State sales tax, with the option to extend the contract an additional 3-years not to exceed \$1,200,000 and authorize the City Manager or designee to execute the same.

Jim Demmon, Video Services Manager, 360-487-8706

ATTACHMENTS:

- ▯ ITB22-40 Contract



CONTRACT # C-101057

ITB 22-40: Television Video Production, Broadcast Equipment & Related Services

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 Key Code Media, Inc. hereinafter referred to as "Contractor," whose address is 6632 S 191st Pl, Ste E102, Kent, WA 98032, hereinafter referred to "Parties."

WHEREAS, the City desires to engage the Contractor to provide public work and other related services for Television Video Production, Broadcast Equipment & Related Services. Contractor has agreed to offer its services to perform said work per the City issued Invitation to Bid (ITB) No. 22-40 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.

The Contractor shall furnish television video production, broadcast equipment, associated supplies and associated support to be ordered by City departments as needed.

The City intends to award this contract for an initial period of one (1) year with an option to extend up to three (3) additional years.

This is a Unit Priced Contract in accordance with RCW 35.22, the City reserves the right to perform work using this Contract, or using City staff, or other contractors, or through any mechanism available to the City. This Contract is for the convenience of the City and does not carry any estimates as to how much could be spent.

Each individual project shall be performed upon Contractor's receipt of a City issued Purchase Order. Contractor shall commence work on the date specified on the Purchase Order and within the allowable Working Days specified on the Purchase Order. Purchases shall correspond with the Purchase Order; any unauthorized advance or excess order is returnable at Contractor's expense. Unless the City requests a change in schedule, the Contractor shall deliver the required commodities and any associated services by the "Delivery Date" stated on the signed purchase order.

The period of the Bid's prices shall be for one (1) year, commencing on the effective date of the Contract. This Contract shall have prevailing wage rates updated annually. If Public Works are performed in a contract year, an Intent to Pay Prevailing Wages must be filed at the beginning of the project and an Affidavit of Wages Paid for prevailing wages paid must be submitted annually for any public work completed within the previous twelve (12) month period of this Contract.

Yearly material cost adjustments may be made accordingly at the discretion of the City. Cost adjustments shall be in accordance with the Consumer Price Index for the Seattle-Tacoma-Bellevue area. Contractor shall submit request and justification for cost adjustments at least thirty (30) days prior to Contract renewal. The adjusted price will be approved at the beginning of each year's extension at the sole discretion of the City and must be firm for the remainder of year.

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 Contract. Contractor shall ensure all Contractor employees and any sub-contractor(s) assigned to perform work under this Contract 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. **DELIVERY:** Shipping costs shall be per the authorized amount on the Purchase Order. The City may require the Contractor to provide proof of the costs. Responsibility and risk of loss or damage shall remain with the Contractor until final inspection and acceptance when responsibility shall pass to the City except as to latent defects, fraud, and the Contractor's warranty obligations.
5. **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).

6. 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.

7. 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) \$300,000.00.

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 costs in the Contractor's Proposal and as modified by any and all approved Change Orders or Amendments.

8. 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	\$1,000,000
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 Contract.	
Combined Single Limit	\$1,000,000
III. Workers' Compensation (applicable to the State of Washington)	
Per Occurrence	Statutory
Employer's Liability WA Stop Gap	\$1,000,000
Each Claim	\$1,000,000
Annual Aggregate	\$2,000,000

9. CONTRACTOR'S BOND: The Contractor agrees that before it undertakes performance of any Public Works projects greater than \$35,000, it will file with the City of Vancouver a Performance

Bond and Payment Bond on the forms prescribed by the City of Vancouver, in the full amount of the Purchase Order 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.

10. WARRANTIES: All products and related services, except as specified below, shall be warranted against faulty workmanship and materials by the Contractor for a minimum period of one (1) year from the date of acceptance by the City. Warranty shall include all costs incurred for repair or replacement except that which is damaged by misuse or abuse. This one (1) year warranty shall in no way affect normal extended or manufacturer's warranty exceeding this one (1) year period. Contractor warrants that all goods and services furnished under this Contract are new, conform strictly to the specifications herein, are merchantable, good workmanship, free from defect, comply with all applicable safety and health standards established for such products, all goods are properly packaged, and all appropriate instructions or warnings are supplied. All implied and expressed warranty provisions of the Uniform Commercial Code are incorporated into this Contract.

11. 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.

12. EMPLOYMENT OF LABOR: For Public Works projects, 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.

13. PAYMENT OF LABOR: For Public Works projects, 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 one contract year and shall be updated annually. 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.

14. PAYMENT TO THE CONTRACTOR: Progress payments to the Contractor shall be made within 30 days of a fully executed Pay Estimate or Supplier Invoice 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 for Public Works Purchase Orders greater than \$35,000. 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 of 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.

- 15. 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.

- 16. 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.

- 17. 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.
- 18. 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.
- 19. 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.
- 20. 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.
- 21. 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.
- 22. 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.
- 23. 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.

24. 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.

25. 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.

26. 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 it's sureties for said breach or default, including but not limited to termination of this Contract for convenience.

27. 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.

28. 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.

29. 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.

30. 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.

31. BINDING EFFECT: The provisions, covenants and conditions in this Contract bind the parties, their legal heirs, representatives, successors, and assigns.

32. RATIFICATION: Acts taken pursuant to this Contract but prior to its effective date are hereby ratified and confirmed.

33. 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.

34. 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

Michael Cavanagh
Key Code Media, Inc.
6632 S 191st Pl., Ste. E102
Kent, WA 98032

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:
Key Code Media, Inc.

Eric Holmes, City Manager

By: (Proprietor, partner, or corporate president
must sign)

Attest:

Natasha Ramras, City Clerk

Printed Name

Title

Approved as to form:

Jonathan Young, City Attorney



Staff Report: 172-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Amendment No. 5 to Contract C-91034 for Encampment Abatement and Cleanup Services

Key Points

- The City issued RFP 25-18 to obtain services for encampment abatement and clean-up services. The Agreement was awarded to Rapid Response Bio Cleaning, LLC in October 2018 for a not-to-exceed amount of \$300,000.
- To date, the City has utilized \$260,000 for services rendered and would require additional funds to allow for services to be extended for one (1) additional year.

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

Present Situation

In October 2018, the City awarded a Contract to Rapid Response Bio Cleaning, LLC for encampment abatement and cleanup services. The City intends to extend this Agreement for the fifth and final year, until December 2023. As of October 2022, there has been \$260,000 of services provided under this Agreement and there is expected to be an additional \$100,000-\$150,000 for the final year.

Advantage(s)

1. Will result in safe and clean public spaces for the City of Vancouver. Rapid Response crews supplement the City of Vancouver Operations staff, assisting when large volume of debris and/or biohazards are present.
2. Will result in timely and effective response to emergency biohazard cleanup efforts. Rapid Response crews are on-call, ready to respond to vehicular injuries/fatalities, and other

personal incidents, where biohazards require immediate and thorough cleanup response.

Disadvantage(s)

None

Budget Impact

In 2022, \$120,000 was budgeted for encampment cleanups, and allocated between various programs, within the Public Works - Operations budget.

Prior Council Review

None

Action Requested

Increase the not-to-exceed amount for Agreement C-91034 with Rapid Response Bio Cleaning, LLC forencampment abatement and cleanup services, to the amount of \$450,000.

Brian Potter, Operations Superintendent, 360-487-8323

ATTACHMENTS:

- Amendment No. 5 - C-91034

AMENDMENT No. 5
TRANSIENT CAMP ABATEMENT AND CLEANUP SERVICES

This is an Amendment to the Transient Camp Abatement and Cleanup Services contract C-91034, dated October 9, 2018, entered into by and between the City of Vancouver, hereinafter referred to as "City", and Rapid Response Bio Cleaning LLC, hereinafter referred to as "Contractor", whose address is 2711 SE Milwaukie Ave #107 Portland OR 97202.

This amendment modifies the Transient Camp Abatement and Cleanup Services Agreement C-91034 as follows:

1. Amend Section 5 Time of Performance to extend the term date to December 31, 2023.
2. Amend Section 1 to increase Agreement not to exceed amount to \$450,000.00

Ratification: Acts taken pursuant to this Amendment but prior to its effective date are hereby ratified and confirmed. All other terms and conditions shall remain unchanged and in full force and effect.

CITY OF VANCOUVER,
A municipal corporation

CONTRACTOR,
Rapid Response Bio Cleaning, Inc.

Eric Holmes, City Manager

Signature:

Attest:

By: Printed Name / Title

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney



Staff Report: 173-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Ad Valorem Taxes for 2023

Key Points

- Approving ad valorem taxes authorizes the County Assessor to levy real and personal property taxes.
- City staff have estimated the City should approve ad valorem taxes for 2023 in the amount of \$80 million in order to fund the 2023-2024 biennial budget. Of this, \$74 million is for general fund purposes, and \$6 million is for the affordable housing fund. The \$74 million for the General Fund includes the Proposition No. 2 Levy Lid Lift for Fire and Emergency Services and Facilities.

Strategic Plan Alignment

N/A

Present Situation

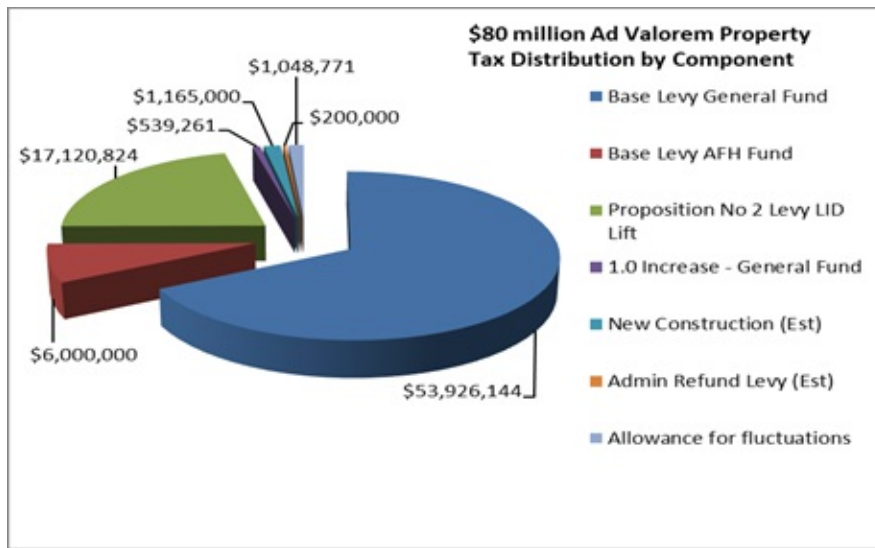
Pursuant to RCW 35.33.135, Council must approve an ordinance to fix and authorize the Clark County Assessor's Office to levy ad valorem taxes necessary to fund the City of Vancouver's 2023-2024 Biennial Budget.

An ad valorem tax (Latin for "according to value") is defined as a tax based on the value of real estate or personal property. An ad valorem tax is typically imposed at the time of a transaction(s) (a sales tax or value-added tax (VAT)), but it may be imposed on an annual basis (real or personal property tax) or in connection with another significant event (i.e. inheritance tax).

Staff currently estimates the 2023 real and personal property tax levy as \$74 million, which includes a preliminary estimate of \$1,165,000 in property tax revenue from new construction. The estimate of property tax from new construction will be updated based on the final new construction valuation provided by the Assessor's Office. The estimate of property tax revenue does not include the change in value of state-assessed utility property. Both of these amounts will not be final until December 2022.

City staff recommends that Council approve ad valorem taxes in the amount of \$80 million, which is needed to fund the City's 2023-2024 biennial budget. Of the total, \$74 million is for general fund purposes, and \$6 million is for the affordable housing fund. Approving ad valorem taxes of \$80 million allows the County Assessor's Office to levy real and personal property taxes to the full extent allowed under Washington State law. Staff anticipates that the final certified levy will be between \$79 million and \$79.5 million in 2023. If Council authorizes the ad valorem tax amount too low, the County Assessor's Office will only be allowed to levy up to the amount authorized by Council.

Staff recommends that City Council approve ad valorem taxes in the amount of \$80 million for the 2023 real and personal property tax levy within the city limits of Vancouver. This estimated revenue source is necessary to fund the 2023-2024 Biennial Budget for the City of Vancouver.



Advantage(s)

Ad valorem taxes provide continued funding from the City's primary revenue source, which is necessary to fund the 2023-2024 Biennial Budget.

Disadvantage(s)

Ad valorem taxes increase; however, the increase is small and the specific impact on a property owner is dependent on the change in their assessed value.

Budget Impact

The amount of the ad valorem tax ordinance is included in the 2023-2024 Biennial Budget.

Prior Council Review

2023-2024 Biennial Budget Council Workshop – May 23, 2022
 2023-2024 Biennial Budget Council Workshop – October 10, 2022
 2023-2024 Biennial Budget Council Workshop – October 17, 2022
 2023-2024 Biennial Budget Council Workshop – October 24, 2022
 2023-2024 Biennial Budget Council Workshop – November 7, 2022

Action Requested

On November 14, 2022, approve ordinance on first reading, setting the date of second reading and public hearing for November 21, 2022.

Carrie Lewellen, Financial and Management Services, 360-487-8482

ATTACHMENTS:

- ▣ Ad Valorem Ordinance

11/14/2022
11/21/2022

ORDINANCE NO. _____

AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2023/2024 Budget for the City of Vancouver; providing for an effective date.

WHEREAS, registered voters who reside within the City of Vancouver approved Proposition No. 2 and authorized a permanent single-year levy lid lift of \$.50 per \$1,000 assessed value on February 18, 2022 to be effective in 2023. It is anticipated that this voter approved levy lid lift will result in \$17.1 million in additional revenue. This money will be used for Fire and Emergency Services and Facilities.

WHEREAS, the City Council finds that the total net amount of \$80,000,000 in revenue must be raised by ad valorem taxes on real and personal property within the corporate limits of the City of Vancouver to balance estimated revenues and expenditures for the 2023/2024 budget for the City of Vancouver.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. There is hereby fixed to be raised by general property taxes upon real and personal property within the City of Vancouver the amount of \$80,000,000, for the following purposes:

Amount of tax levy for	
General Government Purposes	\$74,000,000
Affordable Housing Levy	<u>\$ 6,000,000</u>

ORDINANCE - 1

Total Levy Amount	\$80,000,000
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Section 2. The City Clerk is directed to transmit and file a certified copy of this ordinance with the Board of Clark County Councilors and the Clark County Assessor following approval by City Council.

Section 3. This ordinance shall take effect five days after adoption.

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:

Approved as to form:

Natasha Ramras, City Clerk

Jonathan Young, City Attorney

ORDINANCE - 2

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2023/2024 Budget for the City of Vancouver; providing for an effective date five days after adoption.

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).

ORDINANCE - 3

Staff Report: 174-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Property Tax Levy for 2023

Key Points

- Property taxes make up the largest, single revenue source available to support essential City services.
- State law allows the City to annually increase the property tax levy no more than 1% or the rate of inflation calculated by the Implicit Price Deflator (IPD), whichever amount is less, for both the City's General Fund property tax levy and for the Affordable Housing property tax levy.
- The IPD rate for 2023 levy calculations is 6.457 percent.
- There is an inverse relationship between the levy rate and the allowed annual revenue increase. To the extent the assessed valuation of the City is increasing, the underlying rate is likely to be decreasing per \$1,000 in assessed valuation.
- The 2023/2024 budget forecasted that 2023 property taxes would increase by 1.0 percent for the General Fund per year and anticipate Fire would receive approximately a little more than additional \$17 million in new voted levy lid lift revenue approved in February of 2022.

Strategic Plan Alignment

The recommended 2023-2024 biennial budget, which is substantially supported by the property tax levy, will advance multiple Strategic Plan goals and objectives.

Present Situation

On November 6, 2001, Washington voters approved Initiative 747 (I-747), which limits the allowable increase in the property tax levy to 1.0%, or the rate of inflation, whichever is less. The intent of the Initiative was reaffirmed by the Legislature in November 2007. The measure of inflation used under this law is the Implicit Price Deflator (IPD). The IPD inflation rate for 2023 levy calculations is 6.457%.

Staff recommends that City Council approve a 1.0% increase in the property tax levy, which is the maximum increase allowed. Based on last year's General Fund base levy of \$53,926,143.75, the increase will be \$539,261.44. Authorization of this increase requires a simple majority vote of City Council.

On February 8, 2022 registered voters who reside within the City of Vancouver approved Proposition No. 2 which permanently increases the property tax levy rate by an additional \$.50 per \$1,000 in assessed value beginning in 2023. This money is dedicated to fire and emergency services and facilities and the 2023-2024 budget added expenditures consistent with the Proposition 2.

Staff estimates that the City's general fund base property tax levy rate (exclusive of the Proposition No.2 Levy LID Lift rate of \$.50 per \$1,000 of assessed value) in 2023 will range between \$1.55 per \$1,000 of assessed value to \$1.65 per \$1,000 of assessed value, compared to the actual 2022 general fund property tax levy rate of \$1.852 per \$1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 17.6% compared to the prior year. Because of the limit on property tax increases, as discussed above, the property tax levv rate declines as assessed value increases. The statutory can for the City's levv rate is \$3.325 per \$1.000 of

levy rate assumed as assessed value increases. The statutory cap for the City's levy rate is \$6.025 per \$1,000 of assessed value. There will be an additional \$0.50 levied per \$1,000 in assessed value beginning in 2023 to fund Fire operating, capital and related services and costs.

Example calculation of City Property Tax:

	2022 Rate	2022 Property Tax	2023 Rate	2023 Property tax	Annual increase, estimated
Median House Value	421,000		484,150		
General Fund Levy Rate	1.85	\$779	\$1.60	\$775	-\$4
Proposition 2 (voted)			\$0.50	\$242	\$242
Total Property tax payable to the City		\$779		\$1,017	\$238

Some citizens may qualify for tax relief or qualify for a deferral program. To find out more information about this, residents should contact the Clark County Assessor's Office at 564-397-2391 or visit their website at <http://www.clark.wa.gov/assessor/taxrelief/index.html>.

In addition to the base levy, the City collects new property tax revenue based on the value of new construction added to the assessment rolls during the prior year. The revenue to the City is calculated using the assessed value of new construction multiplied by the prior year's levy rate. The value of new construction is still being finalized by the County Assessor's Office and includes the value of utility new construction provided to the County Assessor by the State. The most recent estimate from the County Assessor's Office indicates more than \$629 million of new construction, which translates into \$1,165,000 of additional City property tax revenue, which is slightly more than the \$897,000 received for new construction values for 2022 taxes. The City's ordinance states the percentage and dollar amount increase in the City's base property tax levy as required by RCW 84.55.120. The County Assessor will determine the levy amount for new construction based on their final calculations.

Advantage(s)

Continued funding will be available from the City's primary revenue source to pay the cost of essential City services.

Disadvantage(s)

The 1.0% increase would potentially result in a slightly higher base property tax payment.

Budget Impact

The 2023-2024 Budget relies on 1% annual increase in property tax in both, 2023 and 2024.

Prior Council Review

2023-2024 Biennial Budget Council Workshop – May 23, 2022
 2023-2024 Biennial Budget Council Workshop – October 10, 2022
 2023-2024 Biennial Budget Council Workshop – October 17, 2022
 2023-2024 Biennial Budget Council Workshop – October 24, 2022
 2023-2024 Biennial Budget Council Workshop – November 2, 2020

Action Requested

On November 14, 2022, approve the ordinance on first reading, setting the date of second reading and public hearing for November 21, 2022.

Carrie Lewellen, Financial and Management Services, 360-487-8482

ATTACHMENTS:

- ▯ Property Tax Ordinance

11/14/22
11/21/22

ORDINANCE NO. _____
(RCW 84.55.120)

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 1.0% in the City's regular levy from the amount levied the previous year; and providing for an effective date.

WHEREAS, the City Council of the City of Vancouver has met and considered its budget for the calendar years 2023/2024; and,

WHEREAS, the City of Vancouver's actual levy amount for the General Fund from 2022 was \$53,926,143.75; and,

WHEREAS, the Implicit Price Deflator (IPD) rate released on September 25, 2022, is 6.457%, which is more than 1.0%. HB 2416 approved by the Washington State Legislature in 2007, limits the allowable increase to 1.0% or the IPD rate, whichever is lower; and

WHEREAS, the population of the City of Vancouver is more than 10,000.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. That an increase in the regular general fund property tax levy is hereby authorized for the 2023 levy in the amount of \$539,261.44, which is a percentage increase of 1.0% from the previous year. This increase is exclusive of additional revenue resulting from the voter approved levy lid lift (Proposition 2), new construction, improvements to property, any increase in the value of state-assessed property, any annexations that have occurred and refunds made.

Section 2. That the City Clerk is directed to transmit and file a certified copy of this ordinance with the Board of Clark County Councilors and the Clark County Assessor following approval by City Council.

Section 3. That this ordinance shall go into effect five days after adoption.

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:

Approved as to form:

Natasha Ramras, City Clerk

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 1.0% in the City's regular general fund levy from the amount levied the previous year; and providing for an effective date.

**Staff Report: 175-22****TO:** Mayor and City Council**FROM:** Eric Holmes, City Manager**DATE:** 11/14/2022
11/21/2022**SUBJECT** Property Tax Affordable Housing Levy for 2023**Key Points**

- The Affordable Housing Fund is funded by a \$6 million annual property tax levy which was approved by the citizens of Vancouver in 2016 for a period of 7 years.
- Proposition 1, which was approved by the citizens of Vancouver in November 2016, authorized a \$6,000,000 annual property tax levy for 7 years, beginning in 2017 and ending at the end of 2023. By authorizing a 0.0 percent increase, the \$6,000,000 levy will remain as is, while the levy amount per \$1,000 in assessed valuation will go down due to the inverse relationship between the rate and the assessed valuation of the City. Information provided by the Washington State Department of Revenue states that the dollar amount stated in the ballot title is the limiting amount for this levy, and the highest lawful levy amount is \$6,000,000.
- Approval of a 0.0 percent increase would result in a City's property tax related to the Affordable Housing Levy remaining the same for 2023 unless the property's assessed value has increased. Taxes are calculated as follows: Assessed value times Levy Rate divided by 1,000.

Strategic Plan Alignment**Goal 3, Objective 3.2:** Improve services available to underserved or vulnerable residents**Present Situation**

Proposition 1 was approved by the citizens of Vancouver in November 2016 and authorized a \$6,000,000 annual property tax levy for 7 years, beginning in 2017 and ending at the end of 2023. Information provided by the Washington State Department of Revenue states that the dollar amount stated in the ballot title is limiting amount, and the highest lawful levy amount is \$6,000,000.

Staff recommends that City Council approve a 0.0% increase in the property tax levy for the Affordable Housing Levy. Based on last year's Affordable Housing Fund levy of \$6,000,000, the increase will be \$0.00. Authorization of no increase in the Affordable Housing Fund levy requires a simple majority vote of City Council.

Staff estimates that the City's Affordable Housing Fund property tax levy rate in 2023 will range between \$0.17 per \$1,000 of assessed value to \$0.19 per \$1,000 of assessed value, compared to the actual 2022 affordable housing fund property tax levy rate of \$0.2061 per \$1,000. The decrease in the property tax levy rate is attributed to assessed values in the City increasing by approximately 17.6% compared to the prior year. Because of the limit on property tax increases, as discussed above, the property tax levy rate declines as assessed value increases. The statutory cap for the City's levy rate is \$3.325 per \$1,000 of assessed value.

Example calculation of City Property Tax:

Assessed Value 2022	Levy Rate 2022	2022 City Property Tax
\$421,000	\$0.206102 (per \$1,000 assessed	= \$86.77

	value; Affordable Housing Levy only)	
Assessed Value 2023 \$495,096 (assumes assessed value increases 17.6%)	Estimated Levy Rate 2023 \$0.1752 (per \$1,000 assessed value; Affordable Housing Levy only)	2023 City Property Tax (hypothetical) = \$86.77
AV increases 17.6%	Levy Rate declines	Annual tax increase \$0.00 for this example taxpayer*

**If the assessed value of the resident's property as a percentage increased by less than 17.6%, the resident's annual taxes would be equal to or slightly less than the taxes paid to the city in 2022. If the assessed value of the resident's property increased by more than 17.6% from the previous year, the increase in the annual taxes would be slightly higher.*

Some citizens may qualify for tax relief or qualify for a deferral program. To find out more information about this, residents should contact the Clark County Assessor's Office at 564-397-2391 or visit their website at <http://www.clark.wa.gov/assessor/taxrelief/index.html>.

Advantage(s)

Continued funding will be available to pay the costs authorized in the Affordable Housing Fund. The 0.0% increase would result in no increase in a city resident's property tax bill for the Affordable Housing Fund City portion of taxes for a home with an assessed valuation of \$495,096 assuming the taxpayer's assessed value increased by 17.6% and assuming a levy rate of \$0.175225.

Disadvantage(s)

None

Budget Impact

There will be no impact on budget for the on-going annual property tax collections for the Affordable Housing Fund.

Prior Council Review

2023-2024 Biennial Budget Council Workshop – May 23, 2022
 2023-2024 Biennial Budget Council Workshop – October 10, 2022
 2023-2024 Biennial Budget Council Workshop – October 17, 2022
 2023-2024 Biennial Budget Council Workshop – October 24, 2022
 2023-2024 Biennial Budget Council Workshop – November 7, 2020

Action Requested

On November 14, 2022, approve the ordinance on first reading, setting the date of second reading and public hearing for November 21, 2022.

Carrie Lewellen, Financial and Management Services, 360-487-8482

ATTACHMENTS:

- ▢ Affordable Housing Property Tax Ordinance

11/14/22
11/21/22

ORDINANCE NO. _____

AN ORDINANCE relating to the annual property tax levy; authorizing an increase of 0.0% in the City's Affordable Housing Fund levy from the amount levied the previous year; and providing for an effective date.

WHEREAS, the City Council of the City of Vancouver, pursuant to RCW 84.55.120, is holding a public hearing and considered its budget for the calendar years 2023/2024; and

WHEREAS, the City of Vancouver's actual levy amount for the Affordable Housing Fund Levy from 2022 was \$6,000,000; and

WHEREAS, the ballot title of Proposition 1 approved by Vancouver citizens in November 2016 limits the Affordable Housing Levy amount to \$6,000,000 annually for seven (7) years beginning in 2017; and

WHEREAS, the population of the City of Vancouver is more than 10,000.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. That an increase in the regular affordable housing fund property tax levy is hereby authorized for the 2023 levy in the amount of \$0.00, which is a percentage increase of 0.0% from the previous year.

Section 2. That the City Clerk is directed to transmit and file a certified copy of this ordinance with the Board of Clark County Councilors and the Clark County Assessor following approval by City Council.

Section 3. That this ordinance shall go into effect five days after adoption.

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:

Approved as to form:

Natasha Ramras, City Clerk

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to the annual affordable housing property tax levy; authorizing an increase of 0.0% in the City's affordable housing fund levy from the amount levied the previous year; and providing for 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).



Staff Report: 176-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Preservation Of Levy Capacity for Exempt Property for 2023

Key Points

- Proposition 2 was approved by the voters of the City on February 8, 2022 to authorize a permanent levy lid lift of \$.50 per \$1,000 assessed value for fund fire and emergency services. This proposition exempted qualifying seniors, veterans, and others from paying the levy lid lift rate.
- Approval of this ordinance will authorize the County Assessor to preserve future levy capacity on all properties within the City of Vancouver and allows the County Assessor to apply the limit factor to the property exempted from Proposition 2 when calculating the City's highest lawful levy rate.
- This will have no impact on qualifying seniors, veterans, and others. They will continue to be exempt from paying the tax rate associated with the levy lid lift.

Strategic Plan Alignment

N/A

Present Situation

On February 8, 2022 the voters of the City approved Proposition 2 at a special election authorizing a permanent levy lid lift of \$.50 per \$1,000 assessed value to fund fire and emergency services. Proposition 2 also provided that the property of qualifying seniors, veterans and others would be exempt from paying the increased property tax rate associated with the levy lid lift, pursuant to RCW 84.36.

Annually properties that qualify for the exemption allowed under RCW 84.36 will change. In order for the County Assessor's Office to calculate the highest lawful levy of all properties and include in future years the properties exempt from the tax approved by Proposition 2, pursuant to RCW 84.55.092, Council must approve an ordinance to authorize the Clark County Assessor's Office to authorize a property tax increase against the property not subject to the levy lid lift when calculating the highest lawful levy and authorize the limit factor be applied to the excluded property, which in

2023 will be 1.0%. This preserves levy capacity for the overall highest lawful levy calculation and allows the County Assessor to include the limit factor on the properties that were excluded, if they move out of the exempt status. By approving this ordinance, the exempt properties will not see their levy increased by \$0.50 per \$1,000 for as long as property remains eligible for exemption in accordance with state law.

By approving this ordinance, this will protect future levy capacity by protecting the levy for a future event when the property is no longer eligible for the exemption.

Advantage(s)

Approval of this ordinance will preserve the City's future levy capacity for exempt properties as they move out of the exempt status. Approval of this ordinance has no impact on the amount of property taxes paid by property owners within the City of Vancouver.

Disadvantage(s)

N/A

Budget Impact

N/A

Prior Council Review

2023-2024 Biennial Budget Council Workshop – May 23, 2022
2023-2024 Biennial Budget Council Workshop – October 10, 2022
2023-2024 Biennial Budget Council Workshop – 17, 2022
2023-2024 Biennial Budget Council Workshop – October 24, 2022
2023-2024 Biennial Budget Council Workshop – November 7, 2020

Action Requested

On November 14, 2022, approve ordinance on first reading, setting the date of second reading and public hearing for November 21, 2022.

Carrie Lewellen, Financial and Management Services, 360-487-8482

ATTACHMENTS:

- ▢ Preservation of Levy Capacity for Exempt Property Ordinance

11/14/22
11/21/22

ORDINANCE NO. _____

AN ORDINANCE authorizing an increase in tax levy capacity pursuant to RCW 84.55.120 and an increase in limit factor for maximum levy capacity pursuant to RCW 84.55.092.

WHEREAS, the City Council of the City of Vancouver has met and considered its budget for the calendar years 2023-2024; and

WHEREAS, the voters of the City approved Proposition 2 at a February 8, 2022 special election that authorized a permanent levy lid lift to fund fire and emergency services; and

WHEREAS, Proposition 2 provided that the property of qualifying seniors, veterans and others would be exempt, pursuant to Chapter 84.36 RCW (“excluded property”); and

WHEREAS, increases in regular property taxes imposed by the City are limited by RCW 84.55 so that the regular property tax levy of the City may increase from year to year by an amount equal to the “limit factor”, as defined in RCW 84.55.005, (plus increases permitted due to new construction and increases in value of state assessed property); and

WHEREAS, the Implicit Price Deflator (IPD) rate released on September 25, 2022, is 6.457%, which is more than the allowable increase of 1.0%, so that the allowable increase, pursuant to RCW Sections 84.55.005 and 84.55.010 for the City’s 2022 tax levy (2023 collection) is 1.01 (an increase in 1.0%) (the “Limit Factor”); and

WHEREAS, the City Council, by Ordinance No. _____, has authorized an increase in the regular general fund levy in the amount \$539,261.44, which represents a Limit Factor increase of 1% over the previous year; and

WHEREAS for the purpose of protecting future levy capacity, the City proposes to include the property that was excluded under Proposition 2 in the permanent levy lid lift in the Limit Factor for the 2022 levy (collection in 2023) and for all future levy years;

NOW THEREFORE,

BE IT BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. That, pursuant to RCW 84.55.120 and RCW 84.55.092, the City Council hereby authorizes an increase in its tax levy capacity in an amount equal to the Limit Factor for the year 2022 levy (for collection in 2023), and requests and authorizes the Limit Factor to be applied with respect to all “excluded property” and hereby further requests and authorizes the Limit Factor to be applied with respect to all “excluded property” in each year hereafter.

Section 2. That the City Clerk is directed to transmit and file a certified copy of this ordinance with the Board of Clark County Councilors and the Clark County Assessor following approval by City Council.

Section 3. That this ordinance shall go into effect five days after adoption.

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:

Approved as to form:

Natasha Ramras, City Clerk

Jonathan Young, City Attorney

CERTIFICATE

I, the undersigned, Clerk of the City Council (the “Council”) of the City of Vancouver (herein called the “City”), DO HEREBY CERTIFY:

1. That the attached Ordinance No. _____ (herein called the “Ordinance”) is a true and correct copy of a Ordinance of the Council as adopted at a regular meeting of the Council held on _____, 2022, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting and a legally sufficient number of members of the Council voted in the proper manner for the adoption of the Ordinance; that all other requirements and proceedings incident to the proper adoption of the Ordinance have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2022.

City Clerk
City of Vancouver

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE authorizing an increase in tax levy capacity pursuant to rcw 84.55.120 and an increase in limit factor for maximum levy capacity pursuant to rcw 84.55.092.

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).



Staff Report: 177-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Ordinance amending Section VMC 20.915.050 to update Table 20.915.050-1 to incorporate the parks impact fee increase recommendation from 2019

Key Points

- In 2019 City Council approved the first two-year increase of the six-year proposed Parks Impact Fee rates planned increase recommended by A Stronger Vancouver. The remaining four years of the increase need to be incorporated into the Vancouver Municipal Code. In 2021-22, PIF rates were increased by 25% in each year of the biennium. During 2023-2024, PIF rate are anticipated to increase by 35% in 2023 and an additional 10% in 2024, consistent with the PIF technical document.
- The increase is anticipated to generate additional 2.4 million dollars to fund the land purchase and parks construction for the new residents moving into Vancouver.
- The proposed amendments were vetted with the Building Industry Association of Clark County, the Clark County Association of Realtors, individual local residential and commercial builders/investors, bankers, representatives of the school districts, Vancouver Transportation staff, and the general public through the multiple outreach efforts associated with Parks and Recreation Advisory Commission (PRAC), Planning Commission, Stronger Vancouver, and Council review. Most of this outreach occurred in 2019. City Council endorsed the phased implementation of the necessary increase in 2020, with the first year of the increase being 2021.
- A SEPA review for non-project action was completed and duly published with no public comments submitted during the comment period.

Strategic Plan Alignment

Goal 4: Ensure that Vancouver's parks and trails system is the highest quality and most complete in the region

As our community continues to grow in population and diversity, a dynamic funding source is essential to support quality parks and open space to foster economic stability social and physical health, and overall quality of life.

Present Situation

The City of Vancouver implemented impact fees for transportation, schools and parks and open spaces in 1995 to meet the demands of future growth. The current PIF program is structured to support acquisition and development costs for Neighborhood Parks, Community Parks and Urban Natural Areas.

Quality parks and open spaces are well recognized as an essential element for a community to realize economic stability and social and physical health. The City of Vancouver population growth has been the fastest in the State of Washington. The City is poised to increase residential density in order to maximize efficient investment and use of the necessary infrastructure. The need in additional parks, trails and open spaces growth with the population increase and urbanization.

The attached ordinance implements the last four-year increases of the gradual six-year phased implementation fee increase as proposed in the PIF Technical document and discussed with Council in the context of a Stronger Vancouver conversation.

The City worked closely with the business community and other stakeholders to develop a phased implementation plan of PIF rate increases to soften any potential impact to the building community. The specific rates as well as the average current PIF rates are outlined in the table below.

Year	Park District	% Increase	Single-Family (SF)	Multi-Family (SF)
1-Jan-21	A, B, C	25% increase	\$2,819	\$2,060
1-Jan-22	A, B, C	25% increase	\$3,523	\$2,575
<u>1/1/2023</u>	<u>A, B, C</u>	<u>35% increase</u>	<u>\$4,757</u>	<u>\$3,476</u>
<u>1/1/2024</u>	<u>A, B, C</u>	<u>10% increase</u>	<u>\$5,232</u>	<u>\$3,824</u>
<u>1/1/2025</u>	<u>A, B, C</u>	<u>10% increase</u>	<u>\$5,756</u>	<u>\$4,206</u>
<u>1/1/2026</u>	<u>A, B, C</u>	<u>6.5% increase</u>	<u>\$6,130</u>	<u>\$4,480</u>

This proposal eases the adjustment for local home builders and lessens the impact to new housing units as well as any secondary impacts to existing housing stock. The rate adjustment will improve the level-of-service for future neighborhoods, although at a level below standard.

Advantage(s)

Updates Vancouver Municipal Code to reflect recent changes in state laws.

Disadvantage(s)

None

Budget Impact

The additional revenues to be generated by the rate increase are incorporated into the 2023-2024 City Manager's Recommended Budget and dedication to construction of new parks in the City of Vancouver.

Prior Council Review

2017-2019 Recommendations from A Stronger Vancouver, the Parks & Recreation Advisory Commission; November 16, 2020 Adoption of the City of Vancouver 2021-2022 Biennial Budget and the PIF Ordinance incorporating the first two of the six-year rate increase.

Action Requested

On November 14, approve ordinance on first reading, setting date of second reading and public hearing for November 21.

David Perlick, Recreation Services Manager, 360-487-8314

ATTACHMENTS:

- ▣ Park Impact Fee Ordinance

11/14/22 (Date of First Reading)

11/21/22 (Date of Public Hearing)

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE of the City of Vancouver relating to the amendment of Park Impact Fees for 2023-2026 in a table in the Vancouver Municipal Code; amending Vancouver Municipal Code Sections 20.915.050 to update Table 20.915.050-1; providing for severability; and setting an immediate effective date.

WHEREAS, quality parks and open spaces are an essential element for a community's quality of life; and

WHEREAS, in November 2020 the City completed a comprehensive review of Park Impact Fees and the City Council adopted Ordinance M-04319, which adjusted the Park Impact Fee formula in the Vancouver Municipal Code (VMC) and established Park Impact Fee rates for 2021-2026 as set forth in the Park Impact Fee Technical Document, which was incorporated into VMC by reference.

WHEREAS, the November 2020 amendments to VMC 20.915.050 provided that current impact fee rates would be set forth in Table 20.915.050-1; and

WHEREAS, Table 20.915.050-1 currently reflects only the Park Impact Fee rates for 2021 and 2022; and

WHEREAS, the City Council finds that Table 20.915.050-1 should be amended and updated to reflect the Park Impact Fee rates for 2023 through 2026 that were adopted by City Council in November 2020.

WHEREAS, the City Council adopts and incorporates by reference Staff Report SR-_____ and finds that it is in the public interest to amend VMC 20.915.050 to update Table 20.915.050-1 to reflect the Park Impact Fees that were set forth in the Park Impact Fee Technical Document for years 2023-2026, demonstrating a phased approach that was approved by City Council in November of 2020.

WHEREAS, with proper notice to the public, the Vancouver City Council conducted a first reading of the proposed ordinance on November 14, 2022 and a public hearing concerning the ordinance and proposed code changes on November 21, 2022.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings. The City Council hereby adopts and incorporates by reference the above recitals as findings in support of this Ordinance.

Section 2. Amendment. Vancouver Municipal Code Section 20.915.050 as adopted by Ordinance M-3643 and last amended by Ordinance M-4376 is hereby amended as follows:

20.915.050 Park Impact Fee

A. *Formula.* The impact fee component for parks shall be calculated using the following formula:

$$\text{PIF} = F \times U$$

1. “PIF” means the parks impact component of the total development impact fee.
2. “F” means the parks impact fee rate per unit of housing, either single-family or multifamily residential, as applicable, for each service area. Such rate shall be established in the parks impact fee program technical document, incorporated herein by this reference, for each service area by estimating the cost of anticipated growth-related parks projects. Between major program updates, the calculated per unit fee will be adjusted annually pursuant to the methodology set forth in VMC 3.08.100 and as outlined in the parks impact fee program technical document.
3. “U” means the number of units, either single-family or multifamily, whichever is applicable, consistent with a proposed development.

B. Current park impact fee rates shall be as set forth in Table 20.915.050-1:

Table 20.915.050-1.

Year	Park District	Single-Family (SF)	Multi-Family (MF)
January 1, 2021	A, B, C	\$2,819	\$2,060
January 1, 2022	A, B, C	\$3,523	\$2,575
<u>January 1, 2023</u>	<u>A, B, C</u>	<u>\$4,757</u>	<u>\$3,476</u>
<u>January 1, 2024</u>	<u>A, B, C</u>	<u>\$5,232</u>	<u>\$3,824</u>
<u>January 1, 2025</u>	<u>A, B, C</u>	<u>\$5,756</u>	<u>\$4,206</u>
<u>January 1, 2026</u>	<u>A, B, C</u>	<u>\$6,130</u>	<u>\$4,480</u>

C. At least one copy of the park impact fee technical document adopted by the city council, including the current park impact fee schedule as calculated thereunder, shall be filed in the office of the city clerk for use and examination by the public.

Section 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances 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 affect or invalidate the remainder of any parts thereof to any other 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. Effective Date. This ordinance shall take effect immediately.

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

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver relating to the amendment of Park Impact Fees for 2023-2026 in a table in the Vancouver Municipal Code; amending Vancouver Municipal Code Sections 20.915.050 to update Table 20.915.050-1; providing for severability; and setting an immediate effective date.



Staff Report: 178-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Real Estate Excise Tax Adjustment

Key Points

- The current REET 1 Revenue split has been funding the debt service for Firstenburg and Marshall community centers, a portion of the NTSA program, supporting economic development and setting aside some funding for parks capital maintenance.
- REET 1 revenues have been strong, creating an on-going capacity that could be directed to other capital uses.
- REET 1 could only be spent on eligible capital projects.
- The City does not have a planned trail system. The community feedback consistently puts emphasis on the need for a new/updated/extended city trail system to improve the livability at the City. Trail connectivity city-wide will help reduce resident's reliance on cars in favor of using alternate forms of transportation. With no previous concerted effort, a large unaddressed gap exists in the availability of interconnected trails. The attached Ordinance is proposing to set aside \$1 million per year to address this need and build a robust trail network.
- Other allocations of funding are recommended to remain unchanged, but the VMC is proposed to be streamlined by adding a waterfall for the revenue collections received, based on the allocations in the VMC. A total of \$4.5 mil per year in REET revenue is needed to fully fund all of the allocations. Revenue in the fund has been higher than that in each of the last four years and is anticipated to be higher during the next biennium.

Strategic Plan Alignment

Goal 4: Ensure that Vancouver's parks and trails system is the highest quality and most complete in the region

Objective 4.1: Increase maintenance levels and accessibility to parks

Present Situation

REET 1 revenue by state statutes may only be spent on funding of eligible public capital

projects. Those projects have to be identified in the jurisdiction's Comprehensive Plan. Eligible use of funds include projects related to planning, acquisition, construction, reconstruction, repair, rehabilitation or improvement of streets, roads, parks, recreational facilities, trails, administrative and law enforcement facilities.

Current REET I revenue is split between parks and recreation, economic development and transportation. A total of 9% of tax proceeds, up to a maximum of \$172,000 per year, has been set aside for neighborhood traffic safety program improvements to city streets. Sixty-eight percent (56%) of the proceeds, up to \$1,956,000, is dedicated to support debt issued prior to 2008 for construction of the Firstenburg and remodel of Marshall recreational facilities. Up to a maximum of \$250,000 above the other obligations set forth in this ordinance, has been dedicated for Parks and Recreation Capital. A total of 20% of the revenue, up to an annual maximum of \$1,000,000, shall be used to support construction of public infrastructure to facilitate economic development in strategic reinvestment areas of the City.

Current composition of percentages and caps on revenue for each dollar in revenue is unnecessarily complex. The proposed language in the attached ordinance simplifies the calculation without changing the intent of the allocations in the Code. The ordinance creates a recommended waterfall for the revenue dollars and adjusts all allocations for inflation annually beginning on January 1, 2024. The proposed change to the VMC 3.20.040 will allocate the remaining proceeds from REET 1, up to \$1 million per year, indexed for inflation, to funding a trail development and construction program at the City of Vancouver, with the purpose of creating interconnectivity of trails City-wide and connecting the residents to the river and other parks assets. This proposal will not impact any other allocations of REET 1 revenue.

Advantage(s)

The recommended amendment to the ordinance continues to fund current programs as outlined in the REET 1 ordinance. The recommended change also creates a designated funding for creation of an interconnected trail system city-wide.

Disadvantage(s)

This proposal would update current allocation of REET 1 revenue to funding a trail program at the City.

Budget Impact

The proposed revenue change has been incorporated in the 2023-2024 Adopted Budget for funding the Trails program in the Parks Department beginning in 2023 and updating other allocations for inflation.

Prior Council Review

Prior Council review on November 16, 2020.

Action Requested

On November 14, approve ordinance on first reading, setting the date of second reading and public hearing for November 21.

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

ATTACHMENTS:

- ▯ REET Ordinance

11/14/2022

11/21/2022

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE of the City of Vancouver regarding the Real Estate Excise Tax (REET); amending VMC 3.20.040 to update the allocation, prioritization, and use of revenues generated from REET; providing for severability; and setting an effective date of January 1, 2023.

WHEREAS, the City has received consistent community feedback and communication requesting additional investment by the City in trail infrastructure;

WHEREAS, creating trail interconnectivity will allow to connect residents to parks assets and to the river and facilitate car-free mobility within city limits;

WHEREAS, real estate activity has been very robust in the last four years;

WHEREAS, REET allocations and dollar amounts need to be updated for current revenue estimates and for ease of administration;

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings. The City Council hereby adopts and incorporates by reference the above recitals as findings in support of this Ordinance.

ORDINANCE - 1

Section 2. Amendment. Vancouver Municipal Code 3.20.040 entitled “Proceeds-Distribution and Use” as codified by Ordinance M-2318 § 4 and as last amended by Ordinance M-4320 § 1 is hereby amended to read as follows:

VMC 3.20.040 Proceeds- Distribution and Use

(A) The Clark County treasurer shall retain in an appropriate county fund one percent of the proceeds of the taxes imposed in this chapter to defray costs of collection.

(B) (1) The remaining proceeds from the city taxes imposed in this chapter shall be distributed to the city monthly and those taxes imposed under VMC 3.20.010(a) shall be placed by the city director of financial and management services in the capital improvement fund to be used by the city for financing capital projects specified in a capital facilities plan element of the city's comprehensive plan. After January 1, 2024 2023, such revenue shall be ~~used~~ annually allocated and prioritized as follows

- a. ~~Fifty six percent of the revenue~~ First, up to a maximum of \$1,956,000, shall be used for parks and recreation to support debt issued prior to 2008 for construction of the Firstenburg and remodel of the Marshall recreational facilities through the expiration of the bonds.
- b. ~~Nine percent of the revenue~~ Second, after the obligations set forth in subsection (B)(1)(a) of this section are satisfied, up to a maximum of \$172,000 shall be used for neighborhood traffic safety program improvements to city streets consistent with Section 13 of Chapter 49, Laws of Washington, 1982, Extraordinary Session as amended and Section 36 of Chapter 17, Laws of Washington, First Extraordinary Session, 1990, as amended. ~~The maximum shall be adjusted annually beginning on January 1, 2020, by the rate of increase in the Consumer Price~~

~~Index for All Urban Consumers (1982-1984 = 100) in the Seattle-Tacoma-Bellevue area as published by the U.S. Bureau of Labor Statistics.~~

~~e. Twenty percent of the revenue, up to an annual maximum of \$1,000,000, shall be used to support construction of public infrastructure projects that facilitate economic development in strategic reinvestment areas of the city. Projects are required to have a return on investment of less than 10 years and generate new family-wage nonconstruction-related jobs.~~

~~d. The remainder of the revenue, up to a maximum of \$250,000 annually, after the other revenue obligations in subsections (B)(1)(a) through (B)(1)(c) of this section are satisfied, shall be used for parks and recreation capital.~~

c. Third, after the obligations set forth in subsection (B)(1)(a) through (B)(1)(b) of this section are satisfied, up to a maximum of \$250,000 shall be used for Parks and Recreation Capital.

d. Fourth, after the obligations set forth in subsection (B)(1)(a) through (B)(1)(c) of this section are satisfied, up to an annual maximum of \$1,000,000 shall be used to support construction of public infrastructure projects that facilitate economic development. Projects are required to have ROI of less than 10 years and generate new family-wage non-construction-related jobs.

e. Fifth, after the obligations set forth in subsection (B)(1)(a) through (B)(1)(d) of this section are satisfied, up to a maximum of \$1,000,000 annually shall be used for Parks Trails development and construction program.

(2) Allocation amounts set forth in VMC 3.20.040 (B)(1) shall be adjusted annually, beginning on January 1, 2024, consistent with VMC 3.08.100.

(2)(3) Revenues generated from the taxes imposed by VMC 3.20.010(b) shall be deposited into a special revenue fund and used solely for the planning, acquisition, construction, reconstruction, repair, replacement, rehabilitation or improvement of streets, roads, highways, sidewalks, street and roadway lighting systems, and traffic signals, as specified in a capital facilities plan element of a comprehensive plan approved by the city council.

C. This section shall not limit the City's ~~existing~~ authority ~~of this city~~ to impose special assessments on property benefited in the manner prescribed by law.

D. Every four (4) years the directors of the parks and transportation departments shall jointly file a report with the city council to be known as a REET expenditure accountability report detailing the amount of revenue collected pursuant to this chapter as well as the manner in which such revenues were expended in the preceding four (4) years. The first REET expenditure accountability report shall be presented to city council on or before March 31, 2007.

Section 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances 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 affect or invalidate the remainder of any parts thereof to any other 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. Effective Date. This ordinance shall be effective on January 1, 2023.

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

Approved as to form:

Jonathan Young, City Attorney

ORDINANCE - 5

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver regarding the Real Estate Excise Tax (REET); amending VMC 3.20.040 to update the allocation, prioritization, and use of revenues generated from REET; providing for severability; and setting an effective date of January 1, 2023.

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).

ORDINANCE - 6



Staff Report: 179-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Ordinance amending Sections VMC 5.04.075, 5.04.090 and 5.04.095 to update the business license fee and surcharge

Key Points

- The City currently relies on a business license surcharge (BLS) program to raise revenue to support, in part, investments in transportation capital and police services.
- This rates under the BLS program for both the base license fee per location and the per employee surcharge have not been adjusted for inflation since inception in 2007.
- Amending the BLS program to expand the tax base and increase the fee rate will:
 - Reduce taxes on approximately 17% of small businesses in the City.
 - Generate new, additional revenue phased in over 8 years to support expanded investments in transportation and police, the current focus of the BLS revenues.
 - Expand eligible uses of BLS revenues to include additional investments in economic development and major capital maintenance in the City's parks system.
- Simplifying the current BLS incentive program will clarify eligibility and ease administration without reducing the effectiveness of this incentive.
- The ordinance directs policy development in 2023 of a small business incentive to recognize and retain small businesses with a sustained long-term investment in Vancouver.
- Implementation of the new fee is planned for the second quarter of 2023 to allow system changes and broad notification and education.

Strategic Plan Alignment

Ensure high livability in Vancouver by investing in parks, public safety, transportation and creating new jobs

Present Situation

The City currently imposes business licensing requirements and associated fees on all businesses with gross revenues above \$12,000 in the City. The City's business license program is not a regulatory license, but rather a mechanism to gather data, support administrative functions

associated with the licensing program and generate revenue for municipal purposes. The program currently includes two components:

- A base business license fee of \$200 per location, per year for all businesses (generates approximately \$2 m. annually)
- Business License Surcharge (BLS) (also known as “head tax”) that is a \$90 annual fee per full time equivalent employee (FTE) employed by businesses with gross annual revenues over \$12,000. (The surcharge generates \$4.2 m annually).

Nonprofit organizations pay the base fee per location, but are exempt from the per employee surcharge; non-profit organizations that exist solely to raise funds for other purposes and provide no direct service delivery are exempt from all fees.

The BLS was originally adopted in 2007 to fund transportation investments at a rate of \$50 per FTE per year. It was amended in 2016 to add \$20 dedicated to additional transportation improvements and in 2017 to add another \$20 dedicated to police funding. As of 2022, the total annual fee is \$90 per FTE. The cap on the maximum number of FTEs the surcharge was lifted in 2020. Since inception, the fee has not been adjusted for inflation. As part of the City’s business relief pandemic response, the BLS was suspended in its entirety between Spring 2020 and March 2022 and remains suspended for businesses hardest hit by governor mandates associated with pandemic response through the end of 2022. In a “normal” year (pre-pandemic), the program generates approximately \$6.2 m annually, distributed as follows: 22.7% to General Fund unrestricted revenue, 23.4% to Police and the remaining 53.9% to Transportation.

The City of Vancouver implemented business license surcharge to fund transportation and augmented the base fee and the business license surcharge to fund a 30% increase in police staffing between 2016 and 2020.

The City’s tax system disproportionately relies on residential payers, since the City does not have a business and occupation tax within its city limits. Business license surcharge remains one of the major tools to engage businesses in shaping future livability of Vancouver. During the budget preparatory period, the City engaged business leadership to determine the increased array of services desired and the potential funding mechanism. This outreach included overall budget briefings and focused roundtable discussions with business leadership organizations (Chamber of Commerce, Columbia River Economic Development Council (CREDC) and Identity Clark County (ICC)) to explore business tax options.

The attached ordinance reflects the proposed license changes. The main components of the proposed changes include the following elements:

- An inflationary adjustment of the fee and surcharge in 2023;
- Businesses making less than \$2,000 in gross receipts will be required to obtain a business license, but will not owe a license fee, nor surcharge;
- Implementing a new, reduced, license fee of \$50, increasing annually by a \$1, for small business owners that generate more than \$2,000, but equal to or less than \$50,000 per year;
- Implementing a phased, gradual and predictable increase in employee surcharge from \$105 per year to \$245 per year by 2030. The surcharge will increase by \$20 dollars annually through 2030. The proposed increases are outlined in the table below.
- Updating the waiver language to eliminate the complexity embedded in VMC. Staff proposed to allow for a five-year waiver of the business license surcharge for any business that brings 200 or more new full time equivalent positions to the City earning at least 125% of

the median income for the Metro area.

- Updated definition of an employee from 2080 annual hours to 1664 per year.
- Simplify receipts distribution to have 18% going to Parks, Public Safety and Wellness, 40% to Streets for new capacity building and the remaining 24% to Economic Development as seed funding for an Economic Development Revolving Fund.

The proposed increases are outlined in the table below:

	Reduced fee	Annual License fee	Employee Surcharge
2023	\$50	\$300	\$105
2024	\$51	\$315	\$125
2025	\$52	\$331	\$145
2026	\$53	\$347	\$165
2027	\$54	\$365	\$185
2028	\$55	\$383	\$205
2029	\$56	\$402	\$225
2030	\$57	\$422	\$245

These changes to the BLS program are forecasted to generate approximately \$10.9 million in new revenue on full implementation by 2030 and represent an equitable approach to raising new revenue in the context of the overall tax landscape. The recommended uses of these funds address high priorities expressed by both our business community and the community at large. The total revenue from this source is forecasted to be \$9 million in the 2023-24 biennium, with the following appropriation over the two-year period: \$1.6 million to Parks for playground replacement, \$1.6 million for Police, \$3.6 million for new capacity building projects in Transportation and \$2.2 million for Economic Development Funding to start creating a revolving fund for reinvesting into economic development at the City.

Advantage(s)

1. Updates Vancouver Municipal Code to allow for updated business fee and business license surcharge to generate new revenue to reinvest into the increase in high priority City services.
2. Supports a more balanced overall revenue composition for the City's general government services.
3. Relies on gradual implementation of new taxes in support of predictable change in the business environment.
4. Maintains current, simple program administration and simplifies business recruitment incentives.
5. Reduces City tax burden on smallest business in Vancouver, representing 17% of total licensed businesses.

Disadvantage(s)

The resulting increase will impact the costs of doing business in Vancouver at a dynamic time in the overall economy. However, this increase is very modest in the context of other changes, such as minimum wage or workers compensation insurance changes.

Budget Impact

The additional revenues anticipated to be generated by the rate increase are incorporated into the 2023-2024 City Manager's Recommended Budget. These are dedicated to Police, parks major maintenance and capital, new capacity building projects in Transportation and creation of an Economic Development Revolving fund.

Prior Council Review

2023-2024 City Manager's Recommended Biennial Budget workshops on October 10, 2022, October 17, 2022, and November 7, 2022.

Action Requested

On November 14, approve ordinance on first reading, setting date of second reading and public hearing for November 21.

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

ATTACHMENTS:

- ▣ Business License Ordinance

11/14/22 (Date of First Reading)

11/21/22 (Date of Public Hearing)

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE of the City of Vancouver relating to the business and occupation license tax; amending Vancouver Municipal Code (VMC) Section 5.04.075 to reduce the gross income exemption threshold; amending VMC Section 5.04.090 to adjust the methodology for calculating the base business license fees; amending VMC Section 5.04.095 to adjust the methodology for calculating business license surcharge fees; providing for severability; and setting an immediate effective date.

WHEREAS, the City of Vancouver levies business license fee and surcharge to fund Police, Transportation and other critical services;

WHEREAS, the business license fee and the surcharge has not been adjusted to account for inflation since the early 2000s; 2007, 2014 and 2016.

WHEREAS, the City wishes to raise additional revenue to fund critical Transportation, Parks, Police and public infrastructure related to economic development of strategic areas that have approved subarea plans and a potential of attracting companies to incorporated area to create new jobs;

WHEREAS, the City Council wishes to explore the potential of an incentive for existing small business that have sustained long term investment in Vancouver, and directs the City Manager to prepare a range of policy options to return for Council consideration in 2023.

WHEREAS, the City has done a stakeholder outreach and incorporated feedback into the current proposal;

WHEREAS, with proper notice to the public, the Vancouver City Council conducted a first reading of the proposed ordinance on November 14, 2022, and a public hearing concerning the ordinance and proposed code changes on November 21, 2022.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings. The City Council hereby adopts and incorporates by reference the above recitals as findings in support of this Ordinance.

Section 2. Amendment. Vancouver Municipal Code Section 5.04.075 as adopted by Ordinance M-3774 §5 and last amended by Ordinance M-4192 §3 is hereby amended as follows:

5.04.075 Exemptions – Review by director.

A. The following persons and organizations shall be exempt from paying the base business license fee and the business license fee surcharge; provided, that they seek and obtain review and approval of same from the director of financial and management services or his or her designate and are issued a determination of exemption, as set forth in this chapter:

1. *Gross Receipts Threshold.* A person who generates annual gross receipts from engaging in business within the city that are equal to or less than twelve two thousand dollars. ~~of annual gross receipts from engaging in business within the city.~~
2. *Governmental Entities.* A governmental entity engaging the exercise of governmental functions.
3. A nonprofit organization created for fund-raising activities only, that meets all of the following criteria:

- a. An organization exempt from tax under Section 501(c) (3), (4), or (10) of the Federal Internal Revenue Code ([26 U.S.C. Section 501\(c\) \(3\), \(4\), or \(10\)](#)); and
- b. The members, stockholders, officers, directors, or trustees of the organization who do not receive any part of the organization's gross income, except as payment for services rendered; and
- c. The compensation received by any person for services rendered to the organization does not exceed an amount reasonable under the circumstances; and
- d. The activities of the organization do not include a substantial amount of political activity, including but not limited to influencing legislation and participation in any campaign on behalf of any candidate for political office; and
- e. The activities of the organization solely include "fund-raising activities," including soliciting or accepting contributions of money or other property or activities involving the anticipated exchange of goods or services for money between the soliciting organization and the organization or person solicited, for the purpose of furthering the goals of the nonprofit organization.

4. *Casual or Isolated Sales.* A person who engages only in casual and isolated sales, which means a sale made by a person who is not engaged in the business of selling the type of property involved. Persons who hold themselves out to the public as making sales at retail or wholesale are deemed to be engaged in business, and sales made by them of the type of property which they hold themselves out as selling are not casual or isolated sales even though such sales are not made frequently.

5. For purposes of the license by this chapter, any person or business whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than ~~twelve~~ two thousand dollars, and who does not maintain a place of business within the city, shall submit a business license registration to the director or designee. The threshold does not apply to regulatory license requirements or activities that require a specialized permit.

B. The following persons and organizations shall be exempt from paying the business license fee surcharge only; provided, that they seek and obtain review and approval of same from the director of financial and management services or his or her designate and are issued a determination of exemption:

1. Nonprofits and certain organizations exempt from federal income tax including but not limited to:

- a. *Religious.* A nonprofit business operated exclusively as a place of worship.
- b. *Civic, Service and Social Organizations.* Civic groups, service clubs, and social organizations that are not engaged in any profession, trade, calling, or occupation, but are organized to provide civic, service, or social activities.
- c. *Certain Organizations Exempt from Federal Income Tax.* An organization that files with the city a copy of its current IRS 501(c)(3) exemption certificate issued by the Internal Revenue Service and which does not generate revenues from retail sales or services.

2. *State or Federal Preemption.* A person whose business activities are exempt from business licensing due to preemption by state or federal law.

3. *Medicaid-Funded Nursing and Boarding Homes.* Nursing homes licensed under Chapter [18.51](#) RCW and boarding homes licensed under Chapter [18.20](#) RCW which provide care under contract with the Department of Social and Health Services to persons who are Medicaid recipients.

4. *Gross Receipts Threshold.* A person who generates gross receipts from engaging in business within the City revenue that are greater than two thousand dollars (\$2,000) and equal to or less than fifty thousand dollars (\$50,000).

Section 3. Amendment. Vancouver Municipal Code Section 5.04.090 as adopted by Ordinance M-203 §9 and last amended by Ordinance M-4091 § 2 is hereby amended as follows:

Except as provided in this chapter, no person shall engage in any business or activity in the city without having first obtained and being the holder of a valid and subsisting license so to do, to be known as a business license, issued under the provisions of this chapter, as hereinafter provided, and without paying the license fee or tax imposed by this chapter, if any; provided, that those persons exempted by VMC 5.04.075(A) shall not be required to pay a license fee. Payment of the license fee shall accompany the application for the license. Such license shall expire on the last day of the month which is one calendar year from the day it was issued. The license may be prorated to match existing expiration dates. A new license and fee shall be required for each year. Application for the license shall be made to and issued by the city manager or his designee on forms provided by him.

The license shall be personal and nontransferable.

There shall be a separate business license for each separate location at which business is transacted.

For business licenses issued or renewed on or after ~~January~~ April 1, 2019 2023, the annual base business license fee shall be: ~~a flat fee of two hundred dollars for each separate location at which business is transacted.~~

1. For any person or business engaging in business within the city whose annual value of products, gross proceeds of sales, or gross income of the business in the city is equal to or less than two thousand dollars, no base business license fee or surcharge is owed, pursuant to VMC 5.04.075(A)(1),(5).

2. For any person or business engaging in business within the city whose annual value of products, gross proceeds of sales, or gross income of the business in the city is greater than two thousand dollars and equal to or less than fifty thousand dollars, the annual base business license fee shall be fifty dollars for each separate location at which business is transacted. The annual base business license fee provided for by this subsection shall be increased annually by \$1.00 through year 2030. The annual base business license fee provided for in this subsection shall be increased annually pursuant to the methodology set forth in VMC 3.08.100 beginning on January 1, 2031.

3. For any person or business engaging in business within the city whose annual value of products, gross proceeds of sales, or gross income of the business in the city is greater than fifty thousand dollars, the annual base business license fee shall be a flat fee of three hundred dollars for each separate location at which business is transacted. The annual base business license fee provided for in this section shall increase annually in accordance with table 3 (A) below. The annual base business license fee provided for by this subsection shall be increased annually pursuant to the methodology set forth in VMC 3.08.100 beginning on January 1, 2031

4. Table 3 (A): Annual increases in the annual base business license fee for each separate location at which business is transacted:

	Annual License Fee
<u>2023</u>	<u>\$300</u>
<u>2024</u>	<u>\$315</u>
<u>2025</u>	<u>\$331</u>
<u>2026</u>	<u>\$347</u>

<u>2027</u>	<u>\$365</u>
<u>2028</u>	<u>\$383</u>
<u>2029</u>	<u>\$402</u>
<u>2030</u>	<u>\$422</u>

Each license shall be numbered, shall show the name, place and character of business of the taxpayer, such other information as the city manager or his designee deems necessary, and shall at all times be conspicuously posted in the place of business for which it is issued. Where a place of business of the taxpayer is changed, the taxpayer shall return such license to the city manager or his designee, and a new license shall be issued for the new place of business free of charge.

A business license application must be filed with the State Department of Revenue Business Licensing Service to apply for a city business license. Special licenses may be issued by the city of Vancouver finance department. A business license does not authorize illegal activities.

No person to whom a license has been issued pursuant to this chapter shall allow any person for whom a separate license is required to operate under or to display his license, nor shall such other person operate under or display such license.

Section 4. Amendment. Vancouver Municipal Code Section 5.04.095 as adopted by Ordinance M-3774 §2 and last amended by Ordinance M-4192 §4 is hereby amended as follows:

5.04.095 Business license fee surcharge – Calculation.

A. In addition to the annual base business license fee set forth in VMC 5.04.090, there shall be a business license fee surcharge calculated as set forth in this section. The business license surcharge fee shall apply to business licenses issued or renewed after expiration on or after January 1, 2007.

B. Effective April 1, 2023, the business license fee surcharge shall be calculated on the basis of one hundred five dollars per employee calculated pursuant to Subsection G, provided that the surcharge will increase annually on January 1st pursuant to the following schedule:

	<u>Per Employee as Calculated in Subsection G</u>
<u>2023</u>	<u>\$105</u>
<u>2024</u>	<u>\$125</u>
<u>2025</u>	<u>\$145</u>
<u>2026</u>	<u>\$165</u>

<u>2027</u>	<u>\$185</u>
<u>2028</u>	<u>\$205</u>
<u>2029</u>	<u>\$225</u>
<u>2030</u>	<u>\$245</u>

Effective January 1, 2031, the business license fee surcharge provided for by this subsection shall be increased annually pursuant to the methodology set forth in VMC 3.08.100.

~~1. — Effective January 1, 2019, the business license fee surcharge set forth in subsection B above shall be applied up to a maximum of seven hundred ninety-nine FTE employees per taxpayer until January 1, 2020; and~~

~~2. — Effective January 1, 2020, the business license fee surcharge set forth in subsections B and (B)(1) of this section shall be applied to all FTE employees of the taxpayer.~~

~~3.~~ 1. The revenue from the business license surcharge set forth in subsection B of this section shall be distributed as follows:

~~a. Seventy dollars of the surcharge assessed on the first four hundred employees of the taxpayer shall be distributed for transportation funding. The remaining twenty dollars of the surcharge shall be distributed for police funding;~~

~~b. Ninety dollars of the surcharge assessed on the employees over four hundred of the taxpayer shall be distributed to fund police staffing and associated services consistent with the recommendations from the community resource team presented to the council on December 12, 2016.~~

a) Eighteen percent (18%) of every dollar shall be dedicated to public safety and wellbeing; and

b) Eighteen percent (18%) of every dollar shall be dedicated to parks major maintenance and capital; and

c) Forty percent (40%) of every dollar shall be dedicated to new capacity building street improvements; and

d) Twenty-four (24%) percent of every dollar shall be dedicated to public infrastructure improvements to facilitate economic development in city limits.

C. Definition of "Employee." For the purposes of the per employee business license fee surcharge, the term "employee" means and includes each of the following persons who are not required by the city to have a separate city of Vancouver business license:

1. Any person who is on the business' payroll, and includes all full-time, part-time, and temporary employees or workers; and
2. Self-employed persons, sole proprietors, owners, managers, and partners; and
3. Any other person who performs work, services or labor at the business, except:
 - a. An independent contractor who has a separate city of Vancouver business license;
 - b. An employee of a temporary employment agency; provided, that such temporary employment agency has a separate city of Vancouver business license and pays the per employee business license fee surcharge based on its own employees.

D. A person with some business activities or functions that are exempt from the basic business license fee and some that are not exempt shall pay the ~~per~~ employee business license surcharge based on the number of ~~its employees~~ of employee hours worked, that are related in to the functions or activities that are not exempt.

