

CITY COUNCIL MEETING MINUTES

Vancouver City Hall – Council Chambers – 415 W. 6th Street
PO