E. In the event that the taxpayer has a physical location within the city, the ~~per~~ employee business license fee surcharge shall be assessed based upon a rebuttable presumption that all of the taxpayer's employees are working within the city of Vancouver.

F. In the event that the taxpayer has no physical location within the city, the applicable ~~per~~ employee portion of the business license fee surcharge shall be based upon the number of employee hours worked within the city calculated based on the total number of ~~full-time employee work hours (FTE) employees working~~ within the city, pursuant to subsection G of this section. ~~or, alternatively, based on the total number of hours worked by employees within the city divided by two thousand eighty.~~ The minimum applicable per employee portion of the business license fee surcharge for such taxpayer shall be the amount for one employee.

G. *Calculating the Number of Employees.* In determining the amount of the ~~per~~ employee business license fee surcharge to be paid for the upcoming license year, the number of employees shall be the total of the following:

1. Based upon the number of worker hours ~~or units~~ reportable by the business to the Washington Department of Labor and Industries (L&I) in the last four quarterly reports of the business:
 - a. The total number of hours worked by all employees, including legal holidays and vacation time, divided by one thousand six hundred sixty-four hours. ~~a. Each employee who worked more than two thousand eighty one thousand five hundred sixty hours during the previous four quarters (including paid time off) shall be counted as one full time employee (FTE).~~

~~b. For individual employees who worked less than two thousand eighty hours during the previous four quarters the total number of hours worked by all such employees during the previous four quarters shall be added together and divided by two thousand eighty. A fraction of 0.5 or over shall be rounded up.~~

2. For persons who are defined as employees for business license fee surcharge purposes, but for whom the business is not required to report hours to L&I, including but not limited to sole proprietors, owners, managers or partners:

a. The total number of hours worked by all employees, including legal holidays and vacation time, divided by one thousand six hundred sixty-four hours.

~~b. — Each such person shall be counted as one full time employee for surcharge purposes if such person devotes more than two thousand eighty hours during the previous four quarters to the business; and~~

3. The number of employees calculated pursuant to this subsection may exceed the number of people performing work.

4. The director of financial and management services may require the business to submit copies of its L&I reports. The businesses that did not file the report may be required to file an affidavit with the city reporting hours worked or the equivalent number of employees.

H. *New Businesses.* The ~~per~~ employee business license fee surcharge for a business that did not submit reports for each of the last four quarters to L&I shall be based on the estimated number of employees of that business. The business shall provide its estimate of the average number of employees for the upcoming four quarters. The city will determine the number of employees that will be used in calculating the amount of the ~~per~~ employee business license fee surcharge. If, during the license year, the city determines that the actual number of employees is more than twenty percent different than estimated, then the amount of the ~~per~~ employee business license surcharge will be recalculated for the new business. If the revised ~~per~~ employee business license fee surcharge is higher, the business shall pay the difference within thirty days after notification. If the revised surcharge is lower, then the difference will be refunded.

I. *Overreporting Number of Employees.* A licensee may request that the city refund a portion of the ~~per~~ employee business license fee surcharge overpaid on the basis that the business ~~miscounted~~ miscalculated the number of employees by more than twenty percent, resulting in

payment of an excess surcharge. The request must be in writing and the city must receive the request and all supporting documentation no later than sixty days after the end of the licensee's business license year in which the error was made. If the city is satisfied that the licensee paid an excess surcharge, then the city will refund the excess surcharge paid by the licensee for the immediately preceding license year.

J. *Underreporting of Employees.* If the city determines that the number of employees was underreported by more than twenty percent at the time of application or renewal, the business shall pay the balance of the applicable ~~per~~ employee business license fee surcharge together with a penalty of twenty percent of such balance due. The business shall also reimburse the city for any accounting, legal, or administrative expenses incurred by the city in determining the underreporting or in collecting the additional amounts. The director of financial and management services shall mail written notice of the amount to be paid and the business shall pay said amount to the city within thirty days.

K. *Waiver of Employee Surcharge.* To promote business development, the city manager may grant a waiver of the business license fee surcharge provided for herein for businesses which meet the following requirements:

1. The business license fee surcharge may be waived ~~as specified in Table 1~~ for an initial five-year period from the date of the company's move or the date of expansion of an existing business if a business relocates 200 or more full-time employees that are earning at least 125% of the median individual income to the incorporated area of Vancouver. For purposes of this subsection ~~Table 1~~, median individual income shall be the median individual income in the Portland-Vancouver Metropolitan Statistical Area. The business owner shall commit, through a development agreement approved by city council, to locate a minimum number of new employees in conformance with the business license fee surcharge incentive, ~~in Table 1~~. The development agreement shall provide that, in the event employment declines below the numbers specified ~~in Table 1~~, the fee waiver shall be reimbursed to the city.

Table 1. Business License Fee Surcharge Incentive

Tier	Median Salary of All Business Employees	Number of New Full-Time Equivalent Employees	Annual Waiver
1	200% of Median Individual Income	200—249	Surcharge Waiver, \$10,000—\$12,450 Effective January 1, 2016: Surcharge Waiver, \$12,000—\$14,940 Effective May 1, 2017: Surcharge Waiver, \$14,000—\$17,430 Effective January 1, 2018: Surcharge Waiver, \$16,000—\$19,920 Effective January 1, 2019: Surcharge Waiver, \$18,000—\$22,410
2	175% of Median Individual Income	250—299	Surcharge Waiver, \$12,500—\$14,950 Effective January 1, 2016: Surcharge Waiver, \$15,000—\$17,940 Effective May 1, 2017: Surcharge Waiver, \$17,500—\$20,930 Effective January 1, 2018: Surcharge Waiver, \$20,000—\$23,920 Effective January 1, 2019: Surcharge Waiver, \$22,500—\$26,910
3	175% of Median Individual Income	300—399	Surcharge Waiver, \$15,000—\$19,950 Effective January 1, 2016: Surcharge Waiver: \$18,000—\$23,940

Table 1. Business License Fee Surcharge Incentive

Tier	Median Salary of All Business Employees	Number of New Full-Time Equivalent Employees	Annual Waiver
			Effective May 1, 2017: Surcharge Waiver, \$21,000—\$27,930 Effective January 1, 2018: Surcharge Waiver: \$24,000—\$31,920 Effective January 1, 2019: Surcharge Waiver, \$27,000—\$35,910
4	150% of Median Individual Income	400—499	Surcharge Waiver, \$20,000 capped Effective January 1, 2016: Surcharge Waiver: \$24,000 capped Effective May 1, 2017: Surcharge Waiver: \$28,000 capped Effective January 1, 2018: Surcharge Waiver: \$32,000 capped Effective January 1, 2019: Surcharge Waiver: \$36,000 capped
5	150% of Median Individual Income	500—599	Surcharge Waiver, \$20,000 capped Effective January 1, 2016: Surcharge Waiver: \$24,000 capped Effective May 1, 2017: Surcharge Waiver, \$28,000 capped Effective January 1, 2018: Surcharge Waiver \$32,000 capped

Table 1. Business License Fee Surcharge Incentive

Tier	Median Salary of All Business Employees	Number of New Full-Time Equivalent Employees	Annual Waiver
			Effective January 1, 2019: Surcharge Waiver: \$36,000 capped
6	125% of Median Individual Income	600+	Surcharge Waiver, \$20,000 capped Effective January 1, 2016: Surcharge Waiver: \$24,000 capped Effective May 1, 2017: Surcharge Waiver: \$28,000 capped Effective January 1, 2018: Surcharge Waiver \$32,000 capped Effective January 1, 2019: Surcharge Waiver: \$36,000 capped

2. For any business specified in subsection K (1) of this section that retains the initial additional employment provided for therein and adds twenty percent or greater of additional new employee-filled positions during the first five year period, of which seventy-five percent must meet the income levels specified in subsection (K)(1) of this section, the business license surcharge shall be waived for a second five-year period; and

3. For any business specified in subsection (K)(2) of this section that retains the initial additional employment provided for in such subsection and adds twenty percent or greater of additional new employee-filled positions during the second five-year period, of which seventy-five percent must meet the income levels specified in subsection (K)(1) of this section, the business license surcharge shall be waived for a third five-year period.

Each business that meets this waiver will be required to apply for, or annually renew their existing business license with the State of Washington Business Licensing Service (BLS), pay their business license fee plus pay for one FTE employee surcharge fee at the then-current rate. Separately, the business must provide an annual report to the city of Vancouver with backup documentation demonstrating how the business met the requirements of the surcharge waiver. If

the business meets the waiver requirements, the ~~fifty-dollar~~ surcharge fee paid at the time of initial application or annual renewal will be refunded.

Section 5. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances 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 affect or invalidate the remainder of any parts thereof to any other 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. Effective Date. This ordinance shall take effect immediately.

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 _____, 20XX.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver relating to the business and occupation license tax; amending Vancouver Municipal Code (VMC) Section 5.04.075 to reduce the gross income exemption threshold; amending VMC Section 5.04.090 to adjust the methodology for calculating the base business license fees; amending VMC Section 5.04.095 to adjust the methodology for calculating business license surcharge fees; providing for severability; and setting an immediate effective date.



Staff Report: 180-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Water, sewer and surface water ordinance changes pertaining to utility rates for 2023 and 2024

Key Points

- The City has a paramount responsibility to provide of safe, reliable and effective water and wastewater services to our residents and customers.
- The environment within which we fulfill this responsibility is changing environment to include new and expanded regulatory requirements, new and emerging legal obligations and a changing customer base.
- To assure meeting the City's responsibilities in this context, a substantial capital investment will be needed in the coming 15 years.
- During 2019-2022 the City, with the assistance of expert consultants, conducted a comprehensive analysis of the City's utility rates and identify amendments needed to support:
 - support the ambitious utility capital program over the next 15 years to improve water utility resiliency, support safe and reliable drinking water and comply with emerging water quality regulations
 - gradually reduce the outside city customer multiplier
 - better align fee system with causes of cost increases.

Proposed rate increases for 2023 and 2024 are as follows:

- Water: an annual 4.5% increase each year 2023 and 2024
- Sewer: an annual 6% increase each year 2023 and 2024
- Surface Water: an annual 8% increase each year 2023 and 2024
- The cumulative weighted impact on customer of the Water, Sewer, Surface Water rate increases and those of the Solid Waste utility, will be 6% per year in 2023 and 2024.

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 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Present Situation

Each utility (water, wastewater, and surface water) is working towards a common goal of protecting Vancouver's water resources and maintaining the high level of services provided to the utility customers. The identified capital needs help address issues such as growth, aging infrastructure, climate change, public health, livability, safety, resiliency, and regulatory changes have been included in the Utilities Capital Improvement Plan. To help pay for the increased capital needs as well as keep up with the impact of inflation on city utility cost structure, staff recommends increasing the appropriate rates of each utility, consistent with the needs of that particular utility and the third-party recommendations. The water rates have sufficient capacity to fund debt service on the replacement Operations Center up to the utility share of a \$125 million facility. The City is currently in the design phase with the anticipated cost unknown at this time. The related revenue is currently utilized to fund the debt reserve in anticipation of the future debt and to pay for the design costs on a pay-as-you go basis in the 2023-2024 Biennial budget.

Proposed rate increases for 2023 and 2024 are as follows:

- Water: an annual 4.5% increase each year 2023 and 2024
- Sewer: an annual 6% increase each year 2023 and 2024
- Surface Water: an annual 8% increase each year 2023 and 2024

This rate increase is targeting a paced reduction of the outside city multiplier for water and sewer utilities. Currently, there is a 50% differential between the cost per unit of water and sewer for customers in the incorporated area versus outside of the incorporated area. The attached ordinance proposes to reduce the multipliers from 1.5 to 1.483 in 2023 and to 1.466 in 2024 for customers in the unincorporated area that are serviced by the City water and sewer systems.

This ordinance also includes two minor miscellaneous fee corrections. The restoring water service fee and the meter reading fee are being updated to reflect current practices and cost of service. Staff will undertake a more comprehensive review of miscellaneous utility fees as part of the next rate study update.

The current rate increase proposal continues to maintain City utility rates comparable to or below those at the surrounding jurisdictions.

Advantage(s)

1. Maintains the long-term financial viability of Vancouver's water, sewer and surface water utility ensuring customer service and reliability.
2. Provides sufficient revenues to keep pace with increasing operational costs and support utility operations to remain in regulatory compliance and provides needed capital funding for planned utility infrastructure investments.
3. Follows Council's adopted financial and budget policies and direction for the utility to be self-supporting, fiscally sound and sustainable and preference for smaller incremental rate adjustments.

Disadvantage(s)

The proposal results in a rate increase for all utility customers; however, even with the rate increase the typical combined utility bill still compares very favorably with other local and regional jurisdictions – see Exhibit A. The impact on the typical inside-city residential customer would be an increase of \$5.50/month in 2023 and a cumulative amount of \$11.30/month in 2024, (compared to the current rate) for all three utility services (water, sewer and surface water).

Budget Impact

The proposed rate increases are reflected in the revenue estimates supporting the water, sewer and surface water utility's 2023-24 budget, as well as utility tax revenue to the City's 2023-24 General Fund budget.

Prior Council Review

- WRS workshop 10-18-2021
- WRS workshop 4-18-2022
- WRS workshop 6-13-2022
- WRS workshop 8-15-2022
- WRS financial lever memo 6-2-2022
- WRS introduction memo 10-13-2021

Action Requested

On Monday, November 14, 2022, subject to second reading and public hearing, approve the ordinance.

Chris Malone, Public Works Finance and Asset Manager, 360-487-7711

ATTACHMENTS:

- ▢ Exhibit A rate comparison
- ▢ Water, Sewer, Surface Water Ordinance

City of Vancouver - 2022
Combined Water, Sewer, Stormwater Utility Bill Comparison
Based on Typical Single Family Inside City Residential Customer - 8 ccf/month
(DRAFT July 26, 2022)

Exhibit A

Agency	Water	Sewer	Stormwater	Total	Agency Utility Tax Rate		Rate with Utility Tax	Rate without Utility Tax	notes:
CPU/CRWWD/Clark Co. (2022)	\$23.80	\$42.00	\$3.92	\$69.72	0.0%	c	\$69.72	\$69.72	CPU-0%, County -0%, CRWWD-0%
Vancouver (2022)	\$32.89	\$49.28	\$13.01	\$95.18	28.9%	a	\$95.18	\$67.67	Gross Utility tax of 28.9%
City of Spokane Valley (2022)	\$19.78	\$47.41	\$1.75	\$68.94	0.0%	c	\$68.94	\$68.94	no W/S/SW tax, Vera Water Provider, CSV utility tax of 6% on telecommunications
Vancouver (2023)	\$34.39	\$52.24	\$14.05	\$100.68	28.9%	a	\$100.68	\$71.58	Gross Utility tax of 28.9%
Yakima(2022)	\$29.19	\$53.34	\$6.60	\$89.13	Varies	a	\$89.13	\$72.22	Gross 20% utility tax Water & Sewer; Surface Water-6%
Spokane (2022)	\$21.81	\$66.46	\$4.82	\$93.09	20.0%	a	\$93.09	\$75.44	Gross W/S/SW tax rates of 20%/20%/0% (bill includes Sewer Capital charges of \$27.89/mo)
Federal Way (Lakehaven Water & Sewer	\$28.48	\$50.33	\$12.77	\$91.58	7.75%	a	\$91.58	\$84.48	rates also incl. Lakehaven Water & Sewer 3.6% franchise fee
Bellingham (2022)	\$41.94	\$49.10	\$11.85	\$102.89	varies	a, g	\$102.89	\$88.23	Gross W/S/SW utility taxes are 18.25%, 11.5% and 11.5% (drainage charges shown for Med
La Center (2022)	\$23.80	\$66.00	\$10.60	\$89.80	6.0%	b	\$101.83	\$89.80	6% Excise tax on CPU Water, no utility tax on sewer, SW Rate eff. June 1st, 2019
Eugene (2022)	\$29.70	\$46.41	\$15.45	\$91.57	0.0%	i	\$91.57	\$91.57	Sewer billing rate per 1 kgal = (\$2.641+\$2.351)/N/C 2021 due to COVID(EWEB 2018 rate de
Battle Ground (2022)	\$27.97	\$53.70	\$12.08	\$93.75	12.0%	b	\$105.00	\$93.75	12%/12%/12% W/S/SW Utility tax
Ridgefield (2022)	\$26.77	\$60.28	\$10.15	\$97.20	8.0%	a	\$97.20	\$95.05	Water utility tax of 8%-CRWWD sewer service includes 10% city operating fee, no drainage
Gresham (2022)	\$52.60	\$38.60	\$14.86	\$106.06	varies	a, h	\$106.06	\$95.45	10% gross for Utility License Fee- (water bill incl public safety charge of \$7.50)
Camas (2022)	\$30.65	\$62.48	\$13.16	\$106.29	0.0%	c	\$106.29	\$106.29	no utility taxes
Kent (2022) -	\$46.74	\$75.58	\$13.48	\$135.80	varies	a	\$135.80	\$119.92	Gross W/S/SW taxes of 13%/ 9.5%/19.5% (KMC 3.18.020)
Tacoma (2022)	\$44.04	\$69.57	\$27.40	\$141.01	8.0%	a, f	\$141.01	\$129.73	Gross W/S/SW taxes are 8%/8%/8%
Washougal (2022)	\$40.38	\$84.49	\$17.25	\$142.12	Varies	a	\$142.12	\$130.72	Gross W/S/SW taxes are 10%/8.71%/ 0%
Renton (2022)	\$42.99	\$81.01	\$15.76	\$139.76	6%, 6.8%	a	\$139.76	\$130.90	Gross W/S/SW taxes are 6.8%, 6.0% and 6.8%
Kirkland (2022)	\$42.47	\$91.29	\$18.81	\$152.57	varies	a	\$152.57	\$137.70	City water utility tax = 11.5%, WW Utilty tax = 9.5%; SW = 6.98%
Everett (2022)	\$38.60	\$83.22	\$28.61	\$150.43	6.0%	b, e	\$159.45	\$150.43	W/S/SW rates have added 6%/6%/6% PILOT (Payment In Lieu of Taxes) (Everett bill include
Bellevue (2022)	\$60.98	\$90.70	\$23.26	\$174.94	Varies	a	\$174.94	\$162.90	W/S/SW added utility taxes of 10.4%/5.0%/5.0% (where applicable Cap. Recovery charges
Portland (2022)	\$71.58	\$95.36	\$31.30	\$198.24	5.0%	b, i	\$208.16	\$198.24	W/S/SW Utility License Tax of 5%/5%/5%
Seattle (2022)	\$65.23	\$133.36	\$52.72	\$251.31	Varies	a, d	\$251.31	\$219.11	Gross W/S/SW taxes are water 15.54%, Sewer 12%, Drainage 11.5%
Average for all listed cities 2022	\$38.12	\$67.05	\$16.25	\$120.96			\$122.79	\$110.86	

Assumes usage of 8 ccf per month
All city rates and tax information updated and checked as of July 2022

Footnotes:

- a - Utility tax embedded in rates (applied to gross revenues of utility)
b - Utility tax added to bill
c - City of Spokane Valley - assume Vera Water customer -No agency utility taxes charged for any utility
d- Seattle Pub. Utilities Utility tax incl. in rates (applied to gross revenues of utility) 15.54% for water, 12% for sewer and 11.5% for stormwater
e - Everett Sewer rate includes storm drainage rate, with separate surface water rate only charged to non-sewered customers.
f - Tacoma - 8% Tacoma Gross Earnings Tax embedded in W/S/D rates:, along with additional for water - 5.029% State Pub. Utility Tax,
for Surface Water - 1.5% B&O, for wastewater - 1.5% B&O and 3.852% State Sewer Collection Tax.
g - Bellingham's gross utility taxes: drinking water = 18.25%, Lk Whatcom Watershed = 11.5%, Sewer =11.50%, Storm = 11.50%
h - Gresham includes \$6.16/mo. Fire protection charge;
i- City of Eugene & City of Portland annual rate change occurs July 1st

11/14/22
11/21/22

ORDINANCE NO. M-_____

AN ORDINANCE related to the water, sewer and surface water utility user rates, amending Vancouver Municipal Code Sections 14.04.210, 14.04.230, 14.04.230B and 14.09.060; and providing for savings, severability, and an effective date.

WHEREAS, utility revenue must be established at a level sufficient to properly maintain infrastructure and provide for necessary capital improvements; and

WHEREAS, utility rates must be established at a level sufficient to cover the costs of all operations, including maintenance, depreciation, capital, and debt service requirements, reserves, and any other necessary costs; and

WHEREAS, the City's utilities and Council have determined to amend the user charge schedules for such systems to cover such costs; and

WHEREAS, the City's utilities and Council have determined that certain miscellaneous fees should be updated to reflect current practice and improve cost recovery; and

WHEREAS, the City Council has determined it is in the best interest of the City and the water and sewer utility rate payers to reduce the outside City multiplier from 1.5 to 1.25 over a 15 year period.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

SECTION 1. Vancouver Municipal Code Section 14.04.210, as last amended by

Ordinance M-4359, Section 1, is hereby amended to read as follows:

14.04.210 Water service – User charges.

A. Base Charge, All Customer Classes.

1. For all water customers, each customer shall pay a monthly base charge as follows:

~~Effective January 1, 2020~~

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	9.15	13.73
b. 3/4 inch	per month	12.15	18.22
c. 1 inch	per month	18.55	27.83
d. 1-1/2 inch	per month	34.48	51.72
e. 2 inch	per month	53.44	80.16
f. 3 inch	per month	97.97	146.96
g. 4 inch	per month	161.42	242.12
h. 6 inch	per month	320.31	480.46
i. 8 inch	per month	510.92	766.37
j. 10 inch	per month	764.90	1,147.35
k. 12 inch	per month	1,486.27	2,229.41

~~Effective January 1, 2021~~

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	9.61	14.42
b. 3/4 inch	per month	12.75	19.13

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
c. 1 inch	per month	19.48	29.22
d. 1-1/2 inch	per month	36.21	54.31
e. 2 inch	per month	56.11	84.17
f. 3 inch	per month	102.87	154.31
g. 4 inch	per month	169.49	254.23
h. 6 inch	per month	336.32	504.48
i. 8 inch	per month	536.46	804.69
j. 10 inch	per month	803.15	1,204.72
k. 12 inch	per month	1,560.58	2,340.88

Effective January 1, 2022

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
a. 5/8 x 3/4 inch and under	per month	10.09	15.14
b. 3/4 inch	per month	13.39	20.09
c. 1 inch	per month	20.45	30.68
d. 1-1/2 inch	per month	38.02	57.02
e. 2 inch	per month	58.92	88.38
f. 3 inch	per month	108.01	162.02
g. 4 inch	per month	177.96	266.94
h. 6 inch	per month	353.14	529.70
i. 8 inch	per month	563.28	844.93
j. 10 inch	per month	843.30	1,264.95

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u>
k. 12 inch	per month	1,638.61	2,457.92

Effective January 1, 2023

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.483 x inside)</u>
a. 5/8 x 3/4 inch and under	per month	10.54	15.63
b. 3/4 inch	per month	13.99	20.75
c. 1 inch	per month	21.37	31.69
d. 1-1/2 inch	per month	39.73	58.92
e. 2 inch	per month	61.57	91.31
f. 3 inch	per month	112.87	167.39
g. 4 inch	per month	185.97	275.79
h. 6 inch	per month	369.03	547.27
i. 8 inch	per month	588.63	872.94
j. 10 inch	per month	881.25	1,306.89
k. 12 inch	per month	1,712.35	2,539.42

Effective January 1, 2024

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
a. 5/8 x 3/4 inch and under	per month	11.01	16.14
b. 3/4 inch	per month	14.62	21.43
c. 1 inch	per month	22.33	32.74

<u>Meter Size</u>		<u>Base Charge</u>	<u>Base Charge</u>
		<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
<u>d. 1-1/2 inch</u>	<u>per month</u>	<u>41.52</u>	<u>60.87</u>
<u>e. 2 inch</u>	<u>per month</u>	<u>64.34</u>	<u>94.32</u>
<u>f. 3 inch</u>	<u>per month</u>	<u>117.95</u>	<u>172.93</u>
<u>g. 4 inch</u>	<u>per month</u>	<u>194.34</u>	<u>284.90</u>
<u>h. 6 inch</u>	<u>per month</u>	<u>385.64</u>	<u>565.35</u>
<u>i. 8 inch</u>	<u>per month</u>	<u>615.12</u>	<u>901.77</u>
<u>j. 10 inch</u>	<u>per month</u>	<u>920.91</u>	<u>1,350.05</u>
<u>k. 12 inch</u>	<u>per month</u>	<u>1,789.41</u>	<u>2,623.28</u>

2. The monthly base charge set in subsection (A)(1) of this section does not include any charge for consumption of water.

3. The monthly base charge for any single-family residential customer shall not exceed the charge set in (b) above.

B. *Volume Charge (Uniform Volume).*

1. In addition to the monthly base charge in subsection (A)(1) of this section, each customer shall pay the following additional charge on his/her bill, based upon the amount of water consumed per each billing period:

~~Effective January 1, 2020~~

Customer Class	Inside City Limits	Outside City Limits
Single-Family:	2.59/CCF	3.88/CCF
Multifamily:	2.22/CCF	3.34/CCF
Nonprofit Shelters:	0.57/CCF	0.86/CCF
Commercial ¹ and Industrial ¹ :	2.22/CCF	3.34/CCF

Customer Class	Inside City Limits	Outside City Limits
Government ¹ :	1.98/CCF	2.97/CCF

Effective January 1, 2021

Customer Class	Inside City Limits	Outside City Limits
Single-Family:	2.71/CCF	4.07/CCF
Multifamily:	2.34/CCF	3.50/CCF
Nonprofit Shelters:	0.60/CCF	0.90/CCF
Commercial ¹ and Industrial ¹ :	2.34/CCF	3.50/CCF
Government ¹ :	2.08/CCF	3.12/CCF

Effective January 1, 2022

Customer Class	Inside City Limits	Outside City Limits
Single-Family:	2.85/CCF	4.28/CCF
Multifamily:	2.45/CCF	3.68/CCF
Nonprofit Shelters:	0.63/CCF	0.94/CCF
Commercial ¹ and Industrial ¹ :	2.45/CCF	3.68/CCF
Government ¹ :	2.18/CCF	3.27/CCF

Effective January 1, 2023

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.483 x inside)</u>
<u>Single-Family:</u>	<u>2.98/CCF</u>	<u>4.42/CCF</u>
<u>Multifamily:</u>	<u>2.56/CCF</u>	<u>3.80/CCF</u>
<u>Nonprofit Shelters:</u>	<u>0.66/CCF</u>	<u>0.98/CCF</u>
<u>Commercial¹ and Industrial¹:</u>	<u>2.56/CCF</u>	<u>3.80/CCF</u>
<u>Government¹:</u>	<u>2.28/CCF</u>	<u>3.38/CCF</u>

Effective January 1, 2024

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
<u>Single-Family:</u>	<u>3.11/CCF</u>	<u>4.56/CCF</u>
<u>Multifamily:</u>	<u>2.68/CCF</u>	<u>3.93/CCF</u>
<u>Nonprofit Shelters:</u>	<u>0.69/CCF</u>	<u>1.01/CCF</u>
<u>Commercial¹ and Industrial¹:</u>	<u>2.68/CCF</u>	<u>3.93/CCF</u>
<u>Government¹:</u>	<u>2.38/CCF</u>	<u>3.49/CCF</u>

1 Note: As this use is classified under VMC Title 20.

2. All volume charges are computed per 100 cubic feet (CCF).

3. "Single-family customer" class shall include single dwelling unit with one meter, mobile homes either on individual lots or in mobile home parks. This also includes ADUs that take water and sewer service from service connections separate from the primary residence. This definition is for utility billing purposes only.

4. "Multifamily customer" class shall apply to customers with two or more living units per meter. This also includes ADUs that share water or sewer service from service connections for the primary residence. This definition is for utility billing purposes only.

5. *Nonprofit Shelter.* For the purpose of applying the rates as set forth in subsection (B)(1) of this section, the term "nonprofit shelters" shall be defined to mean a facility operated by a nonprofit organization that provides clients with on-site food, beds or shelter for free or at significantly below market rates.

C. Charges for Cutting Off and Restoring Service.

1. *Service Cut-Off.*

a. *Cutting Off Service for Nonpayment.* There shall be a \$40.00 charge to cut off service for nonpayment. There shall be no additional charge for restoring service after such cut-off.

b. *Emergencies – Cut-Off.* No cut-off charge shall be made if service is cut off to meet an actual emergency.

c. *Customer Request.* No cut-off charge shall be made if service is cut off at customer's request for the first such request. Each additional request shall be a \$25 charge during regular office hours and \$125 outside of regular office hours.

2. ~~Starting or~~ *Restoring Service.*

a. For starting or restoring service at the customer's request, there shall be a charge of \$25.00~~no charge for the first such request~~, if requested during regular office hours, and a fee of ~~\$50.00~~ \$125.00 for each such request outside of regular office hours.

b. *Altered Service.* If the meter or service has been altered without the written authorization of the director, the charge shall be \$15.00 additional to all other charges in this section.

c. *Multiple Cut-Off/Restoration Requests.* For customers who require more than one trip to the service address to cut off or restore service at their request, there shall be a fee of \$25.00 per each additional trip during regular office hours.

D. *Testing Meters – Customer's Request.* Schedule of meter test charges for test of a meter at the request of a customer where meter is found not defective:

1 inch and under	\$50.00
1-1/2 inch	\$60.00
2 inch	\$60.00
3 inch	\$80.00
4 inches or more	At cost
Meter resets	\$50.00

Meters tested and found to be defective will be replaced at no cost to the customer for testing or for replacement.

E. *Testing Meters – Other Than at Customer’s Request.* The city reserves the right to test meters at any time. No charge will be made to the customer for meters tested pursuant to this subsection.

F. Temporary water use from hydrant fees shall be set by the director pursuant to VMC 14.04.100(L).

SECTION 2. Vancouver Municipal Code Section 14.04.230, as last amended by Ordinance M-4359, Section 1, is hereby amended to read as follows:

14.04.230 Sanitary sewer service – User charges.

A. *Monthly User Charges.*

1. *Residential Customers.* Each residential customer shall pay a monthly user charge as follows:

~~Effective January 1, 2020~~

Customer Class	Inside City Limits	Outside City Limits
a. Single-Family Residential	\$58.04 per mo. or \$5.80 per CCF	\$87.06 per mo. or \$8.71 per CCF
b. Multifamily Residential	\$46.43 per mo. or \$5.80 per CCF	\$69.65 per mo. or \$8.71 per CCF
c. Nonprofit Shelter	\$1.57 per CCF	\$2.35 per CCF

~~Effective January 1, 2021~~

Customer Class	Inside City Limits	Outside City Limits
a. Single-Family Residential	\$47.84 per mo. or \$5.98 per CCF	\$71.76 per mo. or \$8.97 per CCF
b. Multifamily Residential	\$47.84 per mo. or \$5.98 per CCF	\$71.76 per mo. or \$8.97 per CCF
c. Nonprofit Shelter	\$1.62 per CCF	\$2.42 per CCF

Effective January 1, 2022

Customer Class	Inside City Limits	Outside City Limits
a. Single-Family Residential	\$49.28 per mo. or \$6.16 per CCF	\$73.92 per mo. or \$9.24 per CCF
b. Multifamily Residential	\$49.28 per mo. or \$6.16 per CCF	\$73.92 per mo. or \$9.24 per CCF
c. Nonprofit Shelter	\$1.66 per CCF	\$2.50 per CCF

Effective January 1, 2023

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> (1.483 x inside)
<u>a. Single-Family Residential</u>	<u>\$52.24 per mo. or \$6.53 per CCF</u>	<u>\$77.47 per mo. or \$9.68 per CCF</u>
<u>b. Multifamily Residential</u>	<u>\$52.24 per mo. or \$6.53 per CCF</u>	<u>\$77.47 per mo. or \$9.68 per CCF</u>
<u>c. Nonprofit Shelter</u>	<u>\$1.76 per CCF</u>	<u>\$2.61 per CCF</u>

Effective January 1, 2024

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> (1.466 x inside)
<u>a. Single-Family Residential</u>	<u>\$55.36 per mo. or \$6.92 per CCF</u>	<u>\$81.16 per mo. or \$10.14 per CCF</u>
<u>b. Multifamily Residential</u>	<u>\$55.36 per mo. or \$6.92 per CCF</u>	<u>\$81.16 per mo. or \$10.14 per CCF</u>
<u>c. Nonprofit Shelter</u>	<u>\$1.87 per CCF</u>	<u>\$2.74 per CCF</u>

2. Sewer charges for each single-family or multifamily residential customer shall be based upon that customer's average water usage, recorded when meters are normally read for billing purposes, within the previous January through March window. Each customer, other than qualifying low-income seniors as defined in subsection (A)(2)(e) of this section, is subject to a minimum volume charge of three CCF per month.

a. Single-family or multifamily residential customers shall be charged an average 60-day consumption of the billing periods specified above at the applicable inside city or outside city rate per CCF for sewer as set forth in subsection (A)(1) of this section. For new accounts in which the two-month water consumption history has not been established, the director may establish an interim rate in accordance with department

policies. The director shall approve a written policy for the setting of this interim rate that will include, but not be limited to, how the interim rate is calculated.

b. The applicable inside city or outside city flat rate set forth in subsection (A)(1) of this section shall be used as the monthly sewer billing rate for any customer for whom for any reason the provisions of this subsection cannot be used.

c. The utilities division shall develop written rules consistent with this subsection and the ordinance codified in this section for the fair and efficient administration of such sewer rate.

d. For the purpose of applying the rates as set forth in subsection (A)(2)(c) of this section, the term “nonprofit shelter” shall be defined to mean a facility operated by a nonprofit organization that provides clients with on-site food, beds or shelter for free or at significantly below-market rates.

e. For the purpose of applying the low income senior minimum sewer flow waiver as set forth in subsection (A)(2) of this section, applicants shall meet the following:

i. Applications shall be obtained from and filed with the director or their designee. The application shall be on a form prescribed by the director, and shall contain the information necessary to evaluate the applicant’s qualification for the low income senior minimum sewer flow waiver.

A. Submission of an application for a utility discount shall constitute a verification by the applicant that all information provided in such application is true and correct to the best of the applicant’s knowledge.

B. Once approved by the department, the application shall become effective the next billing cycle after approval of the application.

C. Each application is effective for 12 months commencing the first month the reduced rate becomes effective for the applicant. It shall be the sole responsibility of the applicant to reapply for successive 12-month periods of eligibility.

D. The rate reduction shall only apply to utility charges for service to a residence. The residence for which the rate reduction is requested must be the applicant's principal place of residence.

E. The applicant must be the head of the household for the residence for which the rate reduction is requested.

F. The utility account must be in the applicant's name or the name of the applicant's spouse.

ii. For purposes of this section, the term "low-income senior" shall be defined as follows:

A. Be 62 years of age or older at all times during any period for which a minimum sewer flow waiver is requested; and

B. Have been a sewer customer of the city at all times during any period for which a minimum sewer flow waiver is requested; and

C. Have an income during the calendar year or portion thereof for which a minimum sewer flow waiver is requested, from all sources whatsoever, either (1) not exceeding 200 percent of the federal poverty guidelines for a household of any size as published by the Secretary of Housing and Urban Development or (2) not exceeding the income qualification for low-income seniors set forth in RCW 84.36.381(5)(a), whichever is greater.

3. *Commercial, Industrial, Electronics and Government Customers.* Each such customer shall pay a monthly user charge per hundred cubic feet (CCF) as follows; provided, each such customer is subject to a minimum user charge equal to the applicable inside or outside city flat monthly rate for one single-family service set forth in subsection (A)(1) of this section:

~~Effective January 1, 2020:~~

Customer Class	Inside City Limits	Outside City Limits
a. Commercial	\$6.80 per CCF	\$10.20 per CCF
b. Government	\$4.16 per CCF	\$6.24 per CCF

Customer Class	Inside City Limits	Outside City Limits
c. Industrial	\$7.04 per CCF	\$10.56 per CCF
d. Electronics	\$5.18 per CCF ¹⁵	\$7.77 per CCF ¹⁶

Notes for Electronic Customer Class – Effective January 1, 2020 – December 31, 2020:

~~15~~ For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.14 per CCF.

~~16~~ For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.21 per CCF.

Effective January 1, 2021:

Customer Class	Inside City Limits	Outside City Limits
a. Commercial	\$7.01 per CCF	\$10.51 per CCF
b. Government	\$4.28 per CCF	\$6.42 per CCF
c. Industrial	\$7.25 per CCF	\$10.87 per CCF
d. Electronics	\$5.33 per CCF ¹⁷	\$8.00 per CCF ¹⁸

Notes for Electronic Customer Class – Effective January 1, 2021 – December 31, 2021:

~~17~~ For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.27 per CCF.

~~18~~ For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.40 per CCF.

Effective January 1, 2022:

Customer Class	Inside City Limits	Outside City Limits
a. Commercial	\$7.22 per CCF	\$10.82 per CCF
b. Government	\$4.41 per CCF	\$6.62 per CCF
c. Industrial	\$7.47 per CCF	\$11.20 per CCF
d. Electronics	\$5.49 per CCF ¹⁹	\$8.24 per CCF ²⁰

Notes for Electronic Customer Class – Effective January 1, 2022 – December 31, 2022:

19 For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.39 per CCF.

20 For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.59 per CCF.

Effective January 1, 2023:

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.483 x inside)</u>
a. <u>Commercial</u>	<u>\$7.65 per CCF</u>	<u>\$11.34 per CCF</u>
b. <u>Government</u>	<u>\$4.67 per CCF</u>	<u>\$6.93 per CCF</u>
c. <u>Industrial</u>	<u>\$7.92 per CCF</u>	<u>\$11.75 per CCF</u>
d. <u>Electronics</u>	<u>\$5.82 per CCF²¹</u>	<u>\$8.63 per CCF²²</u>

Notes for Electronic Customer Class – Effective January 1, 2023 – December 31, 2023:

21 For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.65 per CCF.

22 For monthly average flows above 2.88 million gallons per day, the rate shall be \$6.90 per CCF.

Effective January 1, 2024:

<u>Customer Class</u>	<u>Inside City Limits</u>	<u>Outside City Limits</u> <u>(1.466 x inside)</u>
a. <u>Commercial</u>	<u>\$8.11 per CCF</u>	<u>\$11.89 per CCF</u>
b. <u>Government</u>	<u>\$4.95 per CCF</u>	<u>\$7.26 per CCF</u>
c. <u>Industrial</u>	<u>\$8.40 per CCF</u>	<u>\$12.31 per CCF</u>
d. <u>Electronics</u>	<u>\$6.17 per CCF²³</u>	<u>\$9.05 per CCF²⁴</u>

Notes for Electronic Customer Class – Effective January 1, 2024 – December 31, 2024:

23 For monthly average flows above 2.88 million gallons per day, the rate shall be \$4.93 per CCF.

24 For monthly average flows above 2.88 million gallons per day, the rate shall be \$7.23 per CCF.

4. The rate for discharging septage at the city's publicly owned treatment works (POTW) as provided for in Chapter 5.72 VMC effective January 1, 2021, shall be \$155.00 for each 1,000 gallons, or fraction thereof, discharged into the POTW. The rate for discharging septage at the city's POTW may be adjusted not more than once per calendar year by the director to address the unique operational and capital needs associated with providing this service.

5. "Industrial customer" is defined as an industrial user of the public sewer system who:

- a. Has a discharge flow of 10,000 gallons of processed wastewater or more per average workday; or
 - b. Has a concentration of biochemical oxygen demand (BOD) and suspended solids (SS) in excess of 200 milligrams per liter per average work day; or
 - c. Is found by the city, State Department of Ecology or U.S. Environmental Protection Agency to have potential for a significant impact on the wastewater treatment system.
6. "Electronics user" is defined as an industrial user of the public sewer system who:
- a. Has a discharge flow of 500,000 gallons or more per average work day; and
 - b. Has a concentration of biochemical oxygen demand (BOD) and suspended solids (SS) less than 200 milligrams per liter per average work day.

B. *Liquids Not Originating From City Water System.* Any person discharging into the city sanitary sewerage system sewage which has in it liquids which did not originate from the city water system shall meter or measure by some method approved by the director all water used in the premises, whether the water is obtained from the municipal water supply system or from wells, private water systems or other sources.

C. *Used Water Not Flowing Into Sewer System.* Where the user of water is such that a portion of all of the water used does not flow into a city sewer but is lost by evaporation or is used in manufacture or processes such as ice, beverages, foods or the like and the person in control provides proof of this fact and installs a meter or other measuring device approved by the director to measure the amount of water so used or lost, no charge shall be made for sewerage because of water so used or lost.

D. *Computation of Utility Rates.* For the purpose of computing water and sewer bills, all residences, regardless of number of units, shall be deemed residential, and each unit therein shall be deemed a residence. All other uses shall be deemed commercial, industrial or government.

SECTION 3. Vancouver Municipal Code Section 14.04.230B, as last amended by Ordinance M-4359, Section 1, is hereby amended to read as follows:

14.04.230B Conditions and charges applicable to water, sewer and stormwater accounts.

A. Deposits.

1. *Customer.* Applications for water, sewer or stormwater/drainage service by a customer who is the owner or owner's agent of the serviced property and who has previously been delinquent in paying for such service shall be accompanied by a deposit equal to twice the largest bill at the service address applied for the prior two years. Payments must be made by owner or owner's agent.

2. As authorized by 11 U.S.C. Section 366, unless otherwise directed by the director of the affected department, the minimum deposit for adequate assurance of payment in the event of bankruptcy shall be:

- a. Two months estimated utility charges for Chapter 7 and Chapter 11 filings;
and
- b. One month estimated utility charges for Chapter 13 filings.

3. *Rental tenants.* Applications for service made by the tenant of a rented or leased residential or commercial premises who has previously been delinquent in paying for such service, shall be accompanied by a deposit equal to twice the amount of the largest bill at the service address applied for or at the tenant's previous service address for the prior two years.

4. *Processing of deposits.* Deposits shall not bear interest. Upon termination of service to the customer/owner or rental tenant, the amount of the deposit shall be applied against any water, sewer, stormwater/drainage or other utility charges then due or to become due from the customer/owner or rental tenant, including any late fees, interest, penalties, reconnection/disconnect fees, or other charges or fees, and shall be remitted to the appropriate fund. If the amount of the deposit is not sufficient to pay the total unpaid charges, remittance shall be made to the appropriate fund or funds pursuant to rules prescribed pursuant to VMC 14.04.020. If there is a balance remaining on the deposit after payment of all charges, such balance shall be refunded, less a city processing fee of \$5.00.

5. *Application of deposit prior to termination of service.* In the event that the director determines, based on rules and criteria prescribed pursuant to VMC 14.04.020, that a deposit is no longer needed to ensure payment prior to termination of services to the customer, the deposit may, with customer consent, be applied to current utility charges.

6. Nothing in this title shall prevent the city from requiring new or additional deposits should the conditions so warrant.

B. *Late fee.* There shall be added to any delinquent water, sewer, or stormwater bill a one-time late fee equal to 10 percent of the delinquent bill.

C. *Missed appointments.* There shall be a \$25.00 fee for customers who miss an appointment for which a city employee is dispatched to the service address unless the service call is cancelled by the customer 24 hours prior to the appointment.

D. *Incorrect bank numbers.* For those customers who choose to utilize an electronic bill paying system, and who provide the city an incorrect routing transit number of the bank or incorrect bank account number, there shall be a \$15.00 fee assessed for each time the city utilizes such bank number until the customer provides the correct number.

E. *Requested reads.* ~~For customers~~ Customers who request for meter reads not resulting from the sale or transfer of property will be charged ~~\$7.50~~ \$20.00 for the first meter read, and \$25.00 for each additional meter read.

F. *Dishonored checks.* Utility customers whose checks to the city are dishonored shall be subject to the fees established under VMC 3.08.060. The city reserves the right to require payment by cash or certified funds from any customer who has previously tendered a dishonored check.

G. *Application of payments.* Payments, when received, shall be applied by date in the following sequence:

1. Deposits;
2. Service charges;
3. Stormwater penalties;
4. Sewer penalties;

5. Water penalties;
6. Stormwater;
7. Sewer; and then
8. Water.

H. *Budget payment plan.* The director is hereby authorized to create and implement a budget payment plan in accordance with state law. Such plan shall permit the authorized customer to make payments of utility charges on an annual averaged basis rather than on a per billing cycle basis, with at least one annual adjustment to ensure that the amount paid by the customer on an annual basis reflects the actual charges incurred.

SECTION 4. Vancouver Municipal Code Section 14.09.060, as last amended by Ordinance M-4359, Section 3, is hereby amended to read as follows:

14.09.060 Rates for storm and surface water management.

A. Because all real property in the city contributes stormwater runoff to and/or benefits from the city's stormwater system, the owners thereof shall pay monthly charges as set forth in this section. Monthly charges will have two components as follows:

1. *Operation and Maintenance.* To provide for administrative and field operations, billing, accounting, and for the maintenance, repair and upgrade of existing stormwater facilities.
2. *Capital Expenditures.* To provide for basin-wide and system master planning and subsequent capital improvement projects as identified in the stormwater capital plan.

B. The water and sewer utility is authorized to establish charges for the use and discharge to the city's stormwater system. Such charges shall be based on the cost of providing stormwater service to all properties within the city and may be different for properties receiving different classes of service. Monthly charges shall be established as follows:

~~Effective January 1, 2020~~

Single-Family	Multifamily	Commercial	Industrial
\$11.80 per month	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)	\$11.80 per 2,500 sq. ft. hard surface per month (\$11.80 minimum)

Effective January 1, 2021

Single-Family	Multifamily	Commercial	Industrial
\$12.39 per month	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)	\$12.39 per 2,500 sq. ft. hard surface per month (\$12.39 minimum)

Effective January 1, 2022

Single-Family	Multifamily	Commercial	Industrial
\$13.01 per month	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)	\$13.01 per 2,500 sq. ft. hard surface per month (\$13.01 minimum)

Effective January 1, 2023

<u>Single-Family</u>	<u>Multifamily</u>	<u>Commercial</u>	<u>Industrial</u>
<u>\$14.05 per month</u>	<u>\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)</u>	<u>\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)</u>	<u>\$14.05 per 2,500 sq. ft. hard surface per month (\$14.05 minimum)</u>

Effective January 1, 2024

<u>Single-Family</u>	<u>Multifamily</u>	<u>Commercial</u>	<u>Industrial</u>
<u>\$15.17 per month</u>	<u>\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)</u>	<u>\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)</u>	<u>\$15.17 per 2,500 sq. ft. hard surface per month (\$15.17 minimum)</u>

C. "Multifamily customer" class shall apply to customers with living units that share a common wall.

1. Multifamily customers with two or more living units per meter will be charged the effective rate per 2,500 square feet of impervious surface.

2. Multifamily customers with one water meter per living unit will be charged the prevailing "single-family customer rate" per unit. "Single-family customer rate" shall apply to mobile homes either on individual lots or in a mobile home park.

D. *State Highway Charge.* Pursuant to RCW 90.03.525, the monthly charge for all state highway properties within the city shall be 30 percent of the charge provided in subsection B of this section, unless the city and state agree to a different rate or unless the court of competent jurisdiction holds otherwise.

E. *Application to Publicly Owned Properties.* Other publicly owned properties shall be charged at the industrial rate as set forth herein.

F. *Application to Active Gravel Mining Operations and Publicly Owned Streets, Alleys and Rights-of-Way.* Active gravel mining operations, publicly owned streets, alleys and rights-of-way shall be charged at the state highway charge rate provided in subsection D of this section.

G. *Application to Certain Qualifying Properties.* For qualifying properties meeting all of the following criteria, the monthly charge shall be 30 percent of the charge provided in subsection B of this section.

1. The qualifying property is subject to a stormwater management program regulated by and in compliance with the requirements for a Phase 1, Phase 2, or secondary permittee as defined by Special Condition S6 of the NPDES Western Washington Phase II Municipal Stormwater Permit, and as hereafter amended; and
2. The qualifying property does not discharge stormwater into the city of Vancouver surface water drainage system; and
3. If infiltrating on site, water quality treatment shall meet current city of Vancouver and Department of Ecology standards and requirements for the land use.

SECTION 5. Savings. Those sections of any ordinances amended or repealed by this ordinance shall remain in full force and effect until the effective date of this ordinance.

SECTION 6. 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 7. Effective Date. This ordinance shall become effective as of January 1, 2023, following the date of final adoption.

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

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE related to the water, sewer and surface water utility user rates, amending Vancouver Municipal Code Sections 14.04.210, 14.04.230, 14.04.230B and 14.09.060; and providing for savings, 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).



Staff Report: 181-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT Water and sewer System Development Charge (SDC) ordinance changes

Key Points

- Staff has held multiple workshops with Council about the Water Resiliency Strategy. SDC increases are one of the elements that are recommended to be adjusted to meet water and sewer utility's needs, related to providing services to a growing customer base.
- SDCs have not been increased in 10 years.
- Vancouver connection fees are significantly below those in surrounding jurisdictions.
- Currently connection fees are not tied to inflation.
- Increasing SDCs ensures the development community is paying its fair share into the water and sewer system expansion needs.
- Increasing SDCs helps maintain rate increases for all water and sewer customers at a lower rate.

Staff is reviewing an SDC waiver process for qualifying affordable housing projects and anticipates returning to Council in 2023 with a recommended program that accomplishes the City's goals of encouraging affordable housing and is simple for staff to administer.

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 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained

Present Situation

The City System Development Charges are one-time charges applicable to new developments. Those charges are assessed on a per residence basis proportionate to the impact of those units on the city-wide system. Due to the one-time nature of the fees, they are utilized towards funding

the costs of utility infrastructure. SDCs help the City fund increased infrastructure needs to support increase in the number of customers and system utilization.

In 2019, the City contracted with FSC Group to review utility fees and make recommendations on rates. One of the major recommendations was to update the City's connection fees to help fund capital investments into the system. This ordinance recommends adjusting the SDCs for the water and sewer utilities. The updated water SDC calculation justifies increasing the water SDC rate from \$2,360 to \$3,410 per meter equivalent (ME). The updated sewer SDC calculation justifies increasing the rate from \$2,740 to \$3,396 per EDU based on the anticipated expansion of system capacity. These increases are attributable to the addition of assets, accrual of interest, and the reduction of offsetting debt obligations. The updated SDC calculations also include a combined total of \$156 – \$206 million in future projects from the 20-year water and sewer capital plans that will be needed to expand those system capacities to serve growth.

Proposed change:

- Water = \$3,410 per equivalent meter size
- Sewer = \$3,396 per equivalent dwelling unit
- Note: equivalent meter size and equivalent dwelling unit are equal to one single-family residence. Multi-family and commercial SDCs are increased proportionally based on their impact to the system.

The SDC adjusting ordinance also recommends including an annual inflationary adjustment to ensure fees keep up with inflation, consistent with VMC 3.20.100, beginning in 2024.

Staff reached out to 22 developers and representatives of the business community in March, 2022. A range of questions were posed by the business community around calculation methodology, timing of payment, effective date for new rates and potential phasing, and calculation of commercial SDC rates.

City staff is not recommending a phased approach to SDC increases at this time because phasing continues ratepayer underwriting of new development and capital projects will be impacted or delayed resulting in higher costs. The City's new rates remain lower than comparably situated jurisdictions, and it has been a substantial time since the last increase.

Staff is reviewing an SDC waiver process for qualifying affordable housing projects and will come back to Council in 2023 with a proposed program that accomplishes the City's goals of encouraging affordable housing and is simple for staff to administer.

An attachment included with this item that indicates where the City of Vancouver SDC rates currently are and where they will be after the implementation of the attached ordinance.

Advantage(s)

1. Maintains the long-term financial viability of Vancouver's water and sewer utility ensuring customer service, rate equity, and reliability.
2. Ensures the development community is paying its fair share into the water and sewer system needs.
3. Helps reduce rate increases for all water and sewer customers.

Disadvantage(s)

The proposal results in SDC increases for all the development community; however, even with the increase, Vancouver's SDC still compares very favorably with other local and regional jurisdictions

– see attached graphic comparing regional SDCs.

Budget Impact

The proposed rate increases are anticipated to generate approximately \$1.5 million per year in sewer and an estimated \$2.2 million in new water revenue.

Prior Council Review

- WRS workshop 10-18-2021
- WRS workshop 4-18-2022
- WRS workshop 6-13-2022
- WRS workshop 8-15-2022
- SDC memo 9-9-2022
- WRS financial lever memo 6-2-2022
- WRS introduction memo 10-13-2021
- Budget Workshop November 9, 2022

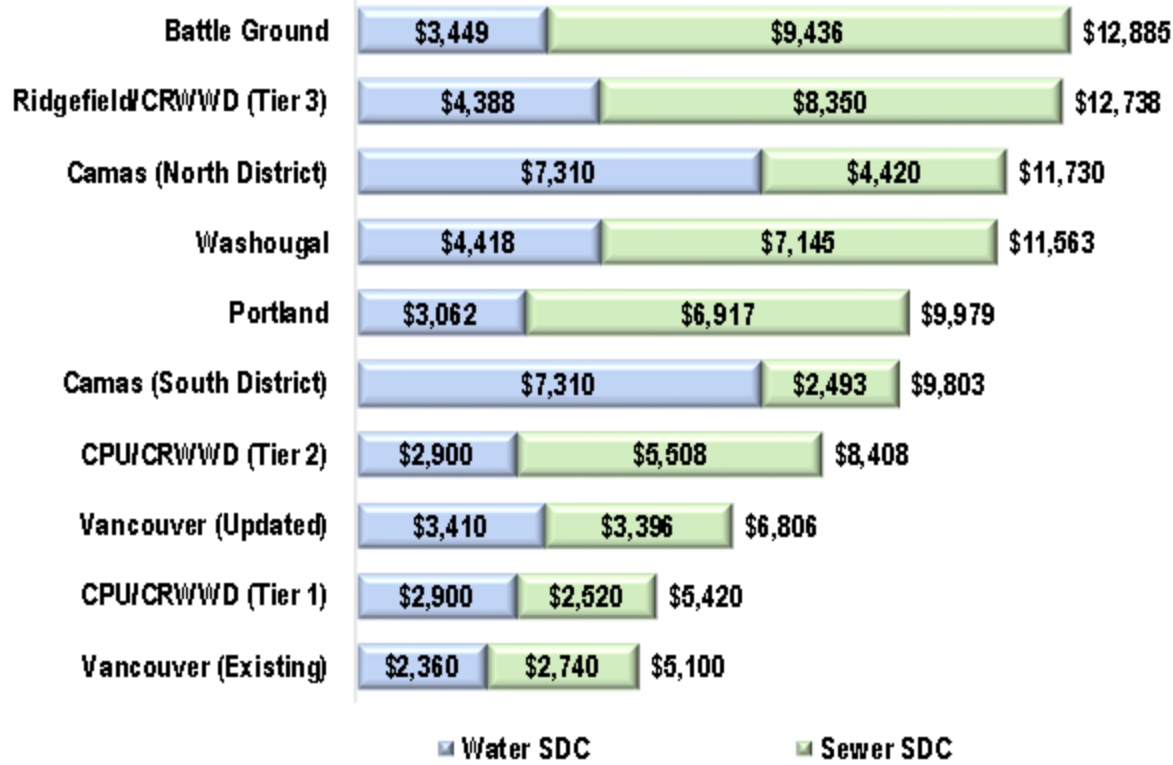
Action Requested

On Monday, November 14, 2022, approve ordinance on first reading, setting the date of second reading and public hearing for November 21.

Chris Malone, Public Works Finance and Asset Manager, 360-487-7711

ATTACHMENTS:

- ▢ SDC rate comparisons
- ▢ SDC Waiver Update Ordinance



11/14/22
11/21/22

ORDINANCE NO. M-_____

AN ORDINANCE relating to system development charges, amending Section 14.04.235 of the Vancouver Municipal Code; providing for an increase to the system development charges for the water and sewer utility, indexing annual increases of the system development charge to the appropriate Consumer Price Index; and providing clauses for savings, severability, and an effective date.

WHEREAS, the City underwent a rate study that recommended an increase in the water and sewer utility system development charges so the development community pays its fair share for upcoming capital needs; and

WHEREAS, it has been 10 years since the City has raised the system development charges; and

WHEREAS, indexing the system development charges to the appropriate consumer price index helps the fees keep pace with inflation without having to come back to City Council for approval each year; and

WHEREAS, with proper notice to the public, the City Council conducted a first reading of the proposed ordinance on November 14, 2022, and a public hearing concerning the ordinance and proposed code changes on November 21, 2022.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

SECTION 1. Vancouver Municipal Code Section 14.04.235, as last amended by

Ordinance M-4359, is hereby amended to read as follows:

14.04.235 System development charges – Connection fees.

A. *General.* The following facts are found by city council based upon staff reports furnished to it and upon the testimony and evidence presented at public hearings:

1. Findings of fact made in Section (1) of Ordinance M-2267 and in the whereas clauses thereto are ratified and confirmed and this section is adopted pursuant to and consistent with RCW 35.92.025.
2. The need for connection charges has been previously established through engineering studies, task force reports, consultant reports and council action.
3. This chapter is consistent with the intent of previous ordinances and resolutions relating to system development charges.
4. It is found desirable to provide the director with the authority to establish rules and regulations necessary to administer collection of system development charges; provided, that such rules and regulations shall be consistent with the intent of this chapter and related resolution.
5. The "unit" or "equivalent dwelling unit" measure used in this chapter is found to be the best method available to council to provide that customers will bear their equitable shares of the cost of the utility system and is found to comply with RCW 35.92.025.

B. *Definitions.* The following definitions are adopted for the following words and phrases as used for computing system development charges (connection fees):

“Accessory Dwelling Unit” (ADU) means one or more rooms with private bath and kitchen facilities comprising an independent, self-contained dwelling unit within or attached to a single-family dwelling or in a detached building on the same lot as the primary dwelling unit. An ADU is distinguishable from a duplex in that, unlike a duplex, it is clearly subordinate to the primary dwelling unit, both in use and appearance. Approved ADU’s shall not be subject to the separate metering requirements of VMC 14.04.190(I).

"Average daily attendance (ADA)" means the average number of students attending an elementary or secondary school used for the design of the facility.

"Commercial unit" means any building or facility used for any purpose other than dwelling.

"Dry industry" means any industry which does not produce industrial waste as defined in VMC 14.12.010.

"Dwelling unit" means one room or a suite of two or more rooms, designed for or used by one family or housekeeping unit for living and sleeping purposes and having one kitchen. Each unit shall provide a complete independent living space for one or more persons, including permanent facilities for living, sleeping, eating, cooking and sanitation.

"Equivalent dwelling unit (EDU)" means any residential or nonresidential use which has been reasonably found by the director to place a demand on the city’s sewerage system or water system approximately equal to the demands thereon by a single-family dwelling.

"Expanded service" means any additional use, expanded use or change in use which will cause an additional demand on the water-sewer utility. Such additional demand shall be recognized to include, but shall not be limited to, the following changes in service:

1. Additional water meter;
2. Increased size of existing water meter;
3. Additional number of dwelling units on an existing water meter or sewer lateral;
4. Any change of occupancy or use which would increase the number of equivalent dwelling units connected or to be connected to an existing water meter or sewer lateral;
5. Expansion of an existing use where the system development charge is independent of the meter equivalent size.

"Fast food restaurant" means a restaurant in which the majority of items sold are served on paper or other nonwashable materials.

"Full-time equivalent (FTE)" means the equivalent number of full-time students attending a post secondary school such as a trade school, college or university.

"Industrial unit" means any building or facility other than a single-family dwelling, multiple-family dwelling, or hotel which discharges or is expected to discharge to the sanitary sewerage system a flow containing a total of more than 50 pounds of suspended solids and BOD in any one day.

"Industrial user" means a nonresidential user of the public sewer who discharges a waste that is distinct from sanitary sewage, resulting in an industrial waste.

"Industrial waste" means any liquid, solid or gaseous material or combination thereof resulting from any process of industry, manufacturing, commercial, food processing, business, agriculture,

trade or research, including, but not limited to, development, recovering, or processing of natural resources and leachate from landfill or other disposal site.

"Irrigation meter" means a water meter used exclusively for irrigation of landscaped areas.

"Meter equivalent size (MES)" means the hydraulic equivalency of any meter related to a 5/8" by 3/4" meter. By definition a 5/8" by 3/4" meter has an MES of 1.

<u>Meter Size</u>	<u>Meter Equivalent Size (MES)</u>
5/8 " x 3/4"	1.0
1"	2.5
1-1/2"	5.0
2"	8.0
3"	15.0
4"	25.0
6"	50.0
8"	80.0
10"	144.0
12"	231.0

"Mobile home" means any unit used or designed to be used for living or sleeping purposes or both, and which is designed to be equipped with wheels for the purpose of transporting the unit.

"Mobile home park" means a commercial enterprise in which rented or leased space, area, and/or buildings are designed, equipped or maintained for the harboring, parking or storing of two or more trailer coaches, or vehicles which haul such trailer coaches, or motor homes being used as living and/or sleeping quarters for humans; provided, two or more mobile homes located on a single parcel, allowed under a variance, conditional use or nonconforming use, shall be considered as single-family dwellings.

"Multiple family (multifamily) dwelling" means a building or portion thereof designed or used as a residence by two or more families and containing two or more dwelling units. This includes ADU's that share water or sewer service from service connections for the primary residence.

"Noncontact cooling water" means a separate water system exclusively for temperature conditioning that remains in a closed system from the water meter to the point of discharge into a storm sewer or dry well.

"Significant industrial user" means any industrial user of the public sewer system who:

1. Has a discharge flow of 25,000 gallons or more per average workday; or
2. Has a concentration of biochemical oxygen demand (BOD) and suspended solids (SS) in excess of 300 milligrams per liter per average workday; or
3. Is found by the city, State Department of Ecology, or U.S. Environmental Protection Agency to have significant impact on the waste system's effluent quality.

"Single-family dwelling" means a building designed or used for residence purposes by not more than one family and containing one dwelling unit only, including mobile homes when not located in a mobile home park and including condominium units subject to fee simple ownership, and

excluding multiple-family dwellings, apartments and motels. This also includes ADU's that take water and sewer service from service connections separate from the primary residence.

"System development charge (SDC)" means that connection fee charged so that the property upon which it is imposed will pay its equitable share of the costs of water-sewer system facilities which are system-wide in nature and are not site-specific needs, including such property's equitable share of the amount required to upgrade such system to meet the demands imposed by the development.

"Wet industry" means any industry which generates industrial wastes in addition to domestic wastes.

C. Payment Required Prior to Connection. A system development charge is imposed as a connection charge pursuant to RCW 35.92.025 upon all lands in the city and all lands outside the boundaries of the city which connect to either the city water system or sewerage system or to both. The system development charge shall be paid in full with an application for connection to the sewer system or water system; provided, that a building permit application or an application for expanded service has been filed. In any case in which a building permit expires from passage of time any utility connection permit which had been issued for the use provided for in that building permit shall likewise expire and a new system development charge must be paid and a new utility connection permit secured.

D. Waiver and/or Mitigation. The city council may authorize the city manager to enter into a contract to mitigate or waive systems development charges as set forth in this section provided that a written application for such mitigation or waiver is submitted to the director from an applicant proposing a new or expanded development within the city of Vancouver.

In order to be eligible for mitigation or waiver, an applicant shall meet all of the following criteria:

1. *Type of Industry.* The applicant proposes a new development or an expansion of an existing development within the city of Vancouver that is environmentally compatible with the surrounding area and the city as a whole.
2. *Capital Investment Requirement.* Any new development or expansion of an existing development within the city of Vancouver will result in a minimum capital investment of \$100,000,000 over a five-year period. At least \$30,000,000 in capital investment will be completed within the first two years (adjusted for inflation).
3. *Employment Base Requirement.* The employment base generated by any new development or expansion of an existing development within the city of Vancouver shall provide an average annual compensation amount for employees of that new or expanded development equal to or in excess of \$51,742 including all fringe benefits. For existing companies, average annual compensation for employees shall have equaled or exceeded \$51,742 including fringe benefits, bonuses, etc., over the previous two-year period. Effective January 1, 2023, and every January 1st thereafter, the average annual compensation amount set forth above shall be adjusted consistent with VMC 3.08.100. ~~by an amount equal to the percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W), All Items (West Region), 1967=100, July to July, prepared by the Department of Labor, Bureau of Labor Statistics (the "CPI") or a replacement index.~~

If the director finds that the applicant meets such criteria, the director is authorized to negotiate a performance contract with any such qualifying company. The terms of such performance contract may include, if applicable, a timeline by which the entire capital investment commitment and the established annual compensation requirement shall be met. The extent of

mitigation or the waiver of a systems development charge will be determined on a case-by-case basis which determination shall include, but not be limited to, the following:

- a. The estimated amount and characteristics of waste flow generated by the industry;
- b. The then current capacity and capability of the water-sewer utility;
- c. The number of jobs created by the proposed development and the extent to which such jobs exceed the average annual compensation requirement;
- d. Probability of significant increases in assessed valuation and generation of property tax revenues to reduce the tax burden;
- e. A determination that the location or expansion of the company is in compliance with the land use, transportation and other elements of the city of Vancouver comprehensive plan;
- f. An agreement by the company to contribute to the mitigation of impacts on the provision of public services attributable to the proposed development or expansion as the city of Vancouver deems justifiable.

Each such contract or agreement will include a recapture provision or other remedies to ensure that appropriate systems development charges will be paid by the industry in the event that it fails to meet its contractual obligations. Such recapture provisions shall not be imposed if the industry has made a good faith effort to comply and has failed to do so for reasons beyond its control. Each such contract shall be submitted to the city council for consideration at a public meeting.

E. *Credit for Existing and Prior Uses.* A credit against the system development charge (SDC) may be allowed by the director for the elimination or conversion of existing water services or sewer connections in conjunction with improvement, expansion of use or redevelopment on such parcel. The credit shall be calculated using the prevailing SDC rate schedule and is subject to the following limitations:

1. Existing and prior use sewer and water credit shall be allowed if the director finds that sewer and water capacity is available in the service area; and

- a. If the existing or prior use has paid monthly water and sewer fees, respectively, within the 10-year period immediately prior to the date of application for connection, the customer may apply for a 100 percent credit against any new SDCs associated with the new use; or

- b. If the existing or prior use has paid monthly water and sewer fees, respectively, prior to 10 years before the date of application for connection, the customer may apply for a partial credit for previous payments of SDCs, using the entire amount previously paid to be applied as credit against the current SDC charge calculated using the prevailing SDC rate schedule; or

- c. If the city council approves a development agreement authorized under RCW 36.70B.170 that provides for a use credit for prior water and sewer uses if the city council finds that the proposed development will substantially advance the policies of the comprehensive plan.

2. Calculation of system development charge credits for water or sewer shall be separate, that is, not interchangeable or counter balancing toward one another; and

3. The credit against the SDC shall apply only to the parcel that the existing or prior water service or sewer connection serves; and

4. No refunds shall be allowed for credits which exceed the amount of the SDC for which an application for connection is made.

F. *Credit for System Improvements.* The director will consider requests for project participation by the city for the construction of water and/or sewer extensions or local improvement districts, in the form of a credit against the system development charge (SDC) for system improvements. The restrictions in subsections (E)(2), (E)(3) and (E)(4) of this section shall apply to any SDC credits. Consideration may be given when the improvements meet one of the following criteria:

1. There is a high economic return to the utility. A project will qualify for consideration under this criteria when the following equation is true:

$$2 \times (\text{City Participation Costs}) < \text{1st Year of Estimated Revenue from SDCs}$$

2. There is future city cost avoidance, such as installing utilities in advance of new road construction.

3. Master plan sizing is required under VMC 14.04.280(B) and the pipe size required is 12 inches or larger in diameter.

G. *Administration.* The director is authorized to establish rules and regulations consistent with this title, for the express purpose of interpretation and administration of this title.

H. *Additional Fees Permitted.* The city reserves the right to maintain, develop and impose other charges as may be found necessary for the support and improvement of the water-sewer system.

I. *System Development Charge Schedule.* The following system development charge schedule shall be used to determine the connection fees for new connections and expanded use or conversion of use:

1. *Water System Development Charge.* The system development charge for all types of use except multifamily shall be based upon the meter equivalent size of the water meter serving the premises without regard to type of use as follows:

Effective January 1, ~~2010~~ 2023

One meter equivalent size (MES)	\$ 2,360.00 <u>3,410.00</u>
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The water system development charge for each unit of a multifamily dwelling shall be 57 percent of the system development charge for a single-family dwelling.

2. *Sewer System Development Charge.* The system development charge shall be based upon equivalent dwelling units (EDU) as follows:

a. Charge per equivalent unit:

Effective January 1, ~~2010~~ 2023

One meter equivalent	\$ 2,740.00 <u>3,396.00</u>
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The sewer system development charge for each unit of a multifamily dwelling shall be 70 percent of the system development charge for a single-family dwelling.

b. Distribution of equivalent dwelling units shall be as set forth in Table 14.04.235.

Table 14.04.235.

Type of Unit	Unit	EDU Per Unit
I. Residential		
1. Single-family residential (including condominium	Each	1.00
2. Multifamily dwelling	Each dwelling unit	0.70
3. Mobile home park	Space	1.00
4. Living group with shared kitchen and bath facilities	Bed	0.33
II. Nonresidential		
5. Hotel, motel, resort		
a. Without kitchen	Room	0.40
b. With kitchen	Room	0.60
6. Schools		
a. Day (nonresidential)		

Type of Unit	Unit	EDU Per Unit
i. Grades 13 and up (post-secondary)	25 students (FTE)	1.00
ii. Grades 9 through 12 (high)	25 students	1.00
iii. Grades K through 8 (elementary)	50 students (ADA)	1.00
b. Board (residential)	Student (ADA)	0.50
7. Churches, lodges, club houses, theaters		
a. Without kitchen facilities	100 seats	0.90
b. Kitchen facilities	Each	0.60
(added to the amount calculated for seating)		
8. Institutions		
a. Medical hospitals	Bed	1.00
b. Convalescent/rest homes	Bed	0.60
9. Restaurant, lounge, tavern		
a. Full service (indoor seating)	12 seats	1.00
b. Fast-food or tavern (indoor seats)	12 seats	1.00

Type of Unit	Unit	EDU Per Unit
c. Fast-food without seats		1.00
10. Commercial and industrial		(2)
a. Commercial and dry industrial		
b. Special commercial		
i. Laundries (commercial)		
ii. Car wash		
iii. Laundromat (self service)		
c. Service stations and garages		(3)
d. Wet industry		
11. Irrigation systems		(4)
12. Noncontact cooling water systems		(4)

Notes to system development charge schedule:

1 Restaurants, lounges or taverns located within a main commercial or industrial building shall be charged a separate SDC, in addition to the SDC for the main building.

2 Fast-food restaurants without seats (9c) and commercial and industrial uses (10a through 10c) shall be charged system development charges, based upon water meter equivalent size (MES).

3 System development charges for any wet industrial use (10d) shall be based on a separate engineering study by the director. Such study shall assess the utility's actual costs to serve the specific use, but shall not be less than if calculated as a commercial or dry industrial use (10a).

4 Irrigation meters (11) and noncontact cooling water (12) shall be charged system development charges for water only.

The fees within this subsection 14.04.235(I) shall be increased annually in accordance with VMC 03.08.100, beginning on January 1, 2024. City Council may increase fees periodically above and beyond the requirements of VMC 03.08.100 if it is deemed that the consumer price index is not keeping pace with construction cost increases or an updated rate study finds that an increase in system development charges is recommended.

J. *Determination of SDC for Other Uses.* Other establishments not defined specifically in this chapter shall be determined on a specific use basis, consistent with the criteria of this section.

K. *Combined Uses.* Developments which include a combination of two or more uses as defined in this chapter shall be charged system development charges based on the summation of SDC calculated on each separate use.

L. *System Development Charge Capital Surcharge.* In lieu of paying a sewer system development charge prior to connection as required pursuant to subsection C of this section, any new nonresidential sewer customer that uses the equivalent of 50 EDUs per month or less of capacity may apply for the option to pay a higher monthly sewer service user charge that includes a capital surcharge equivalent to the carrying cost of sewer capacity recovered through the sewer system

development charge. In calculating the applicable SDC capital surcharge, the department will generally use the methodology for sewer connection fee installment contracts described in VMC 14.04.240. The system development charge capital surcharge program is voluntary. As such no customer may remain on the program for longer than 10 years. After 10 years the sewer customer shall pay the entire SDC as originally calculated or request an extension in writing from the director. The city reserves the right to record a notice against the title for any property owner who has agreed to participate in this program. Any nonresidential customer authorized by the city to pay the sewer capital surcharge rate may elect to return to the standard sewer service user charge by paying in full the sewer system development charge at the rate in effect as of the date of the election.

SECTION 2. Savings. Those sections of any ordinances amended or repealed by this ordinance shall remain in full force and effect until the effective date of 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. Effective Date. This ordinance shall become effective as of January 1, 2023, following the date of final 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 - 18

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE relating to system development charges, amending Section 14.04.235 of the Vancouver Municipal Code; providing for an increase to the system development charges for the water and sewer utility, indexing annual increases of the system development charge to the appropriate Consumer Price Index; and providing clauses for savings, 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).



Staff Report: 182-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022
11/21/2022

SUBJECT 2023-2024 City of Vancouver Biennial Operating and Capital Budget

Key Points

- The 2023-2024 Biennial Budget appropriates \$1.7 billion for Operating and Capital Budgets, appropriated to support the City's priorities of safety, equity and climate action.
- The Budget was prepared based on policy direction set by the Council, as well as extensive community engagement that included in person forums, online engagement, engagement with appropriate community advisory boards and commissions, as well as a community survey.
- 110.35 new full time equivalent (FTE) positions are added, bringing the total City FTE balance to 1,341 by 2024, a 9% increase over the FTE complement approved in the 2022 Budget.
- The budget is balanced by on-going revenues and available cash resources and is consistent with the City of Vancouver approved Financial Policies. The budget does not rely on new debt except for the Section 108 loan funded by the future CDBG federal allocation to the City.
- The budget assumes a 1% property tax revenue increase in both 2023 and 2024, new property tax revenue generated by the voted Proposition 2, a blended 6% rate adjustment for water, sewer, and surface water and solid waste utilities, phased increase in the parks impact fees and system development charge fees, and inflationary adjustments on other City fees. The budget also assumes receiving revenue resulting from the from the Transportation Benefits District sales tax increase of 0.1%.

Present Situation

The City of Vancouver 2023-2024 Biennial Budget has been prepared for approval in a manner consistent with direction set by the City Council in Spring 2022 and informed by broad community engagement that occurred through the summer of 2022. The Recommended Budget was published by the City Manager on October 1st, 2022 and was presented to Council in workshops held on October 10th, 17th, 24th and November 7th.

The 2023-2024 Biennial Budget appropriates \$1.7 billion for both operating and capital expenses,

representing a 17% increase over the current 2021-2022 budget. It proposes using \$70 million in existing cash reserves city-wide to fund both the capital program and one-time initiatives. A total of \$1.4 billion is appropriated for all City operating funds and \$0.3 billion for capital funds and related funding transfers. There are 110.35 full time equivalent (FTE) positions added, bringing the total to 1,341 FTEs by the end of 2024, representing a 9% increase over the 2022 FTE complement.

Operating Budget

Total 2023-2024 Operating budget in all city funds is \$1.4 billion. Of that amount, General, Street and Fire Budget appropriation for the two-year time period is \$668.8 million. The 2023-2024 Budget continues to fully fund City reserves and depreciation accounts to the levels dictated in the Council-approved financial policies, while maintaining adequate operating capital throughout the biennium. The Budget also increases staffing in key areas, including fire, police, planning, economic development, diversity and inclusion, capital project management, and support services. The Budget utilizes \$6 million in existing General Fund cash reserves to fund one-time projects, including several strategic City initiatives, and a select number of capital projects.

The revenue forecast that was utilized in preparation of the 2023-2024 Biennial Budget was built anticipating slow economic growth over the biennium locally.

The Budget moves forward a large number of high priority initiatives advancing equity, climate and safety priorities of City Council and the community. Some of the highlights of the initiatives in this area are outlined below:

- The Budget implements the service level increase in Fire supported by the voted property tax initiative. A total of 44.5 FTEs was added in Fire funded by the Proposition 2. Additional 2.0 FTEs were added in the Fire Marshall's office.
- Seven (7.0) new positions were added in the Police Department over the biennium and 2.0 former School Resource Officer (SRO) positions were converted into regular patrol positions during the biennium, supported by the General Fund. Expenses related to the officer camera program, new taser purchases and associated resources to support the program were included in the Recommended budget. This video camera equipment is supported by a federal grant.
- The Budget continues funding for coordination of the City's efforts to respond to homelessness. One new Safe Park and two additional Safe Stay sites are included, bringing the total number of Safe Park communities to two and five Safe Stay sites within city limits. An additional outreach coordinator was added to work pro-actively with the population experiencing homelessness.
- A dedicated new FTE is added in the CMO to further community engagement and implementation of the City's Climate Action Plan initiatives.
- Funding is also set aside to add solar panels to city buildings, replace lights with LED lights in City facilities, invest in construction of electric charging stations by city facilities and in key strategic areas of the City to support City's transition to electric, hybrid and alternate fuel vehicles. The City will begin replacing all fleet vehicles with electric, hybrid or alternate fuel vehicles over the next two-years.
- Additional 3.0 FTEs were added in the Parking fund to support anticipated weekend service

and enforcement, as well as enhanced effectiveness in management of parking demand.

- A new position was added in the Office of Diversity, Equity and Inclusion (DEI) to work as a business partner with City departments to advance the City's DEI work. This position will primarily work with public safety and public works departments. The office that was first created in the 2021-22 Biennial Budget has grown to a team of three in support of growing the City's capacity to deliver more equitable and inclusive services to an increasing diverse population.
- The budget includes adding \$2.5 million in ARPA funds to support the increase in costs of the Fourth Plain Commons project. The remainder of the project is funded using a combination of General Fund, CDBG funding sources, and utilizing a Section 108 Loan to round out the funding of the project. The project will serve as an incubator for new businesses to revitalize the Fourth Plain Corridor.
- Almost \$25 million in ARPA federal funds is set aside to fund an array of projects in the Fourth Plain Corridor. The specific list will be co-developed with the community over the next several months through extensive engagement. The list will likely include new/upgraded parks, play structures, new sidewalks and other amenities that benefit the community.
- The budget adds funding of \$1 million for a large-scale disparity study to develop a new tool with the goal of increasing diversity in future successful bidders on large scale construction projects in the City. The study is anticipated to be completed by the end of the biennium. An additional 1.0 FTE in Procurement is funded to start a proactive outreach program to small and historically disadvantaged businesses, including those owned by minority and women residents, to help them navigate state certification and become more successful in bidding on City projects.
- The budget is built on assumption of several revenue increases over the biennium. Those include:
 - The statutorily authorized 1% increase in property tax revenues, for each year of the biennium, incorporation of the \$0.50 per \$1,000 in assessed value increase in property tax levy approved by the voters in February of 2022 to fund an increase in Fire services;
 - A rate adjustment for sewer, water, surface water and garbage utilities to reflect inflation and fund depreciation costs already included in the Vancouver Municipal Code;
 - The blended impact of the utility rate increases is anticipated to be approximately a 6% annual increase over the biennium on resident's utility bills;

Phased increases in Parks Impact Fees totaling 35% in 2023 and additional 10% in 2024 to fund new park amenities for the growing city population;

 - A rate adjustment in System Development Charges in water and sewer to adjust for inflation back to 2014 and generate capital funds for system expansion due to growing system needs;

- An update to the business license base fee and surcharge to adjust for inflation and generate new funds to support new capacity construction in Transportation, public infrastructure, facilitating large scale job creating development in areas with approved subarea plans, increased staffing in Police and Parks capital and major maintenance of existing city parks;
- The budget is also relying on transfer of 0.1% Sales Tax dollars to Transportation Capital from the Transportation Benefits District to fund new complete street features.

Attachment B to the Ordinance outlines all changes in staffing included in the 2023-2024 Biennial Budget. The budget adds 110.35 net new positions over the biennium. The vast majority of the positions are funded by the voted increase in property taxes and sales tax, as well as related support services and capital project management. Additional capacity was added to restart annexation planning, increase grant solicitation capacity, add dedicated resources to homeless outreach and to advance the City's climate action framework. Resources were added to address staffing deficiencies in key strategic areas, like economic development, diversity and inclusion, planning and city capital program management. Attachment B updates position classifications consistent with the updated Pay Plan as presented in attachment D to the ordinance. These and all other changes in staffing are outlined in Attachment B.

Attachment D to the Ordinances has been updated for a 5% annual inflationary increase to a majority of non-union pay ranges, as well as minor adjustments as recommended and supported by the market study.

2023-2024 Capital Budget

The City has an excess of \$2 billion in capital assets (building, streets, land, utility lines, etc.). Stewardship of these capital assets is critical to efficient, effective, and sustainable service delivery. While the true cost to manage these assets through their lifetime is substantial, the City has been making meaningful, strategic investments in our assets without adding new debt. The same trend is evident in the 2023-2024 Biennial Budget.

Attachment C to the Budget Ordinance displays a list of all projects included in the City of Vancouver's 2023-2024 Capital Budget. The \$372 million capital program includes \$277 million for projects in multiple functional areas; additional appropriation of \$95 million is related to funding transfers. Below are some highlights:

- Utilities projects totaling \$128 million, include:
 - Water fund projects totaling \$53.1 million include \$16.5 million for the Water Station 5 reservoir, \$6.5 million for Water Station 3 improvements, \$3.5 million to replace three wells in Water Station 1 and \$4.6 million to continue design of the Replacement Operation Center.
 - Wastewater utility appropriation totaling \$58.1 million includes an \$8 million Sewer Connection Incentive Program (SCIP) funding, \$7 million for Capital preservation and replacement, \$6 million to fund East interceptor rehabilitation, \$2 million for interceptor rehabilitation, \$7 million for a number of upgrades at the Marine Park, including bar screens, force main, piping and UV upgrade.
 - Surface water appropriation of \$16.9 million, representing doubling of the capital program for 2023-2024. Main investments are intended to keep up with the National

Pollution Discharge Elimination System (NPDES) regulations including water quality and inspection programs.

- General Capital Projects total \$52.6 million and include the following highlighted projects:
 - \$3.9 million for land purchase and design for Fire station 4 and 6 replacements, Station 8 seismic remodel and Fire Station Logistics Warehouse remodel, partially funded by state grant.
 - \$20 million in funding to remodel the new Police Headquarters on Chkalov to better accommodate the building for Police and Fire Marshall's and other city needs over the next decade.
 - A total of \$6.8 million for pro-active management of city building assets, including HVAC controls replacement, electric panel upgrades and roof and gutter repair and replacement. Other notable projects funded in General Capital include installation of solar panels on city buildings and charging stations for electric vehicles throughout the City.
 - The budget allocates \$9.8 million in a combination of grants, Section 108 Loan, General fund and ARPA funding to the Fourth Plain Commons Project.
 - Also included, is \$3 million for the design of the conversion of the City facility, formerly leased to the regional library, to an Arts Facility, with dedicated studio and exhibit spaces for the City's burgeoning artist community.
 - The Budget allocates \$64 million for transportation funding, including the following projects:
 - \$10.2 million to continue funding construction on SE 1st Street – 177th Ave to 192nd Avenue, to fund the second phase of the urban arterial upgrade of an existing 2-lane rural road to increase safety, mobility and livability, and meet future subarea needs;
 - \$16.1 million for funding 137th Ave Corridor – 49th to Fourth Plain Blvd.;
 - \$10.2 million to replace Main Street between 5th and 15th Streets;
 - \$5 million to replace Jefferson Street, from Evergreen to Mill Plain Blvd; Three new complete streets projects are funded for design over the next biennium, incorporating new pedestrian and bike capacity consistent with the City's Complete Streets Plan;
 - Various other traffic management projects and street and sidewalk improvements.
- Parks and Trails capital program totaling \$32 million, four times higher than in 2021-2022, including park acquisitions in districts 2 & 4 using the City's Park Impact Fee resources, and major renovations and expansions at parks including Oakbrook, Vancouver Innovation Center, Bagley, anticipated to be funded by ARPA, Evergreen parks and others. A total of

\$3.5 million for playgrounds replacement and a new \$1 million appropriation to fund a new City program and a new FTE to design, and implement over time, connections between various regional and City trails, creating a safe infrastructure for unimpeded movement of pedestrians and bikes across City and reducing their reliance on vehicles.

The 2023-2024 Budget addresses the top priorities of the community while exercising a high level of fiscal constraint in its use of City resources. The budget is balanced by using ongoing revenues, and one-time expenses are funded by existing cash. The budget sets initiatives in place that will bear financial savings in future biennia and will temper the growth in city expenditures.

Advantage(s)

1. The proposed budget will ensure that the City remains in compliance with state statutes that require all City expenditures to have an appropriation approved by ordinance.
2. The proposed budget will allow the City to provide valuable services to city residents in a variety of high-priority areas.

Disadvantage(s)

1. New on-going expenses are included.
2. Proposes using \$70.2 million in existing cash reserves to fund one-time initiatives.

Prior Council Review

2023-2024 Biennial Budget Council Workshop – October 10, 2022

2023-2024 Biennial Budget Council Workshop – October 17, 2022

2023-2024 Biennial Budget Council Workshop – October 24, 2022

2023-2024 Biennial Budget Council Workshop – November 7, 2022

Action Requested

On Monday, November 14, approve ordinance on first reading, setting date of second reading and public hearing for Monday, November 21.

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

ATTACHMENTS:

- ▣ 2023-24 Biennial Budget Ordinance
- ▣ Attachment A - Appropriations by Fund
- ▣ Attachment B - Positions
- ▣ Attachment C - Capital Projects
- ▣ Attachment D - Exempt and Non-Exempt Salary Schedules

11/14/2022
11/21/2022

ORDINANCE M-_____

AN ORDINANCE relating to and adopting the budget for the City of Vancouver for the 2023-2024 fiscal biennium; providing for ratification and for an effective date.

WHEREAS, as set forth in Staff Report _____, following presentations of the City Manager's Recommended Budget on October 10th, 17th, 24th and November 7th, the proposed 2023-2024 Biennial Budget has been prepared for approval; and

WHEREAS, upon due and proper legal notice, Vancouver City Council held a public hearing to consider the City's 2023-2024 Biennial Budget.

NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. The City Council of the City of Vancouver in due time received and placed on file a preliminary budget for the 2023-2024 fiscal biennium, prepared in compliance with Ch.35.34 RCW and with Ch. 3.24 VMC. The recommended budget includes all estimates of receipts and expenditures for the next fiscal biennium fully detailed in accordance with Ch.35.34.060. Council advertised and properly held all required public hearings thereon. The City Council pursuant to RCW 35.34.120 has, by this ordinance, made such adjustments and changes to the preliminary 2023-2024 budget as it deems necessary or proper at this time. Said Budget for the 2023-2024 fiscal biennium for the City of Vancouver, as revised, which is now on file in the Office of the City Clerk, is by reference incorporated herein, approved and by this ordinance adopted, and shall be prepared in publication form.

Section 2. Each and every separate item on the operating and capital budget as finally determined is hereby fixed and determined in the amount set forth in the 2023-2024 Adopted Budget, and as required by RCW 35.34.120, there is hereby set forth in summary form the totals of appropriations for each separate fund and the aggregate totals for all such funds combined, as set forth in Attachment "A" of this ordinance. Attachment "C" outlines specific capital projects included in the 2023-2024 City of Vancouver Capital Budget.

Section 3. A net total of 110.35 full-time equivalent positions citywide are added in 2023-2024 biennium, as identified in Attachment "B" of this ordinance. The position adjustments shall be made consistent with applicable civil service rules and personnel regulations. Attachment "B" has been adjusted to reflect classification changes that were recommended by the recently completed market study.

Section 4. Attachment "D" of this ordinance contains salary schedule for positions not covered by labor agreements. The schedule is effective on January 1, 2023 and includes changes to both, pay ranges and classifications, largely consistent with the recently completed market study and the City's updated Financial Policy framework.

Section 4. The present budget accordingly includes estimates of the scheduled salary step increases and allocates funds in accordance with settled union contracts. When further bargaining and negotiations are completed, the budget may be amended to adjust salaries in accordance therewith.

Section 5. The "Downtown Redevelopment Fund" fund (number 138), created via ordinance M-3306, is to be renamed as the "Economic Development Fund". The purpose of the fund is to fund public infrastructure that supports new job creation within the incorporated City of Vancouver.

Section 7. Those acts taken pursuant to this ordinance, but prior to its effective date are hereby ratified and confirmed.

Section 7. Effective Date. This ordinance shall go into effect immediately upon final passage and publication.

Read first time:

PASSED BY THE FOLLOWING VOTE

Ayes: Councilmembers

Nay: Councilmembers

Absent Councilmembers

Read second time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 2022

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

SUMMARY

ORDINANCE M-_____

AN ORDINANCE relating to and adopting the budget for the City of Vancouver for the 2023-2024 fiscal biennium; providing for ratification and for 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).

City of Vancouver
2023-24 Biennial Budget Appropriation by Fund

Attachment A

**Total Adopted 2023-24
Budget**

Operating Budget

General, Street, and Fire Funds

General Fund	450,377,533
Street Fund	36,520,843
Street Funding Initiative - Operating Fund	35,692,988
Fire Fund	146,294,856
Total General, Street, and Fire Funds	668,886,220

Special Revenue Funds

Investigative Fund	64,600
Drug Enforcement Fund	497,474
CED Grants	10,523,635
Tourism Fund	4,677,114
Affordable Housing	22,347,154
American Rescue Plan Act Fund	8,434,665
Parkhill Cemetery Improvement Fund	11,748
Criminal Justice Fund	934,561
Affordable Housing Local Sales Tax Fund	8,026,588
Affordable Housing State Sales Tax Credit Fund	13,691
Transportation Special Revenue Fund	3,644,538
REET 1 (2002 Special Revenue Fund)	5,996,744
Economic Development Fund	1,111,418
VNHR Properties	1,252,550
Fire Equipment Fund	5,954,137
Emergency Ambulance Services Contract Admin Fund	1,753,567
Impact Fees - School Districts	20,499,999

Debt Service Funds

G O Debt Service Fund	14,508,252
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Enterprise Funds

City Tree Reserve Fund	146,843
Surface Water Management Fund	52,985,605
Water Utility Fund	128,508,489
Systems Development Reserves	7,756,000
SCIP Fund	2,003,180
Utility Customer Assistance	200,000
Water Revenue Bond Debt Service Fund	2,960,000
Sewer Utility Fund	123,464,565
Sewer System Development	7,482,000
Airport Fund	2,793,364
Building Inspection Fund	17,501,280
Solid Waste Fund	5,683,296
Parking Services Fund	8,892,486

	Total Adopted 2023-24 Budget
Tennis Center Fund	4,000,000
Internal Service Funds	
Facilities Asset Management and Replacement Reserve	4,137,823
Equipment Services Operations Fund	17,392,660
Equipment Services Capital Fund	16,091,547
Computer Repair & Replacement	3,481,331
Facilities Maintenance Services Fund	22,122,610
Grounds Services Fund	15,348,991
Self-Insured Worker's Comp & Liability Fund	16,138,366
Internal Administrative Services Fund	60,350,222
Benefits Fund	30,161,284
Self-Insured Health Insurance Fund	28,740,408
Fiduciary Funds	
SW Washington Regional SWAT Team Fund	667,812
Police Pension Trust Fund	3,107,478
Fire Pension Trust Fund	2,918,558
City/County Cable TV Fund	2,627,636
PEG Capital Support Fund	1,481,899
Total Other Funds Expense Budget	699,398,171
Total Operating Expense Budget	1,368,284,391
Capital Budget	
Capital Project Funds	
General Fund Capital	560,000
Transportation Capital Fund	24,957,525
Street Funding Initiative - Capital Fund	39,038,125
Fire Acquisition Fund	3,920,186
Capital Improvement Fund	48,011,418
VNHR Property Capital	356,667
Parks Construction Fund (Capital Projects only)	32,120,233
Drainage Construction Fund	16,916,674
Water Construction Fund	52,682,557
Sewer Construction Fund	57,639,500
Airport	1,037,000
Total Capital Project Funds	277,239,885

	Total Adopted 2023-24 Budget
Capital Funding Transfers Supporting COV Capital Projects Budget	
General Fund	28,946,553
Street Fund	1,735,000
Street Funding Initiative Operating	986,125
CDBG Entitlement Fund	5,399,000
American Rescue Plan Act Fund	18,412,434
Transportation Special Revenue Fund	500,000
REET 1 (2002 Special Revenue Fund)	3,143,086
Columbia TIF District	2,300,000
Cascade TIF District	1,300,000
Pacific TIF District	2,250,000
Fire Fund	8,133,565
TIF - Vancouver	250,000
TIF - Evergreen	1,000,000
TIF - East City (South County)	400,000
PIF - Acq & Dev District 2	336,092
PIF - Acq & Dev District 3	148
PIF - Acq & Dev District 4	1,927,101
PIF - Acq & Dev District 7	306,302
PIF - District A	472,751
PIF District B	2,993,698
PIF - District C	8,649,501
Street Funding Initiative - Capital Fund	760,000
Surface Water Management Fund	121,531
Water Utility Fund	3,761,531
Sewer Utility Fund	450,000
Total Transfers for Capital	94,534,418
Total Capital Expense Budget	371,774,303
Total Operating and Capital Expense Budget	1,740,058,694

Full-Time Equivalent Employees by Fund, Department and Classification
City of Vancouver 2023-24 Biennium Budget

ATTACHMENT B

			2022	2023	2023	2023	2023	2024	2024
			Budget	Baseline	Baseline	Budget	Budgeted FTE	Budget	Budgeted
Fund - Department	2022 Classification	2023 Classification	Budget	Adj. from 2022	Baseline	Adjustments	Budgeted FTE	Adjustments	FTE
001 General Fund									
City Manager's Office	Administrative Assistant	Administrative Assistant	1.00	-	1.00	-	1.00	-	1.00
	Administrative Assistant to the City Manager	Executive Assistant to the City Manager	1.00	-	1.00	-	1.00	-	1.00
	Assistant to the City Council	Executive Assistant to the City Council	1.00	-	1.00	-	1.00	-	1.00
	Associate Planner	Associate Planner	-	-	-	1.00	1.00	-	1.00
	Citizen Liaison	Community Liaison	1.00	-	1.00	(1.00)	-	-	-
	City Manager	City Manager	1.00	-	1.00	-	1.00	-	1.00
	Communications Coordinator	Communications Coordinator	1.00	-	1.00	(1.00)	-	-	-
	Communications Director	Communications Director	1.00	-	1.00	(1.00)	-	-	-
	Communications Specialist	Communications Specialist	2.00	-	2.00	(2.00)	-	-	-
	Deputy City Manager	Deputy City Manager	2.00	-	2.00	-	2.00	-	2.00
	Director of Diversity, Equity and Inclusion	Diversity, Equity and Inclusion Director	1.00	-	1.00	(1.00)	-	-	-
	Emergency Preparedness Manager	Emergency Preparedness Manager	1.00	(1.00)	-	-	-	-	-
	Financial Analyst	Financial Analyst	-	-	-	1.00	1.00	-	1.00
	Homeless Resource Manager	Homeless Response Manager	-	-	-	1.00	1.00	-	1.00
	Homeless Response Coordinator	Homeless Response Manager	1.00	-	1.00	(1.00)	-	-	-
	Management Analyst B	Senior Management Analyst	-	-	-	2.00	2.00	-	2.00
	Neighborhood Coordinator	Neighborhood Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Program and Policy Development Manager	Program and Policy Development Manager	1.00	-	1.00	-	1.00	-	1.00
	Program Coordinator	Program Coordinator	2.00	-	2.00	-	2.00	-	2.00
	Public Engagement Manager	Community Engagement Manager	1.00	-	1.00	(1.00)	-	-	-
	Senior Planner	Senior Planner	-	-	-	1.00	1.00	-	1.00
	Senior Policy Analyst	Senior Policy Analyst	1.00	-	1.00	-	1.00	-	1.00
	Strategic Communications Manager	Strategic Communications Manager	1.00	-	1.00	(1.00)	-	-	-
	Support Specialist II	Support Specialist	1.00	-	1.00	1.00	2.00	-	2.00
Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00	
Web Content Manager	Web Content Manager	1.00	-	1.00	(1.00)	-	-	-	
City Manager's Office Total			24.00	(1.00)	23.00	(3.00)	20.00	-	20.00
Community Development	Assistant Planner	Assistant Planner	2.00	-	2.00	-	2.00	-	2.00
	Associate Planner	Associate Planner	5.00	(1.00)	4.00	2.00	6.00	-	6.00
	Code Enforcement Officer	Code Enforcement Officer	4.00	-	4.00	-	4.00	-	4.00
	Community Development Director	Community Development Director	1.00	-	1.00	-	1.00	-	1.00
	CTR Coordinator	Associate Planner	1.00	-	1.00	(1.00)	-	-	-
	Deputy Community Development Director	Deputy Community Development Director	1.00	-	1.00	-	1.00	-	1.00
	Engineering Technician II	Engineering Technician	4.00	-	4.00	-	4.00	-	4.00
	Land Use Program Manager	Land Use Program Manager	1.00	-	1.00	-	1.00	-	1.00
	Principal Planner	Principal Planner	2.00	-	2.00	-	2.00	-	2.00

Fund - Department	2022 Classification	2023 Classification	2022 Budget	2023 Baseline		2023 Budget Adjustments	2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
				2022	2023				
Community	Senior Planner	Senior Planner	7.00	(1.00)	6.00	2.00	8.00	-	8.00
	Senior Transportation Policy Advisor	Senior Policy Advisor	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist II	Support Specialist	1.50	-	1.50	-	1.50	-	1.50
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Community Development Total			31.50	(2.00)	29.50	3.00	32.50	-	32.50
Council	Councilmember	Councilmember	5.00	-	5.00	-	5.00	-	5.00
	Mayor	Mayor	1.00	-	1.00	-	1.00	-	1.00
	Mayor Pro-Tempore	Mayor Pro-Tempore	1.00	-	1.00	-	1.00	-	1.00
Council Total			7.00	-	7.00	-	7.00	-	7.00
Economic Prosperity and Housing	Associate Planner	Associate Planner	1.00	-	1.00	-	1.00	1.00	2.00
	Deputy Economic Development Director	Deputy Economic Development Director	1.00	-	1.00	-	1.00	-	1.00
	Economic Development Director	Economic Development Director	1.00	-	1.00	-	1.00	-	1.00
	Management Analyst B	Senior Management Analyst	1.00	-	1.00	-	1.00	-	1.00
	Principal Planner	Real Estate Project Manager	2.00	-	2.00	-	2.00	1.00	3.00
	Senior Planner	Senior Planner	1.00	-	1.00	-	1.00	-	1.00
	Senior Planner	Housing Project Coordinator	-	-	-	1.00	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Economic Prosperity and Housing Total			8.00	-	8.00	1.00	9.00	2.00	11.00
General Governmental	Overhire	Overhire	8.00	(8.00)	-	8.00	8.00	-	8.00
General Governmental Total			8.00	(8.00)	-	8.00	8.00	-	8.00
General Services	Emergency Preparedness Manager	Emergency Preparedness Manager	-	1.00	1.00	-	1.00	-	1.00
General Services Total			-	1.00	1.00	-	1.00	-	1.00
Legal	Assistant City Attorney II	Assistant City Attorney II	9.00	-	9.00	-	9.00	-	9.00
	City Prosecutor	City Prosecutor	1.00	-	1.00	-	1.00	-	1.00
	Investigator	Investigator	1.00	-	1.00	-	1.00	-	1.00
	Legal Assistant	Legal Assistant	3.00	-	3.00	-	3.00	-	3.00
	Legal Secretary	Legal Secretary	3.00	-	3.00	-	3.00	-	3.00
	Program Coordinator (Law)	Program Coordinator (Law)	2.00	-	2.00	-	2.00	-	2.00
	Senior Legal Assistant	Senior Legal Assistant	1.00	-	1.00	-	1.00	-	1.00
Legal Total			20.00	-	20.00	-	20.00	-	20.00
Parks, Recreation & Cultural Services	Administrative Assistant	Administrative Assistant	3.00	-	3.00	-	3.00	-	3.00
	Communications Specialist	Communications Specialist	1.00	-	1.00	-	1.00	-	1.00
	Computer Support Specialist	Computer Technician	1.00	-	1.00	-	1.00	-	1.00
	Cultural Services Manager	Cultural Services Manager	1.00	-	1.00	-	1.00	-	1.00
	Customer Service Representative	Customer Service Representative	5.50	-	5.50	-	5.50	-	5.50
	Departmental Aide	Departmental Aide	0.50	-	0.50	-	0.50	-	0.50
	Facilities Assistant - P&R	Facilities Assistant - P&R	3.00	-	3.00	(1.00)	2.00	-	2.00
	Management Analyst B	Senior Management Analyst	1.00	-	1.00	-	1.00	-	1.00
	Park Developer	Park Developer	1.00	-	1.00	-	1.00	1.00	2.00

Fund - Department	2022 Classification	2023 Classification	2022 Budget	2023 Baseline		2023 Budget Adjustments	2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
				2022 Adj. from 2022	2023 Baseline				
Parks, Recreation &	Park Developer	Park Development Services Manager	1.00	(1.00)	-	1.00	1.00	-	1.00
	Parks and Recreation Director	Parks and Recreation Director	1.00	-	1.00	-	1.00	-	1.00
	Recreation Coordinator C	Recreation Coordinator	3.50	-	3.50	-	3.50	-	3.50
	Recreation Coordinator D	Senior Recreation Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Recreation Facility Manager	Recreation Facility Manager	2.00	-	2.00	-	2.00	-	2.00
	Recreation Services Manager	Recreation Services Manager	1.00	-	1.00	-	1.00	-	1.00
	Recreation Specialist B	Senior Recreation Specialist	12.00	-	12.00	1.00	13.00	-	13.00
	Senior Park Developer	Senior Park Developer	2.00	-	2.00	-	2.00	-	2.00
	Senior Planner	Senior Park Planner	1.00	-	1.00	-	1.00	-	1.00
	Special Events Permitting Manager	Special Events Permitting Manager	-	-	-	1.00	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
	Volunteer Coordinator	Volunteer Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Volunteer Program Assistant	Volunteer Program Assistant	1.00	(1.00)	-	1.00	1.00	-	1.00
Parks, Recreation & Cultural Services Total			44.50	(2.00)	42.50	3.00	45.50	1.00	46.50
Police	Administrative Assistant	Administrative Assistant	3.00	-	3.00	-	3.00	-	3.00
	Assistant Police Chief	Assistant Police Chief	3.00	-	3.00	-	3.00	-	3.00
	Business Intelligence Analyst	Business Intelligence Analyst	1.00	-	1.00	-	1.00	-	1.00
	Crime Analyst	Crime Analyst	3.00	-	3.00	-	3.00	-	3.00
	Departmental Aide	Departmental Aide	0.50	-	0.50	-	0.50	-	0.50
	Digital Forensics Investigator	Digital Forensics Investigator	2.00	-	2.00	-	2.00	-	2.00
	Evidence Supervisor	Evidence Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Evidence Technician	Evidence Technician	1.00	-	1.00	-	1.00	-	1.00
	Evidence Technician	Property/Evidence Technician	2.00	-	2.00	-	2.00	-	2.00
	Finance and Logistics Supervisor	Finance and Logistics Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Financial Analyst	Financial Analyst	1.00	-	1.00	-	1.00	-	1.00
	Lead Police Records Specialist	Lead Police Records Specialist	3.00	-	3.00	-	3.00	-	3.00
	Management Analyst B	Senior Management Analyst	1.00	-	1.00	(1.00)	-	-	-
	Material Control Coordinator	Material Control Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Police Chief	Police Chief	1.00	-	1.00	-	1.00	-	1.00
	Police Commander	Police Commander	4.00	-	4.00	-	4.00	-	4.00
	Police Corporal	Police Corporal	18.00	-	18.00	-	18.00	-	18.00
	Police Lieutenant	Police Lieutenant	8.00	-	8.00	3.00	11.00	-	11.00
	Police Officer	Police Officer	164.00	(2.00)	162.00	6.00	168.00	-	168.00
	Police Records Manager	Police Records Manager	1.00	-	1.00	-	1.00	-	1.00
	Police Records Specialist	Police Records Specialist	16.00	1.00	17.00	(1.00)	16.00	-	16.00
	Police Records Supervisor	Police Records Supervisor	3.00	-	3.00	-	3.00	-	3.00
	Police Sergeant	Police Sergeant	37.00	-	37.00	-	37.00	-	37.00
	Police Service Technician	Police Service Technician	10.00	-	10.00	-	10.00	-	10.00
	Program Coordinator	Program Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Records Specialist	Records Specialist	1.00	(1.00)	-	-	-	-	-
	Resources Service Technician	Resources Service Technician	3.00	-	3.00	-	3.00	-	3.00
	Senior Communications Specialist	Senior Communications Specialist	1.00	-	1.00	-	1.00	-	1.00
	Senior Digital Forensics Investigator	Senior Digital Forensics Investigator	1.00	-	1.00	-	1.00	-	1.00
	Strategic Communications Manager	Strategic Communications Manager	1.00	-	1.00	-	1.00	-	1.00

Fund - Department	2022 Classification	2023 Classification	2023				2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
			2022 Budget	Baseline Adj. from 2022	2023 Baseline	2023 Budget Adjustments			
Police	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Police Total			294.50	(2.00)	292.50	7.00	299.50	-	299.50
001 General Fund Total			437.50	(14.00)	423.50	19.00	442.50	3.00	445.50
102 Street Fund								-	-
Public Works - Finance & Asset Management									
	Senior Engineering Technician	Senior Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
Public Works - Finance & Asset Management Total			1.00	-	1.00	-	1.00	-	1.00
Public Works - Streets & Transportation									
	Civil Engineer	Civil Engineer	1.00	-	1.00	-	1.00	-	1.00
	Engineering Manager	Engineering Program Manager	2.00	-	2.00	-	2.00	-	2.00
	Engineering Program Manager	Engineering Program Manager	1.00	-	1.00	-	1.00	-	1.00
	Engineering Specialist	Engineering Specialist	3.00	-	3.00	1.00	4.00	(1.00)	3.00
	Engineering Technician II	Engineering Technician	1.00	-	1.00	(1.00)	-	-	-
	Maintenance Worker II	Senior Maintenance Worker	15.00	-	15.00	(1.00)	14.00	-	14.00
	Maintenance Worker Lead	Lead Maintenance Worker	3.00	-	3.00	1.00	4.00	-	4.00
	Public Works Supervisor	Public Works Supervisor	3.00	-	3.00	-	3.00	-	3.00
	Senior Civil Engineer	Senior Civil Engineer	3.00	-	3.00	-	3.00	(1.00)	2.00
	Senior Construction Inspector	Senior Construction Inspector	1.00	-	1.00	-	1.00	(1.00)	-
	Senior Engineering Technician	Senior Engineering Technician	3.00	-	3.00	-	3.00	(1.00)	2.00
	Senior Traffic Engineer	Senior Traffic Engineer	2.00	-	2.00	-	2.00	-	2.00
	Street Light Technician II	Senior Street Light Technician	2.00	-	2.00	-	2.00	-	2.00
	Streets and Transportation Manager	Transportation Division Manager	1.00	-	1.00	-	1.00	-	1.00
	Traffic Engineer	Traffic Engineer	1.00	-	1.00	-	1.00	-	1.00
	Traffic Signal Specialist	Traffic Signal Specialist	1.00	-	1.00	-	1.00	-	1.00
	Traffic Signal Technician	Traffic Signal Technician	2.00	-	2.00	2.00	4.00	-	4.00
	Traffic Signal Technician Lead	Traffic Signal Technician Lead	1.00	-	1.00	-	1.00	-	1.00
Public Works - Streets & Transportation Total			46.00	-	46.00	2.00	48.00	(4.00)	44.00
102 Street Fund Total			47.00	-	47.00	2.00	49.00	(4.00)	45.00
103 Street Funding Initiative - Operating Fund								-	-
Public Works - Operations & Maintenance									
	Grounds Maintenance Specialist II	Senior Grounds Maintenance Specialist	2.00	-	2.00	-	2.00	-	2.00
	Maintenance Worker II	Senior Maintenance Worker	4.00	-	4.00	-	4.00	-	4.00
Public Works - Operations & Maintenance Total			6.00	-	6.00	-	6.00	-	6.00
Public Works - Streets & Transportation									
	Administrative Assistant	Administrative Assistant	1.00	-	1.00	-	1.00	-	1.00
	Civil Engineer	Civil Engineer	1.00	-	1.00	-	1.00	-	1.00
	Engineering Specialist	Engineering Specialist	1.00	-	1.00	-	1.00	1.00	2.00
	Senior Civil Engineer	Senior Civil Engineer	1.00	-	1.00	-	1.00	1.00	2.00
	Senior Construction Inspector	Senior Construction Inspector	2.00	-	2.00	-	2.00	2.00	4.00
	Senior Engineering Technician	Senior Engineering Technician	-	-	-	-	-	1.00	1.00

Fund - Department	2022 Classification	2023 Classification	2022	2023	2023	2023	2023	2024	2024
			Budget	Baseline	Baseline	Budget	Budgeted FTE	Budget	Budgeted FTE
				Adj. from 2022		Adjustments		Adjustments	
Public Works - Streets & Transportation Total			6.00	-	6.00	-	6.00	5.00	11.00
103 Street Funding Initiative - Operating Fund Total			12.00	-	12.00	-	12.00	5.00	17.00
108 CED Grants Fund									
Economic Prosperity and Housing									
	Assistant Planner	Associate Housing Project Coordinator	-	-	-	1.00	1.00	-	1.00
	Associate Planner	Associate Housing Project Coordinator	2.00	(1.00)	1.00	-	1.00	-	1.00
	Community Development Manager	Housing Programs Manager	1.00	-	1.00	-	1.00	-	1.00
	Principal Planner	Principal Planner	1.00	-	1.00	(1.00)	-	-	-
	Rehabilitation Specialist	Housing Rehabilitation Specialist	1.00	-	1.00	-	1.00	-	1.00
Economic Prosperity and Housing Total			5.00	(1.00)	4.00	-	4.00	-	4.00
108 CED Grants Fund Total			5.00	(1.00)	4.00	-	4.00	-	4.00
111 Affordable Housing Fund									
Economic Prosperity and Housing									
	Associate Planner	Associate Housing Project Coordinator	-	1.00	1.00	-	1.00	1.00	2.00
Economic Prosperity and Housing Total			-	1.00	1.00	-	1.00	1.00	2.00
111 Affordable Housing Fund Total			-	1.00	1.00	-	1.00	1.00	2.00
151 Fire Fund									
Fire									
	Administrative Assistant	Administrative Assistant	1.00	-	1.00	-	1.00	-	1.00
	Assistant Fire Marshal	Assistant Fire Marshal	1.00	-	1.00	-	1.00	-	1.00
	Deputy Fire Chief	Deputy Fire Chief	3.00	-	3.00	-	3.00	-	3.00
	Deputy Fire Marshal 1	Deputy Fire Marshal 1	-	-	-	1.00	1.00	-	1.00
	Deputy Fire Marshal 2	Deputy Fire Marshal 2	4.00	-	4.00	-	4.00	-	4.00
	Division Fire Chief	Division Fire Chief	4.00	-	4.00	-	4.00	-	4.00
	Employee and Labor Relations Analyst	Human Resources Business Partner	-	-	-	1.00	1.00	-	1.00
	Financial Analyst	Financial Analyst	1.00	-	1.00	-	1.00	-	1.00
	Fire Battalion Chief	Fire Battalion Chief	6.00	-	6.00	-	6.00	-	6.00
	Fire Captain	Fire Captain	40.00	-	40.00	5.00	45.00	-	45.00
	Fire Captain Paramedic	Fire Captain Paramedic	19.00	-	19.00	-	19.00	-	19.00
	Fire Chief	Fire Chief	1.00	-	1.00	-	1.00	-	1.00
	Fire Code Officer	Fire Code Officer	10.00	-	10.00	-	10.00	-	10.00
	Fire Marshal	Fire Marshal	1.00	-	1.00	-	1.00	-	1.00
	Fire Protection Engineer	Fire Protection Engineer	-	-	-	1.00	1.00	-	1.00
	Firefighter	Firefighter	64.00	-	64.00	24.00	88.00	-	88.00
	Firefighter Paramedic	Firefighter Paramedic	66.00	-	66.00	11.00	77.00	-	77.00
	Lead Deputy Fire Marshal	Lead Deputy Fire Marshal	2.00	-	2.00	-	2.00	-	2.00
	Management Analyst B	Senior Management Analyst	2.00	-	2.00	-	2.00	-	2.00
	Material Control Coordinator	Material Control Coordinator	1.00	-	1.00	1.00	2.00	-	2.00
	Resource Service Technician	Resource Service Technician	1.00	-	1.00	-	1.00	-	1.00
	Senior Engineering Technician	Senior Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist I	Support Specialist	0.50	-	0.50	0.50	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	4.00	-	4.00	2.00	6.00	-	6.00
Fire Total			232.50	-	232.50	46.50	279.00	-	279.00

			2023						2024
			2022	Baseline	2023	2023 Budget	2023	2024 Budget	2024
Fund - Department	2022 Classification	2023 Classification	Budget	Adj. from 2022	Baseline	Adjustments	Budgeted FTE	Adjustments	Budgeted FTE
151 Fire Fund Total			232.50	-	232.50	46.50	279.00	-	279.00
444 Surface Water Management Fund								-	-
Public Works - Engineering & Construction Services									
	Civil Engineer	Civil Engineer	4.00	-	4.00	-	4.00	-	4.00
	Engineering Specialist	Engineering Specialist	2.00	-	2.00	1.00	3.00	-	3.00
	Engineering Technician II	Engineering Technician	1.00	-	1.00	(1.00)	-	-	-
	Environmental Scientist	Environmental Scientist	2.00	-	2.00	-	2.00	-	2.00
	Senior Civil Engineer	Senior Civil Engineer	1.00	-	1.00	-	1.00	-	1.00
	Senior Engineering Technician	Senior Engineering Technician	4.00	-	4.00	-	4.00	-	4.00
	Senior Engineering Technician	Engineering Technician	-	-	-	1.00	1.00	-	1.00
	Utility Engineering Program Manager	Engineering Program Manager	1.00	-	1.00	-	1.00	-	1.00
Public Works - Engineering & Construction Services Total			15.00	-	15.00	1.00	16.00	-	16.00
Public Works - Environmental Resources									
	Educator	Water Resources Educator	-	-	-	1.00	1.00	-	1.00
	Program Coordinator	Program Coordinator	3.00	-	3.00	-	3.00	2.00	5.00
	Urban Forester	Urban Forester	1.00	-	1.00	-	1.00	-	1.00
Public Works - Environmental Resources Total			4.00	-	4.00	1.00	5.00	2.00	7.00
Public Works - Finance & Asset Management									
	Senior Engineering Technician	Senior Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
	Senior Engineering Technician	Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
Public Works - Finance & Asset Management Total			2.00	-	2.00	-	2.00	-	2.00
Public Works - Operations & Maintenance									
	Grounds Maintenance Specialist II	Senior Grounds Maintenance Specialist	2.00	-	2.00	-	2.00	-	2.00
	Maintenance Specialist	Maintenance Specialist	2.00	-	2.00	-	2.00	-	2.00
	Maintenance Worker II	Senior Maintenance Worker	22.00	-	22.00	-	22.00	-	22.00
	Maintenance Worker Lead	Lead Maintenance Worker	7.00	-	7.00	-	7.00	-	7.00
	Operations Superintendent	Operations Superintendent	1.00	-	1.00	-	1.00	-	1.00
	Public Works Supervisor	Public Works Supervisor	3.00	-	3.00	-	3.00	-	3.00
Public Works - Operations & Maintenance Total			37.00	-	37.00	-	37.00	-	37.00
444 Surface Water Management Fund Total			58.00	-	58.00	2.00	60.00	2.00	62.00
445 Water Utility Fund								-	-
Construction Services									
	City Surveyor	City Surveyor	1.00	-	1.00	-	1.00	-	1.00
	Civil Engineer	Civil Engineer	3.00	-	3.00	-	3.00	-	3.00
	Construction Inspection Specialist	Construction Inspection Specialist	3.00	-	3.00	-	3.00	-	3.00
	Construction Inspector II	Construction Inspector	3.00	-	3.00	-	3.00	-	3.00
	Construction Project Coordinator	Construction Project Coordinator	2.00	-	2.00	-	2.00	-	2.00
	Construction Services Manager	Construction Services Division Manager	1.00	-	1.00	-	1.00	-	1.00
	Professional Land Surveyor	Professional Land Surveyor	1.00	-	1.00	-	1.00	-	1.00

			2023						2024
			2022	Baseline	2023	2023 Budget	2023	2024 Budget	
Fund - Department	2022 Classification	2023 Classification	Budget	Adj. from 2022	Baseline	Adjustments	Budgeted FTE	Adjustments	Budgeted FTE
Construction Services	Senior Civil Engineer	Senior Civil Engineer	3.00	-	3.00	-	3.00	-	3.00
	Senior Construction Inspector	Senior Construction Inspector	8.00	-	8.00	-	8.00	-	8.00
	Senior Surveyor	Senior Surveyor	2.00	-	2.00	-	2.00	-	2.00
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
	Survey Specialist	Survey Specialist	3.00	-	3.00	-	3.00	-	3.00
	Surveyor	Surveyor	2.00	-	2.00	-	2.00	-	2.00
Construction Services Total			34.00	-	34.00	-	34.00	-	34.00
General Services	Warehouse Specialist	Warehouse Specialist	-	-	-	-	-	-	-
	Warehouse Supervisor	Warehouse Supervisor	-	-	-	-	-	-	-
	Warehouse Technician	Warehouse Technician	-	-	-	-	-	-	-
	Warehouse Worker	Warehouse Worker	-	-	-	-	-	-	-
General Services Total			-	-	-	-	-	-	-
Public Works - Engineering & Construction Services									
	City Engineer	City Engineer	1.00	-	1.00	-	1.00	-	1.00
	Civil Engineer	Civil Engineer	3.00	-	3.00	1.00	4.00	-	4.00
	Engineering Program Manager	Engineering Program Manager	1.00	-	1.00	-	1.00	-	1.00
	Engineering Specialist	Engineering Specialist	2.00	-	2.00	(1.00)	1.00	-	1.00
	Senior Civil Engineer	Senior Civil Engineer	1.00	-	1.00	-	1.00	-	1.00
	Senior Engineering Technician	Senior Engineering Technician	2.00	-	2.00	-	2.00	-	2.00
	Support Specialist III	Senior Support Specialist	-	-	-	-	-	-	-
Public Works - Engineering & Construction Services Total			10.00	-	10.00	-	10.00	-	10.00
Public Works - Environmental Resources									
	Communications Specialist	Communications Specialist	1.00	-	1.00	-	1.00	-	1.00
	Educator	Water Resources Educator	3.00	(1.00)	2.00	-	2.00	-	2.00
	Facilities Assistant - WREC	Facilities Assistant - WREC	1.00	-	1.00	-	1.00	-	1.00
	Program Coordinator	Program Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	-	-	-	-	-	-	-
Public Works - Environmental Resources Total			7.00	(1.00)	6.00	-	6.00	-	6.00
Public Works - Finance & Asset Management									
	Engineering Specialist	Engineering Specialist	1.00	-	1.00	-	1.00	-	1.00
	GIS Supervisor	GIS Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Senior Engineering Technician	Senior Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
Public Works - Finance & Asset Management Total			3.00	-	3.00	-	3.00	-	3.00
Public Works - Operations & Maintenance									
	Accounting Clerk II	Utility Accounting Clerk	5.00	-	5.00	-	5.00	-	5.00
	Computer Support Specialist	Computer Technician	1.00	-	1.00	-	1.00	-	1.00
	Departmental Aide	Departmental Aide	0.75	-	0.75	-	0.75	-	0.75

Fund - Department	2022 Classification	2023 Classification	2022 Budget	2023	2023 Baseline	2023 Budget Adjustments	2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
				Baseline Adj. from 2022					
Public Works -	Finance and Logistics Supervisor	Finance and Logistics Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Lead Utility Inspector	Lead Utility Inspector	1.00	-	1.00	-	1.00	-	1.00
	Lead Utility Locator	Utility Locate Coordinator	1.00	-	1.00	(1.00)	-	-	-
	Lead Water Treatment Plant Operator	Lead Water Production Operator	1.00	-	1.00	-	1.00	-	1.00
	Maintenance Worker II	Senior Maintenance Worker	15.00	-	15.00	-	15.00	-	15.00
	Maintenance Worker Lead	Lead Maintenance Worker	6.00	-	6.00	-	6.00	-	6.00
	Management Analyst A	Management Analyst	-	-	-	1.00	1.00	-	1.00
	Operations Manager	Operations Division Manager	1.00	-	1.00	-	1.00	-	1.00
	Operations Superintendent	Operations Superintendent	1.00	-	1.00	-	1.00	-	1.00
	Public Works Supervisor	Public Works Supervisor	3.00	-	3.00	(1.00)	2.00	-	2.00
	Safety Coordinator	Safety Coordinator	1.00	-	1.00	-	1.00	-	1.00
	SCADA Technician	SCADA Technician	2.00	-	2.00	-	2.00	-	2.00
	Senior Accounting Clerk	Senior Accounting Clerk	1.00	-	1.00	-	1.00	-	1.00
	Senior Utility Customer Service Representative	Senior Utility Customer Service Representative	1.00	-	1.00	1.00	2.00	-	2.00
	Support Specialist II	Support Specialist	4.00	-	4.00	(1.00)	3.00	-	3.00
	Utilities Administration Manager	Utilities Administration Manager	1.00	-	1.00	-	1.00	-	1.00
	Utility Customer Service Representative	Utility Customer Service Representative	10.50	-	10.50	(1.00)	9.50	-	9.50
	Utility Electrician	Utility Electrician	3.00	-	3.00	-	3.00	-	3.00
	Utility Locate Coordinator	Utility Locate Coordinator	-	-	-	1.00	1.00	-	1.00
	Utility Locator	Utility Locator	4.00	-	4.00	-	4.00	-	4.00
	Utility Service Inspector	Utility Service Inspector	6.00	-	6.00	-	6.00	-	6.00
	Utility Service Supervisor	Utility Service Supervisor	2.00	-	2.00	-	2.00	-	2.00
	Utility Specialist	Utility Specialist	2.00	-	2.00	-	2.00	-	2.00
	Warehouse Specialist	Warehouse Specialist	-	-	-	-	-	-	-
	Warehouse Supervisor	Warehouse Supervisor	-	-	-	-	-	-	-
	Warehouse Technician	Warehouse Technician	-	-	-	-	-	-	-
	Warehouse Worker	Warehouse Worker	-	-	-	-	-	-	-
	Water Production Supervisor	Water Production Supervisor	-	-	-	1.00	1.00	-	1.00
	Water Quality Assistant	Water Quality Assistant	1.00	-	1.00	(1.00)	-	-	-
	Water Quality Coordinator	Water Quality Coordinator	1.00	-	1.00	-	1.00	-	1.00
Water Quality Technician	Water Quality Technician	3.00	-	3.00	1.00	4.00	-	4.00	
Water Treatment Plant Operator	Water Treatment Plant Operator	4.00	-	4.00	-	4.00	-	4.00	
Public Works - Operations & Maintenance Total			83.25	-	83.25	-	83.25	-	83.25
Public Works - Admin									
Civil Engineer	Civil Engineer	1.00	-	1.00	-	1.00	-	1.00	
Finance and Asset Manager	Public Works Finance & Asset Manager	1.00	-	1.00	-	1.00	-	1.00	
Public Works Director	Public Works Director	1.00	-	1.00	-	1.00	-	1.00	
Senior Communications Specialist	Senior Communications Specialist	1.00	-	1.00	-	1.00	-	1.00	
Senior Financial Analyst	Senior Financial Analyst	1.00	-	1.00	-	1.00	-	1.00	
Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00	
Public Works - Public Works Admin Total			6.00	-	6.00	-	6.00	-	6.00

Fund - Department	2022 Classification	2023 Classification	2022 Budget	2023 Baseline		2023 Budget Adjustments	2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
				Adj. from 2022	Baseline				
Public Works - Streets & Transportation	Communications Specialist	Communications Specialist	-	-	-	-	-	-	-
	Support Specialist III	Senior Support Specialist	-	-	-	-	-	-	-
	Warehouse Specialist	Warehouse Specialist	-	-	-	-	-	-	-
	Warehouse Supervisor	Warehouse Supervisor	-	-	-	-	-	-	-
	Warehouse Technician	Warehouse Technician	-	-	-	-	-	-	-
	Warehouse Worker	Warehouse Worker	-	-	-	-	-	-	-
Public Works - Streets & Transportation Total			-	-	-	-	-	-	-
Public Works - Warehouse	Warehouse Specialist	Warehouse Specialist	1.00	-	1.00	-	1.00	-	1.00
	Warehouse Supervisor	Warehouse Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Warehouse Technician	Warehouse Technician	1.00	-	1.00	-	1.00	-	1.00
	Warehouse Worker	Warehouse Worker	2.00	-	2.00	-	2.00	-	2.00
Public Works - Warehouse Total			5.00	-	5.00	-	5.00	-	5.00
445 Water Utility Fund Total			148.25	(1.00)	147.25	-	147.25	-	147.25
475 Sewer Utility Fund								-	-
Public Works - Engineering & Construction Services	Civil Engineer	Civil Engineer	5.00	-	5.00	-	5.00	-	5.00
	Engineering Program Manager	Engineering Program Manager	-	-	-	-	-	-	-
	Engineering Specialist	Engineering Specialist	2.00	-	2.00	-	2.00	-	2.00
	Engineering Technician II	Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
	Environmental Scientist	Environmental Scientist	1.00	-	1.00	-	1.00	-	1.00
	Senior Civil Engineer	Senior Civil Engineer	2.00	-	2.00	-	2.00	-	2.00
	Senior Engineering Technician	Senior Engineering Technician	3.00	-	3.00	-	3.00	-	3.00
Public Works - Engineering & Construction Services Total			14.00	-	14.00	-	14.00	-	14.00
Public Works - Finance & Asset Management	Senior Engineering Technician	Senior Engineering Technician	1.00	-	1.00	-	1.00	-	1.00
Public Works - Finance & Asset Management Total			1.00	-	1.00	-	1.00	-	1.00
Public Works - Operations & Maintenance	Chemical Specialist	Chemical Specialist	1.00	-	1.00	-	1.00	-	1.00
	Engineering Program Manager	Engineering Program Manager	1.00	-	1.00	-	1.00	-	1.00
	Inspector	Environmental Inspector	2.00	-	2.00	-	2.00	-	2.00
	Maintenance Specialist	Maintenance Specialist	2.00	-	2.00	1.00	3.00	-	3.00
	Maintenance Worker II	Senior Maintenance Worker	15.00	-	15.00	2.00	17.00	-	17.00
	Maintenance Worker Lead	Lead Maintenance Worker	4.00	-	4.00	-	4.00	-	4.00
	Public Works Supervisor	Public Works Supervisor	2.00	-	2.00	-	2.00	-	2.00
	Utility Maintenance Mechanic	Utility Maintenance Mechanic	2.00	-	2.00	1.00	3.00	-	3.00
Public Works - Operations & Maintenance Total			29.00	-	29.00	4.00	33.00	-	33.00
475 Sewer Utility Fund Total			44.00	-	44.00	4.00	48.00	-	48.00

			2023						2024
Fund - Department	2022 Classification	2023 Classification	2022	2023	2023	2023	2023	2024	2024
			Budget	Baseline	Baseline	Budget	Budgeted FTE	Budget	Budgeted FTE
				Adj. from	Baseline	Adjustments		Adjustments	
				2022					
481 Airport Fund								-	-
Public Works -									
Operations &									
Maintenance	Airport Manager	Airport Manager	1.00	-	1.00	-	1.00	-	1.00
	Program Coordinator	Program Coordinator	1.00	(1.00)	-	0.50	0.50	-	0.50
Public Works - Operations & Maintenance Total			2.00	(1.00)	1.00	0.50	1.50	-	1.50
481 Airport Fund Total			2.00	(1.00)	1.00	0.50	1.50	-	1.50
483 Building Inspection Fund								-	-
Community									
Development	Assistant Building Official	Assistant Building Official	1.00	-	1.00	-	1.00	-	1.00
	Building Inspector II	Building Inspector II	-	-	-	2.00	2.00	-	2.00
	Building Inspector III	Building Inspector III	16.00	-	16.00	-	16.00	-	16.00
	Building Official	Building Official	1.00	-	1.00	-	1.00	-	1.00
	Computer Support Specialist	Computer Technician	2.00	-	2.00	-	2.00	-	2.00
	Development Review Division Manager	Development Review Division Manager	1.00	-	1.00	-	1.00	-	1.00
	Financial Analyst	Financial Analyst	1.00	-	1.00	-	1.00	-	1.00
	Lead Permits Specialist	Lead Permits Specialist	-	-	-	1.00	1.00	-	1.00
	Lead Permits Specialist	Senior Permit Specialist	1.00	(1.00)	-	-	-	-	-
	Management Analyst B	Senior Management Analyst	1.00	-	1.00	-	1.00	-	1.00
	Permit Center Supervisor	Permit Center Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Permits Specialist II	Senior Permit Specialist	8.00	1.00	9.00	-	9.00	-	9.00
	Plans Examiner I	Assistant Plans Examiner	1.00	-	1.00	-	1.00	-	1.00
	Plans Examiner II	Associate Plans Examiner	1.00	-	1.00	2.00	3.00	-	3.00
	Plans Examiner III	Senior Plans Examiner	3.00	-	3.00	-	3.00	-	3.00
	Plans Examiner IV	Lead Plans Examiner	1.00	-	1.00	-	1.00	-	1.00
Community Development Total			39.00	-	39.00	5.00	44.00	-	44.00
483 Building Inspection Fund Total			39.00	-	39.00	5.00	44.00	-	44.00
490 Solid Waste Fund								-	-
Public Works -									
Engineering &									
Construction									
Services	Support Specialist III	Senior Support Specialist	-	-	-	-	-	-	-
Public Works - Engineering & Construction Services Total			-	-	-	-	-	-	-
Public Works -									
Environmental									
Resources	Environmental Services Manager	Environmental Services Manager	1.00	-	1.00	-	1.00	-	1.00
	Solid Waste Analyst	Solid Waste Analyst	2.00	-	2.00	-	2.00	-	2.00
	Solid Waste Supervisor	Solid Waste Supervisor	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Public Works - Environmental Resources Total			6.00	-	6.00	-	6.00	-	6.00
Public Works -									
Public Works									
Admin	Environmental Services Manager	Environmental Services Manager	-	-	-	-	-	-	-

Fund - Department	2022 Classification	2023 Classification	2023		2023	2023 Budget	2023	2024	2024
			2022	Baseline					
			Budget	Adj. from 2022	Baseline	Adjustments	Budgeted FTE	Adjustments	Budgeted FTE
General Services	Capital Projects Division Manager	Capital Projects Division Manager	-	-	-	1.00	1.00	-	1.00
	Capital Projects Manager	Capital Projects Manager	2.00	-	2.00	1.00	3.00	-	3.00
	Construction Project Coordinator	Construction Project Coordinator	-	-	-	1.00	1.00	-	1.00
	Electrician	Electrician	-	-	-	2.00	2.00	-	2.00
	Facilities Maintenance Specialist I	Facilities Maintenance Specialist	-	-	-	1.00	1.00	-	1.00
	Facilities Maintenance Specialist II	Senior Facilities Maintenance Specialist	-	-	-	4.00	4.00	-	4.00
	Financial Analyst	Financial Analyst	1.00	-	1.00	-	1.00	-	1.00
	General Services Director	General Services Director	1.00	-	1.00	-	1.00	-	1.00
	HVAC Technician	HVAC Technician	-	-	-	3.00	3.00	-	3.00
	Lead Facilities Maintenance Specialist	Lead Facilities Maintenance Specialist	-	-	-	1.00	1.00	-	1.00
	Operations Superintendent	Operations Superintendent	-	-	-	1.00	1.00	-	1.00
	Property Management Specialist	Property Management Specialist	-	-	-	1.00	1.00	-	1.00
	Public Works Supervisor	Public Works Supervisor	-	-	-	3.00	3.00	-	3.00
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00
General Services Total			5.00	-	5.00	21.00	26.00	-	26.00
507 Facilities Maintenance Services Fund Total			5.00	-	5.00	21.00	26.00	-	26.00
508 Grounds Services Fund								-	-
City Manager's Office	Program Coordinator	Homeless Encampment Response Coordinator	1.00	-	1.00	-	1.00	-	1.00
			1.00	-	1.00	-	1.00	-	1.00
City Manager's Office Total			1.00	-	1.00	-	1.00	-	1.00
General Services	Operations Superintendent	Operations Superintendent	1.00	-	1.00	(1.00)	-	-	-
General Services Total			1.00	-	1.00	(1.00)	-	-	-
Public Works - Engineering & Construction Services									
Public Works - Engineering & Construction Services	Capital Projects Manager	Capital Projects Manager	1.00	-	1.00	(1.00)	-	-	-
			1.00	-	1.00	(1.00)	-	-	-
Public Works - Engineering & Construction Services Total			1.00	-	1.00	(1.00)	-	-	-
Public Works - Operations & Maintenance									
Public Works - Operations & Maintenance	Building Repair Specialist	Building Repair Specialist	2.00	-	2.00	(2.00)	-	-	-
	Electrician	Electrician	2.00	-	2.00	(2.00)	-	-	-
	Facilities Maintenance Specialist I	Facilities Maintenance Specialist	1.00	-	1.00	(1.00)	-	-	-
	Facilities Maintenance Specialist II	Senior Facilities Maintenance Specialist	2.00	-	2.00	(2.00)	-	-	-
	Grounds Maintenance Specialist II	Senior Grounds Maintenance Specialist	5.00	-	5.00	-	5.00	-	5.00
	HVAC Technician	HVAC Technician	2.00	-	2.00	(2.00)	-	-	-
	Lead Facilities Maintenance Specialist	Lead Facilities Maintenance Specialist	1.00	-	1.00	(1.00)	-	-	-
	Maintenance Specialist	Maintenance Specialist	-	-	-	1.00	1.00	-	1.00
	Maintenance Worker II	Senior Maintenance Worker	8.00	-	8.00	2.00	10.00	-	10.00
	Maintenance Worker Lead	Lead Maintenance Worker	4.00	-	4.00	1.00	5.00	-	5.00
	Operations Superintendent	Operations Superintendent	1.00	-	1.00	-	1.00	-	1.00
	Property Management Specialist	Property Management Specialist	1.00	-	1.00	(1.00)	-	-	-
	Public Works Supervisor	Public Works Supervisor	5.00	-	5.00	(3.00)	2.00	-	2.00
Public Works - Operations & Maintenance Total			34.00	-	34.00	(10.00)	24.00	-	24.00
508 Grounds Services Fund Total			37.00	-	37.00	(12.00)	25.00	-	25.00

			2023					2024	
			2022	Baseline	2023	2023 Budget	2023	2024	2024
Fund - Department	2022 Classification	2023 Classification	Budget	Adj. from 2022	Baseline	Adjustments	Budgeted FTE	Budget Adjustments	Budgeted FTE
509 Self-Insured Worker's Comp & Liability Fund								-	-
Risk	Management Analyst B	Senior Management Analyst	2.00	-	2.00	-	2.00	-	2.00
	Risk and Safety Manager	Risk and Safety Manager	1.00	-	1.00	-	1.00	-	1.00
	Safety Coordinator	Safety Coordinator	-	-	-	1.00	1.00	-	1.00
	Safety Officer	Safety Officer	1.00	-	1.00	-	1.00	-	1.00
	Worker's Compensation Analyst	Worker's Compensation Analyst	1.00	-	1.00	-	1.00	-	1.00
Risk Total			5.00	-	5.00	1.00	6.00	-	6.00
509 Self-Insured Worker's Comp & Liability Fund Total			5.00	-	5.00	1.00	6.00	-	6.00
510 Internal Administrative Services Fund								-	-
City Manager's Office	Citizen Liaison	Community Liaison	-	-	-	1.00	1.00	-	1.00
	Communications Coordinator	Communications Coordinator	-	-	-	1.00	1.00	-	1.00
	Communications Director	Communications Director	-	-	-	1.00	1.00	-	1.00
	Communications Specialist	Communications Specialist	-	-	-	2.00	2.00	-	2.00
	DEI Business Partner	DEI Business Partner	-	-	-	1.00	1.00	-	1.00
	Director of Diversity, Equity and Inclusion	Diversity, Equity and Inclusion Director	-	-	-	1.00	1.00	-	1.00
	Program Coordinator	Program Coordinator	-	-	-	2.00	2.00	-	2.00
	Public Engagement Manager	Community Engagement Manager	-	-	-	1.00	1.00	-	1.00
	Senior Communications Specialist	Senior Communications Specialist	-	-	-	1.00	1.00	-	1.00
	Strategic Communications Manager	Strategic Communications Manager	-	-	-	1.00	1.00	-	1.00
	Web Content Manager	Web Content Manager	-	-	-	1.00	1.00	-	1.00
City Manager's Office Total			-	-	-	13.00	13.00	-	13.00
Finance	Accountant A	Associate Accountant	1.00	-	1.00	-	1.00	-	1.00
	Accountant B	Senior Accountant	3.00	-	3.00	1.00	4.00	-	4.00
	Accountant C	Principal Accountant	3.00	-	3.00	-	3.00	-	3.00
	Accounting Manager	Accounting Manager	1.00	-	1.00	-	1.00	-	1.00
	Budget Analyst	Budget Analyst	1.00	-	1.00	1.00	2.00	-	2.00
	Business Intelligence Analyst	Business Intelligence Analyst	2.00	-	2.00	-	2.00	-	2.00
	Chief Financial Officer	Chief Financial Officer	1.00	-	1.00	-	1.00	-	1.00
	Customer Service Representative	Customer Service Representative	3.00	-	3.00	-	3.00	-	3.00
	Deputy Finance Director	Deputy Finance Director	1.00	-	1.00	-	1.00	-	1.00
	Finance Supervisor II	Finance Supervisor	1.00	-	1.00	0.10	1.10	-	1.10
	Financial Analyst	Financial Analyst	1.00	-	1.00	-	1.00	-	1.00
	Internal Auditor	Internal Auditor	1.00	-	1.00	-	1.00	-	1.00
	Lead Accounting Clerk	Lead Accounting Clerk	1.00	-	1.00	-	1.00	-	1.00
	Payroll Analyst	Payroll Analyst	2.00	-	2.00	-	2.00	-	2.00
	Payroll Manager	Payroll Manager	1.00	-	1.00	-	1.00	-	1.00
	Performance Analyst D	Performance Analyst	1.00	-	1.00	-	1.00	-	1.00
	Procurement Manager	Procurement Manager	1.00	-	1.00	-	1.00	-	1.00
	Procurement Specialist	Procurement Specialist	4.00	-	4.00	1.00	5.00	-	5.00
	Senior Accounting Clerk	Senior Accounting Clerk	6.50	-	6.50	1.00	7.50	-	7.50
	Senior Budget Analyst	Senior Budget Analyst	2.00	-	2.00	-	2.00	-	2.00
Senior Procurement Specialist	Senior Procurement Specialist	2.00	-	2.00	-	2.00	-	2.00	
Support Specialist III	Senior Support Specialist	1.50	-	1.50	-	1.50	-	1.50	

Fund - Department	2022 Classification	2023 Classification	2022 Budget	2023 Baseline		2023 Budget Adjustments	2023 Budgeted FTE	2024 Budget Adjustments	2024 Budgeted FTE
				Adj. from 2022	Baseline				
Finance	Treasurer	Treasurer	1.00	-	1.00	-	1.00	-	1.00
Finance Total			42.00	-	42.00	4.10	46.10	-	46.10
General Services	Mail Room Assistant	Mail Room Assistant	1.00	-	1.00	-	1.00	-	1.00
	Police Records Specialist	Police Records Specialist	-	-	-	1.00	1.00	-	1.00
	Public Records Officer	Public Records Officer	1.00	-	1.00	-	1.00	-	1.00
	Records Specialist	Records Specialist	1.00	-	1.00	-	1.00	-	1.00
	Records Supervisor	Records Supervisor	1.00	-	1.00	-	1.00	-	1.00
General Services Total			4.00	-	4.00	1.00	5.00	-	5.00
Human Resources									
	Benefits Analyst	Lead Human Resources Analyst	1.00	-	1.00	-	1.00	-	1.00
	Classification and Compensation Analyst	Human Resources Analyst	1.00	-	1.00	-	1.00	-	1.00
	Departmental Aide	Departmental Aide	0.80	-	0.80	-	0.80	-	0.80
	Employee and Labor Relations Analyst	Human Resources Business Partner	2.00	-	2.00	1.00	3.00	-	3.00
	Employee Engagement Coordinator	Employee Engagement Coordinator	1.00	(1.00)	-	-	-	-	-
	HR Deputy Director	Deputy Human Resources Director	1.00	-	1.00	-	1.00	-	1.00
	HRIS/Leave Analyst	Human Resources Coordinator	2.00	(1.00)	1.00	1.00	2.00	-	2.00
	Human Resources Assistant	Human Resources Specialist	7.00	1.00	8.00	-	8.00	-	8.00
	Human Resources Director	Human Resources Director	1.00	-	1.00	-	1.00	-	1.00
	IT Systems Analyst C	IT Systems Analyst	1.00	-	1.00	-	1.00	-	1.00
	Learning and Talent Development Coordinator	Human Resources Coordinator	1.00	-	1.00	-	1.00	-	1.00
	Management Analyst B	Human Resources Coordinator	-	1.00	1.00	-	1.00	-	1.00
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Human Resources Total			19.80	-	19.80	2.00	21.80	-	21.80
Information Technology									
	Computer Support Specialist	Computer Technician	4.00	1.00	5.00	-	5.00	1.00	6.00
	Computer Technician Supervisor	Computer Technician Supervisor	1.00	-	1.00	-	1.00	-	1.00
	GIS Manager	GIS Manager	1.00	-	1.00	-	1.00	-	1.00
	Help Desk Specialist	Computer Technician	2.00	-	2.00	-	2.00	-	2.00
	Information Technology Director	Information Technology Director	1.00	-	1.00	-	1.00	-	1.00
	IT Application Services Manager	IT Application Services Manager	1.00	-	1.00	-	1.00	-	1.00
	IT System Administration Supervisor	IT System Administration Supervisor	1.00	-	1.00	-	1.00	-	1.00
	IT Systems Analyst C	IT Systems Analyst	6.75	-	6.75	2.25	9.00	-	9.00
	IT Systems Analyst D	Senior IT Systems Analyst	10.00	1.00	11.00	1.00	12.00	-	12.00
	IT Technical Services Manager	IT Technical Services Manager	1.00	-	1.00	-	1.00	-	1.00
	Senior Computer Support Specialist	Senior Computer Technician	2.00	-	2.00	-	2.00	-	2.00
	Support Specialist III	Senior Support Specialist	1.00	-	1.00	-	1.00	-	1.00
Information Technology Total			31.75	2.00	33.75	3.25	37.00	1.00	38.00
Legal									
	Assistant City Attorney III	Assistant City Attorney III	7.00	-	7.00	1.00	8.00	-	8.00
	Chief Assistant City Attorney	Deputy City Attorney	1.00	-	1.00	(1.00)	-	-	-
	City Attorney	City Attorney	1.00	-	1.00	-	1.00	-	1.00
	Deputy City Attorney	Deputy City Attorney	-	-	-	1.00	1.00	-	1.00
	Legal Assistant	Legal Assistant	2.00	-	2.00	-	2.00	-	2.00
	Legal Secretary	Legal Secretary	0.50	-	0.50	-	0.50	-	0.50
	Senior Legal Assistant	Senior Legal Assistant	1.00	-	1.00	-	1.00	-	1.00

			2023							2024
			Baseline	Adj. from	2023	2023 Budget	2023	2024	Budget	
Fund - Department	2022 Classification	2023 Classification	Budget	2022	Baseline	Adjustments	Budgeted FTE	Adjustments	Budgeted FTE	
Legal Total			12.50	-	12.50	1.00	13.50	-	13.50	
Police	Computer Support Specialist	Computer Technician	1.00	(1.00)	-	-	-	-	-	
	Human Resources Assistant	Human Resources Specialist	1.00	(1.00)	-	-	-	-	-	
	IT Systems Analyst D	Senior IT Systems Analyst	1.00	(1.00)	-	-	-	-	-	
Police Total			3.00	(3.00)	-	-	-	-	-	
510 Internal Administrative Services Fund Total			113.05	(1.00)	112.05	24.35	136.40	1.00	137.40	
655 City/County Cable TV Fund								-	-	
City Manager's Office										
	Support Specialist II	Support Specialist	1.00	-	1.00	-	1.00	-	1.00	
	Video Producer	Video-Multimedia Producer	2.00	-	2.00	-	2.00	-	2.00	
	Video Services Coordinator	Video Services Coordinator	1.00	-	1.00	-	1.00	-	1.00	
	Video Services Manager	Video Services Manager	1.00	-	1.00	-	1.00	-	1.00	
City Manager's Office Total			5.00	-	5.00	-	5.00	-	5.00	
655 City/County Cable TV Fund Total			5.00	-	5.00	-	5.00	-	5.00	
Grand Total			1,230.80	(17.00)	1,213.80	116.85	1,330.65	10.50	1,341.15	

Capital Projects by Group and Funding Sources
City of Vancouver 2023-24 Biennium Budget

Capital Group	Project Name	2023 Capital Projects
GENERAL CAPITAL		
	City Facilities Solar panels	500,000
	City Hall - Upgrade Video Surveillance	1,500,000
	City Hall Interior Lighting Upgrade	-
	Cultural Arts Building	500,000
	Electric Vehicle Charging Stations	500,000
	Fourth Plain Commons	9,806,714
	Hanger Electrical Improvements	55,000
	Heights Development Phase 1 Design/Planning	560,000
	Operations Center Redevelopment	1,200,000
	Police HQ Chkalov	10,000,000
	Reconstruct lighting Vault & Replace Runway Edge	-
	General Capital Investments in New Assets	24,621,714
	General Capital -- Asset Maintenance	
	City Hall - Repaint and Seal Exterior Masonry	150,000
	City Hall HVAC Chiller Replacement	200,000
	City Hall IT Server Room Chiller replacement	500,000
	Clark Co Historic Museum Elevator Upgrades	150,000
	Clark County Historic Museum - Replace Roof	75,000
	Esther Short Park - Reconfiguration of Storage and	130,000
	Esther Short Park Bell Tower remodel	1,000,000
	Esther Short Park Stream Courtyard water leak and	70,000
	Esther Short Park Stream Lighting repairs	50,000
	Firstenburg Elevator repairs	150,000
	Firstenburg HVAC Chiller	250,000
	Firstenburg Roof gutter & Downspouts upgrade	50,000
	Fruit Valley Roof/gutters replacement	60,000
	HVAC Controls	300,000
	HVAC Replacement Operation Center	250,000
	Ladder/Roof Fall Protection for City Facilities	115,000
	Luepke Center - Replace Air Handlers and Exhaust I	-
	Luepke Exterior Fire Sprinklers	40,000
	Marshall Center - Upgrade Heat Recovery System	450,000
	Marshall Center HVAC Chiller repairs	-
	VPD Evidence Freezer HVAC replacement	20,000
	VPD Evidence HVAC	60,000
	Interfund	127,249
	City Hall Replace AMAG Technologies building acce	100,000
	VPD East Replace AMAG Technologies building acc	100,000
	Firstenburg Replace AMAG Technologies building a	-
	Luepke Replace AMAG Technologies building acces	-

Marshall Replace AMAG Technologies building acco	-
Firstenburg HVAC Air Handling Unit #5	-
VPD West - Replace AMAG Technologies building a	100,000
General - Asset Management Total	4,497,249
General Capital - Fire Construction	
Access Control Security Upgrade	175,000
Fire Station 11 Development	200,000
Fire Station 5 Shop HVAC replacement	-
Fire Station 8 - Seismic Upgrade	630,000
Ladder/Roof Fall Protection for City Facilities	40,000
VFD Apparatus Bay overhead doors	120,000
VFD HVAC Controls	80,000
VFD Station 4 Exterior repairs	45,000
VFD Station 6 Heat Pump system	35,000
Fire Station 5 Logistics Warehouse (State Grant)	1,008,590
Fire Station 6 Relocation	15,000
Interfund	90,798
General - Fire Construction Total	2,439,388
TOTAL GENERAL CAPITAL AND ASSET MANAGEMENT	31,558,351
Parks and Trails	
Acquisition - District 2	336,092
Bagley Community Park Development	500,000
District 4 Park Acquisition	4,000,000
Esther Short Playground	150,000
Evergreen Park	-
Fisher's Quarry Neighborhood Park Development	1,000,000
Heights Park	243,063
Lauren Park Development	-
Marshall Park Inclusive Nature Play for All	317,823
Naturescaping Vancouver Test Pilot Site	156,120
Oakbrook Park Development	2,500,000
Raymond E Shaffer Park Development	300,000
Vancouver Innovation Center (VIC)	4,500,000
Trail Program	250,000
Interfund	56,586
Countryside Park Playgrounds Replacement	-
Esther Short Park Playground/Restroom Master Pla	700,000
Ida Bell Jones Park Development	15,000
Park Impact Fee (PIF) District A Land Acquisition an	282,751
Marine Park Play Equipment Replacement	500,000
Jaggy Road Park Play Equipment Replacement	-
Fruit Valley Park Play Equipment Replacement	500,000
Evergreen Park Play Equipment Replacement	500,000
The Downs Park Play Equipment Replacement	500,000
Parks and Trails Total	17,307,435
Transportation and Streets	
192nd Avenue on-ramp to SR-14 signal	100,000
1st St - 164th to 192nd Utility Relocation	300,000

2021 Neighborhood Traffic Management Plan	290,000
2022 Neighborhood Traffic Management Program	300,000
2023 Neighborhood Traffic Management Program	365,000
2024 Neighborhood Traffic Management Program	-
Andresen - Fourth Plain Right Turn Lane Extension	100,000
Citywide Street Light Program	250,000
Devine Pedestrian Improvements - Mill Plain to 181st Ave	1,000,000
Fourth Plain & Stapleton Intersection Improvements	100,000
Fourth Plain and 152nd Ave Signal	30,000
Fruit Valley and Lakeshore Avenue Roundabout	300,000
Heights District Redevelopment	3,486,125
Macarthur Boulevard Complete Streets Improvements	200,000
Main Street - 5th to 15th	5,000,000
McCloughlin Boulevard Complete Streets Improvements	15,000
Multi Modal Safety and Accessibility Program	1,500,000
NE 115th Avenue extension - 16th St. to 18th St.	200,000
NE 18th and Devine Pedestrian Improvements	300,000
NE 18th St - 141st Ave to 162nd Ave	500,000
NE 192nd Ave and 13th St Signal Improvement	75,000
NE 68th Street Sidewalk - City limits to St Johns	700,000
NE Fourth Plain Blvd - Enhanced Pedestrian Crossings	500,000
Non-Programmed Safety (Fund 331)	200,000
SE 1st Street - 177th Ave to 192nd Ave	7,700,000
Traffic Signal Sustainability2	445,000
W Fourth Plain Blvd, Franklin Street Intersection	740,000
LED Street Light Equipment Repair & Replacement	100,000
Columbia House Blvd and Grove St Signal Improvements	30,000
Mill Plain Bus Rapid Transit (BRT) Fiber Project	125,000
Fourth Plain Blvd Bridge Pier Repair	55,000
Neighborhood Traffic Safety Alliance (NTSA) & Realignment	25,000
137th Ave Corridor - 49th to Fourth Plain	8,000,000
Evergreen Highway Trail Phase II	100,000
Evergreen Trail - Chelsea to Image	500,000
Jefferson St - Evergreen to Mill Plain	1,000,000
NE 18th St - 97th Ave to 107th Ave	800,000
SE 1st St - 164th to 177th	200,000
Vancouver Waterfront Access Project	300,000
Debt	359,310
Interfund	1,313

Transportation/Streets Total	36,291,748
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VNHR	Historic Reserve Chimney Repairs	75,000
	Historic Reserve Duplex Kitchen and Bath Upgrade:	25,000
	Officer's Row Grant House Roof Replacement	156,667

VNHR Total	256,667
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Utility Capital
Surfacewater

Central Fourth Plain	30,000
Columbia Slope Culvert - Mill Creek	145,000
Columbia Slope Stormwater Retrofit Evaluation Stu	200,000
Columbia Way to Columbia River Retrofits	30,000
East Mill Plain CTC Basin Study	400,000
East Orchards Fourth Plain Water Quality Retrofits	727,000
Fruit Valley Neighborhood Storm Retrofit	50,000
Hearthwood Infiltration Expansion	100,000
Heights District Redevelopment	121,531
Image Infiltration Expansion	-
Primrose Court Swale Retrofit	23,000
Property Acquisition Grants	500,000
SE 17th Street Outfall	237,810
SE 18th Cir & SE 113th Ave Storm Sewer Upgrade	50,000
W 22nd St & Thompson	100,000
Waste Incentive Network (EPA Grant)	200,000
Interfund	30,021
NE Ross Street Low Impact Development (LID) Retr	774,040
National Pollution Discharge Elimination System (N	175,000
NE Fourth Plain (123rd-131st South) Water Quality	717,045
Blandford Drive Subbasins Low Impact Developme	120,000
Washington State Department of Transportation (\	408,040
East Mill Plain Underground Injection Control (UIC)	1,651,360
Columbia Slope Water Quality Monitoring Ph 2 (EP	200,000
Fruit Valley Road	550,000

Surfacewater Total	7,539,847
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Wastewater - Collection	Burnt Bridge Creek Interceptor - PH 1	200,000
	Burnt Bridge Creek Interceptor - PH 2	150,000
	Burnt Bridge Creek Interceptor - PH 3	50,000
	Burnt Bridge Creek Interceptor - PH 4	50,000
	Burnt Bridge Creek Pump Station Upgrade	2,000,000
	Capital Preservation - Collection System	2,000,000
	Capital Preservation and Compliance	1,000,000
	East Interceptor Rehab Ph 1 & Ph 2	6,000,000
	E-Interceptor Rehab - PH 3	-
	Franklin/Esther St Sewer Improvements	600,000
	Heights District Redevelopment	100,000
	HVAC Replacement Marine Park Engineering	450,000
	IR - Interceptor Rehabilitation	1,000,000
	Lagoon Aeration Upgrade	-
	Lagoon Upgrade Engineering Design	300,000
	Main Industrial Pump Station Upgrade	750,000
	Main Street - 5th to 15th	800,000
	Marine Park Bar Screens Upgrade	640,000
	Marine Park Forcemain	500,000
	Marine Park Phase 3A	250,000
	Marine Park Process Piping Repair & Replacement	200,000

	Marine Park UV Upgrade	1,000,000
	NE 22nd Ave Pump Station Removal and Gravity Ex	450,000
	Pinebrook Force Main Reroute	100,000
	Process Controls Electronics	400,000
	Southside Interceptor Rehab Ph 2	500,000
	Southside Interceptor Rehab Ph 3	500,000
	Southside Interceptor Rehab Ph 4 & Ph 5	2,500,000
	Standby Power	100,000
	Wastewater Collection SCADA	150,000
	Westside Blower	175,000
	Westside Centrifuge Replacement	315,000
	Westside Electrical Upgrade Design	750,000
	Westside Gravity Belt Thickener/Polymer Refurb	100,000
	Westside Grit Classifier Replacement	1,100,000
	Westside Odor Control Planning	-
	Westside Process Piping Repair & Replacement	200,000
	Westside Solids Planning	400,000
	Wye Rehab/Replacement	100,000
	Debt	468,400
	Interfund	26,050
	Maplecrest Pump Station Reconstruct & Growth M	1,500,000
	Westridge Pump Station & Fishers Pump Station Di	1,000,000
	Pearson Pump Station Upgrade	650,000
	West 16th Pump Station Pump Replacement	200,000
	West 16th Pump Station Forcemain Reline	150,000
Wastewater - Collection & Treatment Total		29,874,450
Wastewater - SCIP	Central Vancouver South (SCIP)	-
	Demand Response - SCIP	250,000
	E Vancouver Central (SCIP)	300,000
	East Vancouver - North(392 Parcels)	800,000
	NE 122nd Ave (Sewer Connection Incentive Progra	600,000
	Ne 58th and Andresen Sewer Improvements (SCIP)	1,200,000
	NE 60th Street Sewer Improvements (SCIP)	700,000
	Vista Robles Sewer Improvements (SCIP)	300,000
	West Vancouver Phase 1 (Sewer Connection Incenti	980,000
Wastewater - SCIP Total		5,130,000
Total Wastewater		35,004,450
Water	2023-2024 Hydrant Repair and Replacement Proje	260,000
	99th St Extension, 94th Ave to 104th Ave County	185,000
	99th St Transmission Main - 140th Ct to Ward Rd	70,000
	9th St to 18th St, 112th Ave to 129th Ave (T-36)	200,000
	Blandford (T-51) Model Routes	-
	BNSF 4th Plain Crossing (T-3)	250,000
	Ellsworth Well Rehabilitation	-
	Haagen Park, North of 9th St (T-37)	335,000
	Heights District Redevelopment	121,531
	HVAC Replacement Water Center	450,000

Jefferson St Realignment	10,000
Leak Abatement	1,000,000
Lincoln to Main St Trans Main (T-4, 5 & 6)	1,800,000
Main St Water - 5th to 15th	650,000
Mill Plain Blvd - 124th Ave to 131st Ave (T-46)	-
NE 53rd St & St Johns Rd Water Main Replacement	65,713
NW Daniels St, W 39th St to W 45th St, Water Main	400,000
Operations Center Redevelopment	1,800,000
PRV Flowmeters/SCADA System Connections	60,000
SCIP Coordination Projects	100,000
SE 1st St - Transportation Coordination	375,000
Water Demand Response	300,000
Water Station 1 Replace Wells 3, 4, 5	1,500,000
Water Station 3 Reservoir/Tower/Booster Replace,	995,000
Water Station 4 Well 4 Building Replacement	680,905
Water System Plan	-
Interfund	224,056
Water Station 5 Reservoir, Pump, E-Power	14,000,000
Water Station 8 Hypo Generation System	600,000
Water Station 5 Tower Internal Coating	-
Ellsworth Hypochlorite Generation	1,500,000
Water Station 15 Sodium Hypochlorite Generator &	200,000
Vancouver Low Rezone South of Water Station 1	380,000
Supervisory Control and Data Acquisition (SCADA)	104,000
Polyfluoroalkyl Substances (PFAS) Studies	1,100,000
Heights High Ground Water Development Water R	-
Water Station 4 Hypochlorite Generation System	200,000
Supervisory Control and Data Acquisition (SCADA) :	-
Water Station 1 Wellhouse 11-13 Roof Replaceme	120,000

Water Total	30,036,205
Utility Capital Total	72,580,502
Grand Total	157,994,703

2024 Capital Projects	2023-2024 Capital Project Budget
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500,000	1,000,000
-	1,500,000
1,000,000	1,000,000
2,500,000	3,000,000
500,000	1,000,000
-	9,806,714
-	55,000
-	560,000
1,840,000	3,040,000
10,000,000	20,000,000
982,000	982,000
17,322,000	41,943,714
150,000	300,000
-	200,000
-	500,000
-	150,000
-	75,000
450,000	580,000
-	1,000,000
-	70,000
-	50,000
-	150,000
-	250,000
-	50,000
-	60,000
300,000	600,000
-	250,000
-	115,000
500,000	500,000
-	40,000
-	450,000
250,000	250,000
-	20,000
90,000	150,000
127,455	254,704
-	100,000
-	100,000
100,000	100,000
100,000	100,000

100,000	100,000
100,000	100,000
-	100,000
2,267,455	6,764,704

150,000	325,000
-	200,000
80,000	80,000
630,000	1,260,000
-	40,000
-	120,000
80,000	160,000
-	45,000
-	35,000
-	1,008,590
450,000	465,000
90,798	181,596
1,480,798	3,920,186

21,070,253	52,628,604
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-	336,092
10,000,000	10,500,000
-	4,000,000
-	150,000
1,000,000	1,000,000
-	1,000,000
-	243,063
100,000	100,000
-	317,823
156,120	312,240
400,000	2,900,000
100,000	400,000
1,000,000	5,500,000
1,000,000	1,250,000
56,678	113,264
500,000	500,000
-	700,000
-	15,000
-	282,751
-	500,000
500,000	500,000
-	500,000
-	500,000
-	500,000

14,812,798	32,120,233
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60,000	160,000
-	300,000

-	290,000
-	300,000
-	365,000
365,000	365,000
-	100,000
250,000	500,000
-	1,000,000
-	100,000
30,000	60,000
-	300,000
2,500,000	5,986,125
300,000	500,000
5,207,000	10,207,000
-	15,000
1,500,000	3,000,000
-	200,000
-	300,000
500,000	1,000,000
75,000	150,000
-	700,000
-	500,000
200,000	400,000
2,500,000	10,200,000
365,000	810,000
-	740,000
100,000	200,000
30,000	60,000
-	125,000
-	55,000
25,000	50,000
8,083,000	16,083,000
-	100,000
700,000	1,200,000
4,000,000	5,000,000
250,000	1,050,000
-	200,000
300,000	600,000
362,590	721,900
1,313	2,625
27,703,903	63,995,650
75,000	150,000
25,000	50,000
-	156,667
100,000	356,667

2,000,000	2,030,000
-	145,000
232,000	432,000
40,000	70,000
-	400,000
-	727,000
100,000	150,000
200,000	300,000
-	121,531
75,000	75,000
150,000	173,000
500,000	1,000,000
-	237,810
200,000	250,000
2,305,000	2,405,000
145,000	345,000
30,062	60,083
-	774,040
180,000	355,000
-	717,045
2,678,495	2,798,495
412,120	820,160
-	1,651,360
129,150	329,150
-	550,000
9,376,827	16,916,674
1,200,000	1,400,000
680,000	830,000
240,000	290,000
575,000	625,000
-	2,000,000
2,000,000	4,000,000
2,000,000	3,000,000
-	6,000,000
200,000	200,000
-	600,000
400,000	500,000
-	450,000
1,000,000	2,000,000
1,500,000	1,500,000
-	300,000
-	750,000
-	800,000
-	640,000
1,500,000	2,000,000
2,250,000	2,500,000
200,000	400,000

500,000	1,500,000
-	450,000
-	100,000
200,000	600,000
-	500,000
-	500,000
1,000,000	3,500,000
100,000	200,000
150,000	300,000
-	175,000
400,000	715,000
750,000	1,500,000
400,000	500,000
-	1,100,000
100,000	100,000
200,000	400,000
2,000,000	2,400,000
100,000	200,000
464,000	932,400
26,050	52,100
-	1,500,000
-	1,000,000
-	650,000
-	200,000
-	150,000
20,135,050	50,009,500
1,300,000	1,300,000
250,000	500,000
1,000,000	1,300,000
400,000	1,200,000
-	600,000
-	1,200,000
-	700,000
-	300,000
-	980,000
2,950,000	8,080,000
23,085,050	58,089,500
-	260,000
-	185,000
2,700,000	2,770,000
300,000	500,000
20,000	20,000
2,370,000	2,620,000
300,000	300,000
-	335,000
-	121,531
-	450,000

160,000	170,000
600,000	1,600,000
-	1,800,000
-	650,000
825,000	825,000
-	65,713
-	400,000
2,760,000	4,560,000
60,000	120,000
100,000	200,000
-	375,000
300,000	600,000
2,000,000	3,500,000
5,500,000	6,495,000
-	680,905
50,000	50,000
224,352	448,408
2,500,000	16,500,000
200,000	800,000
230,000	230,000
-	1,500,000
800,000	1,000,000
-	380,000
31,000	135,000
-	1,100,000
50,000	50,000
1,000,000	1,200,000
16,000	16,000
-	120,000
23,096,352	53,132,557
55,558,229	128,138,731
119,245,183	277,239,885

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
35	208,752	245,592	282,420
Exempt Positions	17,396	20,466	23,535
<i>Deputy City Manager</i>			
34	198,808	233,892	268,980
No Active Classifications	16,567	19,491	22,415
33	189,336	222,756	256,164
Exempt Positions	15,778	18,563	21,347
<i>Deputy City Manager</i>			
32	180,324	212,148	243,972
Exempt Positions	15,027	17,679	20,331
City Attorney			
Fire Chief			
Police Chief			
31	171,744	202,044	232,356
Exempt Positions	14,312	16,837	19,363
Public Works Director			
30	163,560	192,420	221,292
Exempt Positions	13,630	16,035	18,441
Chief Financial Officer			
Communications Director			
Community Development Director			
Director of Diversity, Equity and Inclusion			
Diversity, Equity and Inclusion Director			
Economic Development Director			
General Services Director			
Human Resources Director			
Information Technology Director			
Parks and Recreation Director			
29	155,772	183,264	210,744
Exempt Positions	12,981	15,272	17,562
Assistant Police Chief			
Chief Assistant City Attorney			
Deputy City Attorney			
Deputy Fire Chief			
28	148,356	174,528	200,712
Exempt Positions	12,363	14,544	16,726
Chief Assistant City Attorney			
27	141,288	166,224	191,160
No Active Classifications	11,774	13,852	15,930

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
26	134,556	158,304	182,052
Exempt Positions	11,213	13,192	15,171
City Engineer			
Deputy Community Development Director			
Deputy Economic Development Director			
Deputy Finance Director			
HR Deputy Director			
Deputy Human Resources Director			
Operations Manager			
Operations Division Manager			
Program and Policy Development Manager			
Streets and Transportation Manager			
Transportation Division Manager			
25	128,160	150,768	173,388
Exempt Positions	10,680	12,564	14,449
Assistant City Attorney III			
Capital Projects Division Manager			
City Prosecutor			
Communications Director			
Construction Services Manager			
Construction Services Division Manager			
Director of Diversity, Equity and Inclusion			
Fire Marshal			
General Services Director			
IT Application Services Manager			
IT Technical Services Manager			
Program and Policy Development Manager			
24	122,052	143,592	165,132
Exempt Positions	10,171	11,966	13,761
Development Review Division Manager			
Recreation Services Manager			
Park Development Services Manager			
23	116,244	136,752	157,260
Exempt Positions	9,687	11,396	13,105
Assistant City Attorney II			
Budget Manager			
Treasurer			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
22	110,700	130,236	149,772
Exempt Positions	9,225	10,853	12,481
Accounting Manager			
Building Official			
Engineering Program Manager			
Engineering Manager			
Engineering Program Manager			
Utility Engineering Program Manager			
Engineering Program Manager			
Procurement Manager			
Finance and Asset Manager			
Public Works Finance & Asset Manager			
21	105,432	124,044	142,644
Exempt Positions	8,786	10,337	11,887
Airport Manager			
Cultural Services Manager			
Emergency Preparedness Manager			
Environmental Services Manager			
Homeless Resource Manager			
Homeless Response Manager			
IT System Administration Supervisor			
Risk and Safety Manager			
Senior Civil Engineer			
Senior Traffic Engineer			
20	100,416	118,128	135,852
Exempt Positions	8,368	9,844	11,321
Assistant Building Official			
Assistant Fire Marshal			
City Surveyor			
Community Development Manager			
Housing Programs Manager			
Environmental Services Manager			
Equipment Superintendent			
Operations Superintendent			
GIS Manager			
IT Systems Analyst D			
Senior IT Systems Analyst			
Land Use Program Manager			
Long Range Planning Program Manager			
Operations Superintendent			
Parking District Manager			
Utilities Administration Manager			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
19	95,628	112,512	129,384
Exempt Positions	7,969	9,376	10,782
Capital Projects Manager			
Principal Planner			
<i>Housing Project Manager</i>			
Land Use Program Manager			
Performance Analyst-D			
<i>Performance Analyst</i>			
Principal Planner			
Real Estate Project Manager			
Senior Policy Analyst			
Senior Transportation Policy Advisor			
<i>Senior Policy Advisor</i>			
18	91,080	107,148	123,216
Exempt Positions	7,590	8,929	10,268
Business Intelligence Analyst			
Civil Engineer			
Public Engagement Manager			
<i>Community Engagement Manager</i>			
GIS Supervisor			
IT Systems Analyst-C			
<i>IT Systems Analyst</i>			
Parking Manager			
Payroll Manager			
Professional Land Surveyor			
Recreation Facility Manager			
Senior Budget Analyst			
Strategic Communications Manager			
<i>Technical Engineering Supervisor</i>			
Traffic Engineer			
<i>Video Services Manager</i>			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
17	86,736	102,048	117,348
Exempt Positions	7,228	8,504	9,779
Assistant City Attorney I			
DEI Business Partner			
Environmental Scientist			
Senior Planner			
Housing Project Coordinator			
Employee and Labor Relations Analyst			
Human Resources Business Partner			
Internal Auditor			
Benefits Analyst			
Lead Human Resources Analyst			
Police Records Manager			
Property Management Specialist			
Senior Planner			
Real Estate Project Coordinator			
Senior Financial Analyst			
Senior Planner			
Senior Park Planner			
Senior Planner			
16	82,608	97,188	111,768
Exempt Positions	6,884	8,099	9,314
Associate Civil Engineer			
Associate Traffic Engineer			
Budget Analyst			
Emergency Equipment Supervisor			
Fleet Services Emergency Supervisor			
Equipment Mechanic Supervisor			
Fleet Services Supervisor			
Finance and Logistics Supervisor			
Permit Center Supervisor			
Safety Officer			
Senior Communications Specialist			
Senior Park Developer			
Technical Engineering Supervisor			
Workers' Compensation Analyst			
Non-Exempt Positions			
Computer Technician Supervisor			
Senior Digital Forensics Investigator			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
15	78,672	92,556	106,440
Exempt Positions	6,556	7,713	8,870
ADA Coordinator			
Financial Analyst			
Finance Supervisor II			
Finance Supervisor			
Classification and Compensation Analyst			
Human Resources Analyst			
HRIS/Leave Analyst			
Human Resources Coordinator			
IT Systems Analyst B			
Learning and Talent Development Coordinator			
Human Resources Coordinator			
Management Analyst B			
Human Resources Coordinator			
Accountant C			
Principal Accountant			
Recreation Services Supervisor			
Safety Coordinator			
Management Analyst B			
Senior Management Analyst			
Senior Procurement Specialist			
Solid Waste Supervisor			
Urban Forester			
Utility Service Supervisor			
Volunteer Coordinator			
Non-Exempt Positions			
Neighborhood Coordinator			
14	74,928	88,152	101,376
Exempt Positions	6,244	7,346	8,448
Associate Planner			
Associate Planner			
Associate Climate Project Coordinator			
Associate Planner			
Associate Housing Project Coordinator			
Associate Planner			
Associate Real Estate Project Coordinator			
CTR Coordinator			
Evidence Supervisor			
Park Developer			
Utility Service Supervisor			
Non-Exempt Positions			
Senior Computer Support Specialist			
Senior Computer Technician			
Web Content Manager			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
13	71,364	83,952	96,552
Exempt Positions	5,947	6,996	8,046
Construction Project Coordinator			
Administrative Assistant to the City Manager			
Executive Assistant to the City Manager			
Evidence Supervisor			
Police Records Supervisor			
Records Supervisor			
Senior Legal Assistant			
Non-Exempt Positions			
Digital Forensics Investigator			
Neighborhood Coordinator			
Solid Waste Analyst			
12	67,968	79,956	91,944
Non-Exempt Positions	5,664	6,663	7,662
Communications Specialist			
Citizen Liaison			
Community Liaison			
Computer Support Specialist			
Computer Technician			
Help Desk Specialist			
Computer Technician			
Homeless Response Coordinator			
Management Analyst A			
Management Analyst			
Procurement Specialist			
Accountant B			
Senior Accountant			
Educator			
Water Resources Educator			
Web Content Manager			
11	64,728	76,152	87,576
Exempt Positions	5,394	6,346	7,298
Construction Project Coordinator			
Parking Supervisor			
Non-Exempt Positions			
Communications Coordinator			
Assistant to the City Council			
Executive Assistant to the City Council			
Material Control Coordinator			
Video Producer			
Video-Multimedia Producer			

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
10	61,644	72,528	83,400
Non-Exempt Positions	5,137	6,044	6,950
Administrative Assistant			
Assistant Planner			
DEI Project Coordinator			
Encampment Response Coordinator			
Homeless Encampment Response Coordinator			
Homeless Outreach Specialist			
Human Resources Assistant			
Human Resources Specialist			
Management Analyst A			
Program Coordinator			
Video Services Coordinator			
9	58,704	69,072	79,428
Exempt Positions	4,892	5,756	6,619
Parking Supervisor			
No Active Classifications			
Non-Exempt Positions			
Accountant A			
Associate Accountant			
Communications Coordinator			
8	55,908	65,784	75,648
Non-Exempt Positions	4,659	5,482	6,304
Resources Service Technician			
7	53,256	62,652	72,048
Non-Exempt Positions	4,438	5,221	6,004
Support Specialist III			
Senior Support Specialist			
Volunteer Program Assistant			
6	50,712	59,664	68,616
No Active Classifications	4,226	4,972	5,718
5	48,300	56,820	65,352
Non-Exempt Positions	4,025	4,735	5,446
Support Specialist II			
Support Specialist			
4	45,996	54,120	62,232
No Active Classifications	3,833	4,510	5,186
3	43,812	51,540	59,268
No Active Classifications	3,651	4,295	4,939
2	41,724	49,092	56,448
No Active Classifications	3,477	4,091	4,704

Proposed 2023 Non Union Exempt & Non-Exempt Schedule

	Low Range	Mid-Range	Top Range
1	39,732	46,752	53,760
No Active Classifications	3,311	3,896	4,480
Department Aid	32,736	38,520	44,292
	2,729	3,210	3,691



Item #22.

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT Amendment of the September 12, 2022, Council Meeting Minutes

Action Requested

Amend the minutes of September 12, 2022, to clarify the direction of the Council in regards to New Business Item 19 of the agenda as recorded by CVTV.

Sarah Dollar, Assistant to the City Council, 360-487-8641

ATTACHMENTS:

- September 12, 2022 Meeting Minutes - Redline Changes

Anne McEnery-Ogle, Mayor

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

September 12, 2022

WORKSHOPS

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/34987?startStreamAt=0&stopStreamAt=9097

3:30 - 4:00 pm Fossil Fuel Regulations Code Amendment

Chad Eiken, Community Development Director, 360-487-7882

Summary

Staff led Council through a discussion of the Fossil Fuel Regulations Code Amendment.

4:00 - 6:00 pm Transportation System Plan

Rebecca Kennedy, Deputy Community Development Director, 360-487-7896

Summary

Staff led Council through a discussion of the Transportation System Plan.

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/34987?startStreamAt=0&stopStreamAt=9097

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, Mayor McEnerny-Ogle

Absent: None

Councilmember Stober participated remotely.

Councilmember Stober and Councilmember Paulsen left the meeting after the conclusion of Item 18.

Approval of Minutes

Minutes - May 16, 2022

Motion by Councilmember Hansen, seconded by Councilmember Harless, and carried unanimously to approve the meeting minutes of May 16, 2022.

Minutes - May 23, 2022

Motion by Councilmember Hansen, seconded by Councilmember Harless, and carried unanimously to approve the meeting minutes of May 23, 2022.

Minutes - June 6, 2022

Motion by Councilmember Hansen, seconded by Councilmember Harless, and carried unanimously to approve the meeting minutes of June 6, 2022.

Proclamations

Hispanic Heritage Month

Mayor McEnerny-Ogle read and presented a proclamation to Carmen Castro, Executive Director of Hispanic Metropolitan Chamber, proclaiming September 15 through October 15, 2022, as Hispanic Heritage Month.

National Preparedness Month

Mayor McEnerny-Ogle read and presented a proclamation to Geraldene Moyle, General Services Director for the City of Vancouver, expressing support for participation in National Preparedness Month.

Community Communications

Mayor McEnerny-Ogle opened Community Communication and received testimony from the following community members regarding Consent Agenda Items 1-15:

- Siobhana McEwen, Vancouver
- Kimberlee Elbon, La Center, WA
- Wynn Grcich, Vancouver

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

Consent Agenda (Items 1-15)

Council requested Items 4, 6, and 8 be pulled for discussion.

Motion by Councilmember Hansen, seconded by Councilmember Paulsen, and carried unanimously to approve items 1-3, 5, 7, and 9-15 of the Consent Agenda.

Council briefly discussed the Items with staff.

Motion by Councilmember Perez, seconded by Councilmember Fox, and carried unanimously to approve item 4 of the Consent Agenda.

Motion by Councilmember Fox, seconded by Councilmember Hansen, and carried unanimously to approve item 6 of the Consent Agenda.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and carried 6-1 to approve item 8 of the Consent Agenda. Councilmember Harless voted No.

1. Construction Acceptance - G-1 Trunk Sewer CIPP Rehabilitation

Staff Report: 110-22

Insituform Technologies, LLC of Chesterfield, Missouri, has completed construction of the G-1 trunk CIPP Rehabilitation project. The project installed 8, 10, 12, 18, 21 and 24-inch UV Cured-In-Place Liner for a total of 5,719 linear feet.

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

TOTAL CONTRACT COSTS	
<i>Labor, Equipment and Material</i>	<i>\$469,249.78</i>
<i>Sales Tax</i>	<i>\$39,866.23</i>
<i>Total</i>	<i>\$509,136.01</i>
<i>Retainage</i>	<i>\$23,462.49</i>

The original contract amount, including sales tax, was \$557,920.71. The final project cost was \$509,136.01, which was \$48,784.70 (over 8%) less than the original contracted amount. The difference is attributed to the typical variances in unit prices and/or quantities commonly encountered during construction.

This project had very low labor hours and high material costs and qualified for an apprenticeship policy waiver.

Request: On September 12, 2022, accept the facilities as constructed by Insituform Technologies LLC of Chesterfield, Missouri, and authorize release of the retainage subject to receipt of all documentation required by law.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

Motion approved the request.

2. **Bid Award - Professional services agreements (PSAs) for on-call Sewer Engineering planning and design services**

Staff Report: 111-22

The City's Sewer Engineering department completed a condition assessment of the existing large interceptors in the collection system. The results of this assessment identified numerous capital projects requiring completion over the next several years. In addition to the identified interceptor projects there are capital projects for pump stations that are in need of rehabilitation and upgrades. Several of these projects are either large enough or very specialized in nature requiring planning and/or design assistance to supplement current engineering staff.

The City issued an RFQ for on-call sewer engineering planning and design services in May 2022 and received seven responses in June 2022. Projects requiring consulting services have been broken out into four unique categories of work including:

- 1. Planning and Modeling;*
- 2. Trenchless Rehabilitation Design;*
- 3. Pump Station Condition Assessment/Rehabilitation/Relocation/Decommissioning;*
- 4. Condition Assessment of Existing Sewer Collection System; as well as*
- 5. Construction Management.*

Consultants were asked to submit responses for all the categories that fall within their specific range of qualifications. Each category was reviewed by a review committee. After a review of all responses, the evaluation committee selected

four consultants for on-call professional service contracts. Sewer Engineering staff proposes to execute each contract for five years in the amounts and categories shown below.

Engineering Firm	Contract Amount	Work Categories
Murray, Smith and Associates	\$1,000,000	1, 2, 3, 4, 5
Jacobs Engineering Group, Inc.	\$1,000,000	1, 2, 3, 4, 5
Stantec Consulting Services, Inc.	\$1,000,000	1, 2, 3, 4, 5
BHC Consultants, LLC.	\$1,000,000	1, 3

Utilizing on-call contracts for these projects allows the City flexibility in staffing projects during times of peak workload or where specialty services are required.

Request: Authorize the City Manager or their designee to execute Professional Service Agreements in the amounts listed above with Murray, Smith & Associates, Jacobs Engineering Group, Inc., Stantec Consulting Service, Inc., and BHC Consultants, LLC, for sewer engineering planning and design services on an as-needed basis for five years.

Sheryl Hale, Senior Civil Engineer, 360-487-7151

Motion approved the request.

3. **Bid Award for the Devine Road Bicycle and Pedestrian Safety Improvements Project (PRJ100347), per Bid #22-32**

Staff Report: 112-22

On July 19, 2022, the City received 5 bids for construction of the project. The bids ranged from \$1,265,817.22 to \$1,750,000.00. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS BIDDER	AMOUNT
Western United Civil Group LLC, Yacolt, WA	\$1,265,817.22
Advanced Excavating Specialists, Kelso, WA	\$1,436,400.00
Catworks Construction, Vancouver, WA	\$1,481,877.50
Halme Excavating, Battle Ground, WA	\$1,567,095.00
Lee Contractors, Battle Ground, WA	\$1,750,000.00
Engineer's Estimate	\$1.3M

There is a minimum apprenticeship goal of 3% of the utilized labor hours for this project. Western United Civil Group LLC of Yacolt, Washington, has submitted an Apprenticeship Utilization Plan to meet or exceed this goal by using approximately 150 hours of apprentice time of the estimating a total of 3,100 applicable labor hours for the project.

Request: Award a construction contract for the Devine Road Bicycle and Pedestrian Safety Improvements Project to the lowest responsive and responsible bidder, Western United Civil Group LLC of Yacolt, Washington, at their bid price of \$1,265,817.22, which includes Washington State sales tax, authorize the City Manager or

their designee to execute the contract and authorize any legal action necessary to enforce the terms of the same.

Ivar Christensen, Senior Civil Engineer, 360-487-7765

Motion approved the request.

4. **Bid award for construction for the Fourth Plain Commons tenant improvements, per Bid #22-29**

Staff Report: 113-22

In 2015, the City of Vancouver worked with the community to develop the Fourth Plain Forward Action Plan, a framework for equitable development on the Fourth Plain corridor as new investment came into the community, including a significant bus rapid transit (BRT) investment called the Vine that is now complete. Broadly, the Action Plan focuses on supporting small businesses, building community capacity, addressing pedestrian safety issues, and increasing access to economic opportunity and affordable housing near transit.

In alignment with the 2015 Action Plan, the City of Vancouver and Vancouver Housing Authority partnered to make a catalytic investment in the Fourth Plain community that will provide family-sized affordable housing, up-stream services for both businesses and residents, and much needed community spaces all near schools and other community services and on a high capacity transit line (The Vine BRT).

The Vancouver Housing Authority will own and operate 106 affordable housing units, and the City of Vancouver will own the ground floor commercial space that will include the following components:

- A commercial kitchen incubator to launch and support emerging food-based businesses*
- A shared office space to co-locate upstream services to make it easier for residents and businesses to access resources on the corridor*
- A community event space that can be rented for festivals, birthdays, trainings, and other events*
- A public plaza with infrastructure to support a Vancouver Farmer's Market satellite market and other community-serving events*
- A play area and activity lawn to provide outdoor recreation opportunities for the Commons and surrounding community*

On July 19, 2022, the City received one bid for construction of the office space, commissary kitchen and event space tenant improvements in the amount of \$4,864,228.60.

Due to the federal funding for this project, there will be no apprenticeship utilization requirements.

Request: Award a construction contract for the Fourth Plain Commons tenant improvements to the lowest responsive and responsible bidder, Ross Builders Northwest of Hillsboro, Oregon, at their bid price of \$4,864,228.60, which includes Washington State sales tax, and authorize the City Manager or their designee to execute the contract and authorize any legal action necessary to enforce the terms of the same.

Motion approved the request.

5. **Purchase additional Single Use Stainless Steel Restrooms from Madden Fabrication of Portland Oregon RFP 30-20**

Staff Report: 114-22

In 2017, the City of Vancouver was introduced to the single use, stainless steel and ADA compliant restroom, also known as a "Portland Loo". City staff from the Parks, Public Works and Vancouver Police Departments visited several of these restroom sites in Portland and came back with positive feedback. In 2018, we partnered with Gramor Development Inc to install the first two of these restrooms at Vancouver Waterfront Park. In 2020, we added a third to the park system at Nikkei Park in NE Vancouver. In the 4 years of operation, we are seeing less vandalism, loitering and illicit uses than with traditional restroom models.

We plan to replace existing restrooms with this new model at the following parks: 4 at Esther Short Park, Marshall Community Park and Bagley Community Park. We will add 2 at Oakbrook Community Park and 3 at Shaffer Community Park.

Request: Authorize the City Manager or their designee to approve the purchase of Single Use Stainless Steel ADA compliant restrooms (Portland Loos) from Madden Fabrication of Portland Oregon. The value of these purchases under this agreement is expected to be approximately \$2,200,000.

Terry Snyder, Senior Park Developer, 360-487-8317

Motion approved the request.

6. **On Call Survey Contracts**

Staff Report: 107-22

The City Survey Department has not been able to keep up with current needs and has contracted out more than \$700,000 over the last five years. With the increase of Public Works and Transportation projects, On-Call Surveying Services will need to be utilized to avoid delays.

The City issued an RFQ 23-22 for On-Call Surveying Services in April 2022 and received nine responses. After a review of all responses, the evaluation committee selected four consultants for On-Call Professional Service Contracts. One was approved on 6/27/2022 by Council (Minister Glaeser Surveying) and three have been on hold awaiting a WSDOT overhead rate approval letter. Two of the three have received the WSDOT approval letters and Staff is bringing forth two contracts to Council for this agenda. The City Survey Department proposes to execute these contracts for three years in the amount shown below with a possible extension of two years.

Surveying Firm	Contract Amount	Work Categories
PLS Engineering	\$600,000	Property Boundaries, Mapping and Construction staking

MacKay Sposito, Inc	\$600,000	Property Boundaries, Mapping and Construction staking
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Utilizing On-Call contracts allows the City flexibility in staffing projects during times of peak workload.

Request: Authorize the City Manager or their designee to execute Professional Service Agreements with PLS Engineering, and MacKay Sposito, Inc for professional survey services on an as-needed basis for three years with not-to-exceed amounts as indicated above.

Glenn Donald, Professional Land Surveyor, 360-487-7774

Motion approved the request.

7. **Water System Plan Amendment**

Staff Report: 115-22

A RESOLUTION of Concurrence related to the Washington State Department of Health water system plan, which mandates that municipal water suppliers submit a water system plan for review and approval by the Department of Health.

WAC 246-290-100 requires water utilities to develop a Water System plan. The plan evaluates the existing system and its ability to meet the anticipated requirements for water source, transmission, storage, and distribution over a 20-year planning period. In addition, the plan demonstrates the water system's operational, technical, managerial and financial capability to achieve and maintain compliance with relevant local, state, and federal plans and regulations.

The [City of Vancouver Water System Plan](#) was adopted by City Council in January of 2016 and approved by WDOH in March of 2016 for a six-year period, according to the rules in place at the time. Soon after plan approval the state modified the rule to increase plan approval periods from six years to ten years. City staff knew of the impending regulation change during plan development and included elements in the plan that would be required to obtain an approval extension for an additional four years once the six-year approval period expired.

After review with WDOH, City staff were directed to complete a plan amendment in order to obtain a four-year extension. Due to the fact that the 2016 plan was written to meet all the requirement for a ten-year approval, this amendment process only required minor changes to the plan. This amendment process required resubmittal of the existing plan to WDOH for their review; a review for consistency with local planning documents by both Clark County and City of Vancouver planning staff; a public meeting hosted by the water utility in order to allow the public to comment on the plan; and adoption of the amendment by City Council.

The water system plan was submitted to the state on November 19, 2021. Comments on the plan were received by WDOH on February 15, 2022 outlining specific items that needed to be addressed to obtain amendment approval. A plan amendment document was developed to address WDOH comments. The most significant changes include:

- *water right table modifications*
- *wellhead protection updates*
- *updated cross connection policies*
- *the addition of new capital projects, including the current budget placeholder for potential PFAS treatment systems*

A virtual public meeting was held on March 31, 2022 to allow the public to comment on the amendment. Submittal of the amendments to WDOH for their review and comments also took place on March 31, 2022. No further comments were received from WDOH and on July 12, 2022, WDOH approved the amendment of the 2016 Water System Plan.

A Resolution of Concurrence has been developed providing council with the option to concur with WDOH and adopt the amendment, thus extending the water system plan approval until 2026. Provided council approves the amendment, staff will begin to develop a new plan in 2024 for adoption in 2026.

Request: On September 12, 2022, adopt a resolution of concurrence adopting the proposed amendments to the 2016 Vancouver Water System Plan.

Tyler Clary, Engineering Program Manager, 360-418-7169

Motion adopted Resolution M-4179 to approve the request.

8. Federal Aviation Administration Grant for Pearson Field

Staff Report: 116-22

A RESOLUTION authorizing the City Manager to execute a Federal Aviation Administration (FAA) Airport Aid grant to fund the design of an electrical vault/runway lighting system rehabilitation project at Pearson Field Airport; and providing for an effective date.

The City of Vancouver has received a grant from the Federal Aviation Administration (FAA) for the 2022 design of a project to rehabilitate the runway lighting system and associated electrical vault at Pearson Field Airport. Total cost of the design is estimated to be \$166,000. The FAA grant will pay for 90% and the City, through the Pearson Field budget, is responsible for the remaining 10% of the project. . The grant requires a resolution indicating the City Council's authorization for the grant.

Request: On September 12, 2022, adopt a resolution authorizing the the Federal Aviation Administration grant for the design of a project to rehabilitate the runway lighting system and associated electrical vault at Pearson Field Airport.

Guy Lennon, Airport Manager, 360-487-8619

Motion adopted Resolution M-4180 to approve the request.

9. Reduction of the posted speed limit on SR 500

Staff Report: 117-22

A RESOLUTION relating to traffic and establishing a new speed limit on a portion of SR 500.

This request was initiated by multiple constituents and neighborhood organizations residing along the route over the past several years. In response, WSDOT conducted a corridor study. As part of the speed revisions, WSDOT will also close all exiting passing zones within this area. WSDOT will further engage the community with an extensive safety awareness campaign regarding the speed and passing zone changes within this corridor. In the future, WSDOT will complete additional speed studies and monitor crash data to ensure that these modifications do not have a negative impact on traffic operations.

SR 500 from NE 162nd Ave to mile point 8.68 is within the City limits and under the jurisdiction of WSDOT.

The Washington State Department of Transportation (WSDOT) and the City of Vancouver Traffic Engineering Staff have investigated the current posted speed limit on SR 500 from NE 162nd Ave to mile point 8.68.

WSDOT completed a speed study for this roadway and found that the Critical Speed or the 85th percentile speed was 50 MPH. Staff believes speed limit of 40 MPH is appropriate and will be consistent with the traffic flow.

Staff is recommending the changes based on the following:

SR 500 has a posted speed limit of 50 MPH from from NE 162nd Ave to mile point 8.68. Lowering the speed limit to 40 MPH will extend the existing 40 MPH west of NE 162nd Ave.

Request: Adopt a resolution establishing a speed limit of 40 MPH on SR 500 from NE 162nd Ave to mile point 8.68.

Chris Christofferson, Traffic Engineering Manager, 360-487-7716

Motion adopted Resolution M-4181 to approve the request.

10. Outsider's Inn Contract Renewal for Safe Stay Community

Staff Report: 118-22

An estimated 500-600 individuals reside in tents or vehicles within the City of Vancouver, which poses significant health and safety risks to the individuals experiencing unsheltered homelessness, as well as the rest of the community and the environment. At this time, our community does not have an adequate supply of shelter or housing options to meet the growing need. This Council has observed that many individuals who live outdoors on public property do so, not by choice, but due to a lack of financial means to afford adequate shelter. These individuals are adversely mentally and physically impacted by outdoor habitation. Single female encampment occupants experience a disproportionately high incidence of violent crime as compared to other people. Families with children who live outdoors as a result of a lack of adequate shelter are also disproportionately adversely impacted through risk of physical danger and impediments to childhood education.

Simultaneously, Council has also observed that the City's sensitive ecological areas are adversely impacted by secondary impacts of outdoor habitation. The City's sensitive waterways, water treatment facilities, stormwater and wastewater facilities are particularly vulnerable to impacts of illegal dumping and improper disposal of human waste. Additionally, individuals living outdoors in greenways and wooded

areas, who utilize fire as a source of heat, or to cook with, increase the potential for wildfire in those areas, particularly during our dry/summer months.

In an effort to reduce the aforementioned negative impacts of unsheltered homelessness, provide for greater safety, stability, and access to needed services for individuals experiencing unsheltered homelessness, and to remain in compliance with Martin v. Boise, this Council has approved the establishment of city-sponsored Safe Stay Communities in designated areas. These Communities are managed and supported by a contracted service provider who works to:

- *ensure safety and sanitation within and immediately surrounding the designated Community,*
- *assist Safe Stay Community residents with obtaining stability, accessing needed resources, and transitioning into a more permanent housing situation, and*
- *proactively engage with the surrounding neighborhood(s) to mitigate potential negative impacts to the neighborhood, facilitate neighborhood participation and volunteer opportunities within the designated Community, and encourage participation in neighborhood/community events, neighborhood association meetings, etc. amongst Safe Stay Community residents.*

Request: Approve the amendment and extension of a professional services contract to Outsiders Inn of Vancouver, WA, and to authorize Eric Holmes, City Manager, or his designee to execute a contract for delivery of supportive services and site management at city-sanctioned Safe Stay Communities 1 & 3.

Aaron Lande, Program & Policy Manager, 360-487-8612; Jamie Spinelli, Homeless Response Coordinator, 360-487-8610

Motion approved the request.

11. Approval of Allocation and Participation Agreements for State of Washington Settlement with Opioid Distributors

Staff Report: 119-22

Since 2015, local governments around the Country have been united in efforts seeking to hold the manufacturers, distributors, and pharmacies of opioids responsible for the harms caused to their residents. The City of Vancouver joined this fight in 2019, filing suit against a number of manufacturers, distributors and pharmacies. That lawsuit was then transferred to the Northern District of Ohio as part of a nationwide multi-district litigation. The lawsuit has been pending there ever since.

In November 2021, the State of Washington commenced a trial against the three primary distributors of opioids: AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation. As the case came to a close several months later, the State reached a settlement with these distributors that was analogous to the settlement reached nationally. In this settlement, the State will receive roughly \$430 million, but that amount is dependent upon how many jurisdictions within Washington join the settlement. The State has agreed to split the settlement funds 50% to the State and 50% to local jurisdictions.

The Council approved a memorandum of understanding in April 2022 that delineates

the amount the City of Vancouver would receive if any statewide settlement was reached: 1.7306605325%. As such, assuming the requisite number of jurisdictions join this settlement, the City could recover approximately \$3.37 million after attorneys' fees to be used to combat the impacts of opioids. To join in this settlement, the Council must authorize execution of the attached Allocation Agreement and Participation Form on or before September 23, 2022. Initial funds transfer would occur by the end of the calendar year.

Of note, the settlement does not affect or impact the City's claims against any entity other than the three released distributors identified above.

Request: Authorize the City Manager or his designee to execute the "Allocation Agreement Governing the Allocation of Funds Paid By the Settling Opioid Distributors in Washington State" and "Exhibit F: Subdivision Settlement Participation Form", which will settle the City of Vancouver's claims against AmerisourceBergen Corporation, Cardinal Health, Inc., and McKesson Corporation.

Dan Lloyd, Assistant City Attorney, 360-487-8500

Motion approved the request.

12. Award of Lodging Tax Grants for 2022

Staff Report: 120-22

A RESOLUTION relating to the award of lodging tax grant funds for the Lodging Tax Advisory Committee 2022 Round Two Grants as recommend by the City Council appointed Lodging Tax Advisory Committee.

RCW 67.28.180 allows municipalities to impose a 4% lodging tax on stays of less than 30 days at hotels, motels, campgrounds, bed and breakfasts and RV parks. Those funds can only be used for tourism-related projects, events and facilities. Vancouver increased its lodging tax from 2% to 4% in 1998 with the second 2% dedicated to debt service and capital improvements for the downtown Hotel/Convention Center. The original 2% continued to be used to fund other tourism related projects. One of the impacts of the recession was that from 2009-2016, all of Vancouver's lodging tax funds were allocated to support the downtown Hotel/Convention Center.

For 2022, the City dedicated \$125,000 to be made available for grants for other tourism-related projects. The RCW requires that to expend lodging tax funds, municipalities must appoint a Lodging Tax Advisory Committee, comprising equal numbers of lodging tax generators and potential lodging tax recipients, who will make recommendations on proposed expenditures to the City Council.

For the first round of grants in 2022, the Council approved \$100,543 in grants on August 15, 2022. The City then reopened the program to allocate an additional \$25,000. The Lodging Tax Advisory Committee met on 9/6/2022 and recommended that an additional \$25,000 be awarded and allocated to two grants, as set forth in Exhibit A.

Per state regulations, the City Council only may approve awards to candidates recommended by the Lodging Tax Advisory Committee and only at the amount

recommended unless Council submits its change in the amount to the LTAC for comment. All approved grant recipients must enter into a professional services agreement with the City.

Request: On September 12, 2022, adopt a resolution approving the 2022 Lodging Tax Grants as recommended by the Lodging Tax Advisory Committee, for an updated total of \$125,543 dedicated to lodging tax grant awards for 2022, and authorize the City Manager or their designee to execute professional services agreements with the grant recipients.

Teresa Brum, Deputy Economic Development Director, 360-487-7949

Motion adopted Resolution M-4182 to approve the request.

13. Nomination for Appointment to the Fort Vancouver Regional Library District Board

The Fort Vancouver Regional Library Board is the governing body for the library district and oversees the library system, the service area of which includes the City of Woodland and Clark, Klickitat, and Skamania counties. The City of Vancouver has two representatives on the board.

After a recent set of interviews, Council Committee 1 nominated a candidate for appointment to this Public Health Advisory Council and that candidate had to step-down. Due to the close proximity of those interviews and the need to re-nominate a candidate, Council Committee 1 chose to recommend the nomination of a second, qualified candidate, Vikram Kotwani. This recommendation will be forwarded to the Clark County Board of Commissioners, after which the appointment is contingent upon approval by the Clark, Klickitat and Skamania boards of commissioners.

Request: Nominate Vikram Kotwani to the Fort Vancouver Regional Library Board of Trustees, mid-term beginning immediately and ending December 31, 2023.

Council Committee 1

Motion approved the request.

14. Appointment to the Urban Forestry Commission

The UFC is an active working group that helps plan and implement tree events, build neighborhood association relationships, support public education, and plan community recognition programs related to appreciation of our community's trees.

The commission's advisory role includes reviewing and informing Vancouver's urban forestry policies and regulations, assisting with updating the Urban Forestry program's work plan, and administering the Heritage Tree Program, Arbor Day recognition and awards programs.

Committee 1 interviewed six applicants, including one incumbent, for three vacancies and recommends the reappointment of Clif Barnes, with a term beginning

immediately and expiring June 30, 2026; the appointment of Jeff Kessenich with a term beginning immediately and expiring June 30, 2023; and the appointment of Khanh Tran with a term beginning immediately and expiring June 30, 2026.

Request: Reappoint Clif Barnes and appoint Khanh Tran to the Urban Forestry Commission, terms beginning immediately and expiring June 30, 2026; appoint Jeff Kessenich to the Urban Forestry Commission with a term beginning immediately and expiring June 30, 2023.

Council Committee 1

Motion approved the request.

15. Approval of Claim Vouchers

Request: Approve claim vouchers for September 12, 2022.

Motion approved claim vouchers in the amount of \$31,656,772.31.

Public Hearings (Item 16-18)

16. Jen's Pointe Mixed-Use – PRJ-167483 / LUP-82098 Appeal of the Hearing Examiner's Type III Decision

Staff Report: 121-22

On January 13, 2022, the Applicant submitted an application for development of the above-mentioned site. On February 18, 2022, a notice of application and public hearing was sent to property owners within 500 feet of the development site and published in the Columbian Newspaper. A 30-day public comment period resulting in one public comment received from Shilla Kim citing proximity and height of the proposed building nearest to their business.

On May 17, 2022, an open record hearing was held. Issues raised by the Kim's included the proximity of one of the buildings to their dental practice (setback) and building height providing them standing to file an appeal of those issues per VMC 20.210.130.A.4.

On June 24, 2022, an appeal of the Final Order issued by the Hearing Examiner was submitted by Dr. Daniel Kim, Hooja Kim and Shilla Kim ("Appellant") and is properly before the Vancouver City Council in accordance with VMC 20.210.130B.3.

Appeal of the Hearing Examiner decision is processed pursuant to VMC 20.220.030 and this appeal was timely submitted by a party withstanding under VMC20.210.130.B.3. The hearing date for the appeal was set upon mutual agreement of the Appellant, the Applicant, and the planning official, in accordance with VMC 20.210.130(C). Under Table 20.210.130-1 of VMC 20.210.130(C)(3), the appeal hearing must be conducted on a closed record. A closed-record appeal hearing is limited to argument from the appellant, the applicant and city staff, and deliberation by the City Council. Argument and deliberation shall be limited to the record established at the original open-record hearing. The record shall consist of testimony and deliberation at the original hearing as recorded by an audio/visual tape or transcript certified as accurate and complete, any other materials submitted into the record, and the final order being appealed. VMC 20.210.130C.3.b.

Basis of Appeal – Insufficient Setback of Multi-family building C along the south property line based on the medical use located on neighboring property to the south.

Response:

The development under appeal is subject to the standards of the 1997 Vancouver Zoning Ordinance as authorized by the Development Agreement (DA) initially

adopted July 21, 1997 (Resolution M-3117) which vests development to the City development standards in effect at the time.

The minimum side yard setback in the MX zone is 10 feet unless the building abuts a single-family residential district in which case the required setback is 14 feet. In this case, the abutting property is zoned Community Commercial (CC), and the minimum required side yard setback is 10 feet. The Appellant asserts that based on the medical use to the south, Building C should be setback 43 feet from the south property line to "prevent overcrowding of land; to avoid undue concentration of population; promote a coordinated development of unbuilt areas; to encourage the formation of neighborhood or community units;". The MX zone, however, does not require an increased setback from any proposed use other than single-family residential districts, which would increase the required setback to 14 feet.

To accommodate the concerns, the Applicant has voluntarily exceeded the minimum side setback along the southern property line by providing approximately 25 feet between the building and the south property line. The proposed balconies will be approximately 21 feet from the south property line. The Applicant is also proposing additional landscaping along the south property line consisting of additional conifer trees to provide additional buffering between the two properties.

Overall, the proposed development has demonstrated compliance with the minimum setback requirement. Additionally, the applicant has proposed additional landscaping to provide additional buffering. City staff must apply the code as written and cannot deviate from the code based on the requests of individual community members.

Request: Staff's position is the Applicant designed a development demonstrating compliance with all applicable codes and land use requirements. The Applicant has proposed landscaping and additional setback to reduce potential impacts. City staff must apply the code as written and cannot deviate from the code based on the requests of individual community members. The proposed Building C setback exceeds the minimum setback requirement allowed by Code. Staff recommends DENIAL of this appeal upholding the decision by the City of Vancouver Hearing Examiner as detailed in the Findings, Conclusions and Decision dated June 10, 2022.

Mark Person, Senior Planner, 360-487-7885

Mayor McEnery-Ogle opened the Quasi-Judicial Hearing for the Jen's Pointe Mixed-Use Appeal.

Jonathan Young, City Attorney, provided an overview of the Appeal and explained the guidelines of conducting the hearing invoking the Appearance of Fairness Doctrine. Mr. Young stated the Council would be asked to disclose any ex parte communication or other Appearance of Fairness issues pertaining to the matter.

Mr. Young then asked each member of the Council to disclose any direct or indirect financial benefit they could derive from the decision to affirm or reverse the Hearing Examiners decision and determined there were no messages requiring disclosure.

All of the Councilmembers reported nothing to disclose.

Chad Eiken provided an overview of the Jen's Pointe development. Time was provided to the Applicant and the Appellant.

Jonathan Young opened the public testimony and received testimony from the following community members:

- Kimberlee Elbon, La Center, WA

- Shilla Kim, Vancouver
- Daniel Kim, Vancouver

There being no further testimony, Jonathan Young closed the public testimony.

Motion by Councilmember Fox, seconded by Councilmember Paulsen, and carried 6-1 to uphold the decision of the City of Vancouver Hearing Examiner. Councilmember Perez voted No.

17. Addendum to the Renaissance Boardwalk Development Agreement and Agreements with National Park Service for Construction Staging

Staff Report: 122-22

A RESOLUTION approving a Cooperative Management Agreement and an Implementation Agreement (collectively the “NPS Agreements”) with the National Park Service Fort Vancouver Historic Reserve (“FOVA”) to collaboratively improve the FOVA Project Site, as described therein, which is adjacent to the City’s Old Apple Tree Park and to the Development Agreement project site and in close proximity to the Discovery Historic Loop, and the Columbia River Renaissance Trail.

A RESOLUTION approving an Addendum to the Development Agreement with Kirkland Development, LLC dated July 12, 2021 to facilitate fulfillment of Section 4.2.1 specifically requiring the Developer to conduct development of the project site in a single phase not to exceed thirty-six (36) months from approval of the first building permit in accordance with Exhibit G – Project Schedule of the Development Agreement.

The City of Vancouver entered into a Development Agreement with Kirkland Development on July 12, 2021, to develop Renaissance Boardwalk, a 400,000 square foot mixed use development with 230 units of market rate housing on the Columbia River waterfront east of the Interstate Bridge. Kirkland plans to begin construction on the site in September 2022. Given the project’s unique location and the use of other nearby parcels for staging for other Waterfront developments, Kirkland is challenged in identifying a suitable staging location.

Across Columbia Way from Kirkland’s development site is an infrequently used piece of NPS land bounded by the BNSF berm to the north. NPS has agreed to allow use of its property for construction in exchange for the development of new surface parking lots in the staging area and removal of existing surface parking lots within Waterfront Park.

Given NPS’s authority to enter into cooperative management agreements with local governments, NPS has asked the City of Vancouver to serve as contractor for the parking project and manage the parking once completed. The City of Vancouver will then contract with Kirkland for the performance of the work. The City will own and maintain all improvement to the property and will operate and collect all revenues from the new surface parking lots. Kirkland will cover all costs associated with the development of the parking lots and removing the existing lots.

The Renaissance Boardwalk project is slated to begin development in Fall, 2022, and will be under construction for 36 months. Once construction on the development is complete, Kirkland will convert the staging area into permanent parking and remove the existing parking areas within Waterfront Park. The new parking is

expected to be operational in 2026.

- Request: Adopt resolutions approving the following documents:
- Development Agreement Addendum between City of Vancouver and Kirkland Development
 - Cooperative Management Agreement between National Park Service and City of Vancouver
 - Implementation Agreement between National Park Service and City of Vancouver

Resolution also authorizes the City Manager to execute an Operations and Management Plan between National Park Service and City of Vancouver to be drafted consistent with the terms of the Cooperative Management Agreement.

Patrick Quinton, Economic Development Director, 360-487-7845; Becky Rude, Assistant City Attorney, 360-487-8513

Patrick Quinton, Economic Development Manager, provided an overview of the Addendum to the Renaissance Boardwalk Development Agreement and Agreements with the National Park Service for Construction Staging. Council discussed the item with staff at length.

Mayor McEnery-Ogle opened the public hearing to receive testimony from community members. There being no testimony, Mayor McEnery-Ogle closed the public hearing.

Motion by Councilmember Paulsen, seconded by Councilmember Perez, and carried unanimously to approve Resolution M-4183 and M-4184.

18. **Affordable Housing Fund Levy Renewal**

Staff Report: 123-22

RESOLUTION providing for the submission to the qualified electors of the City of Vancouver at the February 8, 2023 Special Election a proposition authorizing the City to increase its property tax levy pursuant to RCW 84.52.105 to provide funding for housing for people with low and very low-income; requesting that the Clark County Auditor place the proposition on the February 8, 2023 ballot; and providing for other matters properly related thereto.

A RESOLUTION relating to affordable housing; providing an affordable housing financing plan for the collection and use of monies authorized by RCW 84.52.105 to fund housing for people with low and very low-income.

The City of Vancouver's Affordable Housing Fund ("AHF" or "Fund") was created in 2016 to invest in projects providing affordable housing to very low-income households. The Fund was established through a voter-approved property tax levy that authorizes the City to collect \$6 million per year from 2017 to 2023. The City anticipates committing all \$42 million available under the current levy by the end of 2023. All AHF investments, regardless of funding category, must serve households who earn 50% or less of the area median income (approximately \$53,250 annually for a family of four).

Despite progress made by AHF-funded projects in adding affordable housing units, the need for affordable housing continues to grow. The combination of historic underproduction of housing units and strong population growth in Clark County has created a deficit of over 5,600 housing units within the City of Vancouver, with a substantial component of that deficit representing units affordable to households earning less than 80% of area median income (AMI). The continued growth in the City's homeless population is also a symptom of the affordable housing deficit.

The levy supporting the AHF will sunset at the end of 2023 unless a new ballot measure is approved by Vancouver voters prior to sunset. Vancouver City Council, if it chooses to seek a renewal of the AHF levy, has a range of options for structuring a new levy. This memo summarizes the relevant background information on the Fund as well as the options available to City Council as it considers renewal of the levy.

AHF History and Background

The AHF was established pursuant to a state law (RCW 84.52.105) that allows for a property tax levy for the purposes of funding affordable housing projects. The City may impose a levy of up to \$0.50 per \$1,000 of assessed value each year for a maximum of ten years for the purpose of "financing affordable housing for very low-income households, and affordable homeownership, owner-occupied home repair, and foreclosure prevention programs for low-income households."

The effort to establish an affordable housing fund, as allowed by Washington State RCW, began in April 2015 when Vancouver City Council established an Affordable Housing Task Force (AHTF) to analyze the affordable housing market and make recommendations for the City to respond to the crisis. In crafting the original ballot measure, City Council selected an annual levy cap of \$6 million and term of seven years. State law in 2015 limited assistance of AHF funds to serving households with very low income (at or below 50% AMI).

Since the AHF tax levy creation in 2016, the City has awarded \$36,041,884 to support 52 projects with construction, rehabilitation, acquisition, and preservation of affordable housing and temporary shelter creation and support for Vancouver residents earning less than 50% AMI. AHF funds are leveraged with tax credits and other funding to support a total housing investment of \$286,774,473.

In October 2020, the state legislature updated RCW 84.52.105 to allow AHF assistance to households earning low-income for affordable homeownership, owner-occupied home repair, and foreclosure prevention programs. The state defines low-income as households as those earning up to 80% of area median income.

Levy Advisory Committee and Community Outreach

In the summer of 2022, City staff convened an advisory committee comprising local housing professionals to review the current levy's revenue and outcome performance, assess current and future housing needs, and make a recommendation to City Council about a potential action to renew the levy.

In their analysis, the advisory committee concluded that the AHF levy is effective in producing affordable housing for households with low-income and providing housing services to vulnerable residents. The committee identified a continued need for creating housing opportunities for households earning at or below 50% AMI. Additionally, they noted that the AHF levy rate had a lower impact on taxes than projected, as the actual AHF levy rate initiated at a lower rate than proposed in the ballot measure (\$0.36 per \$1,000) and has declined significantly since 2016.

The AHF advisory committee made the following recommendations:

- Levy Amount: Despite significant need for additional investment in affordable housing options, an incremental increase in the range of \$7-9 million per year is most likely to be approved by voters given cost of living increases and other tax levies.*
- Levy Term: The committee agreed that the levy should be renewed for the maximum of 10 years.*
- Timing: February 2023 was favored by most given the timing of planned tax increases; this timing also provides an opportunity for another ballot measure if the initial measure fails.*
- Target Populations: General agreement that AHF should continue to focus on very low-income households (50% AMI and less); homeownership programs could focus on repair financing for existing homeowners in this income bracket.*

Both the advisory committee and Council recommended additional outreach to community members with lived experience and those working directly with people who need housing assistance. In August, staff compiled data and recent feedback and reached out to interview service providers to inform the creation of an updated Affordable Housing Fund administrative plan.

Engagement efforts identified:

- Community housing needs*
- Gaps in current services and supports*
- Community insights, from providers and those with lived experience*
- Short-, medium- and long-term community priorities for Affordable Housing Funds*

Staff reviewed recent community surveys including fair housing feedback, homelessness priorities, the county's Community Needs Assessment, school district information and Safe Stay interviews. Staff also spoke with the Youth Action Board, affordable homeownership program providers, and resource navigators who support people living in VHA properties. Staff attended the Vancouver Homeless Action Plan forum to hear priorities and plans for future homeless services. The Communications team launched a Be Heard Vancouver survey to request broad community input as well. A summary of the feedback received is attached.

2024 Levy Renewal

In order to renew the levy supporting the AHF, City Council must:

- *Adopt a resolution to place a new measure on the ballot to be voted on prior to 2024;*
- *Adopt an updated Emergency Housing Declaration; and*
- *Adopt an updated Administrative Plan.*

When adopting a new ballot measure, City Council has the option to change the size and term of the levy as well as the target populations to be served by the levy investment. An updated Administrative Plan provides Council the opportunity to update investment priorities.

Request: Following a public hearing, review draft of AHF Levy Replacement Ballot Proposition and provide direction to staff to prepare the following actions for Council consideration on September 19:

1. An emergency declaration of an Affordable Housing Crisis pursuant to RCW 84.52.105.
2. A resolution approving the Administrative and Financial Plan detailing the collection and use of monies authorized under RCW 84.52.105.
3. A resolution authorizing a special election held to request voter approval of a property tax levy for affordable housing under RCW 84.52.105 and setting forth the ballot proposition.
4. If a ballot resolution is passed by a majority vote of the council, consider appointing committees to prepare arguments advocating voters' approval and rejection of the measure under RCW 29A.32.28.

*Patrick Quinton, Economic Development Director, 360-487-7845;
Samantha Whitley, Housing Programs Manager, 360-487-7952;
Taylor Hallvik, Assistant City Attorney, 360-487-8521*

Samantha Whitley, Housing Programs Manager, provided an overview of the Affordable Housing Fund Levy Renewal.

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

- Siobhana McEwen, Vancouver
- Roy Johnson, Vancouver
- Wynn Grcich, Vancouver

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

There was no action made on the Item. The Item will be brought back before Council at a future meeting.

New Business (Item 19)

19. **Consideration of Ethics Complaint regarding Mayor McEnerny-Ogle, Mayor Pro Tem Stober, and Councilmember Paulsen**

Staff Report: 124-22

On September 12, 2022, time has been reserved under "New Business" for Councilmembers Hansen, Fox, Perez, and Harless to consider an Ethics Complaint regarding Mayor McEnery-Ogle, Mayor Pro Tem Stober, and Councilmember Paulsen. Pursuant City Council Policy 100-36, on September 12, 2022, it will be responsibility of the remaining members of City Council to:

A. Review the City Attorney's Report (attached); and

B. Make a determination as to whether or not the Council shall refer the allegations to a Hearings Examiner for investigation.

Request: Council determination, based on the allegations and analysis, whether to refer the matter to the Hearings Examiner to conduct a full investigation.

Jonathan Young, City Attorney, 487-8500

Jonathan Young, City Attorney, provided an overview of the Consideration of Ethics Complaint Regarding Mayor McEnery-Ogle, Mayor Pro Tem Stober, and Councilmember Paulsen.

Mayor McEnery-Ogle, Mayor Pro Tem Stober, and Councilmember Paulsen excused themselves for the discussion of the Item. Councilmembers Hansen, Fox, Perez and Harless discussed the Item.

Motion by Councilmember Perez, seconded by Councilmember Fox, and carried unanimously to not forward the matter to the Hearings Examiner to conduct a full investigation.

~~Council agreed to send a letter of apology to the affected community member.~~

Council agreed to issue a statement regarding its values pertaining to boards and commissions and ongoing efforts to evaluate and improve the recruitment and selection process for the boards and commissions program.

Communications

A. From the Council

B. From the Mayor

C. From the City Manager

Police Camera Program Update

Troy Price, Assistant Police Chief, provided an update on the Police Camera Program Update.

Adjournment

10:16 p.m.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

From: [Delapena, Amanda](#)
Cc: [Lande, Aaron](#); [Small, Rebecca](#); [Dollar, Sarah](#)
Subject: FW: Submission: City Council Contact Form
Date: Monday, August 29, 2022 4:25:39 PM
Attachments: [image001.png](#)

Good afternoon Council,

Below please find written correspondence regarding the City's climate action policies. For your consideration.

Amanda Delapena | Assistant to the Mayor and City Manager
Pronouns: She/Her/Hers



CITY OF VANCOUVER, WASHINGTON

Mayor/City Manager's Office

P: (360) 487-8605

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From: Ann <noreply@cityofvancouver.us>
Sent: Thursday, August 25, 2022 5:01 PM
To: City Council <council@cityofvancouver.us>
Subject: Submission: City Council Contact Form

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City of Vancouver, Washington



City Council Contact Form

Submitted date: Thursday, August 25, 2022 - 5:00pm

Contact Information

First name:

Ann

Last name:

Donnelly

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:

Dear Mayor Anne and City Council friends: With regard to the climate action plan, I was very interested to see the front page Columbian today on the rising costs for Bleu Door. Among them energy costs have risen from \$350 natural gas plus \$670 electricity per month in 2019, totalling \$1020, to \$529 natural gas plus \$1008 electricity per month in 2022, totaling \$1537. The increase is 51%. This is under conditions in which both natural gas and electricity are available and competitive with one another. Should natural gas be eliminated from the available alternatives in the future, concurrent with a forced transition to EV transportation, the increases at Bleu Door and other businesses would be not only much more expensive but likely less reliable. That was certainly an interesting article today.

Upload a file:

From: [Wynn Greich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#); [Reform Clark County - Rob Anderson](#) [REDACTED]
Subject: Fwd: Most Read News of the Week
Date: Monday, September 5, 2022 1:09:30 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 -----

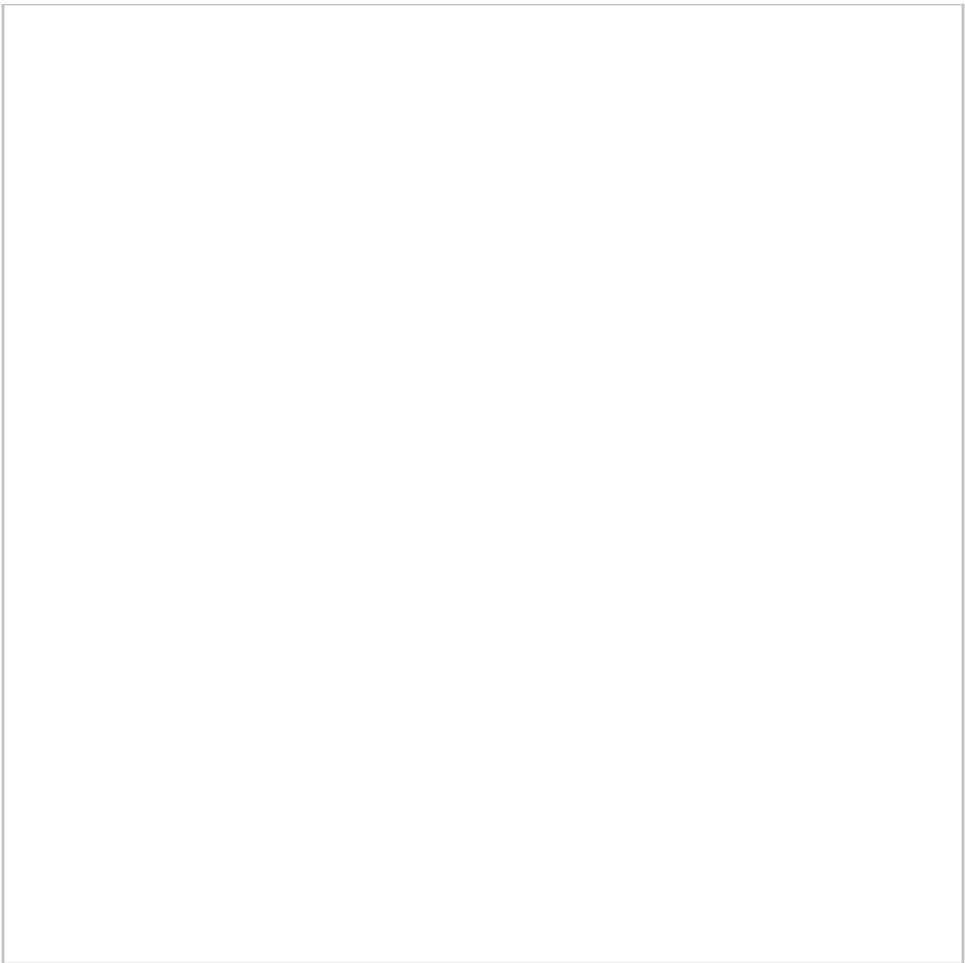
From: **Children's Health Defense** <[REDACTED]>
Date: Sun, Sep 4, 2022 at 9:03 AM
Subject: Most Read News of the Week
To: Wynn Greich <[REDACTED]>

Rebecca and Sarah: Please give these articles to the Clark County city council and health Board, plus the Vancouver City Council. Make sure Dr. Melnick of the Clark County Board gets a copy, too

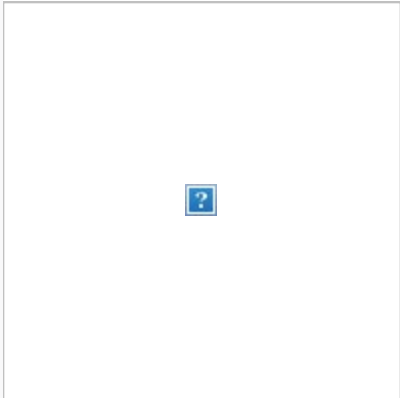
Thanks
Wynn

Having trouble viewing this email? [View it in your web browser](#)

September 4, 2022

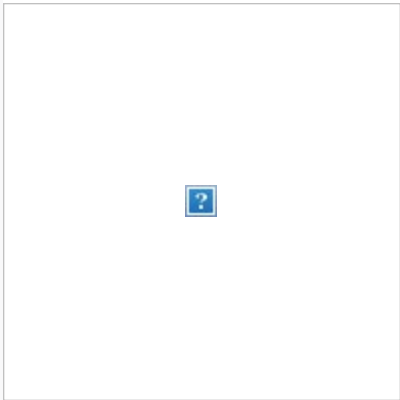
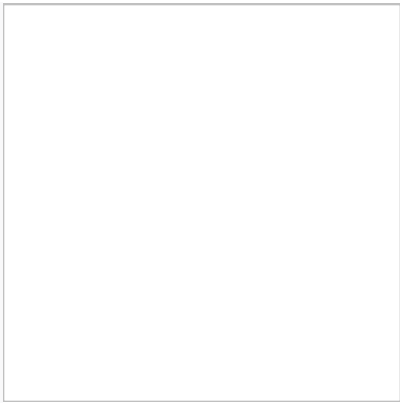


MOST READ NEWS OF THE WEEK

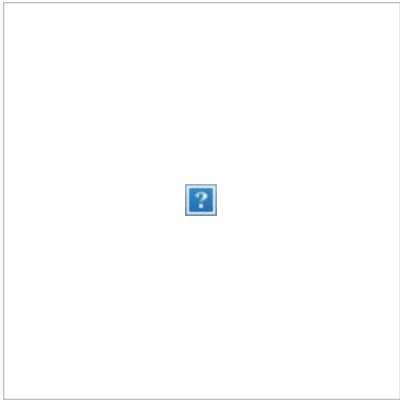


Here's Why the COVID Vaccine Should Be Banned for Pregnant Women

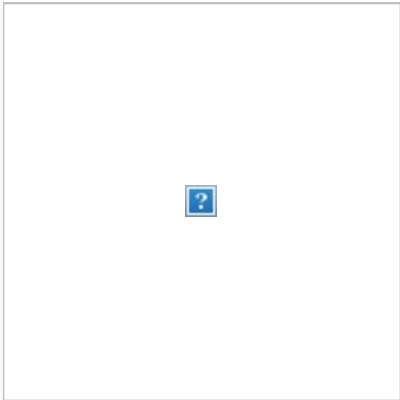
The Real Reason Fauci Is Stepping Down? 'His Presence Is No Longer Politically Sustainable.'



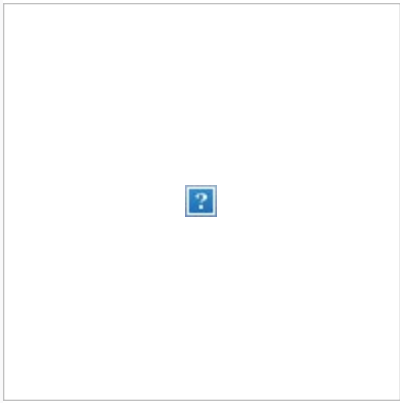
**‘We Beat Big Pharma on Its Home Turf’
— California Grassroots Movement
Stops Teen Vaccine Consent Bill**



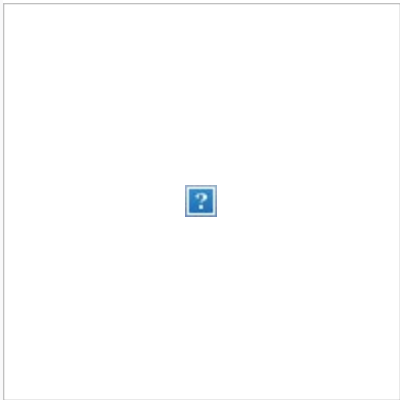
**How Are the Unvaccinated Doing?
Survey Says: Healthy But Unjustly
Treated**



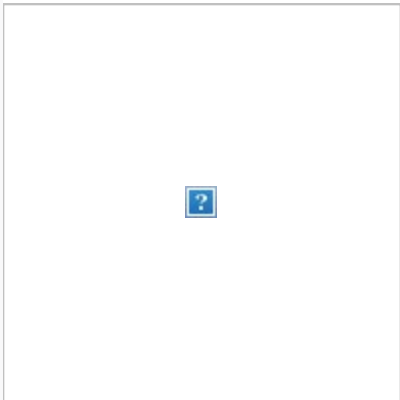
**School Board Backtracks After Parents
Speak Out Against Submitting Student-
Athlete Data to Gates-Linked Platform**



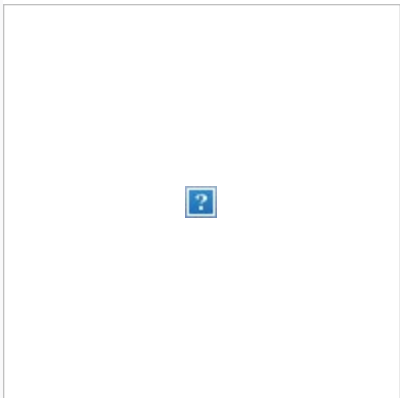
If It's Okay for Mice, It's Good Enough for People, Right?



Florida Surgeon General Tells RFK, Jr.: Surviving Childhood Trauma Prepared Him for COVID 'Fear Tactics'



CDC Backtracks on COVID Guidance — Is It a Political Ploy?



Solved: The Mystery of America's First Pandemic Lockdown

Dams vs. Salmon: Agency in Charge of Protecting Fish Protects Big Energy Instead



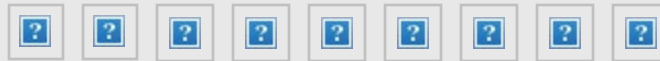
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From: [Wynn Grcich](#)
To: [Reform Clark County - Rob Anderson](#); [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd: The Pseudoscience Is In! New Booster Rollout With No Human Testing + More on CHD.TV
Date: Saturday, September 3, 2022 11:31:27 AM

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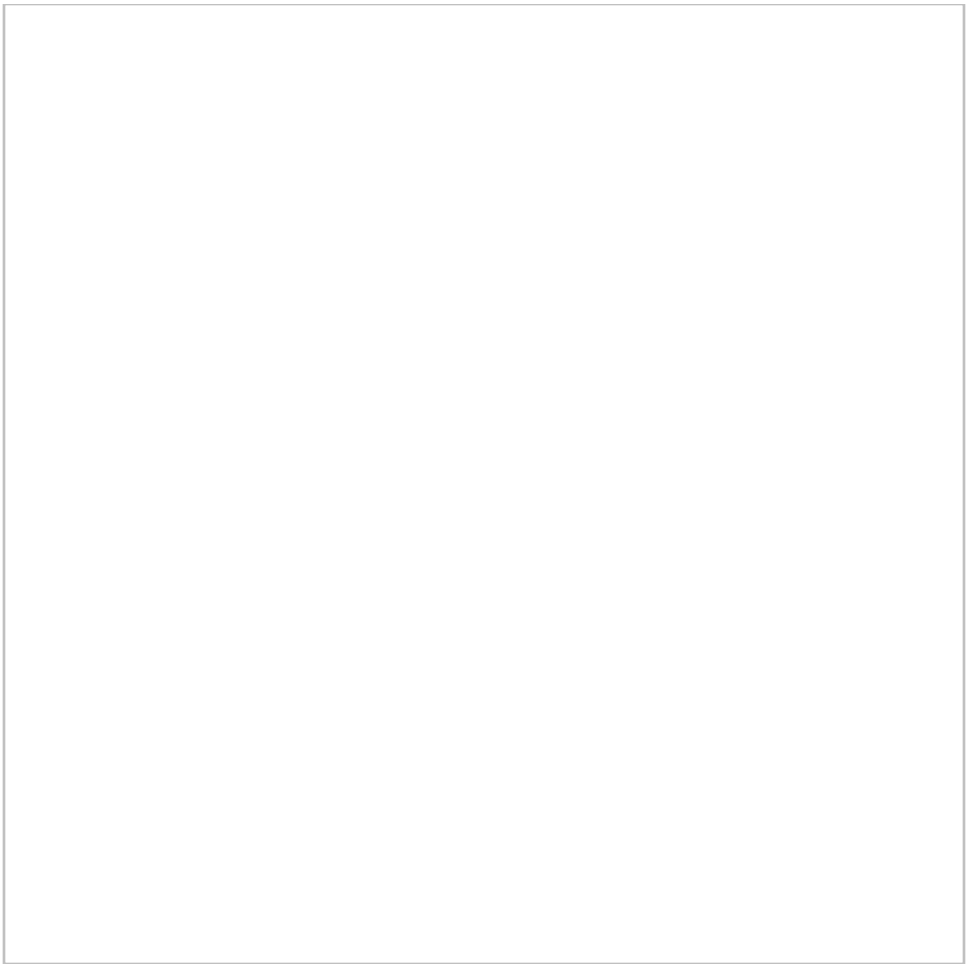
----- Forwarded message -----

From: **Children's Health Defense** [REDACTED]
Date: Sat, Sep 3, 2022 at 7:07 AM
Subject: The Pseudoscience Is In! New Booster Rollout With No Human Testing + More on [CHD.TV](#)
To: Wynn Grcich [REDACTED]

Share this with the mayor, city council, the Clark County Health Board, and Dr. Melnick. The truth is here!

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September 3, 2022



Recommended Media

**Good Morning CHD: Friday
Special With Jessica Rose,
Ph.D. + Guest Daniel Bulford**

**Friday Roundtable: New
Booster Rollout With No
Human Testing — Expert
Panel**

CHD.TV - Censorship Free. Guaranteed.



**The Defender Show With
RFK, Jr.: COVID ‘Fear**

**Financial Rebellion: This is a
Trap — The Mental Health**

**Tactics' With Florida
Surgeon General**

Industry, FedNow + More



**Good Morning CHD: The
New Abnormal With Aaron
Kheriaty, M.D. + More**

**The Solution: Is Monkeypox
a Bioweapon? Today With
Dr. Haider — 12pm PT //
3pm ET**



**An Informed Life Radio:
Largest Crime in Human**

WATCH REPLAY: ACIP

**History? CDC's COVID
Reponse**

**Meeting Liveblog by Meryl
Nass, M.D.**

In Case You Missed It:



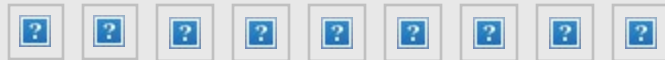
**Now On-Demand: The White Rose — New Short Film
Featuring Vera Sharav's Historic Visit to Sophie Scholl's
Grave**

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From: [Wynn Grich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd:
Date: Friday, September 2, 2022 4:54:13 PM

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

From: Wynn Grich <[\[REDACTED\]](#)>
Date: Fri, Sep 2, 2022 at 4:00 PM
Subject: Fwd:
To: Reform Clark County - [\[REDACTED\]](#), <[\[REDACTED\]](#)>, Dollar, Sarah <Sarah.Dollar@cityofvancouver.us>

Send this study of proof of damage from the covid jabs. Please send this to the council members. mayor and Dr. Melnick. " The doctor on the Clark County Health Board." The new booster was FDA approved and not tested on Humans. That article is on Children's Health Defense.org. Please confirm you got this request of documents sent to the councils.

Suggested manidory jabs should be stopped and from the covid money the cities got, all vaccine injured and those murdered from toxic shots should be compensated!

These two councils need to have a hearing to question Rep . Paul Harris on the safety of sodium Fluoride, in our water. I believe Harris should be sued for murder and mayhem for writing a bill to poison the public water supply. Harris' 8 coe-writers should be included. Take your millions and put water filters on the schools untill the fluoridation is stopped. Asked

which **pharmaceutical** companies lobbied him to add poison to our water.

Wynn

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

From: Wynn Grich <[\[REDACTED\]](#)>
Date: Fri, Sep 2, 2022 at 3:57 PM
Subject: Re:
To: Laurie Pascual <[\[REDACTED\]](#)>

Good one!

On Thu, Sep 1, 2022 at 5:57 PM Laurie Pascual <[\[REDACTED\]](#)> wrote:

[\[REDACTED\]](#) PM Pacific Standard Time

Subject:

<https://doctors4covidethics.org/wp-content/uploads/2022/08/causality-article.pdf>

Sent from my iPhone

From: [Wynn Grcich](#)
To: [Reform Clark County - Rob Anderson](#); [Rebecca Messinger](#); electmichellebelkot@gmail.com; [Dollar, Sarah](#)
Subject: Fwd:
Date: Friday, September 2, 2022 4:01:06 PM

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From: Wynn Grcich [REDACTED]
Date: Fri, Sep 2, 2022 at 3:57 PM
Subject: Re:
To: Laurie Pascual [REDACTED]
Cc: donna llamas <[\[REDACTED\]](#)>

Good one!

On Thu, Sep 1, 2022 at 5:57 PM Laurie [REDACTED] wrote:

From: [REDACTED]
To: [L](#)
Sent: 8/31/2022 11:47:53 PM Pacific Standard Time
Subject:

<https://doctors4covidethics.org/wp-content/uploads/2022/08/causality-article.pdf>

Sent from my iPhone

From: [Wynn Grcich](#)
To: [Reform Clark County - Rob Anderson](#); [Rebecca Messinger](#); [Dollar, Sarah](#); electmichellebelkot@gmail.com
Subject: Fwd: 1,000+ Reports of Injury After COVID-19 Vaccination in Children 5 and Younger + What Is the Cause of Increased Mortality Rates? + More
Date: Friday, September 2, 2022 12:48:36 PM

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

From: **Children's Health Defense** <[\[REDACTED\]](#)>
Date: Fri, Sep 2, 2022 at 12:01 PM
Subject: 1,000+ Reports of Injury After COVID-19 Vaccination in Children 5 and Younger + What Is the Cause of Increased Mortality Rates? + More
To: Wynn Grcich <[\[REDACTED\]](#)>

Give this email to the County council and the city council of Vancouver. Please send me an acknowledgement you did this. They need to know the murders and vaccine injuries done by their suggested mandates.

Thanks
Wynn

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September 2, 2022

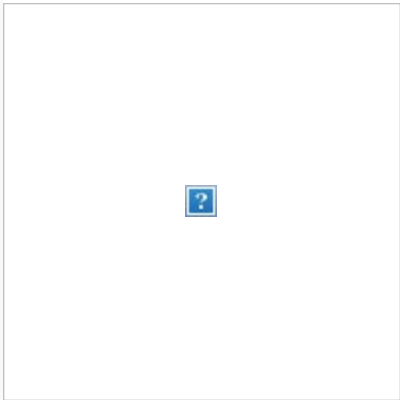
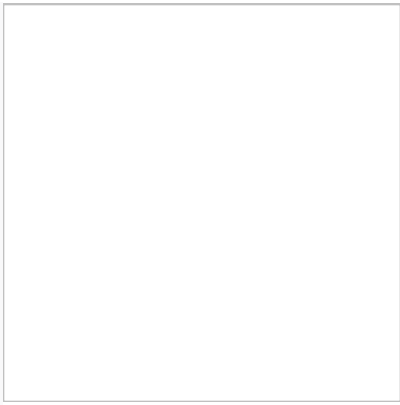


TOP NEWS OF THE DAY

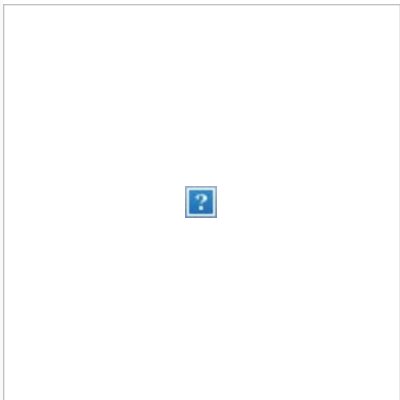


Biden Administration to Shift COVID Vaccine Distribution to Private Sector Despite Plans to Extend Public Health Emergency

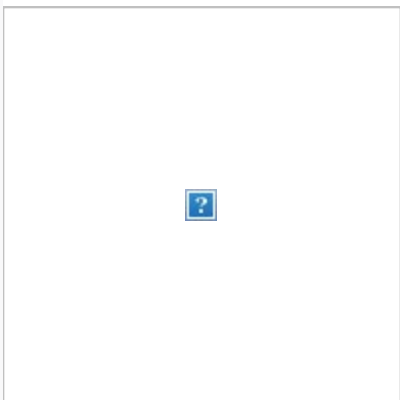
More Than 1,000 Reports of Adverse Events After COVID-19 Vaccination in Children 5 and Younger, CDC Data Shows



What Is the Cause of Increased Mortality Rates?



‘America’s Other Drug Problem’ — Overprescribing



Here’s Proof Our Government Does Not Want to Compensate for COVID Vaccine Injury

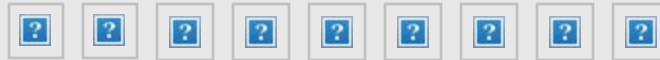
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From: [Wynn Grcich](#)
To: [Reform Clark County - Rob Anderson](#); [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: Fwd: Artificial Fluoridation Damaging Children's Developing Brains: Analysis Of NTP Data
Date: Thursday, September 1, 2022 2:08:11 PM

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

From: Fluoride Action Network [REDACTED]
Date: Thu, Sep 1, 2022 at 1:51 PM
Subject: Artificial Fluoridation Damaging Children's Developing Brains: Analysis Of NTP Data
To: Wynn Grcich [REDACTED]

Please give this to the members of Clark County city council and Vancouver city council members
Thanks
Wynn



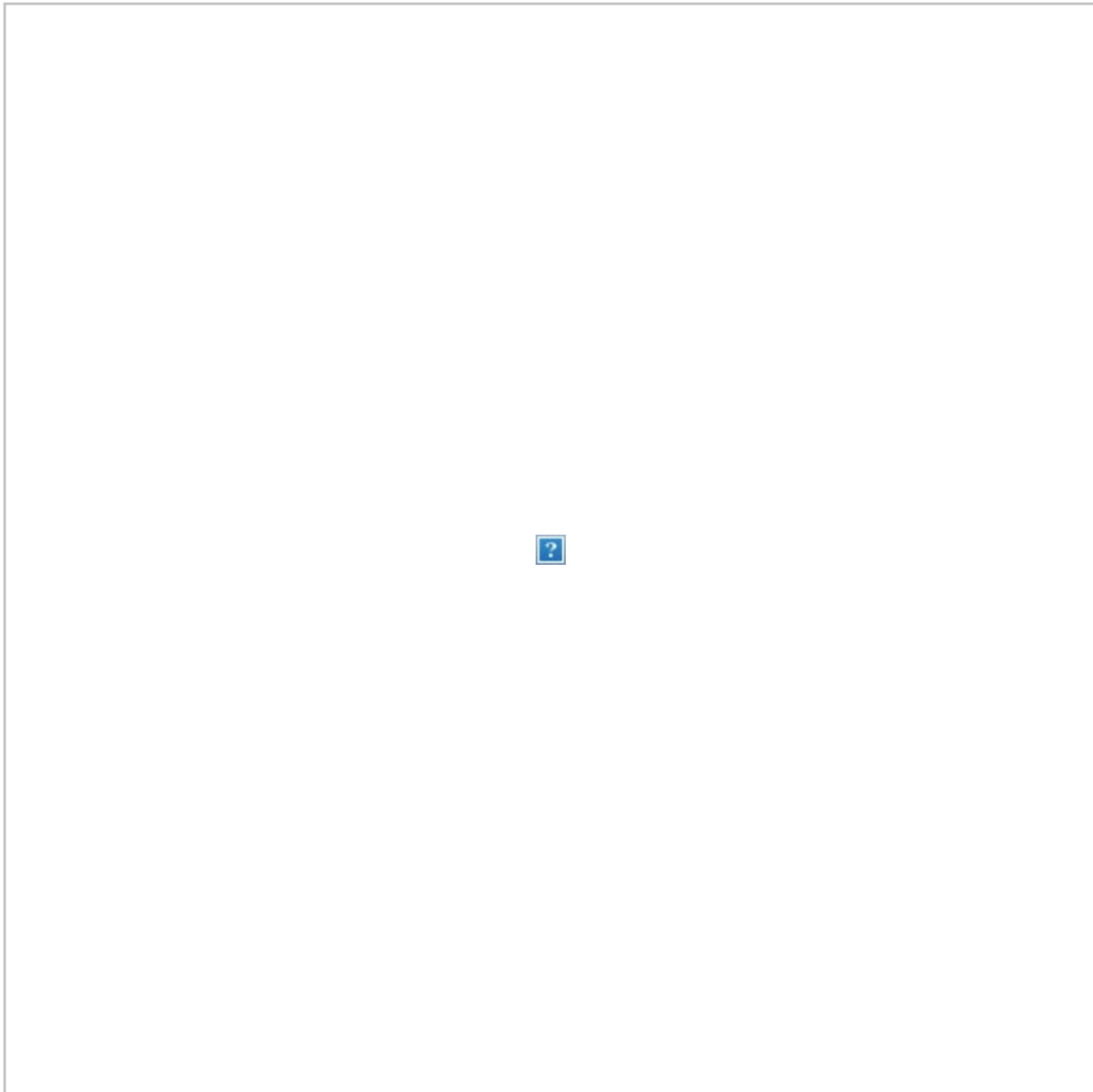
Scientific Conference Presentation: **Artificial Fluoridation Damaging Children's Developing Brains: Analysis Of NTP Data**

MAIN FINDINGS:

- "High-quality studies of fluoride neurotoxicity are remarkably consistent in finding statistically significant adverse effects at exposure levels of artificial fluoridation."
- "Dose-response analyses show adverse effects likely at exposures as low as 0.3 mg/L or lower."

Last month, FAN's Research Director, Chris Neurath, gave an invited presentation on fluoride neurotoxicity at the 2022 Conference of the International Society for Fluoride Research (ISFR), which was held in Harbin, China. Activists are urged to watch Neurath's presentation

on **A Dose-Response Assessment of Fluoride Developmental Neurotoxicity Studies**, a 5-minute video:



Dose-response assessment is central to the current debate about the strength of scientific evidence on fluoride’s neurotoxicity at exposure levels relevant to water fluoridation. The National Toxicology Program’s (NTP) ongoing review of fluoride neurotoxicity has equivocated on this question, and while concluding that “fluoride is presumed to be a cognitive neurodevelopmental hazard to humans,” they also suggested that the evidence for fluoride’s neurotoxicity is less clear at exposures below 1.5 mg/L than above [[NTP 2019, 2020](#)]. Yet NTP never conducted any formal dose-response assessments and does not offer cogent justification for their claim that the evidence is less clear in studies with lower doses. The National Academies (NASEM) peer-review committee severely criticized NTP for making claims about evidence at different dose levels without having conducted a formal dose-response assessment [[NASEM 2020 1st report](#), [NASEM 2021 2nd report](#)].

To fill the void in rigorous dose-response analyses, Neurath used both standard EPA methods and more advanced methods, summarizing the results at the ISFR Conference. His dose-response assessment was previously submitted to NTP [[Neurath 2020](#)]. He found that the evidence was as clear or clearer at exposures below 1.5 mg/L than above, confirming that the NTP's own data contradicts their claims of inconsistent data at lower exposure levels.

His analysis began with tallying the number of studies finding adverse effects (mostly loss of IQ) at exposures below 1.5 mg/L compared to the number of studies finding adverse effects above 1.5 mg/L.

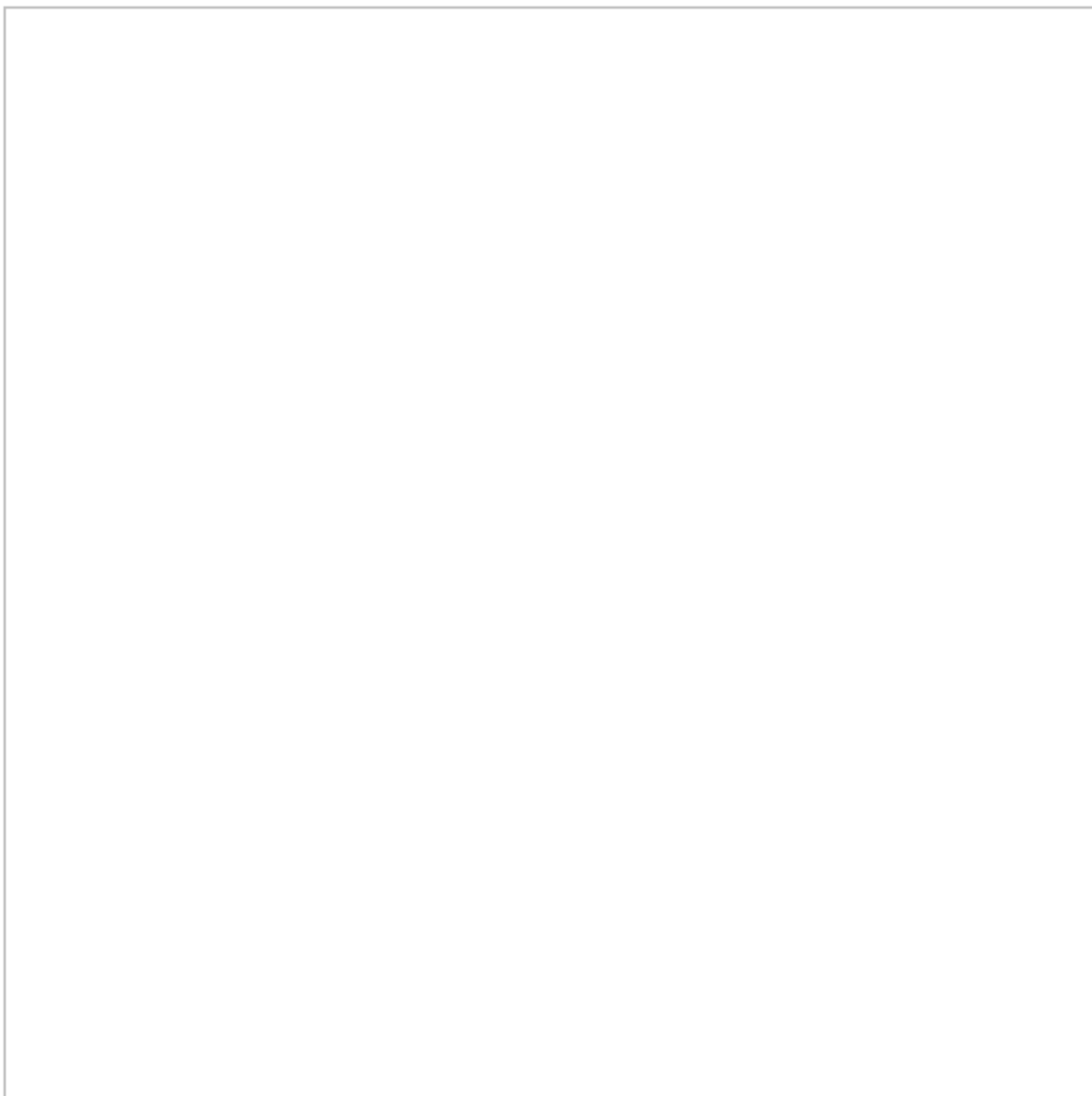
He found that: "Of the 27 fluoride neurotoxicity studies considered high quality by NTP, 25 showed statistically significant adverse effects such as lowered IQ. The other 2 found no significant effect."

"Of those 25 studies finding an adverse effect, 15 were at exposures below 1.5 mg/L and 10 at exposures above 1.5 mg/L."

Neurath then looked at the studies finding effects below 0.7 mg/L to zero in on those at the lowest doses and found more studies with statistically significant adverse effects below 0.7 mg/L (11 studies) than in the ranges 0.7-1.5 (4 studies) or 1.5+ mg/L (10 studies).

"The undeniable conclusion is that amongst these higher quality studies, there is clearer evidence of neurotoxicity at exposures below 1.5 mg/L and even below 0.7 mg/L, than above 1.5 mg/L. The NTP's opposite conclusion is contradicted by the data that NTP itself has extracted and posted on its data repository."

Neurath's dose-response assessment report also used two more formal statistical methods for assessing the strength of evidence that fluoride reduces IQ in children even at low exposure levels.



He focused on the highest quality studies, which were the 14 with individual-level data and conducted statistical analyses known as meta-analysis and meta-regression. Meta-analysis pools results from multiple studies to get a more reliable and precise estimate of the true effect. Neurath divided the studies into those with a mean exposure above 1.5 mg/L and those with mean exposure equal or below 1.5 mg/L. There were 7 studies in each exposure category, and the pooled estimate for the loss of IQ per 1 mg/L increase in fluoride, was greater in the studies with the lowest dose ranges. Such a situation is also found with neurotoxicity from childhood lead exposure, where the greatest loss of IQ per unit of lead exposure occurs at lower exposure ranges, and then tends toward a plateau as the exposure gets very high [[Lanphear 2005](#), [Little Things Matter video](#)].

In the meta-regression each of the 14 high-quality studies was considered a single data point and the dose-response relationship for all of them was calculated. The result was a highly significant negative association with 3 IQ points lost for every 1 mg/L increase in fluoride. Furthermore, the relationship held with no threshold down to the studies with the lowest

exposures well below 0.7 mg/L. The meta-regression, pooling the results from all the studies, predicts that an exposure of 0.3 mg/L will produce an average loss of 1 IQ point amongst children, so for water fluoridation at 0.7 mg/L the average predicted loss is 2.3 IQ points. While that may not sound like a large effect, the EPA has previously concluded an average loss of even 1 IQ point was unacceptable in the general population. That's because economists estimate that each person will have their lifetime earnings reduced by \$20,000 per 1 IQ point lost [[Schwartz 1994](#), [Gould 2009](#), [Lanphear 2020](#)]. Furthermore, if the average loss is 2.3 IQ points in a population, there will be some subset of children whose IQ and subsequent earnings will be reduced much more because of genetic susceptibility to fluoride, or higher-than-average exposure, or other reasons. Genetic susceptibility has been found in several recent studies [[Wang 2021](#), [Zhao 2021](#), [Cui 2018](#), [Zhang 2015](#)]. Those studies found that normal variation in genes amongst several percent of the population could result in IQ losses 5-times greater than average, or on the order of 10 or more IQ points.

The video of Neurath's presentation gives strong evidence supporting a conclusion that water fluoridation is likely causing unacceptable lowered IQ.

There should be little surprise that experts in child development who have objectively looked at the evidence have said the loss of IQ from fluoride is "on par with that from lead" [[FAN 2019](#)].

Water fluoridation is like the Flint, Michigan, fiasco with lead in drinking water, but much more widespread, because instead of one city, 2/3rds of America's cities and towns are intentionally fluoridated.

[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: [Rebecca Messinger](#); [Dollar, Sarah](#); [Reform Clark County - Rob Anderson](#)
Subject: Fwd: Poison - Steve Bergman
Date: Monday, August 29, 2022 3:33:48 PM

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From: Wynn Grcich [REDACTED]
Date: Mon, Aug 29, 2022 at 3:30 PM
Subject: Re: Poison - Steve Bergman
To: Steven Bergman <[s\[REDACTED\]](#)>
To the Clark County Health Board and city council and the Vancouver City Council on Fluoridation

Thanks, I'll check it out.

On Mon, Aug 29, 2022 at 1:48 PM Steven Bergman [REDACTED] wrote:

Hello Wynn,

Thank you for your devotion to proclaim the TRUTH!

Please look at the info and have more Floride Reports to look into.

The Truth will set us (U.S.) Free!

Steve Bergman

From: [Wynn Grcich](#)
Subject: monkey pox
Date: Monday, August 29, 2022 12:30:32 PM

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<https://rumble.com/v1g4lz3-live-7pm-acam-2000-is-live-virus-that-will-start-smallpox-pandemic.html>

Share this with the Clark County health board and the Vancouver City council. Make sure the health board doctor needs to hear this and make a comment to the public

I want this on public record

Wynn Grcich

From: [Wynn Greich](#)
To: [Dollar, Sarah](#)
Subject: Fwd: Breakthrough Pilot Results from ALTRA's PFAS Treatment Solution
Date: Saturday, August 27, 2022 2:59:19 PM

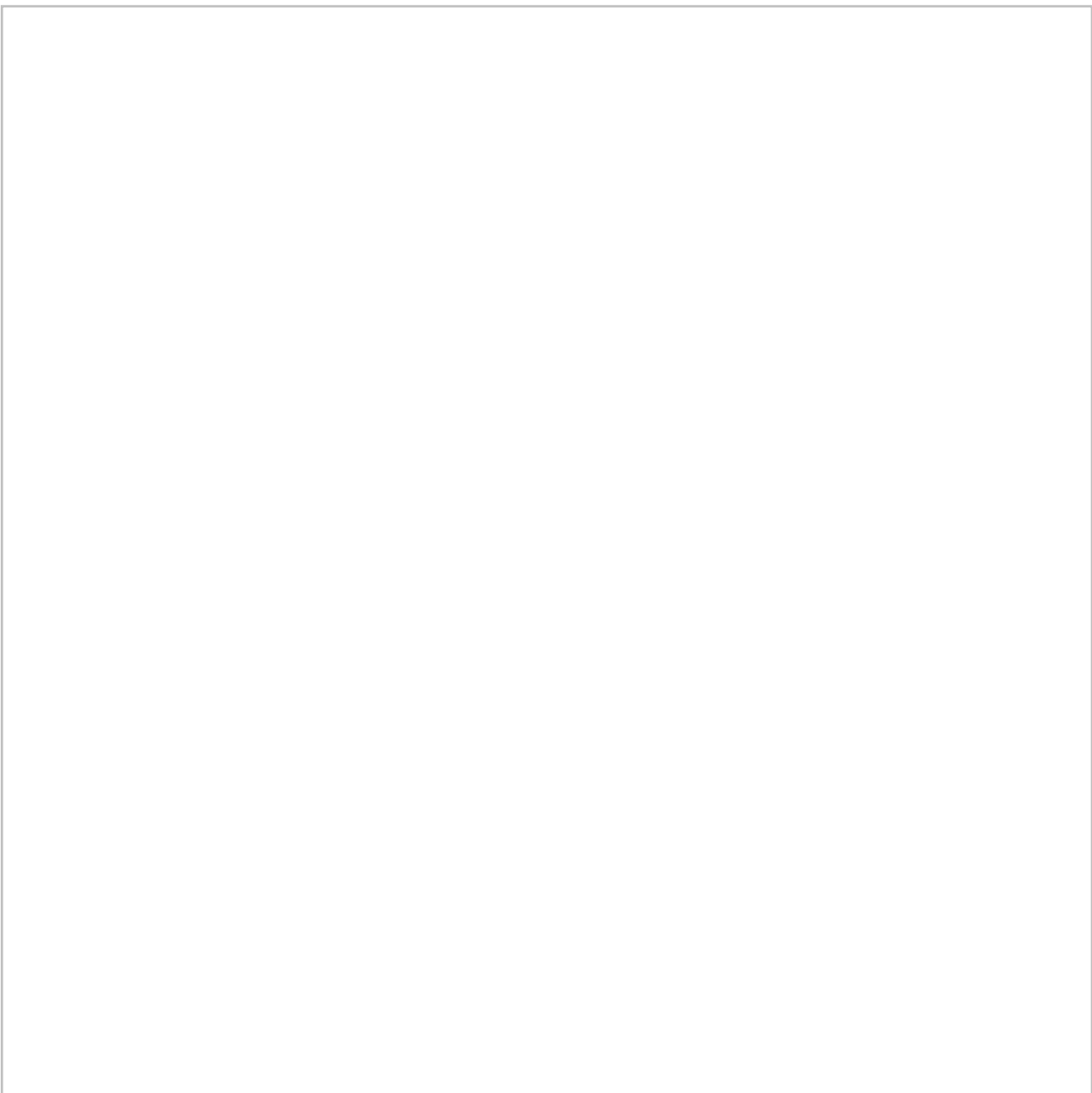
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From: **Wynn Greich** <[REDACTED]>
Date: Sat, Aug 27, 2022 at 2:57 PM
Subject: Fwd: Breakthrough Pilot Results from ALTRA's PFAS Treatment Solution
To: [REDACTED]

----- Forwarded me [REDACTED]

From: **Water Online** <[REDACTED]>
Date: Wed, Aug 24, 2022 at 5:22 AM
Subject: Breakthrough Pilot Results from ALTRA's PFAS Treatment Solution
To: Wynn Greich [REDACTED]
Give this the council and suggest they check this out.



Sharing the results of ALTRA's latest PFAS pilot in the field is Martin Bureau, Eng., Ph. D., Vice-President Innovation at SANEXEN. He will summarize the on-site tests, go through the operating conditions and PFAS removal levels, and explain what this means for the future of ALTRA and PFAS treatment across North America.

Breakthrough Pilot Results from ALTRA's PFAS Treatment Solution
A Unique Turnkey Solution in the Field

Thursday, September 15, 2022 | 12:00 PM EDT

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VertMarkets, Inc.

101 Gibraltar Road, Suite 100, Horsham, PA 19044

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#)
Subject: Watch "FLUORIDE: Cancer, Science & Politics - Full Length" on YouTube
Date: Wednesday, August 17, 2022 11:27:57 AM

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<https://youtu.be/zXDur3U0roM>

From: [Wynn Grcich](#)
To: [Dollar, Sarah](#)
Subject: Fwd: Watch "Wildfires As A Weapon, US Military Exposed" on YouTube
Date: Monday, August 15, 2022 11:55:48 PM

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From: Wynn Grcich <[1](#)>
Date: Sun, Aug 14, 2022 at 9:37 AM
Subject: Watch "Wildfires As A Weapon, US Military Exposed" on YouTube
To: <[1](#)>

The city council needs to see this.

<https://youtu.be/3aIqqvNnYYM>



The Blaylock Wellness Report

Living a Long Healthy Life

Edited by Russell L. Blaylock, M.D.

September 2004

Vol. 1, No. 4

Quick Facts

- Studies confirm brain damage
- Aluminum and fluoride
- Water safety
- Increased risk for ADD, ADHD, dyslexia
- Fluoride's links to Alzheimer's disease, Lou Gehrig's disease
- Sleep problems
- Fluoridated drinking water and cancer
- Fluoride and bone cancer in young men
- Crippling bone disease
- Thyroid function
- Links to male infertility and impotence
- Myth: Teeth and fluoride toothpaste
- Action to take
- California wines
- Magnesium malate: Prevents aluminum absorption

Why Fluoride Is Toxic

The primary reason fluoride began being added into drinking water years ago was to reduce cavities; the general public may not know that fluoride also can injure the nervous system and even cause cancer.

Degenerative brain diseases such as Alzheimer's are possibly linked to drinking fluoridated water. Cancer, behavioral problems, thyroid suppression, male infertility and impotence are also some examples of what may happen to the body when too much fluoride is present. And the combination of fluoride and aluminum is toxic enough that scientists warn about its connection to Parkinson's and Lou Gehrig's diseases.

Fluoride will not kill you outright or cause dementia over a short period of time. But at certain levels it will accumulate in your brain and can lead to a form of degeneration.

I lectured at the Fluoride Action Network conference on the subject of the toxic effects of water fluoridation and urged everyone to stop the government from using drinking water to medicate the public.

Fluoride and the Brain

A number of fairly recent studies have shown significant damage to many parts of the brain caused by fluoride. One study showed that rats given fluoride while still in the womb became hyperactive, much like what we see in childhood ADHD. Newborn and adult rats given fluoride reacted much differently; they became "couch potatoes."

The difference lies in how the brain develops at different ages. In humans, for example, the most rapid brain growth and development occur in the last three months of pregnancy and the first two years after birth. This means the brain is especially susceptible during that time to damage by toxins such as fluoride. Of course, results are determined by when the toxin was first given and for how long, and the dose.

Even more frightening is what one world-renowned scientist discovered: Fluoride can accumulate in the brain. With every drink of water,



the fluoride levels in the brain increase — and so does the danger to you.

The Truth About Studying Fluoride

Dr. Phyllis Mullenix, a leading neurotoxicologist, developed a sophisticated method to study behavioral patterns using a computer. She would photograph interactions of test rats given fluoride and feed the results into a computer program.

Much to her surprise, she discovered that the fluoride was causing significant behavioral problems, not only when rats were exposed in the mother's womb, but also soon after birth and even as adults. Upon examining seven areas of the animals' brains she found that the longer an animal drank fluoridated water, the higher the brain level of fluoride. She also found that a high accumulation of toxins over time reaches levels that always cause brain injury.

Critics charged Dr. Mullenix with using doses of fluoride much higher than people are commonly exposed to. But researchers should know that rats have difficulty absorbing fluoride. In comparing rats to people, the only thing that should be looked at is the blood level; the amount of fluoride in the blood determines the amount of fluoride reaching the brain.

The blood levels in Dr. Mullenix's rats equaled that seen in humans exposed to fluoride levels approved by the Environmental Protection Agency (EPA) as safe. Approved levels of fluoride in drinking water are up to 4 parts per million, or 4 ppm.

After presenting her findings to the EPA and National Institute of Dental Health, Dr. Mullenix faced great opposition from colleagues. Fellow scientists who once clamored to use her computerized system now eschewed any communication with her.

Her very expensive computerized behavioral analysis equipment was destroyed by a contrived "accident". In addition, all of her lab animals were killed and their bodies incinerated.

More Studies Confirm Brain Damage

The number of studies showing significant damage to various parts of the brain continues to grow,

most of the studies coming from Mexico, China, Japan, Spain, Italy, Ireland, Sweden, Canada and England. Very few studies come from labs in the United States, but those that do find fluoride to be very toxic to the brain.

Entities such as National Institutes of Health and National Institute of Dental Health are to blame for fewer U.S. studies as they refuse to fund fluoride safety research.

What we do know is that in China, children who drink fluoridated water have lower IQs than those who don't. Many villages and cities in China have natural fluoride levels that are high, and Chinese scientists have found a drop of 10 points in IQ in fluoridated cities.

But some challengers say these scientists didn't account for possible lead exposure, so tests were redone. The Chinese scientists made careful measurements of all factors including lead and fluoride. The end result? They found the same lowering of IQ caused by fluoride in the drinking water.

Mexican studies fared no better. An article in the journal *Epidemiology* showed that children drinking water with EPA-approved fluoride levels had problems with reading and writing.

Again, care was taken to control for factors that might adversely affect the results. In fact, urine fluoride levels were measured to prove that the greater the fluoride exposure the worse the tests results. Note that most cities set fluoride levels in drinking water well below EPA-approved levels.

The Alzheimer's Connection

What is the connection between Alzheimer's disease and fluoride? Studies show plenty. While drinking fluoridated water is not the cause of Alzheimer's, there is a link.

One study found that fluoride in the drinking water of rats caused significant reduction of a brain receptor critical for learning and memory, which are the same receptors reduced very early in Alzheimer's disease.

Scientists including Dr. Phyllis Mullenix and Dr. Albert Burgstahler, an organic chemist and editor of *Fluoride*, indicated to me yet another study showing

that fluoride added to water in the presence of even small amounts of aluminum caused severe destruction of brain cells in the part of the brain controlling learning and memory, the hippocampus.

Clearly, these studies demonstrate that fluoride could cause an early onset of the disease and make it progress more rapidly. In fact, when combined with other toxins we all are exposed to, it can make matters worse.

Alzheimer's patients also have dramatic increases in gut absorption of aluminum, as do children with Down syndrome. In one study, fluoride increased by seven times absorption of aluminum from the gut and significantly increased the entry of aluminum into the brain.

The Toxic Effect of Fluoride and Aluminum

All of us are exposed to numerous sources of aluminum — in foods, canned drinks, aluminum cans and cookware, deodorants, vaccinations, medications and pesticides. And, as we all may know, there is further compelling evidence that aluminum plays a major role in Alzheimer's disease and possibly Parkinson's and Lou Gehrig's diseases.

The combination of fluoride and aluminum is so toxic that even in concentrations half those added to drinking water will cause severe destruction of critical brain cells. You will have a hard time thinking, remembering and performing normal brain functions with this toxic duo.

The same can be true for your children. Combining aluminum and fluoride may very well increase the risk of ADD, ADHD, dyslexia and other developmental brain disorders of children, especially when combined with other toxins from the environment. These studies are compelling and frightening.

The Pineal Gland: Another Area of Concern

A recent study by Dr. Jennifer Luke at the School of Biological Sciences at the University of Surrey in England found that fluoride accumulates in the pineal gland in the brain. Of the pineal

glands she obtained from six elderly people dying of unrelated causes, she found fluoride levels 2,500% higher than other areas of the brain. The fluoride was accumulating in enormous amounts in the calcium deposits normally found in the pineal of older people.

So, why is this important? The pineal gland is the source of the very important hormone melatonin, the same hormone sold in health food stores to aid in sleep. Melatonin regulates the onset of puberty in boys and girls, it regulates the onset of sleep and it protects the brain against damage by free radicals and what is known as lipid peroxidation, the main destructive reactions seen in all degenerative brain diseases.

In fact, individuals with Alzheimer's disease commonly have lower melatonin levels than do individuals of similar age.

But it is the latest findings that are so startling:

→ Young girls who live in cities with fluoride in the water have been known to begin menstruating five months sooner than their counterparts in non-fluoridated towns.

→ Newborns with the lowest melatonin levels had the most problems with behavioral development.

→ Brain protection in adults is being altered.

Fluoride and Baby's Brain Development

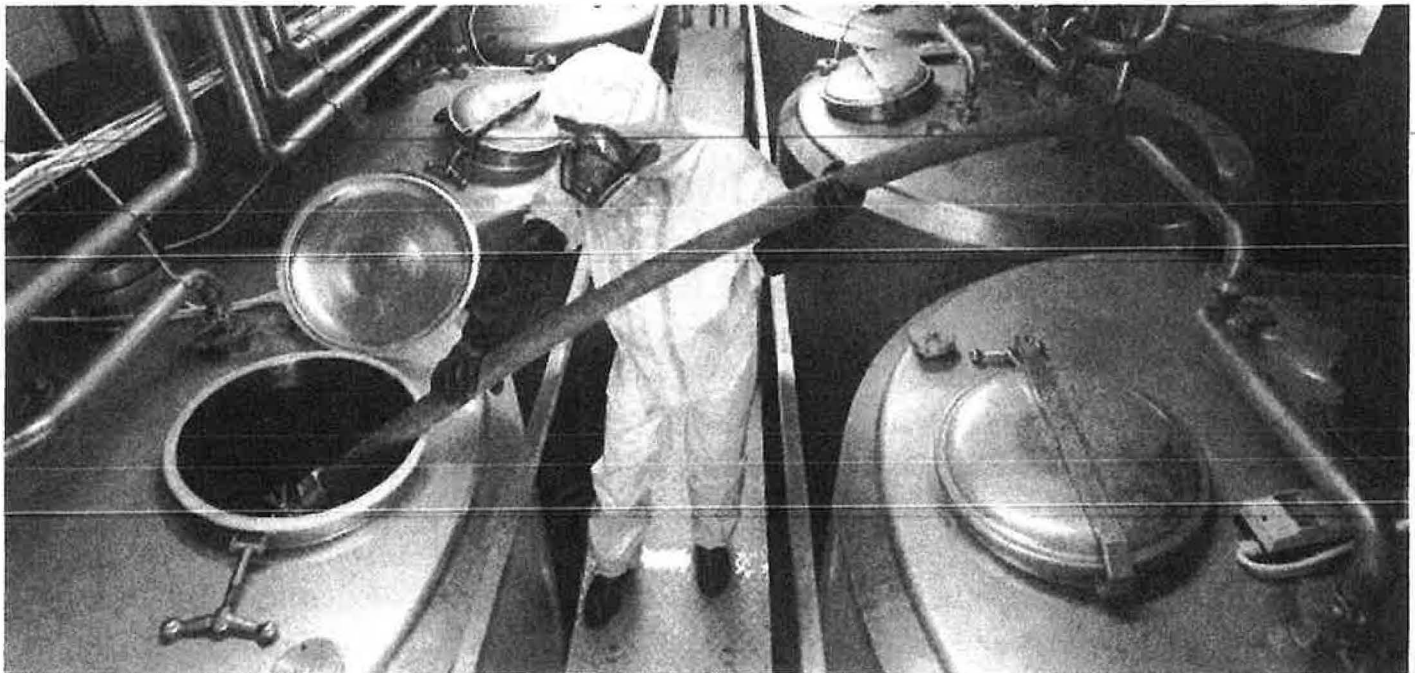
Since baby animals exposed to fluoride develop high levels of free radicals in their brains, it makes one wonder what happens to human babies. Unfortunately, it is the same damage.

Researchers examined the brains of aborted babies five to eight months into a pregnancy who were from areas having naturally high fluoride levels in the drinking water.

What researchers found was alarming: The brain cells of the babies were grossly abnormal and nerve fibers were not even compatible with typical human nerve fibers. The brain cells in the babies were grossly abnormal and the nerve fibers were misplaced and swollen. These brains were miswired. Keep in mind the fluoride levels in the drinking



Unprecedented Lawsuit Could End Water Fluoridation in US Based on Neurotoxicity Studies (<https://realfarmacy.com/fluoride-lawsuit/>)



(<https://realfarmacy.com/fluoride-lawsuit/>)

By Stuart Cooper (<https://articles.mercola.com/sites/articles/archive/2017/06/13/ban-artificial-water-fluoridation.aspx>)

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Legal experts have suggested the EPA's interpretation essentially makes the requirements for gaining
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residents and public health or environmental watchdog groups.
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Lawsuit Background: EPA Served With Citizen's Petition

On November 22, 2016, a coalition including FAN, Food & Water Watch, Organic Consumers Association, American Academy of Environmental Medicine, International Academy of Oral Medicine and Toxicology, Moms Against Fluoridation and several individual mothers, filed a petition calling on the EPA to ban the deliberate addition of fluoridating chemicals to the drinking water under provisions in the Toxic Substances Control Act (TSCA).

The petition includes more than 2,500 pages of scientific documentation detailing the risks of water fluoridation to human health. The full petition can be accessed here (<http://fluoridealert.org/wp-content/uploads/epa-petition.pdf>), a shorter eight-page summary here (http://fluoridealert.org/wp-content/uploads/Summary-TSCA-petition.nov_2016.pdf) and our press release here (http://fluoridealert.org/articles/epa_fluoride_petition/).

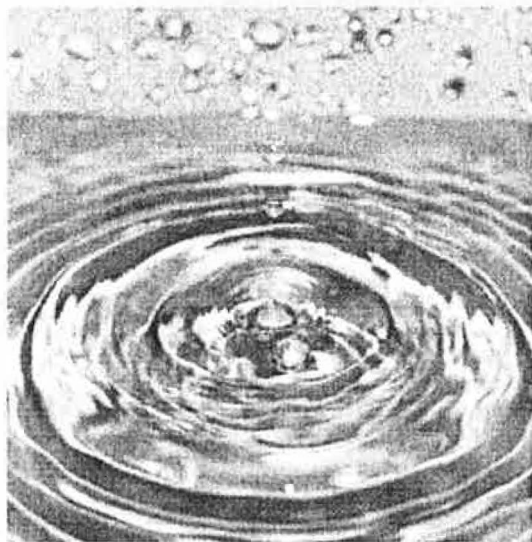
We presented the FDA with a large body of human and animal evidence demonstrating that fluoride is a neurotoxin at levels now ingested by many U.S. children and vulnerable populations. We also presented the agency with evidence showing that fluoride has little benefit when swallowed and, accordingly, any risks from exposing people to fluoride chemicals in water are unnecessary.

We believe an impartial judge reviewing this evidence will agree that fluoridation poses an unreasonable risk. On February 27, 2017, the EPA published their response. In their decision, the EPA claimed:

“The petition has not set forth a scientifically defensible basis to conclude that any persons have suffered neurotoxic harm as a result of exposure to fluoride in the U.S. through the purposeful addition of fluoridation chemicals to drinking water or otherwise from fluoride exposure in the U.S.”

As many independent scientists now recognize, fluoride is a neurotoxin
(<https://articles.mercola.com/sites/articles/archive/2016/05/21/our-daily-dose-fluoride-documentary.aspx>).

The question, therefore, is not if fluoride damages the brain, but at what dose. While EPA quibbles with the



Fluoride Awareness Week celebrates your right to access news and information on fluoride - its sources, toxicity, and impact to your overall health and well-being. This site contains up-to-date news and resources on fluoride, the consequences of fluoridated water, current fluoridation policy, and other salient issues to help you take action against our current fluoride exposures today.

TOP FLUORIDE ARTICLES

- **The Invisible, IQ Lowering Drug Most Americans Consume Daily**
Posted on: Aug 7, 2011

This proves that the medical establishment can now get away with open fraud. Discover how they are force-feeding questionable "medication" into our daily diet (based on practically no health studies) that is illegal to dump in our rivers or lakes...

- **The Bone Destroying Daily Drink Fooling Millions of Americans**
Posted on: Aug 8, 2011

New research has found bone fracture rates increased steadily when people were exposed to low levels of this common toxin that you're probably unknowingly swallowing today. Reduce your exposure by 80% - with this simple little trick...

- **The Healthy Drink that May Destroy Your Sleep**

Posted on: Aug 9, 2011

It contains a toxin which calcifies in this gland that produces melatonin - putting you at risk of Alzheimer's, insomnia and low back pain. Plus: it can cause early puberty in girls. Here's how to limit your exposure - and fight back...

- **The Crippling Toxin You Knowingly Consume Every Day...**

Posted on: Aug 10, 2011

Half this crippling toxin you ingest goes straight to your bones - taking up residence for a LONG time (half life = 20 years!)... Then you add more daily, spiking your risk. Isn't it time to 'X' this out now - and spare yourself from arthritis, fractures, and more?

- **Why You Need to Avoid These 'Healthy' Fruits and Nuts**

Posted on: Aug 11, 2011

The eating mistake more common than you think, making many fruits and veggies high risk - Ignoring this warning could lead to brain damage - and fatal bone cancer.

- **Study Proves: This Everyday Drink Lowers Your IQ**

Posted on: Aug 12, 2011

The CDC wants us to believe it's safe. But 24 studies have reported an association between this drink and reduced IQ in children - in fact, some children could have their mental development impaired by drinking as little as one glass on a daily basis...

- **The Daily Activity Every Middle Aged Woman Should Beware of**

Posted on: Aug 13, 2011

Once you hit 50, you are at the highest risk for damaging the gland that's responsible for maintaining your overall metabolic rate - and developing a common disease which can make you tired, depressed and flabby. I urge you to do this today...

KEY FLUORIDE RESOURCES

Toxic Waters: The Truth About Water Fluoridation



Download this FREE special report from Dr. Mercola to know if your drinking water is safe -- or if fluoride is making it toxic and putting you and your family in harm's way.

Sources of Fluoride Exposure



Fluoride Action Network (FAN) discusses "the fluoride glut" and current fluoride sources, warnings, and recommendations.

10 Arguments Against Water Fluoride



Facts and figures that build a strong case against fluoridating our water supply.

Water Fluoridation



Links to global water fluoridation status, fluoride history and politics, and pro-fluoride organizations

Act Now!



Express your stand by asking for a non-fluoride toothpaste alternative at your local grocery stores, telling your family and friends, or writing to Congress. You can also become a Fluoride Action Network member today!

Become a Member of the Fluoride Action Network



Help support and sustain the educational and campaign efforts of the Fluoride Action Network by becoming a member.

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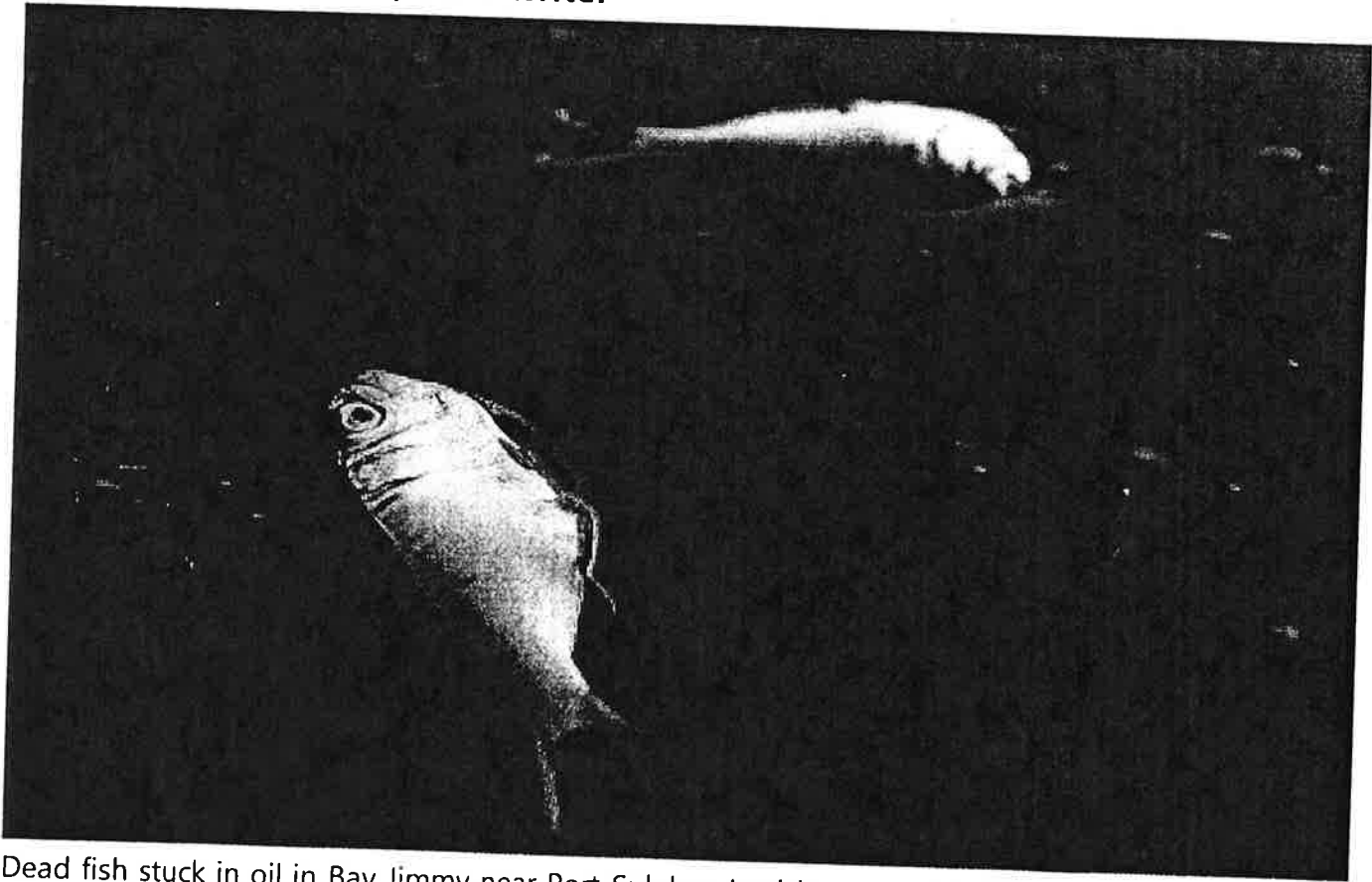
<http://www.commondreams.org/headline/2013/08/03>

Published on Saturday, August 3, 2013 by Common Dreams

Offshore...Fracking: Far More Common Than Previously Known

AP FOIA request shows oil companies use toxic method off California coast

- Jacob Chamberlain, staff writer



Dead fish stuck in oil in Bay Jimmy near Port Sulpher, Louisiana June 20, 2010
(Reuters/Sean Gardner)

Hundreds of pages of federal documents released by the U.S. government to the *Associated Press* this week show that the controversial and toxic practice of hydraulic fracturing has moved

 cleantechnica.com

<http://cleantechnica.com/2013/08/31/drinking-water-from-fracking-wastes-researchers-propose-using-gas-hydrates-produced-by-fracking-to-desalinate-wastewater-produced-by-fracking/>

Drinking Water From Fracking Waste? Researchers Propose Using Gas Hydrates Produced By Fracking To Desalinate Wastewater Produced By Fracking

Nathan

Fossil Fuels

Published on August 31st, 2013 | by Nathan

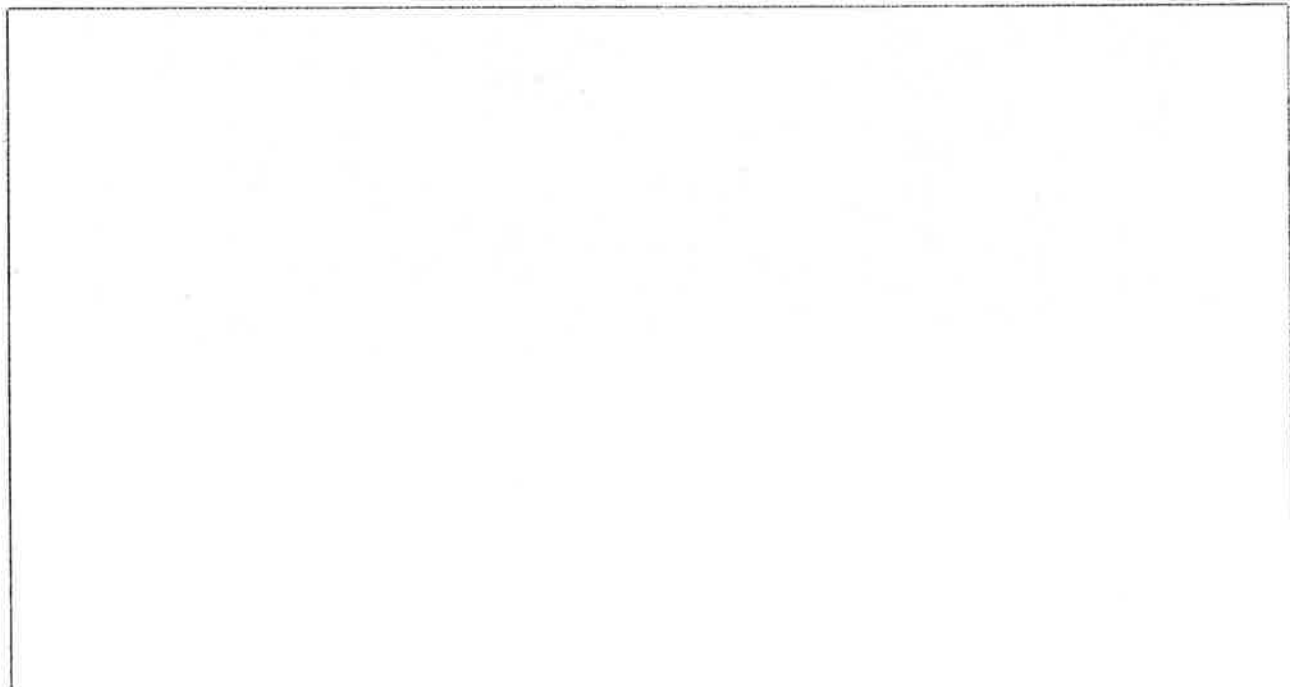


Drinking water from fracking waste? Almost sounds too good to be true, right? Or perhaps more like a headline from *The Onion*? Researchers are now proposing a very questionable solution to freshwater scarcity in the water-poor regions of the world — simply take the extremely toxic wastewater produced by hydraulic fracturing and put it through an imperfect purification/desalination process. Mmmm. Sounds good, doesn't it?



Sort of makes you wonder where the funding is coming from.

The proposed method — known as gas hydrate desalination — works by producing gas hydrates from the wastewater and then allowing the hydrates to separate. It isn't a new technique, but the researchers have apparently made some improvements to earlier methods.



you tube: Veteran MD drops bombshell at 5G hearings.

SFGATE

<https://www.sfgate.com/news/article/California-legal-water-cremation-alkaline-burial-12285298.php>

you tube: The Dangers of 5G & the wireless network
California just made it legal to liquefy a corpse

By Annie Vainshtein Updated 3:41 pm PDT, Tuesday, October 17, 2017

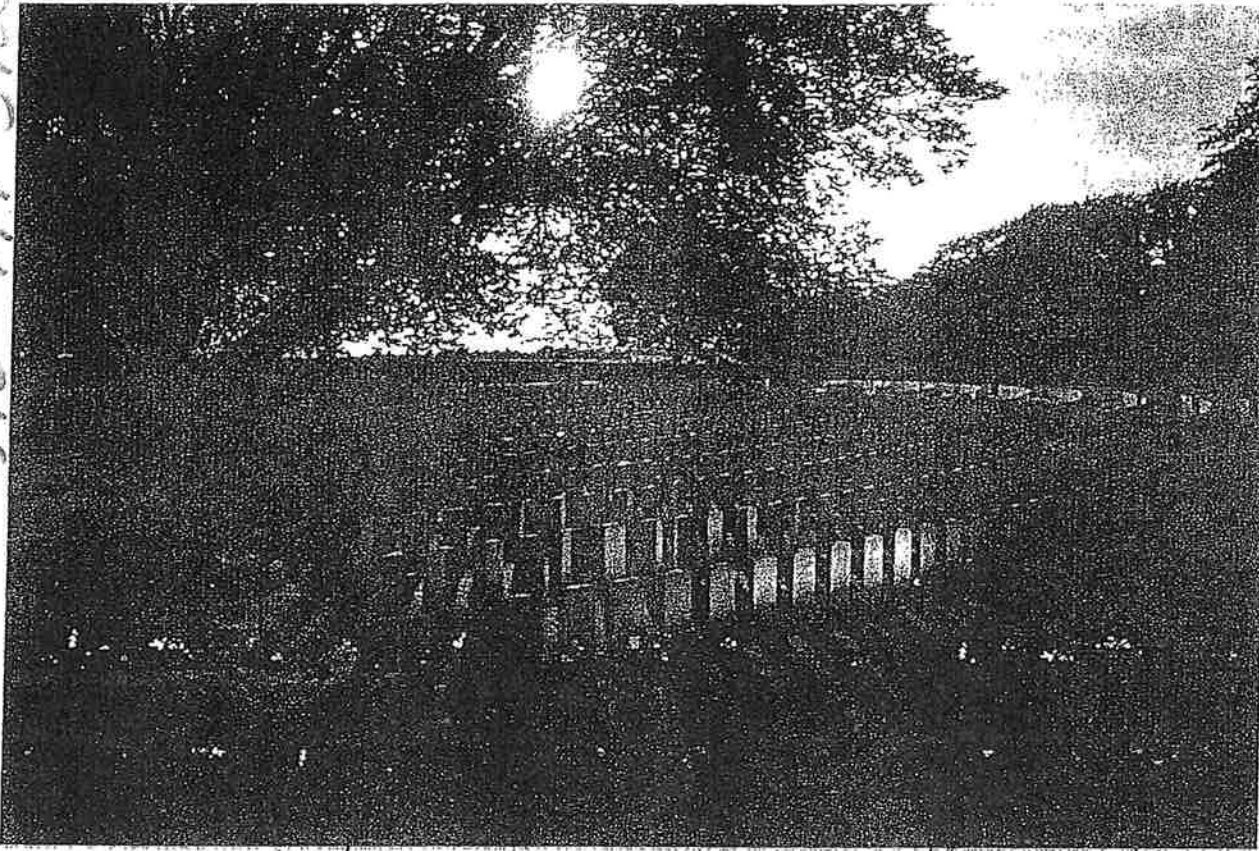


IMAGE 1 OF 42

you tube: The cooking of Humanity

Water cremation, or alkaline hydrolysis, is an eco-friendly alternative to traditional forms of dealing with the dead, like burial or flame cremation.

www.stopthecrime.net
you tube: Deborah Tavares

TOP O' THE BAY
 DAILY NEWSLETTER

SFGATE's top stories from
 across the Bay Area.

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As early as 2020, Californians will be
 able to pursue a new option for end-of-
 life remains: water cremation.

On Sunday, Gov. Jerry Brown signed
AB 967, a controversial bill that's been
 making the rounds around the nation
 over the last several years. It makes it
 legal to dispose of human remains
 through a process commonly referred to

*you tube: Geoengineering waging
 weather warfare on world
 populations*

*Look up the rest
 of article*

Senator Bob Wreckowski 510-794-3900

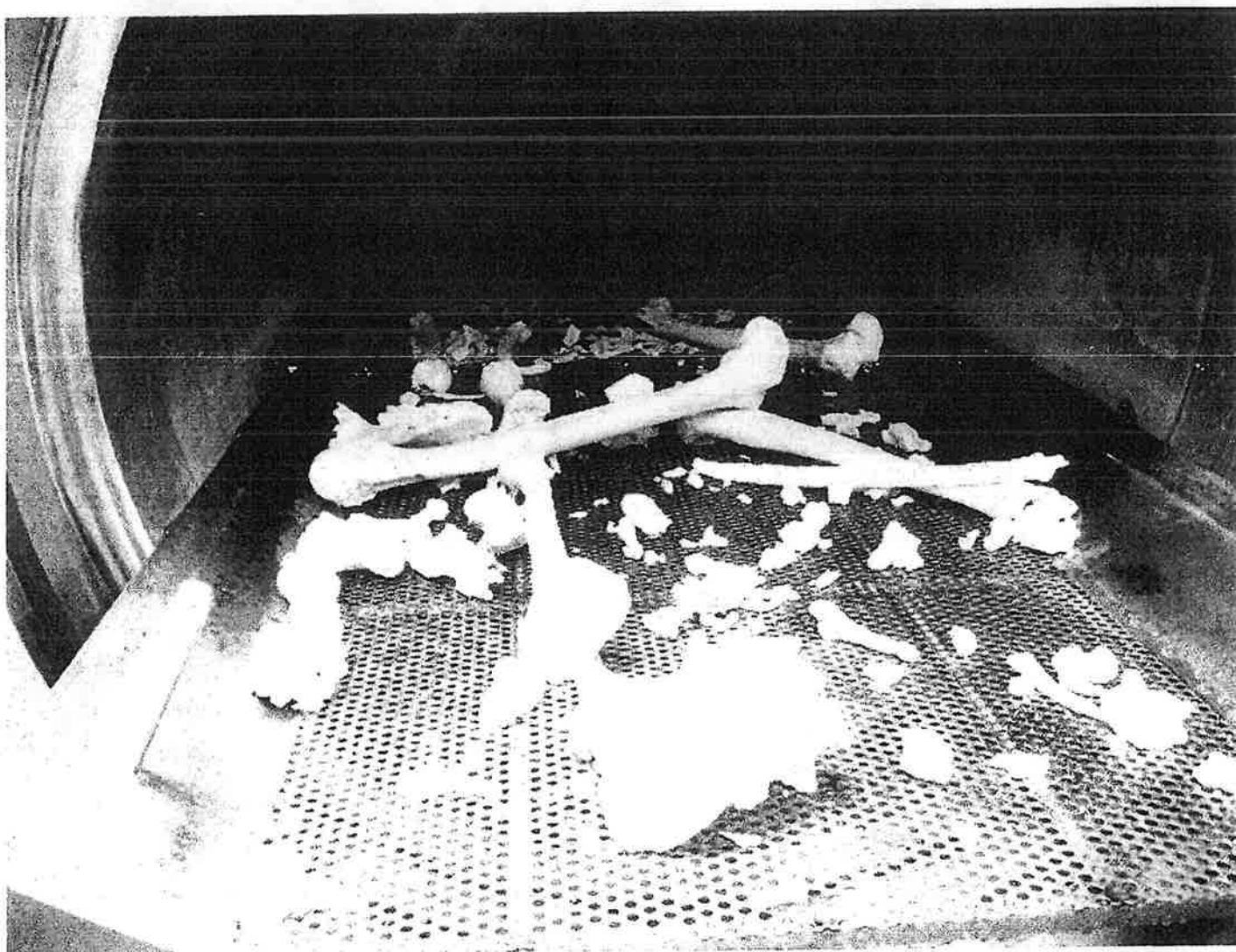
Assemblyman Bill Quinte 510-583-8818 AB 967

FUTURE OF YOU

Governor Signs Law Allowing Californians to Choose to Liquefy Their Remains



LISTEN



The bones left over after a water cremation. The fragments will be pulverized into a powder, which can be memorialized in an urn. (Dean Fisher/ UCLA)

Update, October 16, 2017:

Board of Directors

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Representing Fremont

General Manager

Richard Currie

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USD works with doctors, dentists and medical facilities in the Tri-City area to reduce mercury in wastewater. Mercury cannot be completely removed by treatment processes. Keeping mercury and other toxic metals out of San Francisco Bay is an important component of our stewardship of the environment.

If you have questions, please call us at: (510) 477-7500.

USD's Labor-Management Partnership

Lockouts and walkouts - that's what the public often hears about when unions and utilities negotiate. At USD, the old model of labor and management clashing until one side wins and the other loses doesn't apply. "We have a positive and cooperative relationship," says General Manager Richard Currie. "We collaborate to take actions that are for the betterment of the District as a whole."

This partnership recently resulted in the ratification of a new 5½ year contract.

A non-traditional, non-confrontational process called

"Interest-based bargaining" was used to reach agreements.

"Some great strategies have come out of working jointly to solve problems," says Rich Czapkay, SEIU Local 1021 Chapter President. "One very successful example is our exchange of ideas to improve our safety record, which contributed to an award-winning program that we've been asked to share with other agencies."

A joint task force also tackled the issue of

planning for the retirements of key employees. "We created a program to bring replacements in well before retirees left the District," Currie explains. "Many ideas about how to transfer their years of knowledge to their successor came from the union, and our selection panels are always a mix of union and management employees."



USD plans to continue using joint task forces to improve operations and efficiency. "These collaborative groups are constantly coming up with new, cost-saving ideas that are implemented by the District," continues Currie.

"The difference is that we don't have the thought process of 'us' and 'them,'" says Czapkay. "We have good communication and respect for each other, and these things allow us to discuss concerns and come up with solutions that work for both sides. Knowing that labor and management can sit down, talk about issues and resolve them together makes USD a better place to work."

We've Got What It Takes To Treat 30 Million Gallons Per Day

It takes a lot of things to treat the 30 million gallons of wastewater USD receives every day! Here are some highlights of what we use at our treatment plant during our 24/7 operations:



1,100,000 gallons of water - 97% of which is recycled.

53,000 kilowatt hours of electricity - about 2,120 times what is used in a typical home. We produce 30% of our electricity ourselves, decreasing our daily bill from \$4,745 to \$3,650.

1,200 gallons of chlorine bleach solution to disinfect the treated wastewater. Our bleach is about 2.5 times stronger than Clorox.

764 miles of pipeline to get the wastewater from all the homes and businesses to USD.

450 gallons of polymer chemicals to improve treatment efficiency.

1,500 gallons of Ferrous Chloride - a purplish-brown liquid containing lots of iron - to reduce corrosion and improve treatment.

Union City, CA

copy X
pass on

solution is quite complex since there is neither a cohesive set of regulations nor guidance for unused drugs.

The addition of even more pharmaceutical drugs is looming in the near future. Presently, drug companies target about 500 known biochemical receptors in the human body. That number is soon expected to jump as much as 20-fold—to 10,000 targets. Dr Daughton raises a disturbing thought. "The enormous array of pharmaceuticals will continue to diversify and grow as the human genome is mapped. This is adding exponentially to the already large array of chemical classes, each with distinct modes of biochemical action, many of which are poorly understood."

What about water sewage plants? According to Bill Turner, New Mexico's natural resources trustee: "It is a well-established fact that conventional sewage treatment technologies do not completely remove drug and chemical residues. Other methods, such as activated carbon filtration or treatment with ultraviolet light, likely would remove the drugs but could be costly."

Reverse osmosis also removes many of the large-molecule PPCPs, but it is expensive for municipal treatment facilities. However, there is still a waste disposal issue: the used membranes themselves and a leftover stream of dirty water. Other options might include UV or ozone treatment, both of which are less costly than reverse osmosis. However, both UV and ozone treatments tend to create numerous oxidation products, thereby increasing the number of chemicals present.

So, if we can't rely on the municipal water treatment systems, it's really up to each person to find solutions. It's obvious that homes, restaurants, hospitals, schools and businesses must realise the importance of providing water that's not only free of pesticides and heavy metals but also PPCPs.

It has been shown that the most effective water purification system for removing all these contaminants, including PPCPs, is an activated carbon filtration system. Units are available which can filter your tap water, but it would be far wiser to install a whole home unit. Since the skin absorbs chemicals 600 times more effectively than through ingestion, all bathing water as well as drinking water should be adequately filtered.

Make sure that, in the USA, the Water Quality Association (WQA) has accredited the system you select. To help people choose quality water treatment products, the WQA developed its Gold Seal Certification Program. The Gold Seal mark is internationally recognised as a symbol of quality and integrity.

Investing in a high-quality whole-house water system using an activated carbon filtration method which purifies all the water used in your home, i.e., drinking, bathing and washing, would be your best line of defence. At the very least, use an activated carbon filtered system for all your drinking water.

The day may come when pharmaceutical and chemical companies will take responsibility for the life cycle of their products, when the government will enact protective regulations for PPCPs, and when new sewage treatment technologies will be developed and installed. But for right now, it seems that we're on our own.

In a world of connectedness, we are again painfully reminded that nothing we do exists in isolation. Our most ordinary choices, in this case the drugs we ingest and the personal care products we use, may have lifelong consequences not just for us but also for all the unsuspecting people and wildlife living downstream. Remember, everyone lives downstream from someone.

About the Author

Sherrill Sellman, ND, author of the best-selling books *How Heresy: What Women MUST Know About Their Hormones* (GetWell International, 1996, 2001 4th ed.) and *How to Prevent Your Daughters From Getting Breast Cancer* (GetWell International, 2003), is an international lecturer and psychologist. She has contributed numerous articles to NEXUS, recently "The Problem of Precocious Puberty" in 11/03. She can be contacted by phone on +1 (877) 215 1721 or by email engolight@earthlink.net. Her free monthly *HormoneWise* e-Digest is available at <http://www.ssellman.com>.

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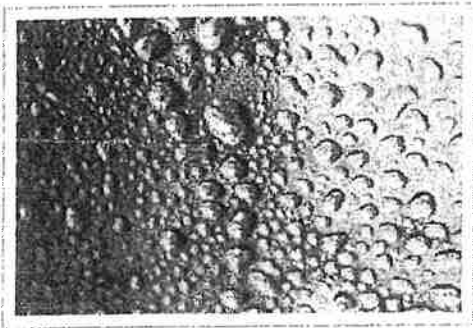
Home > Chloramine + Lead Pipes + Fluoride = Contaminated tap water

ENVIROBLOG

Environmental connections to public health >>

Chloramine + Lead Pipes + Fluoride = Contaminated Tap Water

By



MONDAY, JULY 13, 2009 By Olga Naidenko, EWG Senior Scientist

The lead pollution crisis of the Washington, D.C. water supply - and the culprit that caused it, the water disinfection chemical chloramine - is a powerful example of how things can go terribly wrong when water quality problems are considered and tackled in isolation.

Earlier this year, Virginia Polytechnic Institute and State University (Virginia Tech) scientists reported the **shockingly high lead levels in the blood of young Washington, D.C. children** tested between 2001 and 2004, when the District of Columbia's drinking water was being contaminated with lead from aging pipes.

Unfortunately, this situation is not unique: **similar results** have been reported in Greenville, North Carolina, according to studies by the Duke University researchers.

Chloramines and lead pipes: Not so good together American water utilities are increasingly switching to chloramines, a mixture of chlorine and ammonia, for final disinfection of drinking water. Chloramine was supposed to be a "safer" water disinfectant than chlorine because it reduces formation of toxic chlorination byproducts. A 2005 survey by the American Water Works Association found that approximately a third of all utilities now use chloramines.

Water disinfection byproducts are associated with increased risk of cancer and possibly adverse effects on the development of the fetus, so minimizing their levels in drinking water is a good thing. Yet, chloramines drastically increase the leaching of lead from pipes. And here is a real challenge: there are tens of thousands of lead service lines in the water system administered by the DC Water and Sewer Authority. Add to these lines the lead based solder used to join copper pipe, brass and chrome plated faucets, and water fixtures, and the opportunities for

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Learn More

Poisons All Around Us: What You Need to Know

Tap Water Is Dangerously Polluted

Despite decades of effort to clean up lakes, streams, and groundwater — and regulations and laws that have been passed to reduce industrial pollution of water supplies — new forms of pollution are being discovered daily.

On one hand, we are told by local and federal health authorities that municipal drinking water supplies are cleaner and healthier than ever. Yet there are reports, usually buried within documents not readily available to the public, indicating that major problems still face us — and that they may be getting worse.

With the massive industrialization that followed World War II, hundreds of thousands of synthetic chemicals were manufactured. Tons of these chemicals were dumped in lakes, streams, and rivers.

In the ensuing decades, scientists discovered that a significant number of these chemicals are carcinogenic — that is, over years of exposure they can cause cancer in animals and humans.

The most significant carcinogens in the water

supply include:

- Arsenic
- Herbicides
- Pesticides
- Fungicides
- Industrial by-products

These chemicals have all been linked to increased rates of lung, bladder, stomach, brain, and colon cancers.

In addition, the chlorination of drinking water can lead to formation of chloride-organic combinations called organochlorine compounds. Many of these compounds have also been shown to be toxic to cells and cause cancers.

Other contaminants — especially aluminum, lead, and copper — can have profound effects on health.

Compelling evidence indicates that aluminum in water is associated with a significantly increased risk of Alzheimer's disease, especially if the water also has fluoride added to it.

Another link between water fluoridation and metal toxicity concerns the levels of lead in water. It has been demonstrated that elevated levels of lead are responsible for a number of adverse health conditions, including:

- Hypertension
- Anemia
- Accelerated hardening of the arteries
- Increased violent behavior
- Loss of impulse control (e.g. "road rage")
- Increased suicide rates
- Learning problems
- Increased homicide rates

Even small elevations in blood lead levels, as low as 10 micrograms per liter and possibly as low as 5 micrograms per liter, can produce adverse behavioral effects.

In recent years, there has also been more concern about our water supplies being infiltrated by chemicals in pesticides called xenoestrogens, which act like estrogens.

These compounds interact with the body's estrogen receptors, and may increase the risk of breast cancers, cause early and overdevelopment

Best Way to Filter Water

Water can be filtered by reverse osmosis, ceramic filtration, silver-impregnated filters, or multilayered filter systems, all of which have their advantages.

The big problem with most filters is that they do not remove fluoride. Reverse osmosis filters remove fluoride, but they have to be changed every three months because fluoride burns holes in the filter.

Based on my studies, the best way to purify water is to distill it. Some will say that distilling water removes the beneficial minerals, but these can either be taken as separate supplements or can be added to water later. And that, in fact, is what many manufacturers of bottled water do.

Distilling creates water with a neutral pH, kills all microorganisms, and removes fluoride as well as other harmful metals. The one problem is that the volatile chemicals are condensed in the final water container.

To solve this problem, the better distillers have a carbon filter to remove volatile gases during the condensation process.

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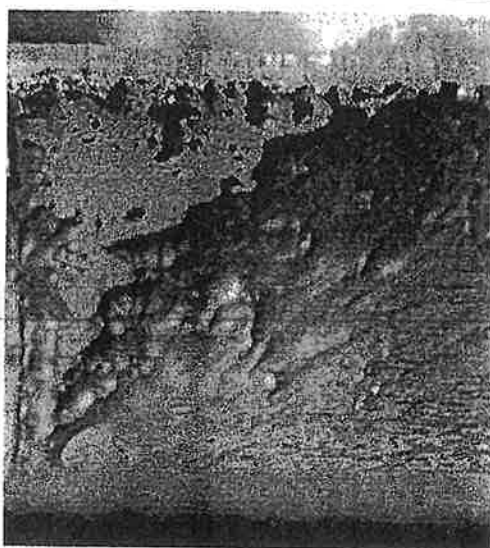
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January 4, 2014

Fluoride - Alzheimers Disease and Copper Pipes

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Fluoride - Alzheimers Disease and Copper Pipes

By Robert Jay Rowen, MD

The fluoride debate is boiling in Sonoma County. Those drinking its water should know about some startling fluoride revelations. Recent research has connected "hidden" dots linking fluoride with the most dread of all diseases – Alzheimer's (AD). But it may not be fluoride directly, but fluoride's effects on your copper pipes.

Copper in your body exists as either organic copper, or metallic copper. The former is copper properly protein shielded from causing damage. Metallic or free copper ions, like free iron, can wreak havoc. Let me connect some dots for you:

1) Free copper binds to all proteins involved in AD. This includes critical proteins, that left alone, would usher out the accumulated toxic beta amyloid sludge that eventually kills neurons. Copper inactivates the removal processes!



2) AD patients carry higher free copper levels.

3) Japan is an AD anomaly in the developed world. It has quite a low incidence. Interestingly, Japan neither use copper pipes (too expensive) and also have far lower rates of AD.

4) Free copper is significantly elevated in blood of AD patients compared to age matched controls. Higher copper levels also correlated with less cognitive function, and greater rate of future cognitive decline.

5) Zinc is copper's natural antagonist. Zinc has protected cognitive decline in both animal and human studies.

Chlorination is required for safety of drinking water. However chlorine compounds alone corrode lead containing brass, and will increase lead concentrations from 100 ppb to 200 ppb in drinking water. A 2005 California symposium pointed to copper pipe failure caused by the use of chloramines used in California water systems to extend the disinfecting power of chlorine. Chloramines aggressively leach copper and other metals from whatever it touches.

So how does fluoride fit in? Tacoma had to close down fluoridation in its system in 1992. Fluoridated water had eaten away metallic copper from its pipes, exposing lead in fittings. Lead levels soared. When fluoridation was stopped, lead fell, only to rise again when fluoride was restarted. Fluorosilicic acid caused lead levels to spike to over 900 ppb. Fluoride's addition creates ammonium fluosilicate, an established solvent for metallic copper alloys. Other cities have documented clear dangerous lead drinking water elevations after fluoridation began (Lebanon, OR, NYC, Thurmont MD).

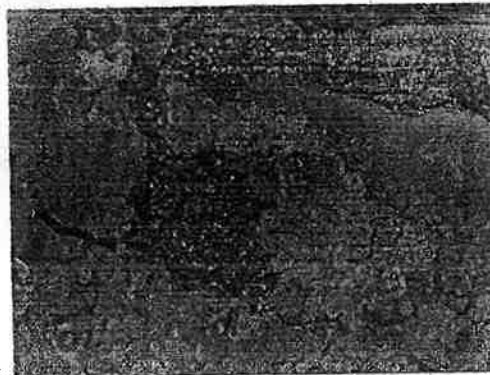
Fluoridation may contribute to calcification (destruction) of the pineal gland in humans at an early age. The pineal makes critical melatonin (a protective and sleep associated hormone). The National Research Council is concerned about fluoride's effect on melatonin production. Melatonin protects against fluoride toxicity, so we may have a vicious cycle of fluoride eliminating our protection, exacerbating its toxicity. The aged calcified pineal gland has about the same amount of fluoride as do teeth - not good.

America has an epidemic of degenerative joint disease (DJD): Even doctors don't know that spinal and other joint DJD is x-ray indistinguishable from fluorosis (overt fluoride poisoning). Much DJD that modern medicine has diagnosed might actually be fluorosis. One of my patients with hip DJD, needing replacement, had the veracity to send his removed joint to France for fluoride testing. It was LOADED! Medicine should routinely test for bone fluoride in these orthopaedic procedures!

Fluoride, at levels added to drinking water, significantly inhibits DNA polymerase, the enzyme that builds and repairs DNA. The "safety" window is exceptionally small. There's no way to control for total individual dose. Consider: bread, sodas, prepared/canned food, processed foods, may all be made with fluoridated water. Even bottled water often comes from fluoridated sources. And worse, contrary to the pundits promoting fluoride, what is added to water has NO relation to natural fluoride. The latter is calcium fluoride, far safer than sodium fluoride or the even more toxic silicofluorides (usually used).

Sonoma county supervisors would do well to heed concerns of the voters rather than the medical industry regarding fluoridation, and permanently reject exposing their citizens to this well-known potentially dementia related poison. Please let them know!

You may reach Robert Jay Rowen, MD for comment at drowen@att.net



Corrosion on the Inside of a Copper Pipe

It's a dry year, take the

20 GALLON CHALLENGE

Be entered to win WATER EFFICIENT PRIZES every month!

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NEUROTOXICITY AND NEUROBEHAVIORAL EFFECTS

The committee also cited research indicating adverse health effects such as lower IQ in children, behavioral, and histopathological changes in the brains of laboratory animals (some of these resembling the brains of Alzheimer's patients), cerebral impairment of humans, and enhancement of effects in the presence of aluminum. The report concludes: "fluorides have the ability to interfere with the functions of the brain and the body by direct and indirect means." It also noted that many of the adverse effects of fluoride can be attributed to the formation of aluminum-fluoride complexes. The report provides a wealth of information showing the negative effects of fluoride on the brain but is often unduly cautious in drawing the appropriate conclusions. The summary²⁴ states: "A few epidemiological studies of Chinese populations have reported IQ deficits in children exposed to fluoride at 2.5 to 4 mg/L in drinking water." This information is said to "lack sufficient detail to fully assess their quality and relevance to US populations." However, the results are significant enough to "warrant additional study."

The report goes on to identify "a few animal studies" reporting alterations in the behavior of rodents. Limiting the impact of this statement, the committee concluded that the changes were not "substantial." They list "molecular, cellular, and anatomical changes in the nervous system . . . suggesting that functional changes could occur." More research is urged to "clarify the effects . . . on brain chemistry and function." Of particular concern is their statement: "... histopathological changes similar to those traditionally associated with Alzheimer's disease in people have been seen in rats chronically exposed to AlF [sic] (Varner et al. 1998)."²⁵

Given these and many other examples, there is little doubt that fluoride affects the brain and that it enhances the uptake of aluminum in the brain. Human observations support the conclusion of brain effects, and animal studies allow dose levels causing these effects to be estimated for the purposes of developing an MCLG.

Exposure figures mentioned in this and other sections of the report often give only animal data. However, the committee suggested a way to convert such data to human exposures.²⁶ Apparently rats require 5 times the daily dose required by humans to arrive at the same serum concentrations. Thus, rats exposed to fluoride at 5 mg/L would achieve the same serum fluoride concentrations as humans exposed to 1 mg/L.

As noted in the report,²⁷ rats administered AlF₃ in drinking water at 0.5, 5.0, and 50 mg/L for 45 weeks (approximately 60% of AlF₃ is fluoride), all had significant damage in the hippocampus. An unusual number of deaths occurred at the lowest dose tested. A repeat of the test comparing AlF₃ at 0.5 mg/L and NaF at 2.1 mg/L for a test period of one year found that 6 out of 9 animals died in the AlF₃ group, 3 out of 9 of the NaF group died, and only 1 out of 9 control animals died. Both treated groups had twice as much aluminum in their brains as control animals. Leaving aside the unexplained deaths, there was a proven increase of AlF₃ in the brain with both AlF₃ and NaF, and significant damage to the brain at the low dose of 0.5 mg AlF₃/L, or approximately 0.3 mg F/L.

Two other studies were noted to have found the same pattern of neuronal degeneration. Thus, there exists a lowest observed effect level of 0.06 mg/L of

fluoride to develop an MCLG using the preventative approach of the Safe Drinking Water Act as mentioned earlier. (This figure of 0.06 mg/L is derived from the above 0.3 mg/L concentration of fluoride divided by the conversion factor for rats to humans of 5.) An appropriate safety factor does not have to be mentioned to see clearly that fluoridation at 1 mg/L cannot be considered acceptable for an MCLG.

CONCLUSIONS

The NRC committee's reevaluation of EPA's MCLG for fluoride in drinking water failed to identify a safe level of fluoride in drinking water. This failure can be attributed to misdirection by EPA of the intended goal of the effort. When the committee requested and received a change in its mandate from evaluating the MCL to the MCLG, EPA strangely omitted the key scientific criteria necessary for evaluating this standard. The committee should have been told to look for health effects that "can be reasonably anticipated, even though not proved to exist." As a result of this omission, the NRC panel focused only on end points that were totally certain and concluded that the current standard of 4 mg/L did not protect against bone fractures and severe dental fluorosis. For the first time in history, a committee of the NRC removed severe dental fluorosis from the benign category of cosmetic effects and added it to the list of adverse health effects. In addition, Stage II skeletal fluorosis was added to the list, but the committee was unable to state with absolute certainty that this was occurring at the current EPA standards.

This review applied the necessary criteria to some but not all of the adverse health effects discussed in the NRC report. The results are as follows:

- 1 Moderate dental fluorosis is an adverse health effect occurring at fluoride levels of 0.7–1.2 mg/L, the levels of water fluoridation.
- 2 The Lowest Observed Adverse Effect Level (LOAEL) for bone fractures is at least as low as 1.5 mg/L and may be lower than this figure.
- 3 Stage II and Stage III skeletal fluorosis may be occurring at levels less than 2 mg/L.
- 4 Stage I skeletal fluorosis, (arthritis, clinically manifested as pain and stiffness in joints) is an adverse health effect which may be occurring with a daily fluoride intake of 1.42 mg/day, which is less than the amount the average person already obtains in their diet in non-fluoridated areas. The Maximum Contaminant Level Goal (MCLG) should be zero.
- 5 Decreased thyroid function is an adverse health effect, particularly to individuals with inadequate dietary iodine. These individuals could be affected with a daily fluoride dose of 0.7 mg/day (for a "standard man"). Since this is less than the amount already in the diet, the MCLG should be zero.
- 6 Fluoride has adverse effects on the brain, especially in combination with aluminum. Seriously detrimental effects are known to occur in animals at a fluoride level of 0.3 mg/L in conjunction with aluminum. The goal for this effect should also be zero.

GLOBAL CLIMATE MODIFICATION PROGRAMS ARE THREATENING ALL LIFE ON EARTH

BEFORE: SKIES UNTAINTED BY CLIMATE ENGINEERING



AFTER: SKIES CONTAMINATED BY SOLAR RADIATION MANAGEMENT



NASA satellite images clearly reveal microwave transmission manipulation of aerosolized clouds



Climate engineering is further fueling record drought, deluge and overall biosphere disintegration



GeoEngineeringWatch.org

ILLEGAL CLIMATE ENGINEERING OPERATIONS ARE BEING CARRIED OUT WITHOUT PUBLIC KNOWLEDGE OR CONSENT

Precipitation tests from around the world confirm alarming levels of aluminum, barium, strontium, (and other heavy metals named in climate engineering patents) are saturating our breathable air column. Human blood, urine, and hair tests confirm the extreme buildup of these highly toxic heavy metals in populations.

Government officials and Geoengineers have long since proposed spraying 10-20 MILLION TONS of highly toxic heavy metal and chemical aerosols into the atmosphere annually as a form of climate change mitigation. Though the blatantly obvious ongoing sun blocking "solar radiation management" programs are officially denied, all available data confirms full deployment of global geoengineering occurred decades ago with increasingly catastrophic consequences.



Color spectrums captured behind particulate dispersing aircraft makes clear the fact that we are not seeing "condensation trails".

All military tanker jets and all commercial jets use "high bypass turbofan jet engines", a jet powered fan that is nearly incapable of producing any condensation trails except under rare and extreme circumstances.



Military tanker jets are not the only aircraft involved with climate engineering operations. Countless commercial jet aircraft have now been retrofitted with spray nozzles aimed into the exhaust stream (though commercial carrier personnel do not appear to be directly involved with the geoengineering operations).



Massive plumes of climate engineering particulates are being dispersed by jet aircraft all over the globe, this is not condensation.



If you think there are only passengers in all commercial jet aircraft, think again. Commercial carrier personnel are not directly involved.

What are the known consequences of ongoing climate engineering operations?

GEOENGINEERING IS:

- **Further fueling the overall warming of our planet:**
SRM aerosol cloud canopies trap more heat than is deflected by SRM programs.
- **Contributing to extreme drought, flooding, and storms:**
Global geoengineering has completely disrupted the planetary hydrological cycle and thus weather systems all around the world.
- **Creating engineered cool-down zones and snow storms:**
Patented processes of "chemical ice nucleation for weather modification" are creating severe weather whiplash scenarios.
- **Destroying the Earth's vital ozone layer:**
Geoengineering particulates and associated microwave transmission atmospheric manipulation are decimating the ozone layer. This is allowing extremely dangerous levels of UVB and UVC radiation to reach Earth's surface.
- **Accelerating Forest devastation, die-off, and forest fire increases:**
Completely disrupted rain cycles, extreme UV radiation, toxic heavy metal fallout saturation of soils, more dry lightning, and incendiary dusts (from fallout) coating foliage, all are the result of geoengineering.
- **Alarming honeybee die-off:**
Peer reviewed science studies have now proven that massive aluminum contamination is killing bees. Again, the primary climate engineering element named in patents is aluminum.
- **Radically accelerating human degenerative and neurological diseases:**
Alzheimer's, dementia, autism, ALS, COPD, asthma, allergies, bronchitis, lung cancer, heart attack (and countless other forms of disease) are directly associated with toxic atmospheric particulate pollution, exactly what climate engineering / solar radiation management programs create.
- **Contributing to unprecedented species die-offs:**
We are now in the 6th great mass extinction on our planet with up to 300 species of plant, animal, and insect extinctions every single day. This is 15,000 times the background extinction rates.

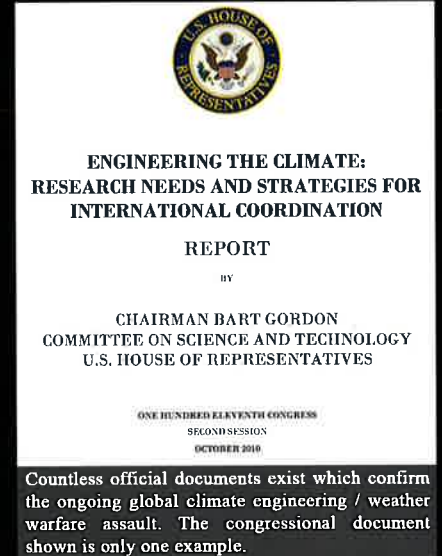
HISTORICAL DOCUMENTS AND DATA PROVES THAT GLOBAL CLIMATE ENGINEERING PROGRAMS WERE FULLY DEPLOYED IMMEDIATELY AFTER WWII AND HAVE BEEN STEADILY RAMPED UP SINCE. NOT A SINGLE ENVIRONMENTAL OR HUMAN HEALTH IMPACT STUDY HAS EVER BEEN DONE TO DOCUMENT THE DEVASTATION BEING INFLICTED ON THE ENTIRE WEB OF LIFE FROM THE ONGOING ILLEGAL GEOENGINEERING ASSAULT.

Populations (and all life forms) around the world have been completely betrayed by the governments, agencies, and experts they have been trained to believe existed to protect them. The corporate media is also a primary accomplice in the ongoing climate engineering cover-up. Any and all entities / individuals that are in any way associated with the illegal geoengineering operations must be fully exposed. Once exposed, all such entities / individuals must be held legally and morally accountable for their part in the climate engineering atrocities.

Investigate inarguable climate engineering facts and film footage at

GeoEngineeringWatch.org

Please, help us to expose and halt the ongoing climate engineering insanity.



Countless official documents exist which confirm the ongoing global climate engineering / weather warfare assault. The congressional document shown is only one example.



Rep. Paul Harris

2022 Session Review • 17th District



Rep. Paul Harris
17th District

CONTACT ME:

I love hearing from the people I represent. Here's how you can reach me.

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TOLL-FREE

LEGISLATIVE HOTLINE:
1-800-562-6000

SCHEDULE A MEETING:

calendly.com/representative-paul-harris

Dear Friends and Neighbors,

The past two years have been challenging for many reasons. People have experienced extremely difficult trials because of the pandemic and emergency shutdown, and I know many of you are still struggling. The good news is we are finally starting to turn the corner and we can see a light at the end of the tunnel. I'm grateful to every individual who has worked tirelessly to help our state get through this historic event.

Our state is strong, and although COVID 19 challenged us in so many ways, we have pushed forward and become even stronger. My heart goes out to all those who have lost loved ones to COVID. I praise your courage and effort, and I pray you can find peace in the coming days. Like you, I'm ready to look to the future with hope, as we work to make Washington a safe and prosperous place to live for everyone.

The recently concluded 2022 legislative session was also historic in many ways. Nearly 1,500 bills were introduced between the House and Senate and close to 300 ultimately passed both chambers. We worked together across the aisle to pass some good policies that will make our state better. However, as we head into this interim, I can't help but feel like we could have done so much more.

With my fellow Republicans, I entered this session with high hopes. We offered numerous real solutions to the many pressing issues facing our state. But in the end, the majority party passed mostly partisan legislation that failed to address many of our state's most pressing needs.

The state collected record revenue and the majority party plans to spend nearly all of it. They also provided no tax relief to the people of Washington, failed to correct the police reform bills passed last session, didn't fix the long-term care act and payroll tax, added several new taxes and fees to pay for an irresponsible transportation spending package, and allowed the governor to continue running the state without any checks and balances from the Legislature.

As your state legislator, I understand I represent everyone from the entire political spectrum. That's why I do everything I can to work with representatives on both sides of the aisle to create and pass good policy that helps Washington. Obviously, we don't see eye-to-eye on every issue, but that doesn't mean we can't work together to make Washington a safer and better place to live for everyone. Unfortunately, most of the major policies passed this session were one-sided, meaning too many voices have gone unheard.

We could have done so much more had the majority party worked with us and considered ideas and perspectives from both sides of the aisle. We are at our best when we work together to create sensible policies for everyone in Washington. I will continue to work on real solutions for the many issues we face as we work to create a better Washington.

It's an honor to serve you in the 17th District.

Sincerely,

Paul Harris

Paul Harris

*Do Not
re-elect*



HB 1684 - 2021-22

Concerning public health and fluoridation of drinking water.

Sponsors: Harris, Bateman, Fitzgibbon, Leavitt, Cody, Macri, Simmons, Pollet, Riccelli

Bill History

2022 REGULAR SESSION

- Dec 22 Prefiled for introduction.
- Jan 10 First reading, referred to Local Government.
- Jan 25 Public hearing in the House Committee on Local Government at 10:00 AM.
- Jan 28 Executive action taken in the House Committee on Local Government at 8:00 AM.
LG - Majority; 1st substitute bill be substituted, do pass.
Minority; do not pass.
- Jan 31 Referred to Appropriations.
- Feb 5 Public hearing in the House Committee on Appropriations at 9:00 AM.
- Feb 7 Executive action taken in the House Committee on Appropriations at 10:00 AM.
APP - Majority; do pass 1st substitute bill proposed by Local Government.
Minority; do not pass.
Minority; without recommendation.
Referred to Rules 2 Review.
- Feb 9 Rules Committee relieved of further consideration. Placed on second reading.
- Feb 12 **1st substitute bill substituted (LG 22).**
Rules suspended. Placed on Third Reading.
Third reading, passed; yeas, 69; nays, 29; absent, 0; excused, 0.

IN THE SENATE

- Feb 15 First reading, referred to Environment, Energy & Technology.
- Feb 22 Scheduled for public hearing in the Senate Committee on Environment, Energy & Technology at 10:30 AM (Subject to change).



Fluoride exposure and attention deficit hyperactivity disorder (ADHD) in Canadian youth

Riddell, Julia and Till, Christine "Fluoride exposure and attention deficit hyperactivity disorder (ADHD) in Canadian youth"
CRDCN research-policy snapshots. January 2022

What the researchers did

Fluoride was measured in urine and tap water. Youth (ages 6 to 17) or their parents completed a questionnaire asking about hyperactive and inattention symptoms and if the child has been diagnosed with ADHD. The researchers used statistical models to examine the relationship between fluoride exposure and ADHD diagnosis/symptoms.

What the researchers found

An increase of 0.5 mg/L of fluoride in tap water was associated with a rise in ADHD prevalence from 5.5% to 14%. Higher fluoride levels in tap water and living in an area with community water fluoridation (CWF) was associated with more hyperactive/inattentive symptoms in adolescents.

RDC Datasets used

2010 Survey of Household Spending

Policy areas this research can inform

- Children and youth
- Environment
- Health
- Society and community

Policy implications of this research

Fluoridation of public water supplies has been a debated topic for many decades. A growing body of evidence – including the results of this study – indicates that fluoride may be associated with adverse health effects. Given the enormous public health implications, a comparison of the potential risks and benefits of community water fluoridation is urgently needed with an emphasis on vulnerable populations. Because of the unique vulnerability of the developing brain, there is a greater potential for adverse outcomes due to early childhood fluoride exposure. The field of public health must be open to reviewing existing policies as new evidence accumulates.

Read the full article

Riddell, J. K., Malin, A. J., Flora, D., McCague, H., & Till, C. (2019). Association of water fluoride and urinary fluoride concentrations with attention deficit hyperactivity disorder in Canadian youth. *Environment international*, 133, 105190. <https://doi.org/10.1016/j.envint.2019.105190>

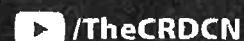


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UN1690, Class 3 PG III
Sodium Fluoride AWWA

CAS No. 7681-49-4

Batch No.: 4306GC20210221

Net Wt: 50 lbs

Gross Wt: 50.2 lbs

Made In China

PROF-UCE DATE: 02/2021



5M7/Z2G/S/20

CNC400019

PI: 183

FLUORIDATION WEEKLY REVIEW # 6, FEBRUARY 14, 2022

<https://twitter.com/FluorideAction>

([https://fluoridealert.org/search-
results](https://fluoridealert.org/search-results)).

(<https://npo.networkforgood.org/Donate/Donate.aspx?npoSubscriptionId=2553>).
(<http://fluoridealert.myshopify.com/>).

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-Compiled and edited by Mike Dolan, PhD

Plain language summary of fluoride exposure and ADHD risk posted

The Canadian researcher who has discovered an association between childhood fluoride exposure from drinking water and increased risk of Attention Deficit and Hyperactivity Disorder (ADHD) has just posted a plain language summary of her work in which she writes,

"Higher fluoride levels in tap water and living in an area with community water fluoridation (CWF) was associated with more hyperactive/inattentive symptoms in adolescents."

The researchers found, "An increase of 0.5 mg/L of fluoride in tap water was associated with a rise in ADHD prevalence from 5.5% to 14%."

They conclude that the public health profession needs to consider new evidence on fluoride before allowing this childhood exposure to continue, writing, "Fluoridation of public water supplies has been a debated topic for many decades. A growing body of evidence – including the results of this study – indicates that fluoride may be associated with adverse health effects. Given the enormous public health implications, a comparison of the potential risks and benefits of community water fluoridation is urgently needed with an emphasis on vulnerable populations. Because of the unique vulnerability of the developing brain, there is a greater potential for adverse outcomes due to early childhood fluoride exposure. The field of public health must be open to reviewing existing policies as new evidence accumulates."

The research snapshot can be seen [here](#):

<https://macsphere.mcmaster.ca/bitstream/11375/27295/1/Fluoride%20exposure%20and%20attention%20deficit%20hyperactivity%20disorder%20in%20children%20Jan%202022.pdf>

<https://macsphere.mcmaster.ca/bitstream/11375/27295/1/Fluoride%20exposure%20and%20attention%20deficit%20hyperactivity%20disorder%20in%20children%20Jan%202022.pdf>

64 STUDIES HAVE LINKED FLUORIDE WITH REDUCED IQ IN CHILDREN

([HTTP://WWW.FLUORIDEALERT.ORG/STUDIES/BRIN01A](http://www.fluoridealert.org/studies/brain01a))

The original peer-reviewed report in *Environment International* can be seen here:

<https://doi.org/10.1016/j.envint.2019.105190>
(<https://doi.org/10.1016/j.envint.2019.105190>)

(j) British study of NHS statistics finds no overall treatment benefit of fluoridation

A report by dental public health bureaucrats in the United Kingdom that intended to show how National Health Service records of intervention can be used to reveal the benefits of water fluoridation has failed to find such benefits.

QUICK FACTS

97% OF WESTERN EUROPE HAS REJECTED WATER FLUORIDATION

([HTTP://WWW.FLUORIDEALERT.ORG/CONTENT/EUROPE-STATEMENTS/](http://www.fluoridealert.org/content/europe-statements/))

MANY CHILDREN NOW EXCEED
RECOMMENDED DAILY FLUORIDE INTAKE
FROM TOOTHPASTE ALONE.

([HTTP://FLUORIDEALERT.ORG/ISSUES/SOURCES/F-TOOTHPASTE/](http://fluoridealert.org/issues/sources/f-toothpaste/))

FLUORIDE IS NOT A NUTRIENT

(<http://www.fluoridealert.org/studies/essential-nutrient/>).

64 STUDIES HAVE LINKED FLUORIDE WITH REDUCED IQ IN CHILDREN

(<http://www.fluoridealert.org/studies/brain01a>)

RELATED VIDEOS:



Crippling Waters

(<https://fluoridealert.org/fantv/crippling-waters/>)



[View this as a web page](#)

Submit Your Letter of Interest

We now have funding available for municipal water systems that:

- Serve more than 5,000 connections.
- Do not provide fluoridated drinking water to all of its customers.

Funding is available for engineering work to plan for future fluoridation. Please submit your letter of interest to DWSRF@doh.wa.gov by 5:00 p.m. on August 10, 2022.

Read more about the requirements and deadlines in [Fluoridation Engineering Design Funding Letters of Interest 331-697 \(PDF\)](#).

To request this document in another format, call 1-800-525-0127. Deaf or hard of hearing customers, please call 711 (Washington Relay) or email civil.rights@doh.wa.gov

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Is Your Tap Water Making You Sick?

Analysis by Dr. Joseph Mercola

✓ Fact Checked

STORY AT-A-GLANCE

- > Data show that just two disinfection byproducts offered compelling evidence that a cumulative risk assessment would reveal health damage from contaminants found in drinking water
- > The Environmental Working Group's Tap Water Database is the most complete source of information compiled from data in nearly 50,000 systems users can search by zip code; the guide relies on current science and not legal limits set by regulatory agencies
- > The textile industry is a significant contributor to water pollution, dumping nearly 20% of dyes and fixative agents used to set colors down the drain, often at high temperatures and high pH
- > Arsenic and lead are two heavy metals found in drinking water that have no acceptable level of exposure and increase your risk of disease, yet the EPA balances the cost of filtering water against health challenges when determining a maximum contaminant level
- > Agencies also regulate the addition of fluoride to drinking water, another pollutant that is associated with a lower IQ in children, but for which the CDC has no documentation of safety or prenatal or early life benefit

Drinking water may be treated with a variety of chemicals, which create intermediaries and disinfection byproducts. One study did a side-by-side comparison of epidemiological studies and cancer risk assessment after exposure to two disinfection byproducts – haloacetic acids and trihalomethanes.

10/11/17 [5/11/17]

Yet, disinfection byproducts are not the only toxic chemicals found in tap water. One glass of water may contain a cocktail of forever chemicals known as PFAS,² lead, arsenic³ and a list of other chemicals found in your local area that you were never meant to consume.⁴ You can check your local supply by using the Environmental Working Group's (EWGs) Tap Water Database.⁵

One of the issues with the water supply is that we have an aging infrastructure that may be nearing the end of its useful life.⁶ Another is the water pollution that results from firefighting chemicals,⁷ agrichemicals,⁸ drugs, nerve toxins that are produced by freshwater cyanobacteria⁹ and toxins that are intentionally added to the water supply.¹⁰

Since more than 50% of your body is water,¹¹ you require a constant supply of pure water to fuel your filtration system and ensure your body is free of toxins. Your blood, kidneys and liver require a good source of clean water to detoxify from the other toxic exposures you meet every day. Yet, it is the water supply that is also in desperate need of detoxification.

Disinfectant Byproducts in Tap Water Raise Risk of Cancer

The EWG opened the Tap Water Database in 2017.¹² It was the most complete source of information about U.S. drinking water that compiled data from nearly 50,000 systems across the country. The data mining project was aimed at increasing information and awareness about tap water pollution.

Users can enter their zip code¹³ and find a list of contaminants that had been detected and reported to the authorities. The guide relies on current science to report levels of pollutants instead of legal limits set by regulatory agencies. Ken Cook, president of EWG, said in a press release:¹⁴

"Just because your tap water gets a passing grade from the government doesn't always mean it's safe. It's time to stop basing environmental regulations on political or economic compromises, and instead listen to what scientists say about the long-term effects of toxic chemicals and empower Americans to

protect themselves from pollutants even as they demand the protective action they deserve from government."

In November 2021, the EWG called¹⁵ for a new framework to analyze drinking water that would account for multiple contaminants present simultaneously and the cumulative effect that has over a lifetime. It was the same month the organization updated their tap water database, which:¹⁶

"... highlighted the groundbreaking peer-reviewed research published since the last update, using the data to help communicate to the public about the potential health risks of contaminants in their drinking water, as well as underscoring key gaps in water contamination research."

The EWG notes that the federal drinking water standards evaluate and regulate one chemical at a time.¹⁷ The process is slow and cannot keep up with the rate at which pollution is added to the water supply, often at levels many scientists believe are unsafe for the public. This was highlighted in a study¹⁸ published in 2020 by the EWG in which the scientists compared two disinfection byproducts in the tap water.

The researchers concluded that the results offered a compelling argument for a cumulative risk assessment, as opposed to the current state of evaluating chemicals one at a time. They note that the two disinfection byproducts evaluated in the study are a small portion of those that form when drinking water is disinfected.

Additionally, "The inclusion of unregulated haloacetic acids in a toxicologically-based framework increases the likelihood that a cancer risk assessment for disinfection byproducts accurately reflects risk."¹⁹ The researchers also highlighted that the analysis demonstrated the value of using human data to capture real-world risks which "cannot be fully assessed by toxicological studies."

This was not the first study to demonstrate the levels of toxic chemicals in drinking water, and likely will not be the last. A team from Consumer Reports and The Guardian²⁰ took samples of drinking water from a cross-section of each of the EPA's 10

jurisdictional regions and found that 118 of the 120 samples had high levels of PFAS or arsenic, as well as detectable levels of lead.

In the short 2-minute video below, EWG scientist Sydney Evans explains the concerns many scientists have of drinking a "toxic cocktail" of contaminants in drinking water. The cumulative effect of drinking chemical pollutants over a lifetime could result in over 100,000 cancer cases in the U.S.

Your Clothing Is a Significant Contributor to Water Pollution

As Evans points out in this video, the most effective way to control pollutants in the water supply is to prevent it. She notes that reducing farm runoff and discharge from manufacturing can help protect the water supply. She calls for investment in tap water infrastructure, especially in small communities, and fixing the tap water standards.

Researchers have also found that nearly 20% of the pollutants found in drinking water are from your clothing.²¹ You may not think about the clothing industry being one of the biggest polluters on the planet, but it's nearing the top of the list. The textile industry contributes to water pollution through dyeing and treatment of the material with dangerous chemicals.

Rita Kant of the University Institute of Fashion Technology at Panjab University in India says color is a major reason people choose to buy certain articles of clothing.²²

Although there are ways to dye clothing that don't harm the environment, most textile dyes are toxic for nearly all forms of life. Problems exist with the dye itself, 20% of which goes down the drain, and with the fixative agents used to set the colors in the fabric.

In addition to the chemicals being toxic, they are often discharged from textile mills at high temperatures and pH, which is also damaging to the environment.²³ Some of the dyes also use heavy metals which are known to cause cancer²⁴ and can accumulate in crops and fish from contaminated water and soil.²⁵

Unfortunately, many of the textile dyeing facilities are in developing countries where regulations are lax and labor costs are low. Untreated or minimally treated wastewater is

discharged into nearby rivers to lower the cost of production²⁶ and from there it travels across the globe. An estimated 40% of textile chemicals are discharged by China.²⁷

In addition to polluting the water, the industry uses massive quantities of it. A textile mill that produces about 8,000 kilograms (17,637 pounds) of fabric in one day uses approximately 1.6 million liters (422,675 gallons) of water.²⁸ The fast fashion industry is a large contributor to chemical pollution and the destruction of our drinking water supply.

The average person purchased more than 65 articles of clothing in 2016, according to the toxic textiles report by Green America.²⁹ Added to which, many throw away 70 pounds of clothing and other textiles each year.

Even when clothing is recycled, Green America notes that "less than 1% of the resources required to make clothing is recaptured and reused to create new clothing."³⁰ When you donate clothes, it's also not a sustainable solution, as the majority end up getting sold to textile "recyclers" and exported to other countries.

EPA Waffles on Lead and Arsenic in Your Drinking Water

The greatest threat arsenic poses is when it's found in drinking water, food preparation and irrigating food crops. Long-term exposure can lead to several forms of cancer,³¹ and other research suggests there's an association with neurological effects, diabetes and high blood pressure.³²

The health impact of low exposure happens over a long period and has been shown to reduce children's IQ³³ and increase the risk of skin discoloration and lesions.³⁴ The acceptable level for arsenic in drinking water was originally set in 1942 at 50 parts per billion (ppb).³⁵

▶ This was reduced to 10 parts per billion in 2001, which was an amount the EPA felt would help water system operators balance the cost of filtering water against health challenges resulting from exposure.³⁶ Yet this is still more than triple the 3-ppb level at which experts have long insisted it should be limited and which the EPA first considered.

What you hear most often from proponents of fluoride at council meetings and from policymakers, is that government agencies can vouch for fluoridation “safety and effectiveness,” and regulate the practice responsibly. The thinking therefore, is because they say that, it must be true.

However, instead of verifying the claims, policymakers have put their unquestioning trust in government agencies and media outlets have suspended their professionalism by not only blindly trusting the agencies, but also discrediting those who oppose fluoridation.⁴⁶ However, under oath, representatives have proved that this mantra of “safe and effective” is only a baseless claim used to promote a failed policy.

Casey Hannan, director of the CDC's oral health division,⁴⁷ testified that the CDC has no data establishing the safety of fluoride's effect on the brain,⁴⁸ despite decades of touting the safety for all citizens, including children. Hannan also admits there is no prenatal or early life benefit.⁴⁹

We can't count on the mainstream media or the public health authorities to tell the public or decision-makers about what is happening. It's up to individuals to pass this information to family and friends and encourage them to pass it along as well.

Please help us get to the finish line in a world without fluoridation. If you're concerned about the health effects of fluoride, please support the Fluoride Action Network⁵⁰ with your tax-deductible donation today.

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Babies Exposed to Higher Levels of Fluoride Score Lower on IQ Tests

A new systematic review of all published studies evaluating the potential neurotoxicity of fluoride found the chemical is a “cognitive developmental hazard to humans.”

By [Environmental Health News](#)

The debate on the fluoridation of drinking water — one of the most polarized, long-running, and high-decibel controversies in public health — has been reignited as new studies find that fluoride is toxic to the developing brain.

Last week, the U.S. National Toxicology Program (NTP) released a systematic [review](#) of all published studies evaluating the potential neurotoxicity of fluoride; the benefits of fluoride with respect to reducing tooth decay were not addressed. A committee of the National Academy of Science, Medicine, and Engineering will review it this fall. This comprehensive report scrutinized hundreds of human and animal studies on the impact of fluoride on brain and cognitive function.

Most, but not all, of the high-quality studies evaluated fluoride concentrations that were about twice the level added to drinking water or higher. However, when considering all the evidence, their conclusion was “fluoride is presumed to be a cognitive developmental hazard to humans.”

The NTP’s conclusion was strengthened by a synthesis of high-quality studies showing that children who were exposed to higher amounts of fluoride during early brain development scored about three to seven points lower on their IQ tests.

Their conclusion is consequential; about 75% of Americans on community water systems have [fluoride in their tap water](#). Water is the main source of fluoride for people who live in communities with water fluoridation.

When do we know enough to revise long-held beliefs? We are reminded of the discovery of neurotoxic effects of lead that led to the successful banning of lead in gasoline and paint.

Despite early warnings of lead toxicity, regulatory actions to reduce childhood lead exposures were not taken until decades of research had elapsed and millions more children were poisoned.

We know that the [developing brain](#) is exquisitely sensitive to minute concentrations of lead and other toxic chemicals. Moreover, toxic chemicals’ irreversible effects on children’s rapidly growing brains emphasize the need for prevention.

Failing to act on accumulated evidence raises deep and unsettling questions.

Why are beliefs about the safety of fluoride so intransigent in the face of consistent evidence to the contrary?

Costs outweigh benefits

Fluoride offers no benefits to the fetus and infant and — as shown in the [video below](#) — new evidence suggests that fluoride is toxic to the developing brain at levels routinely found in the general population.

The Impact of FLUORIDE o...



The benefits of fluoride in the prevention of tooth decay are predominately topical, occurring only after teeth appear in the child's mouth. Fortunately, pregnant women can use fluoridated toothpaste and, if they want to do more to prevent cavities, they can limit their consumption of sugar, a leading cause of tooth decay.

The loss of a single IQ point for an individual child is imperceptible, but the societal cost of millions of children losing 5 IQ points, or more is enormous. A decrement of even one IQ point translates to a 2 percent reduction in lifetime economic productivity (roughly \$20,000), not to mention the additional educational costs required for children with lower IQs.

Many health and dental organizations in North America recommend community water fluoridation. Given the weight of evidence that fluoride is toxic to the developing brain, it is time for health organizations and regulatory bodies to review their recommendations and regulations to ensure they protect pregnant women and their children.

We can act now by recommending that pregnant women and infants reduce their fluoride intake.

Specialized water filtration systems can be used to remove fluoride from tap water for pregnant women and infants fed formula. Pregnant women can also avoid black tea, which hyper-accumulates fluoride. The good news for all women is that there is little fluoride in breast milk. Bottled water typically contains lower amounts of fluoride than fluoridated tap water.

Some health advocates are going a step further. In 2016, a group of citizens petitioned the U.S. Environmental Protection Agency to stop adding fluoride to drinking water because it is toxic. The EPA rejected the petition. In

response, the citizen's group took an unprecedented step and sued the EPA in federal court. EPA lawyers argued half-heartedly that the science was insufficient and said the Agency does not have the resources to regulate fluoride under the Toxic Substances Control Act.

August, Judge Edward Chen of the Ninth Circuit deferred his ruling on whether fluoridation poses an unreasonable risk until the NTP released their report.

New evidence questions existing policies about the safety of fluoride for babies' developing brains. Given that safe alternatives are available and that there is no benefit of fluoride to babies' teeth before they erupt or appear, it is time to protect those who are most vulnerable.

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The views and opinions expressed in this article are those of the authors and do not necessarily reflect the views of Children's Health Defense.

[Suggest a Correction](#)



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Covert global climate engineering programs are the single most environmentally destructive assault the human race has ever unleashed against nature and the entire web of life. The list of catastrophic environmental and human health consequences directly connected to the ongoing climate engineering insanity makes these programs mathematically the greatest and most immediate threat we collectively face short of nuclear cataclysm. Climate scientists claim that “solar radiation management” is the final option for cooling down our rapidly warming world, but is that the truth? Are “climate intervention” programs actually mitigating the unfolding planetary meltdown? Or further fueling it overall? How can we expose and halt the global geoengineering omnicide before it is too late?

Dane Wigington
GeoengineeringWatch.org



GEOENGINEERING: A CHRONICLE OF INDICTMENT

Exposing The Global Climate Engineering Cover-Up

Fact & Photo Summary

DANE WIGINGTON
GeoengineeringWatch.org

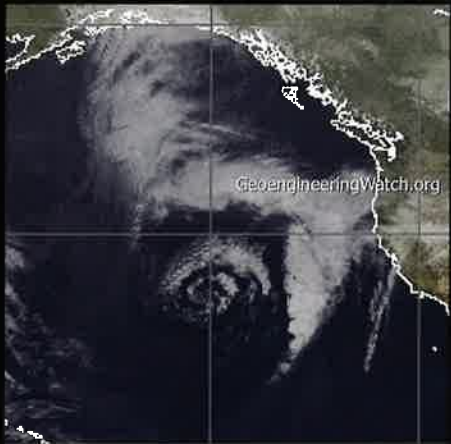
What experiments are governments around the world carrying out in our skies without the knowledge and consent of populations?



NASA satellite image of the California coastline (radio frequency / microwave transmission manipulation of aerosolized cloud cover / marine layer).



An aircraft dispersion of climate engineering particulates is manipulated with radio frequency / microwave transmissions. Palm Springs, California. Photo credit: Ron Morgan



NOAA satellite image, radio frequency / microwave transmission manipulation of Eastern Pacific storm system



NASA image taken of African west coast (radio frequency / microwave transmission manipulation).



An existing atmospheric saturation of climate engineering particles is manipulated with radio frequency / microwave transmissions. Port Washington, New York. Photo credit: Matt Jared.



NASA satellite image, radio frequency / microwave transmission manipulated square cloud formation

How unnatural do our skies need to become before populations begin to look up and investigate?

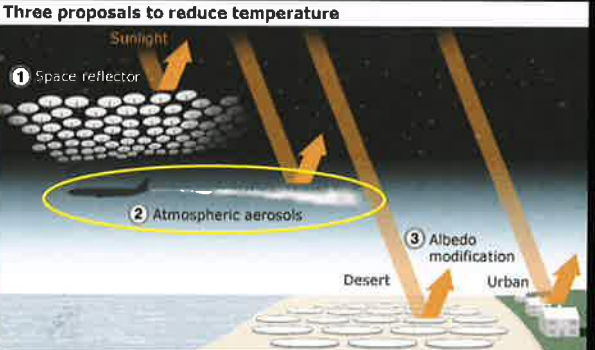
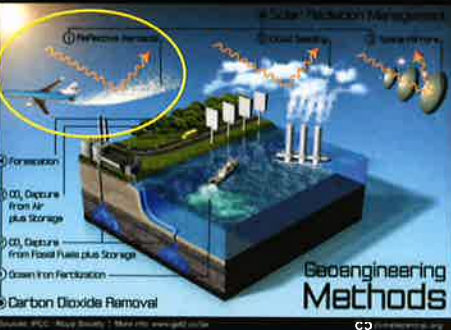
The global climate engineering Manhattan project

What if there were a monumental environmental threat that you didn't even know was occurring? What if it came into use in an insidious way, just as GMO foods have come into our food supply without our knowledge or consent? What if it appeared to be harmless, but it wasn't? And what if it were so cleverly woven into our culture that we didn't even see it anymore? What if it were so masterfully stigmatized and wrapped in controversy that if you thought it strange or concerning, you'd be scorned or ignored? What if you found out that this issue was already affecting your health and that of people you know and love? What if this threat had the potential to destroy our crops, our trees, the soil they are grown in, our water supply, the protective layers of our atmosphere, and whole ecosystems? What if all available data and front-line facts made clear that this issue was putting the entire web of life in the balance? Global climate engineering / intervention programs are mathematically the greatest and most immediate threat we collectively face short of nuclear cataclysm.



Rotterdam, Netherlands. Photo credit: Martin van Agteren

radio frequency transmissions, and EMP (electromagnetic pulse) offense and defense weaponry. The military industrial complex, of course, never considers the immense consequences of their atmospheric activities and experiments.



Mainstream science sources assist with the cover-up of geoengineering operations by showing preposterous and unrealistic forms of geoengineering (like space mirrors) alongside the very forms of climate intervention that have been fully deployed for decades. Jet aircraft spray dispersions of geoengineering aerosols are a primary element in the ongoing climate engineering equation.

What is climate engineering? (AKA geoengineering, AKA “chemtrails”)



Nyon, Switzerland. Photo credit: Romain Silvestre



Redding, California. Photo credit: Jovyde Wigington

There are a number of science terms that refer to various aspects and stated agendas relating to climate engineering operations. Utilizing the science terms that are applicable to this issue are imperative in order to garner and retain credibility. “Chemtrails” is a non-science term and thus is not helpful in the effort to raise awareness and credibility on the critical climate engineering subject.

Geoengineering:

Climate engineering, also referred to as geoengineering or climate intervention, is the deliberate and large-scale intervention in the Earth’s climatic system with the aim of limiting adverse climate change. (Wikipedia)

Solar radiation management:

(SRM) projects are a type of climate engineering which seek to reflect sunlight and thus reduce global warming. Proposed examples include the creation of stratospheric sulfate aerosols. (Wikipedia)

Marine cloud brightening:

is a proposed solar radiation management climate engineering technique that would make clouds brighter, reflecting a small fraction of incoming sunlight back into space in order to offset anthropogenic global warming. Along with stratospheric aerosol injection, it is one of the two solar radiation management methods that may most feasibly have a substantial climate impact. (Wikipedia)

Stratospheric aerosol injection:

Stratospheric sulfate aerosols to create a global dimming effect...to limit the effect and impact of climate change due to rising levels of greenhouse gases.[2] Delivery of precursor sulfide gases such as sulfuric acid,[3] hydrogen sulfide (H₂S) or sulfur dioxide (SO₂) by... aircraft[4]. (Wikipedia)



Shasta County, California. Photo credit: Jovyde Wigington



Valencia, Spain. Photo credit: Jose Alexandre

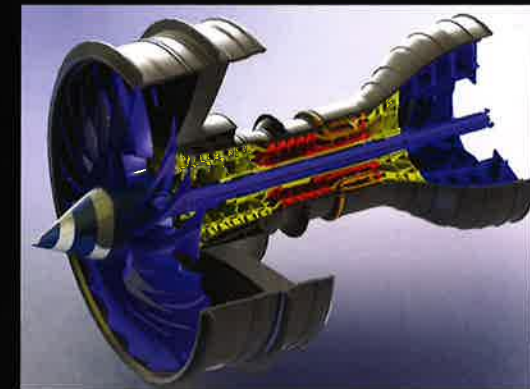
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Condensation trails? Or jet sprayed aerosol dispersions?

Official sources tell the public they are only seeing “condensation trails” in our skies, but is this the truth? The alarming reality is this, the “condensation trail” official false narrative is perhaps the greatest deception ever perpetrated on populations of the world by those in power in order to effectively hide the clandestine climate engineering operations in plain sight.

An actual “condensation trail” could never be turned “on and off” as is seen in the photograph to the right. Again, the expressed goal of the climate engineers and their

“solar radiation management” technofix for global warming is to intentionally spray millions of tons of light scattering electrically conductive (and highly toxic) particles (like aluminum) into the atmosphere. Jet fuel additives and sprayed payload dispersions are both a part of the ongoing SRM atmospheric aerosol saturation effort. In regard to the patently false “condensation trail” official narrative, the following facts must be considered: All commercial passenger jets, and all military tanker jets, are equipped with a “high bypass turbofan” jet engine. This engine is, in essence, a jet powered fan that is designed for maximum fuel efficiency. Over 80% of the air that passes through a “high bypass turbofan” jet engine is NON COMBUSTED (again, it is a jet powered fan). Thus, by its very design, the “high bypass turbofan” jet engine is nearly incapable of producing any true “condensation trail” except under the most rare and extreme of circumstances.



Cutaway image of a modern “high bypass turbofan” jet engine



Rotterdam, Netherlands. Photo credit: Hartog de Gelder

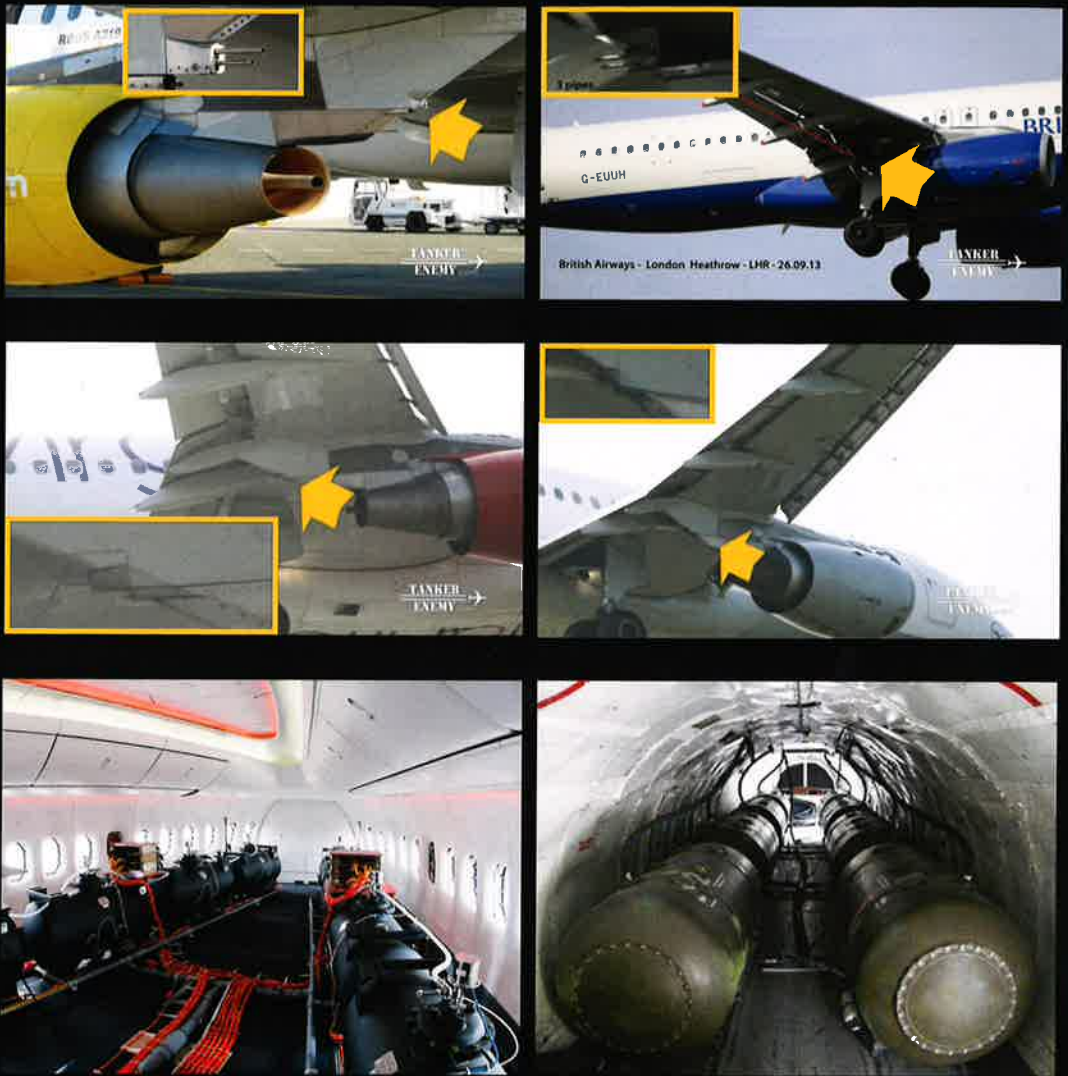


Palm Springs, California. Photo credit: Ron Morgan

5

Aircraft spraying nozzles hidden in plain sight

How would particulate spraying be executed from commercial and military jet aircraft in a manner that would be covert? In a manner that would fortify the official “condensation trails” false narrative? By adding retrofit spray nozzles on the aircraft pylon just above the jet thrust stream, aimed straight into this stream. Thus, the “condensation trail” false narrative is formed and fortified.



If you think there are only passengers in all commercial passenger jet aircraft, think again. Available data, film footage, and aircraft tracking programs prove that even passenger carrying commercial jet aircraft are being used for aerosol spraying into the atmosphere. Data does not indicate any direct involvement of commercial carrier pilots or personnel. The atmospheric aerosol spraying programs are centrally controlled, coordinated, and operated (documents revealed later in this booklet will further confirm this fact).



Antioch, Tennessee, Photo credit: Brent Rodriguez

Over 70 years ago the United States government and other global powers made the decision to deploy global climate engineering programs without the knowledge or consent of their citizens. Why would governments around the world participate in covert climate engineering programs? Perhaps the more appropriate question would be this, why wouldn't global power centers engage in patented climate modification operations for their own purposes and agendas? The answer is, they would, and they have, for over 70 years. Below are two examples of over 150 climate intervention related patents. <http://www.geoengineeringwatch.org/links-to-geoengineering-patents/>

Stratospheric Welsbach seeding for reduction of global warming US 5003186 A

ABSTRACT

"A method is described for reducing atmospheric or global warming resulting from the presence of heat-trapping gases in the atmosphere, i.e., from the greenhouse effect. Such gases are relatively transparent to sunshine, but absorb strongly the long-wavelength infrared radiation released by the earth. The method includes the step of seeding (with jet aircraft dispersions) the layer of heat-trapping gases in the atmosphere with particles of materials characterized by wavelength-dependent emissivity. Such materials include Welsbach materials and the oxides of metals which have high emissivity (and thus low reflectivities) in the visible and 8-12 micron infrared wavelength regions."

Weather modification method US 3613992 A

"The method of causing ice crystal formation in a mass of water droplets having a temperature less than +6 C., which comprises introducing into said mass of particles a finely divided solid substance having a high solubility in water and a large endothermic heat of solution and selected from the group consisting of urea, potassium nitrate, potassium nitrite and ammonium nitrate."

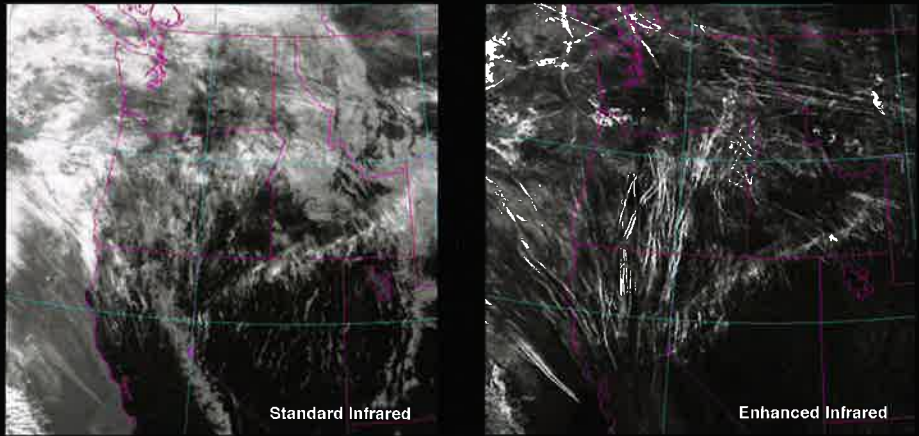
The next patent example is for “chemical ice nucleation”, the process of chemically nucleating precipitation that should have fallen as rain, into snow. This is a major tool for the climate engineers, and one that they utilize constantly in order to temporarily (and toxically) create a short term surface cool-down. This is a primary factor with the rapidly increasing “weather whiplash” temperature swings, the now common above freezing temperature snowfall events, and the rapidly increasing extreme hail events.

“China’s Weather Manipulation Brings Crippling Snowstorm to Beijing” (a headline from Popular Science Magazine)

In The People’s Republic of China, it’s no secret that the Party controls just about everything. But as Beijing suffers through its second major snowstorm this season, residents are growing weary of their leadership’s control-freak tendencies. After all, while the storm came as a surprise to residents, the government knew about it all along. In fact, the government caused it (The US government is engaged in the same processes).



If climate engineering / geoengineering sprayed particulate trails are so prevalent in the upper troposphere, why don't they show up clearly on satellite images? Because the vast majority of satellite images from official sources are almost always filtered in order to mask the blatantly visible atmospheric spraying operations.



Above are two versions of the same satellite image. The image on the left is in essence a filtered image as only standard infrared imagery was used. The image on the right (enhanced infrared) clearly reveals expansive climate engineering operations over the western US.

NASA tells us that the extremely long trails shown in the satellite images below are just “ship tracks”, but does this official narrative hold up to an examination of the facts?



NASA's so called “ship tracks” (over oceans) frequently do not conform to established shipping lanes, and are far too uniform over far too great a distance to be “ship tracks”. The massive zones of artificial haze and “cloud cover”, that are now common around the world, are exactly what is described as an objective for “marine layer enhancement”, a form of climate engineering.



Manchester, UK. Photo credit: David Wylie



Phoenix, Arizona. Photo credit: Steven Snow

CHAPTER 5

FEDERAL ACTIVITIES IN WEATHER MODIFICATION

(By Robert E. Morrison, Specialist in Earth Sciences, Science Policy Research Division, Congressional Research Service)

OVERVIEW OF FEDERAL ACTIVITIES

The Federal Government has been involved for over 30 years in a number of aspects of weather modification, through activities of both the Congress and the executive branch. Since 1947, weather modification bills pertaining to research support, operations, policy studies, regulations, liabilities, activity reporting, establishment of panels and committees, and international concerns have been introduced in the Congress. There have been hearings on many of these proposed measures, and oversight hearings have also been conducted on pertinent ongoing programs. A total of six public laws specifically on weather modification have been enacted since 1958, while others have included provisions which in some way are relevant to weather modification. Resolutions dealing with the use of weather modification technology as a weapon by U.S. military forces and promotion of a U.N. treaty prohibiting such activities have been introduced in both houses of the Congress, and one such resolution was passed by the Senate.

Federal legislation has dealt principally with three aspects of weather modification—research program authorization and direction, collection and reporting of weather modification activities, and the commissioning of major studies on recommended Federal policy and the status of technology. In addition to providing direction through authorizing legislation, the Congress has initiated one major Federal program through an appropriations bill write-in, and this program has since regularly received support through additional appropriations beyond its recommended OMB funding level.

Identifiable Federal research and operational weather modification programs can be traced from at least the period of World War II; however, the research programs of most agencies other than the Defense Department were not begun until the 1950's and 1960's. While

Do official government documents exist which would implicate US government involvement in global weather modification / climate intervention programs? Yes, the document excerpt to the left was taken from a 750 page US Senate Report released in 1978. This document is only one of many available historical government reports which specifically address the ongoing national weather modification / climate modification programs. How much longer can the undeniable climate engineering atrocities be kept from public consciousness?

PDF file for full document is here <http://www.geoengineering-watch.org/massive-us-senate-document-on-national-and-global-weather-modification/>



Manchester, UK. Photo credit: Ged England



Basildon, Essex, UK. Photo credit: Lisa Bazely

Yet more damning excerpts from the 750 page US Senate / Federal Weather modification document are below:

CHAPTER 10

INTERNATIONAL ASPECTS OF WEATHER MODIFICATION

(By Lois McHugh, Foreign Affairs Analyst, Foreign Affairs and National Defense Division Congressional Research Service)

INTRODUCTION

Recent years have seen increased international awareness of the potential benefits and possible risks of weather modification technology and increased international efforts to control such activities. The major efforts of the international community in this area are to encourage and maintain the high level of cooperation which currently exists in weather reporting and research and to insure that man's new abilities will be used for peaceful purposes rather than as weapons of war. This two sided approach is evident in the activities of the United States which has strongly encouraged and supported cooperative efforts to gain knowledge of the weather and at the same time has endeavored to restrict the use of this knowledge to peaceful purposes through the adoption of international agreements.

Weather research and reporting has long been one of the areas having the closest international cooperation. Because of the global nature of weather systems, making the prediction of weather in one area dependent on reported weather in other parts of the world, cooperation and exchange of information and techniques of weather research and reporting are necessities. This cooperation transcends ideological differences and hostilities.

International cooperation in the exchange of ideas on and methods of weather modification has also been extensive. Many well attended

CHAPTER 12

ECONOMIC ASPECTS OF WEATHER MODIFICATION

(By Warren Vlessman, Jr., Senior Specialist in Engineering and Public Works, Congressional Research Service)

INTRODUCTION

Several weather modification processes have economic implications of great significance. Many sectors of agriculture, industry, and commerce may reap benefits or sustain losses as a result of shifts from historic weather trends. The difficulty is that until the technology is more highly developed and control systems perfected to permit reliable predictions of outcomes, attempts to quantify benefits and costs will, in many cases, be more academic than practical.

The Commission also recommended that greater use be made of statisticians in analyzing Government-sponsored research in weather modification and that statistics be given greater emphasis in related academic programs for meteorologists. In addition, there is a need to assess more fully the social and economic implications of weather modification experimentation, and all agencies engaged in weather modification attempts should give attention to the social implications.

With regard to the legal system, the Commission recommended that the Federal Government be empowered by appropriate legislation to:

(a) delay or halt all activities—public or private—in actual or potential conflict with weather and climate modification programs of the Federal Government; (b) immunize Federal agents, grantees, and contractors engaged in weather and climate modification activities from State and local government interference; and (c) provide to Federal grantees and contractors indemnification or other protection against liability to the public for damages caused by Federal programs of weather and climate modification.

The yellow highlighted statements on the document above are of particular interest. In summary, this US Senate document calls for the complete cooperation with NORMALLY ADVERSARIAL NATIONS due to cross border ramifications from climate engineering. All major powers are colluding, collaborating and cooperating in regard to the ongoing climate engineering crimes and coverup.



Nyon, Switzerland. Photo credit: Romain Silvestre



Livingston County, Michigan. Photo credit: Lyn Connolly



Knoxville, Tennessee. Photo credit: Marla Stair-Wood



Palmdale, California. Photo credit: Petie Cepeda

Any form of climate intervention must also be considered a form of weather and biological warfare due to the long list of catastrophic downstream climate consequences and the biosphere contamination that are both directly and indirectly a result of these programs. Such consequences have always been downplayed or completely ignored by the global power centers that push and propagate the ongoing climate engineering assault.

Are there yet more recent government documents that address global weather modification / climate intervention proposals and programs? Yes, there are many such documents, the image to the right is only one example.

Even a 1950s Colliers Magazine article addressed the rapidly expanding climate modification industry, which our government has since taken a position of total denial on.



Are scientists willing to deny the climate engineering / solar radiation management reality on the record? No.

On Friday, October 7th, 2016, GeoengineeringWatch.org and the Legal Alliance to Stop Geo-engineering (LASG) carried out a simple survey that involved 1518 climate scientists and experts.

100% of scientists/experts surveyed REFUSED to deny the climate engineering reality on



the record. How much longer can the climate engineering atrocities be hidden from the public in plain sight? When will climate science community decide to start telling the truth about the ongoing global geoengineering / climate intervention assault?



Astillero, Cantabria, Spain. Photo credit: Alberto Ibañez



Madrid, Spain. Photo credit: Juan Cortés



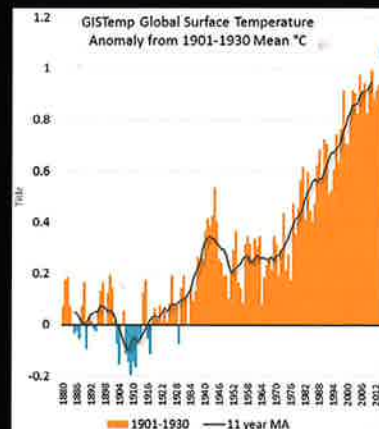
ENGINEERING THE CLIMATE:
RESEARCH NEEDS AND STRATEGIES FOR
INTERNATIONAL COORDINATION

REPORT

BY

CHAIRMAN BART GORDON
COMMITTEE ON SCIENCE AND TECHNOLOGY
U.S. HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS
SECOND SESSION
OCTOBER 2010



Immediately after the end of WWII, without the knowledge or consent of their populations, a coordinated global climate engineering Manhattan project was deployed by governments around the globe. By spraying additional particles into the atmosphere with aircraft, global powers were able to mask the greenhouse gas buildup for several decades. But we must consider this, at what cost did this temporary reprieve come in regard to the overall web of life?

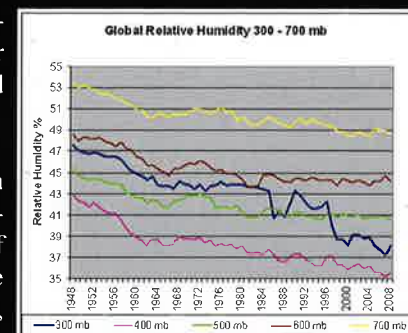
A primary objective of climate engineering / solar radiation management programs is to blot out the sun. "Global dimming" is the science term that describes the percentage of the sun's direct rays that no longer reach the surface of the Earth as compared to the mid 20th century. Astoundingly, current figures put "global dimming at nearly 30% in many



El Portal, California. Photo credit: Ron Kauk

For many decades global power centers (and the many sources of media they control) have effectively fueled the division and confusion of populations in regard to the true extent of damage to the climate system. This historical submarine photo was recovered from the US Navy historical archives. Why is this photo so significant? Because it reveals a US Navy submarine surfaced in OPEN WATER at the North Pole at the hight of the Arctic ice expansion season in 1959. The sea ice at this location at the time of year when this photo was taken should have been two or three meters thick, but there was none.

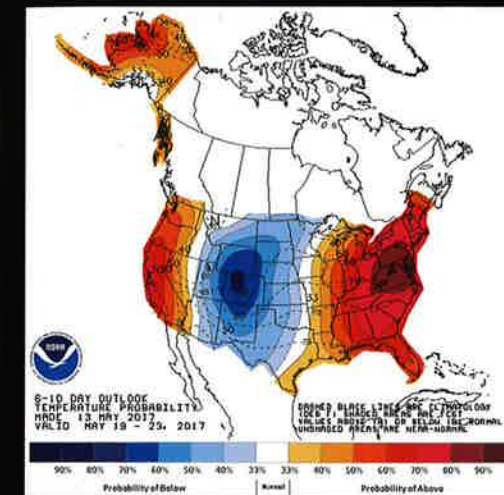
Even prior to WWII those in power were well aware of the rapidly accelerating warming of the planet due to anthropogenic activities. Since the acceleration of the industrial revolution there has been an ongoing "tug of war" being played out in the climate system. The buildup of greenhouse gases was to some degree counteracted by the build up of sun blocking pollution particles in the atmosphere. By 1945, when the first progressive phase of anthropogenic planetary warming was skyrocketing, the greenhouse gas build up had begun to completely overwhelm the cooling sun blocking effect of atmospheric aerosols (pollution particles).



parts of the planet. Blocking the sun has decreased overall evaporation and overall atmospheric relative humidity.

The atmosphere can carry 7% more moisture for every degree in Celcius of warming. The laws of physics make clear that a warming planet must create more overall rain unless there is a factor that is not being publicly disclosed. That factor is the highly toxic covert climate engineering assault. Extreme deluges will also increase in spite of (and in many cases because of) climate engineering.

The answer to the question of "WHY ENGINEER THE CLIMATE?" is complex as there are a great many objectives and agendas being carried out simultaneously. Again, the stated purpose of geoengineering / solar radiation management (SRM) programs is mitigation for global warming, but is this really the primary overall objective? The geoengineers have tried to claim that by spraying the atmosphere with highly reflective light scattering particulates (like aluminum), they can reflect enough of the sun's incoming thermal energy to counteract the greenhouse gas buildup and thus cool the planet. Is it working? After over 70 years of constantly escalating and expanding climate intervention programs, all available data makes the following conclusion clear, the short term (and highly toxic) climate intervention cool-downs come at the cost of actually fueling the overall long



term warming of the planet. In summary, climate engineering is making an already dire climate disintegration scenario far worse in the long term. The NOAA "forecast" (scheduled) weather map to the left is a glaring example of a recent completely engineered cool-down. Temperature scenarios like the one revealed in this NOAA map are completely unnatural and historically unprecedented. Record warmth on the East and West coasts with a bullseye of chemical ice nucleated record cold in the center of the country.

The color coded forecast map reflects probabilities of over 25 degrees above "normal" on both coasts with anomalies of over 25 degrees below normal in the center of country. Again, such weather whiplash scenarios are meteorologically unprecedented and are a direct result of climate engineering.

COVERT GLOBAL GEOENGINEERING PROGRAMS ARE:

- Trapping more overall heat in the lower atmosphere than is deflected.
- Completely disrupting the global hydrological cycle (the rain cycle).
- Destroying the ozone layer and thus radically increasing lethal UV radiation exposure.
- Contaminating the entire surface of the planet along with the breathable air column.
- Disrupting upper level wind currents and subsequently ocean currents.
- Further fueling unprecedented forest die-offs and CATASTROPHIC FOREST FIRES.
- Contributing to extreme hail and weather events due to chemical ice nucleation dispersions over storms.



South Wales, UK. Photo credit: Peter Jones



Mölnese, Germany. Photo credit: Mirka Leinchen

Who is behind the climate engineering / solar radiation management operations?
All roads lead back to those who print the money, the private bankers that run the “federal reserve”. Those who control the money control militaries, and thus countries.

Government Implements Illegal “Gag Order” On National Weather Service And NOAA Employees



Why aren't government scientists in agencies like The National Weather Service (NWS) and The National Oceanic and Atmospheric Administration (NOAA) speaking out about the ongoing climate engineering operations? US government scientists have no first amendment protection, next, a recent illegal federal gag order has been placed on all NWS and NOAA employees and scientists.
<http://www.geoengineeringwatch.org/government-implements-illegal-gag-order-on-national-weather-service-and-noaa/>
The excerpt below is from a PEER (Public Employees for Environmental Responsibility) report on the illegal federal gag order.

“This summer, the National Weather Service began requiring a signed confidentiality agreement.... These agreements purport to bind NWSEO representatives from communicating with its members, members of Congress or any other person regarding agency plans and how they are determined. These agreements also do not contain terms allowing reports of actual or impending law or rule violations, gross mismanagement, waste or abuse. The National Weather Service, NOAA and Commerce are presently implementing and enforcing nondisclosure agreements which violate the law.”

Here is a headline and article excerpt from Canada “**How are scientists being muzzled?**”

“Federal scientists have been restricted from publicly talking about their research....”

“In 2006, the Harper government introduced strict procedures around how its scientists are allowed to speak about their research to the media.”

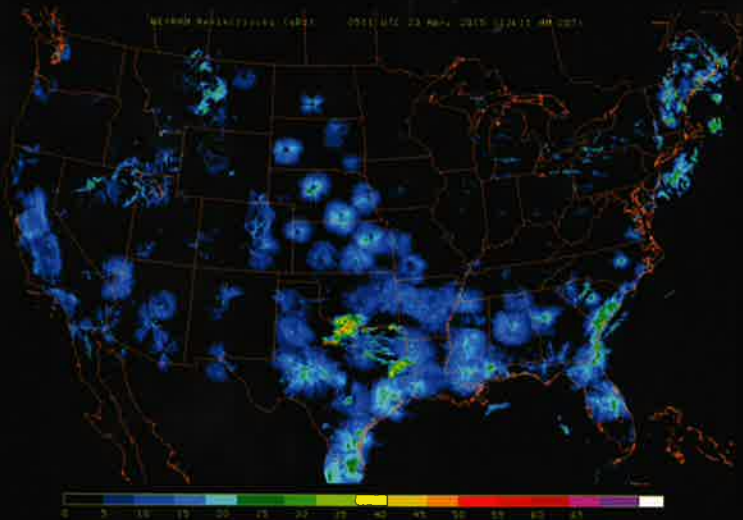
“In the past, journalists were generally able to contact scientists directly for interviews, but after these new directives they had to go through government communications officers.”

“And scientists had to get pre-approval from their minister’s office before speaking to members of national or international media, a process that can involve drafting potential questions and answers, which are then scrutinized by a team before the green light is given.”

The same process of total science censorship is occurring in countless other countries .



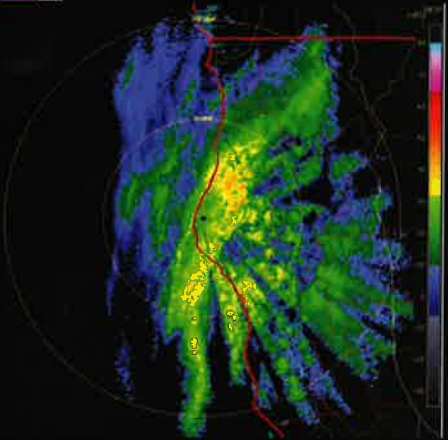
Hawthorne, Nevada, Photo credit: Steve Small



Radio frequency / microwave transmitters are scattered throughout the country and throughout the world.



Most mainstream media radar images are highly filtered so that the public does not see the blatant radio frequency / microwave precipitation manipulation like that shown on the image above.



The precipitation manipulating radio frequency / microwave transmission signal above is from a transmitter site south west of Eureka, California

Again, why would governments wish to engineer the global climate system? And again, the more appropriate question is this, why wouldn't completely corrupt and criminalized governments want to engage in patented climate engineering operations to serve their own purposes and agendas?



Morongo Valley, California, Photo credit: Ron Morgan



Reno, Nevada, Photo credit: Justin Pera

Climate modification and microwave transmissions

Populations are blindly accepting and ignoring the dangerous radio frequency / microwave transmission towers that are increasingly being constructed throughout our country (and the world). If you thought transmission towers were only for cell phone signal repeating, this is not the case.



Radio frequency / microwave transmission towers in Redding, California. Photo credit: Joyde Wigington



The massively powerful HAARP ionosphere heater transmission facility in Alaska.



Sea based X-band radio frequency / microwave transmission platform.



SBX transmission platform interior transmitter.



This NASA satellite image taken off the west coast of Africa reveals extensive microwave transmission manipulation.



This NASA satellite image clearly reveals many overlapping radio frequency / microwave transmissions in aerosolized cloud formations.

The ongoing atmospheric aerosol spraying and microwave / radio frequency transmissions are wreaking havoc with the Earth's life support systems and human health.

The willful spraying of highly toxic climate engineering particles into Earth's atmosphere with jet aircraft is inflicting unimaginable damage to the entire web of life (in addition to the climate system). Aluminum and barium are primary element named in climate engineering patents.

"Bees With Alzheimer's?" Aluminium Pollution Linked To Dementia In Bees" (RT TV)



Dementia And Alzheimer's Become Britain's Biggest Killer. (The Guardian)



Scientists Discover Jaw Dropping Levels Of Heavy Metals Found In Whales (NBC News)



"Autism Risk Linked to Particulate Air Pollution" (Scientific American)



"Massive Global Tree Die-Off Linked To Geo-engineering" (GeoengineeringWatch.org)



Šianliai, Lithuania. Photo credit: Zenonas Mockus

Aluminum Contents of Human Milk, Cow's Milk, and Infant Formulas (Journal of Pediatric Gastroenterology & Nutrition)



Camabria, Spain. Photo credit: Alberto Ibañez

Sounding The Alarm

Are any top medical professionals speaking out about the highly toxic heavy metal climate engineering fallout and the devastating effects it is having on human health? Yes. Though the majority of the medical / industrial complex community has not yet been willing to openly address the critical climate engineering issue on the record, one renowned medical practitioner has shown exceptional courage by sounding a dire alarm over geoengineering, Dr. Russell Blaylock. The health dangers posed by the ongoing illegal global geoengineering programs are immense and worsening rapidly. Russell L. Blaylock, M.D. is an internationally recognized board certified neurosurgeon and a recipient of the Integrity In Science award granted by the Weston A. Price Foundation. Dr. Blaylock also serves on the editorial staffs of the Journal of the American Nutraceutical Associates, Surgical Neurology International, and the Journal of American Physicians and Surgeons.



"My major concern is that there is evidence that they are spraying tons of nanosized aluminum compounds. It has been demonstrated in the scientific and medical literature that nanosized particles are infinitely more reactive and induce intense inflammation in a number of tissues. Of special concern is the effect of these nanoparticles on the brain and spinal cord, as a growing list of neurodegenerative diseases, including Alzheimer's dementia, Parkinson's disease and Lou Gehrig's disease (ALS) are strongly related to exposure to environmental aluminum. Nanoparticles of aluminum are not only infinitely more inflammatory, they also easily penetrate the brain by a number of routes, including the blood and olfactory nerves (the smell nerves in the nose). Studies have shown that these particles pass along the olfactory neural tracts, which connect directly to the area of the brain that is not only most affected by Alzheimer's disease, but also the earliest affected in the course of the disease. It also has the highest level of brain aluminum in Alzheimer's cases.

The intranasal route of exposure makes spraying of massive amounts of nanoaluminum into the skies especially hazardous, as it will be inhaled by people of all ages, including babies and small children for many hours. We know that older people have the greatest reaction to this airborne aluminum. Because of the nanosizing of the aluminum particles being used, home filtering system will not remove the aluminum, thus prolonging exposure, even indoors.

In addition to inhaling nanoaluminum, such spraying will saturate the ground, water and vegetation with high levels of aluminum. Normally, aluminum is poorly absorbed from the GI tract, but nanoaluminum is absorbed in much higher amounts. This absorbed aluminum has been shown to be distributed to a number of organs and tissues including the brain and spinal cord. Inhaling this environmentally suspended nanoaluminum will also produce tremendous inflammatory reaction within the lungs, which will pose a significant hazard to children and adults with asthma and pulmonary diseases. I pray that the pilots who are spraying this dangerous substance fully understand that they are destroying the life and health of their families as well. This is also true of our political officials. Once the soil, plants and water sources are heavily contaminated there will be no way to reverse the damage that has been done. Steps need to be taken now to prevent an impending health disaster of enormous proportions if this project is not stopped immediately. Otherwise we will see an explosive increase in neurodegenerative diseases occurring in adults and the elderly in unprecedented rates as well as neurodevelopmental disorders in our children. We are already seeing a dramatic increase in these neurological disorders and it is occurring in younger people than ever before."



Las Vegas, Nevada. Photo credit- Cassandra Dunn



Redding, California. Photo credit- Joyvde Wigington 2

How can we stop the ongoing climate engineering / weather warfare assault?

Of all the challenges faced by the human race and life on Earth, the global geoengineering assault is mathematically the most dire and immediate (short of nuclear cataclysm). The effort to fully expose and subsequently halt climate engineering is the great imperative of our time. Once we reach a critical mass of awareness, and the geoengineering atrocities are fully visible to all, the rest of the wheels in the battle will begin to turn on their own as a significant percentage of the population understand they are facing a fight for life. As those in the US military (and their families) realize they are being used against their own citizens, the current paradigm can be shifted. Awareness raising links, instructions, and free downloadable GeoengineeringWatch.org informational flyers are available on the home page of our site. We must prevail in the battle to expose and halt climate engineering, or all is lost. We will sink or swim together, all are needed in the critical effort to sound the alarm. What will you do? As the unfolding biosphere and societal collapse continues to accelerate, what will be your part in this all important effort to salvage what is yet left of Earth's life support systems? We must all make our voices heard while we can still make a difference, time is not on our side.



From: [City of Vancouver - Office of the City Manager](#)
To: [Dollar, Sarah](#)
Subject: FW: Proposed Use and Development Standards for Fossil Fuel Storage and Handling Facilities
Date: Monday, September 12, 2022 9:10:41 AM

Hi Sarah,

Please see the comment below for tonight's council meeting.

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: Mike Ellison [REDACTED]
Sent: Sunday, September 11, 2022 11:02 PM
To: Planning Commission <PlanningCommission@cityofvancouver.us>; City of Vancouver - Office of the City Manager <CMO@cityofvancouver.us>
Subject: Proposed Use and Development Standards for Fossil Fuel Storage and Handling Facilities

You don't often get email from [REDACTED]

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 Members of the Vancouver City Council, Members of the Planning Commission, and Staff:

As a 60-year resident of Vancouver I want to thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As a retired science educator with an environmental science background, I believe that your decisions to prevent some large very dangerous fossil fuel bulk facilities to be located at the Port of Vancouver have been very wise and have protected our community. The downtown core is a much-valued part of my life and I am grateful.

There are also many threats from climate change that require a transition away from fossil fuels. As a resident, and a homeowner, these are of great concern for me. So, I have been reviewing your Proposed Use and Development Standards for Fossil Fuel Storage and Handling Facilities. I have also been reviewing recommendations by some of the local environmental advocacy groups that I respect. My comments here include some of the comment language they have proposed when I agree with it. It is important to me that you continue to move this work forward and ensure that this policy centers frontline communities already facing disparate environmental health and safety impacts created by fossil fuel facilities.

As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent “conditional use permit” review process for any changes at these facilities and any new “cleaner” facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. I am finding it difficult to choose between recommending Option A or B in the draft to be presented by city staff at tomorrow's workshop to the Council.

The environmental justice considerations are extremely important. This argues for using the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance. The first 3 of these are especially important in the case of hydrocarbon fuels that are from feedstocks that lower their overall carbon emissions. Their toxicity argues for the strictest standards to protect frontline neighborhoods. These fuels must also meet very rigorous analysis to be satisfied that they really have a lower carbon footprint.

Hydrogen, on the other hand, has less toxicity, but shares the same carbon footprint concern. Hydrogen from electrolysis powered by wind or solar should be cleaner than that sourced from fossil (often called 'natural' gas).

While these health and public safety concerns of these 'cleaner' fuels warrants caution, the need to quickly transition to lower carbon fuels to reduce the intensity of climate change is also of great concern to our community. This argues for larger cleaner fuel facilities as in Option B, but there must be great caution built in to assess clean air and spill prevention and amelioration from an equity perspective. And cleaner fuels must clearly reduce lifecycle carbon emissions.

I support the City's work to address climate change through the Climate Action Framework and urge the City to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new cleaner facilities are included.

I urge you to:

- a. Only allow larger fuel facilities as in Option B if they can be proven to reduce carbon emissions and meet the strictest health and safety standards AND must be shown to create carbon emission reductions on a timescale that justifies the infrastructure investment, so that we are not locked into out-of-date facilities that ultimately slow our carbon emissions;
- b. Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels;
- c. Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring

they have a public process and conditional use approach for these facilities; and finally

- d. Ensure at a minimum, a conditional use permit for any new cleaner fuel facilities above 60,000 gallons.

I am grateful that you are tackling these challenging, but consequential decisions.

Sincerely,
Mike Ellison

[REDACTED]

Vancouver, WA 98663

From: [Dan Serres](#)
To: [Planning Commission](#)
Cc: [City Council](#)
Subject: Comment petition from Columbia Riverkeeper regarding proposed fossil fuel ordinance
Date: Wednesday, September 7, 2022 12:12:12 PM
Attachments: [Comment petition from Columbia Riverkeeper regarding fossil fuel ordinance.pdf](#)

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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 Vancouver Planning Commissioners and Staff:

Columbia Riverkeeper submits the following comments on behalf of 56 of our members. All of the signers support the form comment below, and many added their own short comments in the rightmost column of the attached table.

Thank you for your work in reviewing the proposed fossil fuel ordinance.

Sincerely,

Dan Serres, Conservation Director, Columbia Riverkeeper

Dear Members of the Planning Commission:

Thank you for your commitment to protecting community health and safety by pursuing a permanent ordinance prohibiting new or expanded large-scale fossil fuel facilities. I urge you to continue to move this work forward and ensure that this policy centers frontline communities already facing disparate environmental health and safety impacts created by fossil fuel facilities.

The current moratorium appropriately prohibits any new or expanded bulk fossil fuel projects on the basis of a wide range of health, safety, and quality of life concerns created by the storage, transfer, processing, and handling of fossil fuels in the City. The proposed permanent fossil fuel ordinance must safeguard community safety and health by avoiding loopholes that allow for fossil fuel expansions.

I urge the Planning Commission and City Council to require facilities converting to cleaner fuels or establishing new cleaner fuel facilities to get a conditional use permit. This review process provides important safeguards for addressing seismic risks, public safety hazards, and averting fuel spill impacts. The public deserves to have a say in any flammable, toxic fuel storage near Vancouver's neighborhoods and the Columbia River.

By passing this ordinance, Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. I support the ordinance moving forward.

Thank you,

--

Dan Serres | He/Him/His | Conservation Director
Columbia Riverkeeper | [REDACTED]
Direct: 503.890.2441 | dan@columbiariverkeeper.org

[Love. Defend Clean Water—Read it Now](#)

Learn how Columbia Riverkeeper is defending clean water in our communities today!

September 7, 2022

Vancouver Planning Commission
City of Vancouver


Vancouver, WA 98668-1995

cc: Vancouver City Council

Re: Comments in support of a fossil fuel ordinance

Dear Vancouver Planning Commissioners and Staff:

Columbia Riverkeeper submits the following comments on behalf of 56 of our members. All of the signers support the form comment below. Many added their own short comment, which are included in the rightmost column of the attached table. Thank you for your work in reviewing the proposed fossil fuel ordinance.

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By passing this ordinance, Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. I support the ordinance moving forward.

Thank you,

First Name	Last Name	City	State	Zip Code	Comment
John	Cruz	Vancouver	WA	98664-2836	Please take note: A fossil fuel ordinance gives us all an important opportunity to help Vancouver avert pollution, health impacts, and safety risks in neighborhoods that already rank among Washington's worst in environmental health disparities.
Heidi	Cody	Vancouver	WA	98664-5432	Our fossil fuel ordinance is meant to protect community health and safety. It is not meant to grease the skids for industry. Expanding polluting, flammable projects close to Fruit Valley is dangerous. Even if they're called cleaner fuels, the public has a right to weigh in on these projects through a CUP process before they get approved. Please don't lose track of the original intent of the ordinance. Thank you.
Susan	Schwartz	Vancouver	WA	98660	I see too many tanker trucks going by my by my apartment living room window.
Mona	McNeil	Vancouver	WA	98686-1533	I am proud of Vancouver's efforts to move away from fossil fuels and protect our environment. The climate crisis is urgent and needs you to do all you can. Thanks for your good work so far.
Beverly	Thomas	Vancouver	WA	98685-4113	
Michelle	Maani	Vancouver	WA	98685-2762	
CAROLYN	SOWDON	Vancouver	WA	98684-5704	Let's keep Vancouver, WA a healthy place for its people to live by saying 'no' to fossil fuel facilities. Thank you!
Jill	Boyer-Quick	Vancouver	WA	98661-6620	
Frank	Marre	Vancouver	WA	98683-7691	Dear Sirs/Madams: Thank you for keeping our community, safe, clean and oriented towards a green fossil fuel free future. As a public health physician, I understand not only the economic importance of a green future but more importantly the human/environmental health imperative of a clean green future.
John	Baughner	Vancouver	WA	98685-1561	

Sarah	Collmer	Vancouver	WA	98660-2420	
Julie	Krieger	Vancouver	WA	98661-1036	
Barbara	Hedges	Vancouver	WA	98663-1543	
Cheryl	Gavin	Vancouver	WA	98686-4119	I will be watching carefully how City Council and planning commission act on this.
Judith	Heath	Vancouver	WA	98663-1637	
Jill	Hawtrey	Vancouver	WA	98683-1847	
Marta	Benson	Vancouver	WA	98661-1357	
Merilee	Frets	Vancouver	WA	98683-7032	We wholeheartedly endorse efforts to keep Vancouver in a leadership position with regards to reducing environmental and social risks associated with transportation and storage of fossil fuels. Conditional use permits are just part of that process to safeguard our beautiful community and its neighborhoods.
Tim	Emineth	Vancouver	WA	98661-6647	
Celia	Cruz	Vancouver	WA	98664	Simply: Please pass this ordinance to avert the environmental dangers facing us all.
Sarah	Martin	Vancouver	WA	98685-2417	
Jane	Nicolai	Vancouver	WA	98664-5385	Preventing a disaster is easier than recovering from one. Vancouver can avert dangerous facilities like LPG train terminals, LNG train terminals, or coal facilities. by requiring a conditional use permit.

Cathryn	Chudy	Vancouver	WA	98663-2807	I appreciate all the work the city staff and Council have done to keep Vancouver safe from bulk fossil fuel facilities since 2020 with the Moratorium which will be replaced with an updated ordinance that must continue to provide protections that are critical for ensuring the health and safety of our community. I support a strong ordinance that not only prohibits new bulk fossil fuel facilities but also sets crucial standards that must be followed for allowing conversions to 'cleaner' fuels and permitting smaller facilities that could possibly still involve risks to those most vulnerable. The Conditional Use Permit is a necessary part of the protections that our community must have in place in order to ensure sufficient, careful, forward-thinking oversight, transparency, and public engagement in the process as we transition away from fossil fuels and towards cleaner ways to power our transportation system, while retaining the underlying health and safety of our community.
Mary	Blackburn	Vancouver	WA	98663-1829	
Karen	Genest	Vancouver	WA	98683-4311	We need your support to protect our communities, now and for future generations. Thank you.
Renee	Bourgea	Vancouver	WA	98686-5772	Use permits should be standard and required for obtaining consent for facilities wishing to to convert to cleaner fuels.
Hannah	Liu	Vancouver	WA	98686-2258	
Jean M.	Avery	Vancouver	WA	98683-6595	Let's keep fossil fuels out of Vancouver.
Elizabeth	Brinkley	Vancouver	WA	98661-7635	
Keisha	Landers	Vancouver	WA	98665-6205	
donna	joslyn	Vancouver	WA	98665-6145	We have to stop fouling our own nest.
Nan	Flaaten	Vancouver	WA	98684-4945	
Laurie	Rubin	Vancouver	WA	98664	It is vital to ban all fossil fuel expansion and move to zero fossil fuel use ASAP.
Emilie	Olson	Vancouver	WA	98683	

Mark	Leed	Vancouver	WA	98661-5176	Please pass as robust an ordinance as possible, and require a conditional use permit for facilities converting to cleaner fuels.
	W. Bruce Coc	Vancouver	WA	98662-1009	
Keith	Scheid	Vancouver	WA	98685-1102	
Brenda	Gardner	Vancouver	WA	98685-3151	I am opposed to any new oil or gas facilities in my community!
Mari	Stephenson	Vancouver	WA	98661-6672	We need to take all steps possible to slow climate change.
Elizabeth	Verbeck	Vancouver	WA	98660-2208	Let's put this matter to bed once and for all!
Sarah	Hafer	Vancouver	WA	98684-5913	
Lehman	Holder	Vancouver	WA	98664-2411	As a longtime Vancouver resident, I strongly support this permanent ordinance moving our city toward cleaner fuels. Heartfelt thanks for your efforts.
Rachel	Tramontini	Vancouver	WA	98683	
Janet	Hedgepath	Vancouver	WA	98660-1619	
Steven	Campana	Vancouver	WA	98663-2078	Climate change is real. I support making the moratorium permanent. :)
Bonnie	Bingle	Vancouver	WA	98665-0903	This is not a NIMBY wish. This is for the whole earth
Thomas	Gordon	Washougal	WA	98671-1129	Dear Members of the Vancouver City Council, Members of the Planning Commission, and Staff: My wife and I live in Washougal and don't want fossil fuel trains coming through our town or into Vancouver. Several years ago, I was stuck in traffic on Highway 14 as the oil train burned in Mosier, Or. I was amazed that the fire did not spread to the school a short distance away, and the wind was not blowing which would have scattered embers all over the hillsides and started a massive fire. Such luck can be counted on in the future. Anything that can be done to eliminate the chance of fossil train fires on either side of the Columbia River is a great idea. Thank You, Tom Gordon
Kristin	Edmark	Battle Groun	WA	98604-7248	

Sherry	Fitzpatrick	Brush Prairie	WA	98606	No fossil fuel here in Port of Vancouver. We are going electric even with our cars Thank you
Lyndee	cunningham	Camas	WA	98607-1268	Cheers to keeping our Vancouver clean, green and healthy!
Camilla	Bishop	Hood River	OR	97031-1124	Thank you for taking care of the environment and our citizens, plants, and animals' health.
JL	Angell	Rescue	CA	95672-9411	
Jim	Byrne	Ridgefield	WA	98642-9139	Avoid fuels passing through Vancouver. Make them get a CUP, better yet just prohibit. Jim
Tracy	Ceravolo	Ridgefield	WA	98642-9597	
Julie	Anderson	Stevenson	WA	98648-6038	
Pauline	Igoe	Tacoma	WA	98465-1603	

From: [Dan Serres](#)
To: [Snodgrass, Bryan](#)
Cc: [City Council](#); [Planning Commission](#)
Subject: Comments on SEPA Checklist and DNS for Vancouver Fossil Fuel Code Standards Proposal
Date: Tuesday, August 30, 2022 12:02:36 PM
Attachments: [8.30.22 FF Code Change SEPA Comments submitted.pdf](#)

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 Bryan Snodgrass -

Please see the attached comments submitted on behalf of the Alliance for Community Engagement, Columbia Riverkeeper, Washington Environmental Council, Sunrise Southwest Washington, Washington Physicians for Social Responsibility, Sierra Club Loo Wit, Oregon Physicians for Social Responsibility, Friends of the Gorge and Vancouver Audubon Society regarding the SEPA Checklist and Determination of Nonsignificance (DNS) for Vancouver's Fossil Fuel Code Standards Proposal.

Thank you,

Dan Serres

--

Dan Serres | He/Him/His | Conservation Director
Columbia Riverkeeper | 1125 SE Madison Suite 103A Portland 97214
Direct: 503.890.2441 | 

[Love. Defend Clean Water—Read it Now](#)

Learn how Columbia Riverkeeper is defending clean water in our communities today!



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WASHINGTON PHYSICIANS
FOR SOCIAL RESPONSIBILITY

August 30, 2022

Bryan Snodgrass, Principal Planner, CDD
City of Vancouver
PO Box 1995
Vancouver, WA 98668-1995

cc: Vancouver City Planning Commission; Vancouver City Council

Re: SEPA Checklist and SEPA Determination of Non-Significance for Vancouver Fossil Fuel Code Standards Proposal

Columbia Riverkeeper, Washington Environmental Council, Sierra Club Loo Wit, Washington Physicians for Social Responsibility, Oregon Physicians for Social Responsibility, Friends of the Columbia Gorge, Sunrise Southwest Washington, Vancouver Audubon Society, and the Alliance for Community Engagement support Vancouver's ongoing effort to develop a permanent ordinance prohibiting new or expanded bulk fossil fuel infrastructure in Vancouver. We offer the following comments on the Determination of Nonsignificance (DNS) and the State Environmental Policy Act (SEPA) Checklist for Vancouver's proposed Fossil Fuel Code Standards ("proposed code standards").

The proposed code standards represent an important step forward for protecting community health and safety from large-scale fossil fuel facilities in Vancouver. We agree with City staff that banning new large-scale fossil fuel facilities in Vancouver warrants a DNS, as reflected in Option A. We encourage Vancouver to ground the policy and the SEPA analysis firmly in health and safety concerns about these types of fossil fuel facilities and ensure that the final determination and code reflect these concerns.

1. Prohibiting new or expanded large-scale fossil fuel facilities will not have a probable significant adverse impact on the environment.

The proposed code standards will help to protect Vancouver communities from the health and safety impacts of new or expanded fossil fuel facilities, including air pollution, water pollution, and public safety hazards related to storing and handling large quantities of fossil fuels. Vancouver's SEPA Checklist demonstrates that the ordinance will address public and environmental health and safety impacts associated with fossil fuel facilities. In addressing

whether there are environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal, the SEPA Checklist states, “Some industrial uses involving chemical manufacturing, smelting, or fossil fuel or renewable fuel processing, handling, and storage have risks, impacts, and vulnerabilities, such as: explosive and fire risks, spill, exposure to toxic chemicals, odor, stormwater, and waste products.”¹ By highlighting the types of risks avoided through the passage of the fossil fuel ordinance, the City’s SEPA analysis supports the DNS.

Vancouver has experience in reviewing the potential health and safety impacts of fossil fuel terminals. For example, the City of Vancouver participated extensively in the review process for the Tesoro-Savage oil train terminal. The environmental impact statement for that project concluded that fossil fuel trains could impose significant negative impacts: “The direct and indirect impact analysis determined that some significant impacts could be unavoidable, related to rail accidents, emergency response delays resulting from additional train traffic, and environmental justice impacts to minority or low-income populations along the rail corridor.”² The proposed ordinance would avert these impacts for new large-scale fossil fuel facilities.

Specific examples of new potential large-scale fossil fuel facilities include liquefied petroleum gas or liquefied propane gas (LPG) facilities, liquefied natural gas (LNG) proposals, coal terminals, and other facilities such as natural gas liquids or fracked gas-based methanol facilities. The SEPA Checklist states that the ordinance is intended to “avoid and minimize any impacts to adjacent communities from fire or explosion.” For facilities that invite long trains and large storage volumes of fossil fuels, the risks are tremendous. For instance, potential LNG train traffic drew sharp opposition from the National Association of State Fire Marshals³ and the National Transportation Safety Board due to unstudied and potentially catastrophic public health and safety risks.⁴ Storing LNG in rail cars or storage tanks poses significant public health and safety risks for communities within a large area near the LNG facility or rail car. In 2021, the Washington Post reported that scientists were alarmed by the potential ramifications of an LNG leak resulting in a vapor cloud and fire.⁵ E&E News reported in 2022, “...near-misses and environmental problems highlight the risk. Most recently, a fireball at a plant near Freeport, Texas, touched off a fire that burned for 40 minutes, led to the temporary closure of the plant and knocked about 20 percent of U.S. export capacity offline for months.”⁶ These concerns

¹ SEPA Checklist, p. 14.

² Washington Energy Facility Siting Council. 2017. Final Environmental Impact Statement for the Tesoro-Savage Oil Train Terminal. p. ES-21.

³ National Association of State Fire Marshals (NASFM). 2019. Comment from re: Docket Number PHMSA-2018-0025 (HM-264) – LNG by Rail. <https://www.regulations.gov/document/PHMSA-2018-0025-0096>

⁴ National Transportation Safety Board. 2019. Comment from re: Docket Number PHMSA-2018-0025 (HM-264) – LNG by Rail. <https://www.regulations.gov/document/PHMSA-2018-0025-0078>

⁵ Will Englund. June 3, 2022. Engineers raise alarms over the risk of major explosions at LNG plants. <https://www.washingtonpost.com/business/2021/06/03/lng-export-explosion-vce/>

⁶ Mike Soraghan and Mike Lee. June 28, 2022. LNG explosion shines light on 42-year-old gas rules. E&E News. <https://www.eenews.net/articles/lng-explosion-shines-light-on-42-year-old-gas-rules/>

underscore Vancouver's conclusion that the ordinance would not have a negative impact on the environment and instead avoid significant risks.

Train terminals that involve the storage and handling of large volumes of LPG would also pose major health and safety risks, including fire and explosion risks. A recent study published by the American Chemical Society notes,

LPG...possesses flammable and explosive properties. With its flammability, LPG is easily ignited, while it is leaking in the course of transportation and processing, thus causing fire or explosion, especially in a confined space. The explosion of LPG is characterized by a high diffusion rate and rapid combustion speed. The explosion disaster induced by LPG leakage has resulted in a high number of economic losses and casualties.⁷

Storage and transport of LPG both carry risks of explosion. Avoiding these types of risks will benefit Vancouver's environment and the health and safety of its communities. Accordingly, the DNS is correct in concluding that the avoidance of these risks will not have a negative impact on the environment.

The DNS correctly concludes that large-scale fossil fuel facilities pose spill risks, and that avoiding these risks would not have a negative impact on the environment. In passing the moratorium related to large-scale fossil fuel facilities, the City referenced significant spill risks from a large seismic event, such as a Cascadia Subduction Zone earthquake. The SEPA analysis provides clear evidence for the potential seismic risks that exist throughout industrial zones in Vancouver. Exhibit 2 of the SEPA Checklist depicts soil liquefaction hazards in Vancouver's industrial zones.⁸ The placement of additional flammable or toxic fuels in liquefaction zones could exacerbate existing spill, fire, and emergency response concerns related to existing facilities. The ordinance would help Vancouver avoid these significant new health and safety impacts while also providing flexibility for terminal operators to reduce these risks. The SEPA analysis highlights that the ordinance would not encumber seismic and safety upgrades at existing facilities, stating, "The City of Vancouver identified 6 existing large-scale (bulk) fossil fuel facilities. This non-project action will allow existing facilities and maintenance/upgrades provided there is compliance with City codes including seismic, fire protection, and spill prevention."⁹ Additionally, facilities that undergo seismic upgrades and convert to cleaner fuels may expand storage up to 15%.

⁷ Liang et al. 2021. Risk Assessment of Liquefied Petroleum Gas Explosion in a Limited Space. <https://pubs.acs.org/doi/10.1021/acsomega.1c03430>

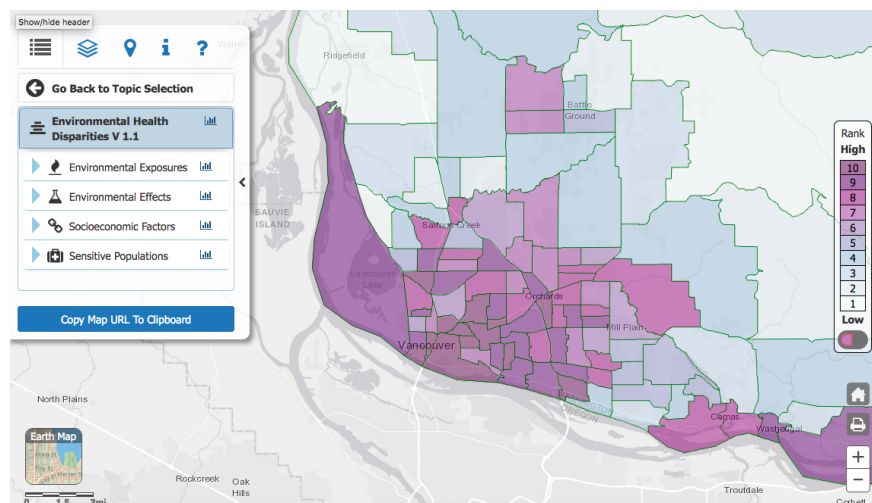
⁸ SEPA Checklist, p. 6.

⁹ SEPA Checklist, p. 16.

2. Prohibiting new or large-scale fossil fuel facilities will protect the health and safety of Vancouver residents, including BIPOC, lower-income, and other traditionally marginalized communities who already experience environmental health disparities.

The proposed code standards will help the City of Vancouver protect communities from the health and safety impacts of new or expanded fossil fuel facilities, including air pollution, water pollution, and public safety hazards related to storing and handling large quantities of fossil fuels. Although Vancouver has been working towards implementation of a Climate Action Plan (CAP) to diminish its fossil fuels for climate-related reasons, the prohibition on new large-scale fossil fuel facilities was originally conceived as a policy that would assist Vancouver in avoiding compounding environmental inequities already present, by reducing and averting health and safety risks.

Already, the environmental health impacts of fossil fuel facilities place disparate burdens on communities within Vancouver. Vancouver communities of color and low-income communities experience some of the most significant environmental health disparities in Washington, which would only be exacerbated by any new or expanded fossil fuel facilities.¹⁰ The proposed ordinance avoids worsening environmental health disparities already present in Vancouver and demonstrates an awareness of the difficulties these communities face.



Environmental Health Disparities in Vancouver.¹¹

Source: [Washington Environmental Health Disparities Map](#). July 2022.

Data from the Washington Department of Health's Environmental Health Disparities Map support the prohibition of new bulk fossil fuel storage and handling facilities. Communities near

¹⁰ Washington Department of Health. Environmental Health Disparities Map. <https://fortress.wa.gov/doh/wtnibl/WTNIBL/>. Accessed 7.11.2022.

¹¹ *Id.*

industrial and high-traffic areas experience elevated exposure to air pollution that causes respiratory illness, such as low-level ozone, diesel particulates, and other pollution. Vancouver’s own experience with a proposed large, train-supplied fossil fuel terminal shows that fossil fuel train terminals have significant environmental justice implications. The Final Environmental Impact Statement for the Tesoro-Savage proposal concluded that there would be “environmental justice impacts to minority or low-income populations along the rail corridor.”¹²

3. The DNS supports Option A regarding new cleaner fuel facilities and the requirement for a conditional use permit for facilities that choose to undergo conversion and expansion.

The DNS states, “Uses would be prohibited in most districts in the city and where allowed in the Industrial Heavy Zoning District would be regulated according to development standards addressing size, location, operation, and health and safety.” The DNS and SEPA Checklist describe spill, fire, and other potential impacts that could result from new cleaner fuels facilities where they would be allowed—an indication that consideration of new facilities is better suited to a separate process from the proposed code standards. New cleaner fuel facilities could result in significant impacts distinct from current fossil fuel storage (and limited expansions), because they involve potentially new locations and differing risks. Given the SEPA Checklist’s finding that industrial uses involving renewable fuel processing carry risks, impacts, and vulnerabilities,¹³ the DNS supports Option A.

We support the requirement for conditional use permits for projects that convert to new cleaner fuels with a potential 15% expansion. The conditional use process will provide the community with an opportunity to understand and provide input on the potential impacts of cleaner fuel expansions. The requirements for facilities to meet seismic, spill prevention, fire protection, and emergency response will help to ensure that converted facilities do not adversely impact communities in Vancouver. However, potential expansions could add millions of gallons of fuel storage to Vancouver, and Vancouver communities deserve the opportunity to weigh in on any conversion-expansion proposal in a public hearing.

4. New facilities deserve specific consideration in a separate process.

As articulated above, a DNS correctly upholds the focus on banning large-scale fossil fuel facilities and enabling, through a conditional use permit review process, the expansion of existing facilities that convert to cleaner fuels. However, we urge caution regarding new facilities under this SEPA determination. Energy facilities of all kinds come with a suite of impacts, including: transportation impacts, water use and quality impacts, and air pollution. Expanding

¹² Washington Energy Facility Siting Council. 2017. Final Environmental Impact Statement for the Tesoro-Savage Oil Train Terminal. p. ES-21.

¹³ SEPA Checklist, p. 14.

the code to allow new types of facilities that are linked to the City’s CAP may have unintended consequences of impacting the health and safety of the neighborhoods and communities nearby. For example, the SEPA Checklist acknowledges that new cleaner fuel facilities may increase spill risks in new areas in Vancouver.¹⁴ That fact is highlighted by the February 2022 spill near Scappoose, Oregon, where a hazmat team was called to the site of a renewable diesel spill.¹⁵ The incident demonstrates that renewable diesel spills pose environmental risks to soil and water resources while also requiring a significant emergency response. Additionally, the potential aggregation of multiple new cleaner fuel facilities does not appear to be sufficiently addressed in Option B, creating potential concerns for areas that could see multiple new proposals. While the code limits each new facility to 1 million gallons of “cumulative” storage, it does not address the potential for multiple facilities to aggregate in an area.

To allow for a more robust assessment of impacts of facilities linked to the City’s CAP, we recommend a separate process that can establish the right type of protective measures as part of the transition to a clean energy economy. We also recommend that the City ensure a robust SEPA review process and conditional use permit process for any new facilities that are ultimately allowed under this code change, should the Council choose Option B. This should include adequate time (e.g. at least a 60 day public comment period) and public notification and a public engagement process. These steps will help ensure that the risks of new facilities are understood on a case-by-case basis, and that the community has time to engage meaningfully in that process.

5. Conclusion

We strongly support the proposed ordinance and Option A moving forward, and we appreciate the time and diligence City staff have devoted to the process of developing the SEPA Checklist, DNS, and proposed ordinance language. Prohibiting new large-scale fossil fuel facilities warrants a DNS, and the DNS is supported by information in the City’s SEPA analysis. The proposed ordinance could avoid worsening environmental health disparities in Vancouver, a core goal of the proposed ordinance and the moratorium currently in place. And, the City should be cautious about overextending this policy effort to an issue that requires more research and community engagement.

Sincerely,

Dan Serres, Conservation Director, Columbia Riverkeeper
Cathryn Chudy and Heidi Cody, Alliance for Community Engagement
Rebecca Ponzio, Climate and Fossil Fuel Program Director, Washington Environmental Council

¹⁴ *Id.*

¹⁵ KATU. February 4, 2022. Hazmat team called to railcar leak in Scappoose.
<https://katu.com/news/local/hazmat-team-called-to-railcar-leak-in-scappoose>

Kelsey King, Group Chair, Sierra Club Loo Wit
Denise Lopez, Conservation Organizer, Friends of the Columbia Gorge
Susan Saul, Conservation Chair, Vancouver Audubon Society
Daniela Jokela, Sunrise Southwest Washington
Riley Lynch, Climate and Health Program Manager, Washington Physicians for Social
Responsibility
David De La Torre, Healthy Climate Program Director, Oregon Physicians for Social
Responsibility

From: [Peter L. Fels](#)
To: [Planning Commission](#); [City Council](#)
Cc: [Dan Serres](#); [Heidi Cody](#); [Cathryn Chudy](#)
Subject: Fossil Fuel Ordinance
Date: Sunday, September 11, 2022 4:02:32 PM
Attachments: [fossil fuel ordinance letter.pdf](#)

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Please see the attached letter.

Thank you,

Peter Fels
Vancouver

Peter Fels
5121 NW Franklin Street
Vancouver WA 98663
TELEPHONE: (360) 737-3154 • plfels@gmail.com

Sept. 11, 2022

RE: Fossil Fuel Ordinance amendments

Dear Planning Commission and City Council:

For the past few days I have worn a mask while outside and paused my normal running and cycling in order to avoid breathing smoky air. The Air Quality Index has shown dangerous levels of pollutants due to high heat and forest fire smoke.

Two weeks ago, my annual vacation in the Eagle Cap Wilderness area of the Wallow Mountains in eastern Oregon was made miserable by the presence of fire smoke and the potential of evacuation due to nearby wildfires (primarily the Sturgill and Nebo fires). My wife and I have made this trip for over 10 years, but this year the fire danger and conditions were the worst.

Experts tell us that the hotter, dryer climate and increased fire danger are caused by climate change, which is primarily a result of atmospheric warming from humans burning fossil fuels. Even the fossil fuel companies made that conclusion years ago, although they publicly denied it.

There is no doubt that global warming has made the environment less safe and more unhealthy, including here in Vancouver. We do not need to use or store more fossil fuels; we need to reduce and eventually eliminate them as soon as possible.

The fossil fuel industry (WSPA) wants to be able to create more storage with no public review, claiming that stopping more storage creates unspecified environmental harms. Given their history of hiding the truth and outright lying to the public, they have no credibility and you should not believe anything they say.

To avoid harm to public health and safety, I urge you to support the strongest prohibitions on bulk fossil fuel storage and disallow any outright permits. The conditional use process allows for the transparency and public review which your citizens deserve.

Thank you,

s/
Peter Fels

From: [Mike](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Sunday, September 11, 2022 10:55:46 PM

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City Council Contact Form

Submitted date: Sunday, September 11, 2022 - 10:55pm

Contact Information

First name:

Mike

Last name:

Ellison

Email address:

Street address:

ZIP code:

98663

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

Comment Re: Workshop 9/13 on Proposed Use and Development Standards for Fossil Fuel Storage and Handling Facilities

Dear Members of the Vancouver City Council,

As a 60 year resident of Vancouver I want to thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As a retired science educator with an environmental science background, I believe that your decisions to prevent some large very dangerous fossil fuel bulk facilities to be located at the Port of Vancouver have been very wise and

have protected our community. The downtown core is a much valued part of my life and I am grateful.

There are also many threats from climate change that require a transition away from fossil fuels. As a resident, a homeowner, and a scientist, these are of great concern for me. So, I have been reviewing your Proposed Use and Development Standards for Fossil Fuel Storage and Handling Facilities. I have also been reviewing recommendations by some of the local environmental advocacy groups that I respect. My comments here include some of the comment language they have proposed when I agree with it. It is important to me that you continue to move this work forward and ensure that this policy centers frontline communities already facing disparate environmental health and safety impacts created by fossil fuel facilities.

As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent “conditional use permit” review process for any changes at these facilities and any new “cleaner” facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. I am finding it difficult to choose between recommending Option A or B in the draft to be presented by city staff at tomorrow's workshop to the Council.

The environmental justice considerations are extremely important. This argues for using the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance. The first 3 of these are especially important in the case of hydrocarbon fuels that are from feedstocks that lower their overall carbon emissions. Their toxicity argues for the strictest standards to protect frontline neighborhoods. These fuels must also meet very rigorous analysis to be satisfied that they really have a lower carbon footprint.

Hydrogen, on the other hand, has less toxicity, but shares the same carbon footprint concern. Hydrogen from electrolysis powered by wind or solar should be cleaner than that sourced from fossil (often called 'natural' gas).

While these health and public safety concerns of these 'cleaner' fuels warrants caution, the need to quickly transition to lower carbon fuels to reduce the intensity of climate change is also of great concern to our community. This argues for larger cleaner fuel facilities as in Option B, but there must be great caution built in to assess clean air and spill prevention and amelioration from an equity perspective. And cleaner fuels must clearly reduce lifecycle carbon emissions.

I support the City's work to address climate change through the Climate Action Framework and urge the City to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new cleaner facilities are included.

I urge you to:

a. Only allow larger fuel facilities as in Option B if they can be proven to reduce carbon emissions and meet the strictest health and safety standards AND must be shown to create carbon emission

reductions on a timescale that justifies the infrastructure investment, so that we are not locked into out-of-date facilities that ultimately slow our carbon emissions;

b. Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels;

c. Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring they have a public process and conditional use approach for these facilities; and finally

d. Ensure at a minimum, a conditional use permit for any new cleaner fuel facilities above 60,000 gallons.

I am grateful that you are tackling these challenging, but consequential decisions.

Sincerely,

Mike Ellison

Upload a file:

From: [Heidi Cody](#)
To: [Planning Commission](#); [City Council](#)
Subject: Letter re: fossil fuel ordinance for meeting 9.13.22
Date: Monday, September 12, 2022 11:04:27 AM
Attachments: [HCody_Ordinanceltr.9.12.22.pdf](#)

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Dear Planning Commission and City Council

Attached, please find my comments about the fossil fuel ordinance. Thank you for your work.

Sincerely,
Heidi Cody

--

Strategic Coordinator for SWWA | Stand Up to Oil Coalition
Secret Agent Toothpaste | Climate Toothpaste
Sparkle with #climatetoothpaste. I do. climatetoothpaste.com #greennewdeal

Sept 12, 2022

Heidi Cody

Vancouver WA 98664

Planning Commission and City Council
City of Vancouver

Dear Planning Commission and City Council,

Today I am writing you a personal letter. I have been following the City's fossil fuel moratorium/ordinance process for some time now. Thank you for your ongoing efforts to pass an enforceable, strong ordinance. My personal opinion is that simpler is better for the ordinance, because if the fossil fuel industry can game it, they will.

I watched the City of Portland try to defend itself against new fossil fuel infrastructure after passing a no new fossil fuel infrastructure policy. Zenith Energy, a defunct asphalt facility, leveraged a loophole in Portland's policy, and was able to vastly increase throughput of fossil fuels, using existing infrastructure, transloading directly onto more and more trains, without adding new buildings or storage. This cost the City of Portland a lot of money and resources.

Vancouver should learn from Portland's misadventure. If you're not convinced, just go outside and smell the smoke in the air. Look directly at the hot pink-orange sun. It is time to drastically change how we are living. It is time for an ambitious Leading Edge Climate Action Framework, and a simple, targeted ordinance against new or expanded bulk fossil fuel infrastructure.

If the City is not going to keep the ordinance simple, which is Option A, I ask that you proceed with extreme caution with Option B. Conditional use permitting should be in place for everything new. I have two reasons for requesting this:

1. New cleaner fuels are emerging technologies. Some might argue that with a little research, we'll understand them better and be able to greenlight them. Perhaps. On the other hand, this view assumes that available information and marketing is on the up-and-up. But as my research into renewable natural gas (RNG) and NW Natural's Smart Energy program showed me, RNG is supported by a lot of marketing blather, and very little reliable information.

Did you know there are blue, green, grey, brown, pink and turquoise versions of hydrogen fuels? This article by the Sierra Club [Hydrogen: Future of Clean Energy or a False Solution?](#) covers some of them. While "cleaner" and "step-down" fuels are an

important step towards a green energy future, the cleaner fuels category is broad. The inclusion of the “cleaner fuels” category complicates this ordinance, which has already been stopped once by the oil industry. Cleaner fuels aren’t automatically safe or cost-efficient, just because they’re not fossil fuels.

I have a friend who works as a Regulatory Analyst in Attorney General Bob Ferguson’s office. He told me last week that his work has shown him hydrogen is not cost-efficient right now, though it could be effective in hard to electrify sectors. Putting in infrastructure for speculative fuel technologies may not pay off. Does building new infrastructure for a fuel that’s not cost-effective make sense? Does that type of investment make sense at our Port, or in Fruit Valley? These are valid considerations.

2. Vancouver has six bulk fossil fuel facilities already. They are all on land which is at moderate to high risk for liquefaction in an earthquake, either on Port property or in the Fruit Valley neighborhood. Fruit Valley, which is largely BIPOC and low-income, is already overburdened by air pollution, proximity to existing fossil fuel infrastructure, and seismic risk. Exposing these already marginalized communities to even more risk deserves a built-in public process. The folks who live there must be allowed to weigh in on proposed new fuel facilities of any kind or size. Would you like to live by these projects?

The original intent of the moratorium is to protect community health and safety. I am concerned that this crucial focus is getting lost, as considerations for industry threaten to weaken the ordinance. I realize there is pressure from all sides on this issue. Thank you for your work, and for your consideration of input from the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Cody". The signature is fluid and cursive, with the first name "Heidi" and last name "Cody" clearly distinguishable.

Heidi Cody

From: [Ash](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Tuesday, September 6, 2022 8:52:01 AM

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City Council Contact Form

Submitted date: Tuesday, September 6, 2022 - 8:51am

Contact Information

First name:

Ash

Last name:

DeBuse

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98662

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

I'm writing in support of the Vancouver Free Fridge (VFF) project. Food insecurity is a burden that no one should have to face, and our community is stepping up to support each other through VFF. Having food accessible to all our neighbors is a good thing, and the more resources we have the better. Food banks and EBT are just one way of trying to fill the gaps, and often come with difficulties for those who need to access the services; VFF helps us cover more ground and deserves community support.

Upload a file:

From: [Catherine](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, September 12, 2022 12:06:57 AM
Attachments: [cpv_petition_sigs_only.pdf](#)

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City Council Contact Form

Submitted date: Monday, September 12, 2022 - 12:06am

Contact Information

First name:

Catherine

Last name:

Barry

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98684

Inquiry Information

Subject:

Share an opinion about a City project or initiative

Recipient:

All of Council

Message:

September 12, 2022

City of Vancouver
Mayor Anne McEnerny-Ogle
Councilmember Bart Hansen
Mayor Pro Tem Ty Stober
Councilmember Erik Paulsen
Councilmember Diana H. Perez
Councilmember Kim D. Harless

<https://www.cityofvancouver.us/citycouncil/webform/contact-city-council>

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Police Department Administration
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Clark County Sheriff's Office
sheriff@clark.wa.gov

Gov. Jay Inslee
<https://www.governor.wa.gov/contact/contact/send-gov-inslee-e-message>

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Vancouver, WA 98682-6686

Clark Public Utilities
P.O. Box 8900
Vancouver, WA 98668

Lee Contractors LLC
20907 NE 72nd Avenue
Battle Ground, Washington

Waste Connections
12115 Ne 99th Street
Suite 1830

Vancouver, WA 98682

AMR

409 NE 76th St.

Vancouver, Washington 98665

Vancouver Mall Transit Center

8600 NE Van Mall Drive

Vancouver, WA 98662

Cascade Park Estates

office@deerpointmeadows.com

FedEx Customer Relations

3875 Airways, Module H3 Department 4634

Memphis, TN 38116

UPS

55 Glenlake Parkway, NE

Atlanta, GA 30328

Amen Properties LLC

6904 NE 217th Ave.

Vancouver, WA 98682

Parkrose Hardware

16509 SE 1st Street

Vancouver, WA 98684

Leonardo's Pizza

16505 SE 1st Street

Vancouver, WA 98684

Kyoto

16409 S.E 1st Street

Vancouver, WA 98684

Lauren Ellenbecker

lauren.ellenbecker@columbian.com

KATU Channel 2

newstips@katu.com

KOIN Channel 6

rich.kurz@koin.com

KPTV Channel 12

kptv-news@gray.tv

Kyle Iboshi
kiboshi@kgw.com

Hello. Please find attached a petition to the City of Vancouver, signed by concerned parties including residents of Cascade Park Village, a senior manufactured home park located at 16500 SE 1st Street, requesting a revision to the current configuration of the 1st Street Improvement Project to ensure safe entrance to and exit from the park.

We feel that the current design is unsafe for residents of the park, people travelling along SE 1st Street, customers of the business complex located at the corner of 164th and 1st Street, and the residents of SE 166th. The current configuration forces drivers attempting to enter the park from 164th to make an elongated circular entrance via 6th and 166th. The lack of any direction signs to inform drivers that they should take this route is resulting in many deliveries, Lyft/Uber drivers, family, friends, caregivers, and other workers being unable to find safe entry into the park from 164th. Instead, drivers are either turning into the business park located at the SE corner of 164th and 1st Street to navigate around the current lane barriers in front of the park, or they are making unsafe U turns just beyond the barrier or turning left at the break in the barrier in front of the business park and driving into the oncoming traffic lane in order to turn left into the park. **Both 6th and 166th are narrow roadways, serving mainly as entrances to the apartment complexes located there. Many residents of these apartments park along those roads, making it unsafe for cars to pass by in both directions. These roads were never designed as main traffic thoroughfares, and the increased traffic along these roadways that the current design calls for will result in hazardous conditions for drivers, pedestrians, and residents of those complexes.**

We are also concerned about the increased response time for ambulance, fire, and police responders in the event of emergency conditions within the park. Even a few minutes can mean the difference between life and death for senior citizens who have suffered a heart attack, stroke, or accident. With the homes in the park located so closely to each other, a spark from a fire in one home can easily spread to other homes, and again, the slightest increase in response time can equal disaster.

The original design for the 1st Street Improvement Project moved the driveway/entrance into Cascade Park Village to the intersection at 166th where a traffic light is being placed. We are strongly requesting that this original design be reinstated, and our entrance/exit be moved. There have been conflicting explanations as to the reason for the changes from the original plan, with no satisfactory justification offered for the redesign. In the event that the park's entrance/exit cannot be moved to the 166th traffic light, we request that the current barriers in front of the park be removed in order to enable residents, guests, caregivers, delivery vehicles, emergency vehicles, etc., to turn left into and out of the park from 1st Street. We have been told that the 1st Street Improvement Project was meant to improve the flow of traffic along 1st Street, as well as improving accessibility and safety. The current configuration does none of these things. The current traffic pattern will lead to collisions, serious injury, and possible fatalities. We also feel that the delayed emergency vehicle response time could have devastating consequences.

We feel that our lives and our voices are not being taken seriously. We are concerned that, in order to court the business community, the city is sacrificing the welfare and safety of some of its most vulnerable residents. We ask that the city seriously reconsiders its priorities and make necessary changes to guarantee that development decisions are not made based on the age or income level of those directly affected. We all deserve equal importance in the eyes and decisions of our elected officials and public servants.

Thank you,

Residents of Cascade Park Village

Upload a file:

[**cpv_petition_sigs_only.pdf**](#)

From: [David](#)
To: [City Council](#)
Subject: Submission: City Council Contact Form
Date: Monday, September 12, 2022 11:47:02 AM

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City Council Contact Form

Submitted date: Monday, September 12, 2022 - 11:46am

Contact Information

First name:

David

Last name:

Fuller

Email address:

[REDACTED]

Street address:

[REDACTED]

ZIP code:

98660

Inquiry Information

Subject:

Comment on an upcoming Council agenda item

Recipient:

All of Council

Message:

Tonight's Counsel Meeting Item #10 Heart Homeless Camp

At NO TIME have I received prior notice of such a hearing that would grossly impact my ability to continue functioning as a funeral home that has been around since 1917. Over the last year, I have and will be financial obligation substantial funds to secure my business more due to the ongoing and ever growing vagrancy in the area, as well as the lack of patrol and/or police officers. I have had attempted break in's, destruction, theft, apparent drug use, urination, and homeless individuals camped out behind bushes appearing to start fires. This is unsafe for my families, for my staff and for my business. We take care of families who have suffered so many types of losses, they need to feel safe when coming to Hamilton-Mylan Funeral Home. We do care about the homeless but feel this

should be placed on the outskirts of the city not impacting homes and businesses negatively the way this absolutely will. I submitted this prior to noon as directed and was informed it would be received in time and presented this evening properly if done by that time line. I am appealing to the counsel to reject this counsel agenda item, to move the location or to suspend the decision so that all of the home and business owners around the location have proper time to be directly notified by the city and proper time to respond.

Upload a file:

From: [Jim Byrne](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Climate Action Plan
Date: Monday, September 12, 2022 11:42:46 AM

Yo [REDACTED]

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.

Folks,

Even though I do not live within the City, we share the same airshed and breathe the same air. I'd like you to be aware of my thoughts. I think the new air quality plan is **transformational**. It goes further than State and Federal plans, but it falls short in the natural systems section.

Trees, vegetables, and grass use CO₂ to make O₂. They take a very undesirable gass and transform it into oxygen, a gas vital to our existence. Trees produce shade, which in cooling concrete and asphalt, make for cooler days; which also makes for cooler nights. Cool nights allow the local atmosphere to readjust and prepare for another warm day. You need to maximize your tree canopy and open spaces. This is a very very natural, low cost (free) way to sequester carbon and reduce city heat. Carbon sequestration should be discussed in the plan. You will need strong codes to address these issues.

We are in an overconsumptive, constant growth model, relying on long supply lines. This is not a great recipe for future success. You should call for annual, rather than 5 year upgrades to the plan.

I have transportation equity concerns. There seems to be too much focus on Teslas and other EVs. You need to encourage transit ridership, promote more Park & Rides, increase greenspaces and quality of life. We will need clean power (solar, wind and hydro) to power those EVs and all electric buildings. You can't rely on fossil fuels.

Ag land within the City needs increased scrutiny to preserve and protect, and to avoid any upcoming potential food security crisis. Just visit the Vancouver Farmers Market any weekend, to see agriculture's importance.

Thank you for your consideration.

Jim Byrne

[REDACTED]
Ridgefield, WA 98642

From: [Cathryn Chudy](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: For the record: Fossil Fuel Regulations Code Amendment
Date: Monday, September 12, 2022 12:01:06 PM
Attachments: [2022-09-12 Fossil Fuel Regulations Code Amendment.pdf](#)

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See attached, for the record (workshop today, Planning Commission on 9/13)

Thank you,

Cathryn Chudy

To: Vancouver City Council and Planning Commission
Re: Fossil Fuel Regulations Code Amendment

Dear Vancouver City Council and Planning Commission,

I appreciate that we are getting close to turning the Moratorium on new and expanded bulk fossil fuel facilities into an updated ordinance.

With your careful consideration, I hope that the updated ordinance that you adopt will remain grounded in its' original intent, that of protecting the health and safety of our community, and in particular, provide the strongest protections for those most affected by the risks and burdens of the industry facilities that will continue to affect the quality of their lives.

Industry asks for "less process and greater certainty" and the price for this is clearly to short circuit what the proposed city code now promises the residents of our community who live, work, play and hope to survive: **"the maximum amount of public notice and opportunity to comment on all proposed new fuel storage and handling uses (large and small), through the conditional use permit process."**

I appreciate and have supported our city's Climate Action Team for the work they have been doing, and understand the desire to "incentivize" cleaner, alternative fuels to address the problem of transportation emissions. Fostering a transition away from traditional fossil fuels to "cleaner" fuels does not automatically mean that risks and impacts are not present or potentially significant.

Retaining the "maximum amount of public notice and opportunity to comment" via the conditional use permit process is essential to the underlying health, safety and equity values that you as our representatives have committed to, and should not be sacrificed in order to "incentivize" an industry that I believe will be making this transition regardless, due to the changing realities of what is happening around us relative to climate disruption, public health, and what the city consultants have pointed out: "The per capita use of fossil fuels is decreasing in Washington State even as the population grows."

I live close to the IH zone (Fruit Valley) and see the conditional use permit process as essential in ensuring that the understandable push for cleaner fuels does not inadvertently open the door to turning Fruit Valley into even more of a "sacrifice zone" than it already is, given it's location and the industry facilities that already exist there. Making the problem worse by allowing less public process should not be part of the equation, and I urge you to keep the best interests of the residents you represent clearly in mind as you make these essential policy decisions.

Thank you for your consideration of these comments,

Cathryn Chudy

ZZ

From: [Wynn Grcich](#)
To: [Rebecca Messinger](#); [Dollar, Sarah](#)
Subject: covid vaccines shed...must see and read the video
Date: Saturday, September 10, 2022 3:02:45 PM

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<https://citizens.news/655012.html>

Study confirms COVID-19 vaccines SHED and SPREAD via aerosols

Thursday, September 08, 2022 by: [Arsenio Toledo](#)

Tags: [badhealth](#), [badmedicine](#), [badscience](#), [Big Pharma](#), [biological weapon](#), [covid-19](#), [covid-19 vaccines](#), [Dangerous Medicine](#), [pandemic](#), [Pfizer](#), [pharmaceutical fraud](#), [research](#), [spike protein](#), [vaccine damage](#), [Vaccine dangers](#), [vaccine injury](#), [vaccine shedding](#), [vaccines](#), [viral shedding](#)

share this with the councils and mayors

Wynn Grcich

From: [Cathryn Chudy](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:25:47 PM

You don't often get email from [REDACTED]

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 Vancouver City Council,

Our city has protected our community since 2020 with a Moratorium on bulk fossil fuel facilities that was put in place out of concern for the risk of harm to Vancouver residents should we add to fossil fuel risks that already exist here. Health, safety and equity continue to be essential underlying priorities in the work that is being completed for a final ordinance.

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I live in a neighborhood close to Fruit Valley and am familiar with the ways in which fossil fuel industry proponents can offer assurances that are not always trustworthy or reliable, and have witnessed how necessary public process is in order to ensure that the best interests of local residents like me and my neighbors are represented. The Conditional Use Permit process is a minimum protection that should not be set aside because industry proponents want a "convenient" pathway. The perception that the CUP is an "obstacle" to industry proceeding forward ignores the other side of the coin - that guaranteeing the strongest public process possible is the only way for policy makers to ensure the equity priority of the community residents you represent is being met.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;

- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community. It is encouraging to see how close we are to finally lifting the Moratorium and moving forward, and I support doing so with the strongest possible ordinance that does not sacrifice the transparency and public process provisions that ensure industry accountability and protection for our community residents.

Regards,
Cathryn Chudy



98663

From: [Pamela Garlett](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:25:54 PM

[is important](#)

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Pamela Garlett

Vancouver, WA 98683

From: [Jon Pedersen](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:25:59 PM

You don't often get email from jon.pedersen.571408267@p2a.co. [Learn why this is important](#)

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Jon Pedersen


Camas, WA 98607

From: [Cheryl Gavin](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:01 PM

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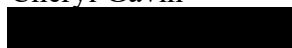
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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Cheryl Gavin


Vancouver, WA 98686

From: [Linda Leighton](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:03 PM

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Linda Leighton

From: [Marianne Eddington](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:09 PM

[REDACTED] [Learn why this is important](#)

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Consider what happened to the proposed Tesoro facility on our waterfront. What could have been a setup for potential danger to humans and wildlife was finally given thumbs down by the governor, after four years of active protesting. Now my husband and I can see how locals and tourists alike enjoy the restaurants and housing on that valuable land which is the shining jewel of Vancouver. More such wise planning can be in store for us if we stop the senseless favoriting of fossil fuel companies.

Regards,
Marianne Eddington
[REDACTED]
Battle Ground, WA 98604

From: [Jeffrey Kaufman](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:11 PM

[important](#)

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Thank you for your work to protect our community.

Regards,
Jeffrey Kaufman

Battle Ground, WA 98604

From: [Debbie Mahder](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:11 PM

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Thank you for your work to protect our community.

Regards,
Debbie Mahder

[REDACTED]
Battle Ground, WA 98604

From: [Debbie Mahder](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:16 PM

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I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Debbie Mahder

[REDACTED]
Battle Ground, WA 98604

From: [Wesley Banks](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:20 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent ‘conditional use permit’ review process for any changes at these facilities and any new ‘cleaner’ facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

And while our Orchards neighborhood is not yet part of Vancouver, it will not be many years until the city annexes us. Please take the future Vancouver areas into consideration when you make your decisions.

I support the city’s work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff’s recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Wesley Banks



Vancouver, WA 98682

From: [Jim Gayden](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:21 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Jim Gayden

[REDACTED]
Vancouver, WA 98684

From: [Patricia Kenny](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:26 PM

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Dear Vancouver City Council,

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Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Patricia Kenny

[REDACTED]
Vancouver, WA 98685

From: [mary n](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:28 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,

mary n

[REDACTED]

Vancouver, WA 98683

From: [mary n](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:31 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,

mary n

[REDACTED]
Vancouver, WA 98683

From: [Hannah Liu](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:33 PM

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Dear Vancouver City Council,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Hannah Liu
[REDACTED]

From: [Hannah Liu](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:35 PM

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Dear Vancouver City Council,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Hannah Liu

[REDACTED]
Vancouver, WA 98686

From: [Christopher Collmer](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:38 PM

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Dear Vancouver City Council,

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Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Christopher Collmer

[REDACTED]
Vancouver, WA 98660

From: [Karissa Halstrom](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:39 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Karissa Halstrom

[REDACTED]
Vancouver, WA 98682

From: [Elizabeth Verbeck](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:41 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Elizabeth Verbeck
[REDACTED]

From: [Dorothy Sosnowski](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:45 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

As someone with a 17-year career working in renewable energy, I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Dorothy Sosnowski
[REDACTED]

Camas, WA 98607

From: [Dan Rogers](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:47 PM

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Dear Vancouver City Council,

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Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Dan Rogers

[REDACTED]
Washougal, WA 98671

From: [Jody Caicco](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:50 PM

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Dear Vancouver City Council,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Jody Caicco

[REDACTED]
Vancouver, WA 98682

From: [Richard Osmun](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:53 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Richard Osmun

[REDACTED]
Camas, WA 98607

From: [Susan Saul](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:55 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. I appreciate the commitment you have shown to this multi-year process.

As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included. We don't understand enough about cleaner fuels to know their health and safety risks so a conditional use permit requirement is essential to provide full public disclosure and community engagement.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your leadership and commitment to protect our community.

Regards,
Susan Saul
[REDACTED]
Vancouver, WA 98664

From: [Susan Kiplinger](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:26:58 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Susan Kiplinger

[REDACTED]
La Center, WA 98629

From: [Nancy Gleim](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:01 PM

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Dear Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Nancy Gleim

[REDACTED]
Vancouver, WA 98664

From: [Doris Raspa](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:02 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Doris Raspa

[REDACTED]
Vancouver, WA 98682

From: [Rebecca Sellers](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:05 PM

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Dear Vancouver City Council,

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Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

- 1) Continue to champion and ultimately pass the strong fossil fuel ordinance which centers community health, safety, and environmental justice, with preference for Option A;
- 2) Follow staff's recommendation that existing fuel terminals obtain a conditional use permit before converting facilities to cleaner fuels and expanding storage for non-fossil fuels; and
- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Rebecca Sellers

[REDACTED]
Camas, WA 98607

From: [Annie Palmer](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:08 PM

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Dear Vancouver City Council,

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Our fossil fuel ordinance seeks to protect the health and safety of the community members hardest hit by the pollution from industry and from our fossil fuel economy. This ordinance should address this problem and clearly ban new and expanded fossil fuel terminals storage and handling facilities, as outlined by Option A.

The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

I urge you to:

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Annie Palmer
[REDACTED]

Camas, WA 98607

From: [Richard Osmun](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:10 PM

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Dear Vancouver City Council,

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I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Richard Osmun

[REDACTED]
Camas, WA 98607

From: [William Sneiderwine](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:11 PM

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Dear Vancouver City Council,

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The ordinance should also use the conditional use permit process, as well as strong special use requirements including seismic upgrades, spill prevention, fire response plans, and financial assurance.

I support the city's work to address climate change through the Climate Action Framework and urge the city to continue to move this forward. Any reference or inclusion of cleaner facilities in this code should require a conditional use permit process and ensure that public health and safety issues related to these types of new facilities are included.

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- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
William Sneiderwine
[REDACTED]
Vancouver, WA 98683

From: [Barry Parker](#)
To: [City of Vancouver - Office of the City Manager](#)
Subject: Establish a Strong and Clear Fossil Fuel Ordinance
Date: Monday, September 12, 2022 1:27:13 PM

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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 Vancouver City Council,

Thank you for your work to protect community health and safety from new and expanded fossil fuel facilities. As you finalize the details of this critical ordinance, I urge you to focus on banning new and expanded large-scale fossil fuels facilities and on ensuring a thorough and transparent 'conditional use permit' review process for any changes at these facilities and any new 'cleaner' facilities.

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I urge you to:

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- 3) Allow communities with high levels of pollution to have a voice in addressing health and safety risks from any new cleaner, non-fossil fuel facilities. This means requiring a public process and conditional use approach for these facilities; and finally
- 4) Ensure at a minimum, a conditional use permit and public process for any new cleaner fuel facilities above 60,000 gallons.

Thank you for your work to protect our community.

Regards,
Barry Parker

[REDACTED]
Vancouver, WA 98664

From: [Nancy](#)
To: [Planning Commission](#); [City Council](#)
Subject: Corrected Comment - Fossil Fuel Ordinance
Date: Tuesday, September 13, 2022 1:35:59 PM

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Dear Planning Commission and City Council:

I previously sent a comment urging you to adopt a conditional use permit requirement for cleaner fuel expansion. I mistakenly urged you to adopt Option B. As the substance of my comments indicates, I intended to urge you to adopt Option A. I apologize for that mistake.

Thank you.

Nancy Helget

From: [Nancy](#)
To: [Planning Commission](#); [City Council](#)
Subject: Fossil Fuel Ordinance
Date: Tuesday, September 13, 2022 11:55:51 AM

You don't often get email from [REDACTED] [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 Planning Commission and City Council:

I support your efforts to establish a moratorium on new fossil fuel facilities. That moratorium is consistent with the city's efforts to achieve emission reductions through a Climate Action Plan. In fact, the moratorium is necessary to achieve emission reduction goals. Thank you for taking climate concerns seriously and taking action to address climate issues.

My comment relates to the need for a conditional use permit process for "cleaner fuel" expansion. I encourage you to include a conditional use permit requirement and adopt option B. The conditional use permit process will enable the city to identify, in a public process, whether a proposed expansion truly constitutes an allowed "cleaner fuel" expansion.

It's important for the city to retain authority to assess whether a proposal falls within an allowed purpose. After all, if the city's goal is to prevent fossil fuel expansion, the city should have a process to assess whether a proposed use is allowed under the ordinance.

A conditional use permit is required for other proposals. The process is the city's tool to evaluate a proposed use. It isn't outrageous to require the permit for expansions that have the potential to interfere with the city's efforts under the Climate Action Plan it ultimately adopts. In fact, requiring a conditional use permit is necessary to assure a proposed use is consistent with the city's climate action goals and ordinance requirements.

Thank you for considering my comments.

Nancy Helget

[REDACTED]

Vancouver, WA 98663

From: [Delapena, Amanda](#)
To: [Hansen, Bart](#); [Paulsen, Erik](#)
Cc: [Dollar, Sarah](#)
Subject: FW: today's Fossil Fuel Regulations Code Amendment workshop - an additional consideration for your discussion
Date: Monday, September 12, 2022 2:11:32 PM

Bart and EP,

It looks like this email did not make it to your current email addresses. Sending along for your consideration.

Amanda Delapena

From: Cathryn Chudy [REDACTED]
Sent: Monday, September 12, 2022 1:54 PM
To: McEnerny-Ogle, Anne <A.McEnerny-Ogle@cityofvancouver.us>; Stober, Ty <T.Stober@cityofvancouver.us>; City Council <council@cityofvancouver.us>; City Council <council@cityofvancouver.us>; Perez, Diana <D.Perez@cityofvancouver.us>; Harless, Kim <K.Harless@cityofvancouver.us>; Fox, Sarah <S.Fox@cityofvancouver.us>
Cc: Holmes, Eric <Eric.Holmes@cityofvancouver.us>; Eiken, Chad <Chad.Eiken@cityofvancouver.us>; Snodgrass, Bryan <Bryan.Snodgrass@cityofvancouver.us>; Lande, Aaron <aaron.lande@cityofvancouver.us>; Small, Rebecca <Rebecca.Small@cityofvancouver.us>
Subject: Re: today's Fossil Fuel Regulations Code Amendment workshop - an additional consideration for your discussion

Some people who received this message don't often get email [REDACTED]

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.

Mayor and Council members,

I submitted a letter to the Council by noon today for the record, and will also testify at the Planning Commission tomorrow, regarding the Fossil Fuel Regulations Code Amendment.

*The City Council workshop materials do not contain the city staff's responses to the industry stakeholders (WSPA and the Port) and there is **one key response** that I hope you and Council will keep in mind:

"That a conditional use permit would deter projects for cleaner fuels is speculative. A conditional use permit process is a common permit type in the Vancouver Municipal Code, and within the IH zone is applied to some forms of office, retail, R&D and others. It is not an unusual process and creates a record for applicants and the public. SEPA

determinations are also discretionary. Such facilities may require other discretionary non-city permits (e.g., air permits from SWCAA)"

I think this is a significant point for the workshop discussion, since city staff are seeking Council feedback on policy questions which will be conveyed to the Planning Commission, and the Conditional Use Permit (CUP) is a key one. I am hoping Council will hold firm on what the city has included in the proposed code amendment, as noted in the Memo under "Outstanding Policy Issue #1"

"The proposed code changes contemplate the maximum amount of public notice and opportunity to comment on all proposed new fuel storage and handling uses (large and small), through the conditional use permit process."

Given that this is a "common permit type" in our Municipal Code" I hope Council will not give in to the "less process and more certainty" argument from fuel industry proponents, that would give the fuel industry an exception to this common permit type. Allowing any "cleaner" fuel facility as "Limited" rather than "Conditional Use", no matter the size, sacrifices the public protection of "maximum public process" to fuel industry interests that can be at odds with the greater public interest best ensured using the Conditional Use Permit process. Simply put, maximum public process should not be put secondary in order to incentivize or provide convenience for fuel industry interests.

I appreciate the Climate Action Team's wish to incentivize the "cleaner fuels" transition, but will rely on Council members to ultimately represent the underlying health, safety and equity concerns of our community residents, best addressed by retaining the Conditional Use Permit requirement for **all** such proposed fuel facilities.

Thank you, Mayor and Council members, for taking these comments into consideration - I really appreciate all you do!

Cathryn Chudy

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:

\$ 14,935,026.04 this 14th day of November 2022.

DocuSigned by:



0000B0000E05421...
MAYOR

DocuSigned by:



92E32C92-B5BC-443E-89CD-3AC8F47FFE55
COUNCILMEMBER

DocuSigned by:



92E32C92-B5BC-443E-89CD-3AC8F47FFE55
COUNCILMEMBER



AUDITING OFFICER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
October 31, 2022 - November 6, 2022	Accounts Payable Checks (see attached)	\$ 14,533,119.24
October 31, 2022 - November 6, 2022	Hansen City Payments (see attached)	\$ 399,611.50
October 31, 2022 - November 6, 2022	Visa Refunds (see attached)	\$ 2,295.30
October 31, 2022 - November 6, 2022	Payroll Checks (see attached)	\$ -
TOTAL		\$ 14,935,026.04

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Manual Wire	No Reference	10/21/2022	48,340.74	Paymentus Corporation	
Supplier Payment	Manual Wire	No Reference	10/26/2022	501,695.87	State of Washington Department of Revenue	
Supplier Payment	Manual Wire	No Reference	10/31/2022	124,684.12	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire	No Reference	10/31/2022	11,738,619.72	Cascade Title Company of Clark County, Inc	
Supplier Payment	Manual Wire	No Reference	10/31/2022	346,176.80	Kaiser Permanente - Remit-To: Kaiser Permanente	
Supplier Payment	Manual Wire	No Reference	10/31/2022	13,971.60	Washington Dental Service	
Supplier Payment	Manual Wire	No Reference	11/1/2022	3,098.51	Internal Revenue Service	
Supplier Payment	Manual Wire	No Reference	11/2/2022	100.00	City of Portland Revenue Division	
Supplier Payment	Manual Wire	No Reference	11/2/2022	20,920.58	JP Morgan Chase Bank, N.A.	
Supplier Payment	Manual Wire	No Reference	11/3/2022	68,862.54	Liberty Mutual Group Inc.	
Supplier Payment	Manual Wire	No Reference	11/3/2022	3,111.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit	
Supplier Payment	Manual Wire	No Reference	11/3/2022	463,188.58	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire	No Reference	11/3/2022	9,163.00	VSP Vision Care Inc	
Supplier Payment	Manual Wire	No Reference	11/3/2022	188,150.00	Western States Health & Welfare Trust	
			Manual Wire Total	13,530,083.06		
Cash Advance Payment	Direct Deposit	EFT-00170096	11/3/2022	379.50	Heidi Scarpelli	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170097	11/3/2022	310.50	Dale Barnette	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170098	11/3/2022	62.31	Aaron Lande	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170099	11/3/2022	259.00	Steve Savage	Travel Advance
Expense Payment	Direct Deposit	EFT-00170100	11/3/2022	16.00	Abby Powell	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170101	11/3/2022	86.58	Ashley Conley	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170102	11/3/2022	193.75	Angel Arzola Ortega	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170103	11/3/2022	207.00	Joshua Potter	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170104	11/3/2022	113.50	Joseph Graaff	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170105	11/3/2022	16.00	Jonathan Young	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170106	11/3/2022	199.95	Cyle Buckland	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170107	11/3/2022	86.71	McAvoy Shipp	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170108	11/3/2022	126.48	Daniel O'Meara	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170109	11/3/2022	67.00	Margaret Leedom	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170110	11/3/2022	370.50	Sara Baynard-Cooke	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170111	11/3/2022	12.00	Kelly Lund	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170112	11/3/2022	307.00	Kristi Lucht	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170113	11/3/2022	212.00	John Lodahl	Employee Reimbursement

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Expense Payment	Direct Deposit	EFT-00170114	11/3/2022	79.50	Kevin Terry	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170115	11/3/2022	50.00	Mike Cero	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170116	11/3/2022	15.00	Tommy Razo	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170117	11/3/2022	996.49	Tucker Reynolds	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00170118	11/3/2022	16.00	Jonathan Schetky	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00170119	11/3/2022	64.07	Lon Pluckhahn	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170120	11/3/2022	79.39	Lisa Brandl	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170121	11/3/2022	461.50	Brandi Heard	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00170122	11/3/2022	333.00	Neil Martin	Travel Advance
			Direct Deposit Total	5,120.73		
Supplier Payment	EFT	EFT-00170123	11/2/2022	892.50	Allegiance Benefit Plan Management Inc - Remit-To: Pensioners	
Supplier Payment	EFT	EFT-00170124	11/3/2022	40.73	Ziply Fiber	
Supplier Payment	EFT	EFT-00170125	11/3/2022	416.30	Life-Assist Inc	
Supplier Payment	EFT	EFT-00170126	11/3/2022	990.04	Del Sol Inc	
Supplier Payment	EFT	EFT-00170127	11/3/2022	26,687.56	Angelo Property Co., LP - Remit-To: Angelo Property Co., LP	
Supplier Payment	EFT	EFT-00170128	11/3/2022	22,753.24	Lynn K Wittwer MD PC	
Supplier Payment	EFT	EFT-00170129	11/3/2022	3,864.30	Linguava Interpreters Inc	
Supplier Payment	EFT	EFT-00170130	11/3/2022	23,609.68	Metereaders LLC	
Supplier Payment	EFT	EFT-00170131	11/3/2022	37,569.60	Halme Excavating Inc	
Supplier Payment	EFT	EFT-00170132	11/3/2022	119,379.19	Share Inc	
Supplier Payment	EFT	EFT-00170133	11/3/2022	150,794.46	Clearwater Contracting LLC	
Supplier Payment	EFT	EFT-00170134	11/3/2022	5,785.00	Brad Piesch Aggressive Enterprises, Inc	
Supplier Payment	EFT	EFT-00170135	11/3/2022	3,139.55	Consolidated Supply Co	
Supplier Payment	EFT	EFT-00170136	11/3/2022	2,098.08	Canopy Wellbeing	
Supplier Payment	EFT	EFT-00170137	11/3/2022	2,465.04	Accurate Investigation Services	
Supplier Payment	EFT	EFT-00170138	11/3/2022	9,476.05	Tapani Inc	
Supplier Payment	EFT	EFT-00170139	11/3/2022	48,902.31	HDR Engineering Inc - Remit-To: HDR Engineering - Chicago	
Supplier Payment	EFT	EFT-00170140	11/3/2022	1,429.30	Mead and Hunt Inc	
Supplier Payment	EFT	EFT-00170141	11/3/2022	1,782.00	Rapid Response Bio Clean Inc.	
Supplier Payment	EFT	EFT-00170142	11/3/2022	614.25	Terracon Consultants Inc	
Supplier Payment	EFT	EFT-00170143	11/3/2022	20,550.00	Workday Inc	
Supplier Payment	EFT	EFT-00170144	11/3/2022	32,436.67	Wager Audio Inc	
Supplier Payment	EFT	EFT-00170145	11/3/2022	400.00	Rotschy Inc	
Supplier Payment	EFT	EFT-00170146	11/3/2022	9,767.00	Sequence Graphics LLC - Remit-To: Sequence_Graphics	
Supplier Payment	EFT	EFT-00170147	11/3/2022	10,204.65	Second Step Housing	
Supplier Payment	EFT	EFT-00170148	11/3/2022	5,045.00	Pitney Bowes Inc	
			EFT Total	541,092.50		
Supplier Payment	Check	7188	10/31/2022	48,955.00	Southwest Washington Humane Society	
Ad Hoc Payment	Check	7189	11/2/2022	25.15	Andrew Muray or Kerri Marshall	Utility Refunds: 0000002176-02

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Ad Hoc Payment	Check	7190	11/2/2022	145.84	Arthur,Kathleen A or Bart A	Utility Refunds: 0031015200-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7191	11/2/2022	226.10	Barnett,Joseph	Utility Refunds: 0065025627-09
Ad Hoc Payment	Check	7192	11/2/2022	95.56	Barry N Campbell or Diana L Castro	Utility Refunds: 0000002870-04
Ad Hoc Payment	Check	7193	11/2/2022	163.42	Beckingham,Tess E	Utility Refunds: 0035012600-01
Ad Hoc Payment	Check	7194	11/2/2022	169.94	Bianco,Lucia	Utility Refunds: 0106015460-06
Ad Hoc Payment	Check	7195	11/2/2022	178.96	Blue Key Property Management	Utility Refunds: 0006044700-07
Ad Hoc Payment	Check	7196	11/2/2022	35.91	Brakebill,Corey	Utility Refunds: 0000003530-03
Ad Hoc Payment	Check	7197	11/2/2022	51.39	Bruechert Family Trust	Utility Refunds: 0101000187-04
Ad Hoc Payment	Check	7198	11/2/2022	191.43	Carmen or Daniel Stinea	Utility Refunds: 0139243000-08
Ad Hoc Payment	Check	7199	11/2/2022	181.63	Carolyn Ann Viles or Cathleen Cassady Ault	Utility Refunds: 0032032101-06
Ad Hoc Payment	Check	7200	11/2/2022	205.03	Charles or Leah Dailey	Utility Refunds: 0146002610-04
Ad Hoc Payment	Check	7201	11/2/2022	111.00	Clark,Donald	Utility Refunds: 0025008100-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7202	11/2/2022	135.26	Curry,Brittany M	Utility Refunds: 0000005315-03
Ad Hoc Payment	Check	7203	11/2/2022	213.00	David or Jennifer Bennett	Utility Refunds: 0151001270-02
Ad Hoc Payment	Check	7204	11/2/2022	108.15	Emdee,Jason Daniel	Utility Refunds: 0023090906-04
Ad Hoc Payment	Check	7205	11/2/2022	22.50	Farrey,Ruth A or Andrew F	Utility Refunds: 0000004988-02
Ad Hoc Payment	Check	7206	11/2/2022	171.05	Gullixson,Carl	Utility Refunds: 0020021418-00
Ad Hoc Payment	Check	7207	11/2/2022	197.76	Hein,Gretchen A	Utility Refunds: 0000004052-02
Ad Hoc Payment	Check	7208	11/2/2022	68.74	Hyde,Mark	Utility Refunds: 0024004700-03
Ad Hoc Payment	Check	7209	11/2/2022	84.31	Jason or Charlene Myers	Utility Refunds: 0099063800-07
Ad Hoc Payment	Check	7210	11/2/2022	58.13	Johnson Trust	Utility Refunds: 0000006210-03
Ad Hoc Payment	Check	7211	11/2/2022	78.30	Kelly,Carol	Utility Refunds: 0029055600-12
Ad Hoc Payment	Check	7212	11/2/2022	259.93	Kelly,Marc B	Utility Refunds: 0000001796-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7213	11/2/2022	190.01	Lindsey,Sandra D	Utility Refunds: 0042007130-01
Ad Hoc Payment	Check	7214	11/2/2022	42.94	Mark or Carrie Slaughter	Utility Refunds: 0055021100-02
Ad Hoc Payment	Check	7215	11/2/2022	134.88	Mark or Rebecca Blaisdell	Utility Refunds: 0139235400-00
Ad Hoc Payment	Check	7216	11/2/2022	76.73	Marsee,Makelle	Utility Refunds: 0000003927-02
Ad Hoc Payment	Check	7217	11/2/2022	128.00	McKenzie L McCormick, Trustee	Utility Refunds: 0027023805-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7218	11/2/2022	106.00	Mines,Gary L or Vicki R	Utility Refunds: 0000005025-02
Ad Hoc Payment	Check	7219	11/2/2022	62.26	Molly Wheeler or Devon Howe	Utility Refunds: 0000002574-05
Ad Hoc Payment	Check	7220	11/2/2022	108.80	Munchul or Tabatha Chae	Utility Refunds: 0112000524-01
Ad Hoc Payment	Check	7221	11/2/2022	145.53	Muray,Andrew	Utility Refunds: 0000002176-02
Ad Hoc Payment	Check	7222	11/2/2022	57.74	Nylund Inc	Utility Refunds: 0034019200-14 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7223	11/2/2022	207.00	Pollard trustees of the Pollard Family Trust,Royce E or Margaret A	Utility Refunds: 0000002299-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	7224	11/2/2022	23.14	Rowe,Dillon or Leisel	Utility Refunds: 0000004288-04
Ad Hoc Payment	Check	7225	11/2/2022	340.91	Rowland,Martha	Utility Refunds: 0063030800-08
Ad Hoc Payment	Check	7226	11/2/2022	35.96	Sant,Cody L or Emilee A	Utility Refunds: 0031039700-02
Ad Hoc Payment	Check	7227	11/2/2022	111.99	Schaefer,David	Utility Refunds: 0112097192-06
Ad Hoc Payment	Check	7228	11/2/2022	222.88	Smith,Marlene	Utility Refunds: 0500003603-02
Ad Hoc Payment	Check	7229	11/2/2022	62.60	Smith,Shelley Louise	Utility Refunds: 0024027601-02
Ad Hoc Payment	Check	7230	11/2/2022	50.44	Strong,Rachel C	Utility Refunds: 0000002170-02
Ad Hoc Payment	Check	7231	11/2/2022	172.12	The Archer Living Trust	Utility Refunds: 0043052000-03
Ad Hoc Payment	Check	7232	11/2/2022	117.69	The Estate of Paul C Kubiak	Utility Refunds: 0088007900-02
Ad Hoc Payment	Check	7233	11/2/2022	136.00	Zapref,James L	Utility Refunds: 0000001485-04 Consolidated refund created from multiple refunds

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Expense Payment	Check	7234	11/2/2022	11.38	Adrienne Powers	Employee Reimbursement
Expense Payment	Check	7235	11/2/2022	16.75	Charles Masi	Employee Reimbursement
Supplier Payment	Check	7236	11/2/2022	174.08	Airgas, Inc	
Supplier Payment	Check	7237	11/2/2022	275.00	American Inns of Court Foundation	
Supplier Payment	Check	7238	11/2/2022	1,050.00	Andrew Prochniak	
Supplier Payment	Check	7239	11/2/2022	100.15	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	7240	11/2/2022	2,859.52	Arborscape Ltd Inc	
Supplier Payment	Check	7241	11/2/2022	2,661.12	Archaeological Investigations Northwest Inc	
Supplier Payment	Check	7242	11/2/2022	4,724.65	Bacon Collision	
Supplier Payment	Check	7243	11/2/2022	3,678.75	BERK Consulting, Inc	
Supplier Payment	Check	7244	11/2/2022	1,171.82	Bound Tree Medical LLC	
Supplier Payment	Check	7245	11/2/2022	49,888.07	Brown and Caldwell - Remit-To: Brown & Caldwell - San Francisco	
Supplier Payment	Check	7246	11/2/2022	2,516.50	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	7247	11/2/2022	6,150.00	Cascade Inn	
Supplier Payment	Check	7248	11/2/2022	20,414.31	CECO Inc	
Supplier Payment	Check	7249	11/2/2022	739.40	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	7250	11/2/2022	2,837.31	City of Olympia	
Supplier Payment	Check	7251	11/2/2022	50.00	City of Vancouver - Remit-To: COV Main	
Supplier Payment	Check	7252	11/2/2022	296.00	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	Check	7253	11/2/2022	411.04	Clark Public Utility District No. 1	
Supplier Payment	Check	7254	11/2/2022	204.54	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7255	11/2/2022	113.55	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7256	11/2/2022	64.95	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	7257	11/2/2022	8,815.31	Copiers Northwest	
Supplier Payment	Check	7258	11/2/2022	162.01	County of Clark	
Supplier Payment	Check	7259	11/2/2022	333.25	Courier Northwest	
Supplier Payment	Check	7260	11/2/2022	3,690.00	David Corey PHD PC	
Supplier Payment	Check	7261	11/2/2022	6,300.00	Davidson Benefits Planning	
Supplier Payment	Check	7262	11/2/2022	2,474.89	Day Management Corp - Remit-To: Day Wireless - Milwaukie	
Supplier Payment	Check	7263	11/2/2022	264.00	Dex Media West	
Supplier Payment	Check	7264	11/2/2022	8,565.13	DKS Associates Inc	
Supplier Payment	Check	7265	11/2/2022	12,187.32	Epic Land Solutions, Inc.	
Supplier Payment	Check	7266	11/2/2022	7,324.76	Eric Thomas Lanciault	
Supplier Payment	Check	7267	11/2/2022	56.41	Experian Marketing Solutions - Remit-To: Experian - Los Angeles	
Supplier Payment	Check	7268	11/2/2022	1,926.53	Ferguson Enterprises - Remit-To: Ferguson - Dallas	
Supplier Payment	Check	7269	11/2/2022	112.25	Genuine Parts Company - Remit-To: NAPA - Vancouver	
Supplier Payment	Check	7270	11/2/2022	9,600.00	Genuine Senior Living	
Supplier Payment	Check	7271	11/2/2022	734.97	Gray & Osborne Inc	
Supplier Payment	Check	7272	11/2/2022	1,216.10	Harper Houf Peterson Righellis Inc	
Supplier Payment	Check	7273	11/2/2022	6,250.00	Hispanic Metropolitan Chamber	

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Check	7274	11/2/2022	200.73	J-2 Blueprint Supply Co.	
Supplier Payment	Check	7275	11/2/2022	3,652.50	Jensen Hughes Inc	
Supplier Payment	Check	7276	11/2/2022	24,161.73	Kennedy Jenks Consultants - Remit-To: Kennedy Jenks Consulting	
Supplier Payment	Check	7277	11/2/2022	12,078.25	L.N. Curtis & Sons - Remit-To: Supplier L.N. Curtis & Sons	
Supplier Payment	Check	7278	11/2/2022	900.55	Mini Mix Concrete Inc	
Supplier Payment	Check	7279	11/2/2022	87.13	Motorola Solutions Inc	
Supplier Payment	Check	7280	11/2/2022	6,500.70	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago	
Supplier Payment	Check	7281	11/2/2022	9,779.50	Murraysmith Inc	
Supplier Payment	Check	7282	11/2/2022	25,873.53	Murray Smith Inc	
Supplier Payment	Check	7283	11/2/2022	19,849.60	Northwest Staffing Resources Inc - Remit-To: NW Staffing - Portland	
Supplier Payment	Check	7284	11/2/2022	8,829.73	Oldcastle Precast Inc	
Supplier Payment	Check	7285	11/2/2022	2,999.51	Portland Mechanical Construction LLC	
Supplier Payment	Check	7286	11/2/2022	5,222.88	PPC Solutions Inc	
Supplier Payment	Check	7287	11/2/2022	10,741.50	Safe Software	
Supplier Payment	Check	7288	11/2/2022	125.00	Sean Alf	
Supplier Payment	Check	7289	11/2/2022	57,584.21	Selectron Technologies	
Supplier Payment	Check	7290	11/2/2022	3,320.18	Shrums Pest Control	
Supplier Payment	Check	7291	11/2/2022	1,854.19	Software House International SHI - Remit-To: SHI - Dallas	
Supplier Payment	Check	7292	11/2/2022	12.27	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	7293	11/2/2022	12.68	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	7294	11/2/2022	12.68	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	7295	11/2/2022	6.13	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	7296	11/2/2022	12.66	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	7297	11/2/2022	1,000.00	Talx UCM Services Inc	
Supplier Payment	Check	7298	11/2/2022	526.13	Towing & Recovering Services Inc	
Supplier Payment	Check	7299	11/2/2022	2,523.71	Triple J Enterprises	
Supplier Payment	Check	7300	11/2/2022	5,382.20	Tube Art Display Inc	
Supplier Payment	Check	7301	11/2/2022	388.55	U.S. Legal Support, Inc.	
Supplier Payment	Check	7302	11/2/2022	81.38	W.B. Sprague Co. Inc.	
Supplier Payment	Check	7303	11/2/2022	6,296.08	Wapiti NW LLC	
Supplier Payment	Check	7304	11/2/2022	5,000.00	Washington Timbers	
Supplier Payment	Check	7305	11/2/2022	14,421.43	Why Community	
Supplier Payment	Check	7306	11/2/2022	62.04	XPO Logistics Enterprise Services, Inc - Remit-To: XPO - Portland	
Miscellaneous Payment	Check	7307	11/2/2022	50.00	Amreal Ringquist	Voucher #2009913.030
Miscellaneous Payment	Check	7308	11/2/2022	118.55	Ana Chaud	Refund - parking permit #COV11582 Lot 18
Miscellaneous Payment	Check	7309	11/2/2022	61.47	Austin Const & Electrical Srvs	MPE-329079 (jobsite: 2206 SE 185th Ave)
Miscellaneous Payment	Check	7310	11/2/2022	50.00	Big Lots Asset Protection	Refund - alarm billing Inv#99491225 VPDAU error
Miscellaneous Payment	Check	7311	11/2/2022	92.61	Columbia River Mental Health Services	CMI-328447 (jobsite: 7105 NE 40th Street)
Miscellaneous Payment	Check	7312	11/2/2022	314.11	Dave Singley	
Miscellaneous Payment	Check	7313	11/2/2022	20.00	David Selvog	Refund - alarm billing overpay

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Miscellaneous Payment	Check	7314	11/2/2022	290.00	Hidden Crest Townhomes LLC	Refund - Business app applied for in error.
Miscellaneous Payment	Check	7315	11/2/2022	189.00	JSA Properties LLC	Refund - Civic Gov overpay inv#77045130
Miscellaneous Payment	Check	7316	11/2/2022	127.74	Justin Huttula	Refund- Lot 18 P3 due to moving
Miscellaneous Payment	Check	7317	11/2/2022	100.00	Michaels #6820	Refund - overpay inv# 99482535
Miscellaneous Payment	Check	7318	11/2/2022	109.68	Morgan Jackson	Refund - parking permit Lot 3 COV09196
Miscellaneous Payment	Check	7319	11/2/2022	100.00	Pacific Gold and Silver	Refund - alarm billing overpay
Miscellaneous Payment	Check	7320	11/2/2022	410.00	Plum Meadows	Refund - alarm billing overpay acct#10839
Miscellaneous Payment	Check	7321	11/2/2022	70.00	Professional Credit Service	Please include on check: Dean K Langsdorf LLC Cust# 18165, Inv#99376836/9938227
Miscellaneous Payment	Check	7322	11/2/2022	40.00	Professional Credit Service	Please include on the check: Michaels #6820, Cust#12097, Inv# 99412587/99418116
Miscellaneous Payment	Check	7323	11/2/2022	3.50	Professional Credit Service	Refund - alarm billing inv#99432895
Miscellaneous Payment	Check	7324	11/2/2022	48.00	Vancouver Farmers Market	Refund - CIVIC GOV overpay inv#77019260
Miscellaneous Payment	Check	7325	11/2/2022	40.00	Walgreens #7226	Refund - alarm billing inv#99483991/99489006
			Check Total	456,822.95		
			Manual Wire Total	13,530,083.06		
			Direct Deposit Total	5,120.73		
			EFT Total	541,092.50		
			11/7/2022	399,611.50	City Payments	Posted 10-31-22 to 11-06-22
			Hansen Total	399,611.50		
			11/7/2022	1,406.00	Miscellaneous	Parks Class Refunds FCC 10-31-22 to 11-06-22
			11/7/2022	889.30	Miscellaneous	Parks Class Refunds MCC 10-31-22 to 11-06-22
			VISA Total	2,295.30		
			Payroll Total	0.00		
			GRAND TOTAL	14,935,026.04		

City of Vancouver
Payroll Council Report
October 31, 2022 - November 6, 2022

Check No.	Date	Explanation	Amount
		No payroll this period	

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Staff Report: 156-22

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 11/14/2022

SUBJECT 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

Key Points

- In 2015 the City of Vancouver established a transportation benefit district (TBD), as authorized by state laws, chapters RCW 35.21.225 and RCW 36.73 to provide adequate levels of funding for transportation improvements and infrastructure in the City of Vancouver.
- Current City Code, VMC 3.40.070 (A), authorizes the Vancouver TBD to establish up to three-tenth of one percent sales and use tax, if approved by District voters.
- The state law authorizing the sales and use tax for transportation benefits districts (RCW 36.73.065) was recently amended by the legislature. The change included authorization for a TBD to levy one-tenth of one percent sales and use tax in the councilmanic manner.
- The City of Vancouver has an adopted Completed Streets Policy, and the additional dedicated funding stream in a form of the one-tenth of one percent sales and use tax would significantly enhance implantation of this policy in a manner that improves safety, mobility and accessibility of the City's transportation system for all users.

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 6: Facilitate the creation of neighborhoods where residents can walk or bike to essential amenities and services – "20-minute neighborhoods"

Goal 6, Objective 6.2: Improve amenities and services that allow residents to "age in place"

Present Situation

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.

Advantage(s)

Updates Vancouver Municipal Code to reflect recent changes in state laws.

Disadvantage(s)

None

Budget Impact

None at this time. This action authorizes other budget actions which are under consideration in a separate process.

Prior Council Review

None

Action Requested

On November 14, 2022, subject to second reading and public hearing, approve ordinance.

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

ATTACHMENTS:

- ▯ Ordinance

10/24/22 (Date of First Reading)
11/7/22 (Date of Public Hearing)

ORDINANCE NO. M- [Ordinance Number]

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.

WHEREAS, streets are the City of Vancouver’s largest physical asset and are critical to our community’s day-to-day and long-term economy and livability; and

WHEREAS, state law and the Vancouver Municipal Code (“VMC”) authorize the Vancouver Transportation Benefit District to impose and collect a sales and use tax pursuant to RCW 36.73.065, subject to certain limitations.

WHEREAS, in July of 2022, RCW 36.73.065 was amended to authorize the governing board of a transportation benefit district that includes all the territory within the boundaries of the establishing jurisdiction to impose an up to one-tenth of one percent sales and use tax in accordance with RCW 82.14.0455.

WHEREAS, the City Council finds that Section 3.40.070 of the VMC should be amended to reflect the recent amendment of RCW 36.73.065 and the additional authority granted to

ORDINANCE - 1

transportation benefit district boards to impose an up to one-tenth of one percent sales and use tax.

WHEREAS, the City Council adopts and incorporates by reference Staff Report SR-_____ and finds that it is in the public interest to amend Section 3.40.070(A) of the VMC to reflect the aforementioned changes in state law.

WHEREAS, with proper notice to the public, the Vancouver City Council conducted a first reading of the proposed ordinance on October 24, 2022 and a public hearing concerning the ordinance and proposed code changes on November 7, 2022.

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings. The City Council hereby adopts and incorporates by reference the above recitals as findings in support of this Ordinance.

Section 2. Amendment. Vancouver Municipal Code Section 3.40.070 entitled “Establishment of Revenue Sources” as codified by Ordinance M-4139 §2 is hereby amended as follows:

3.40.070 Establishment of Revenue Sources.

The District shall have the authority to establish fees and other revenue sources consistent with RCW Chapter 36.73, including without limitation the power:

A. To impose and collect a sales and use tax as provided in RCW 36.73.040(3)(a), ~~and~~ RCW 82.14.0455, and ~~only if approved by District voters pursuant to~~ RCW 36.73.065.

B. To impose and collect a motor vehicle license fee as provided in RCW 36.73.040(3)(b) and RCW 82.80.140 for the purposes set forth in this chapter and as may be subsequently authorized according to law.

C. To impose and collect ad valorem property taxes authorized by RCW 36.73.060, only if approved by District voters pursuant to RCW 36.73.065.

D. To issue general obligation bonds and revenue bonds as provided in RCW 36.73.070.

E. To form a local improvement district as provided in RCW 36.73.080.

Section 3. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances 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 affect or invalidate the remainder of any parts thereof to any other 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. Effective Date. This ordinance shall take effect immediately.

Read first time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED by the following vote:

ORDINANCE - 3

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this _____ day of _____, 20XX.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathan Young, City Attorney

ORDINANCE - 4

SUMMARY

ORDINANCE NO. _____

AN ORDINANCE of the City of Vancouver authorizing the Vancouver Transportation Benefit District to establish a 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 VMC to reflect recent changes in state law; providing for severability; and setting an effective date.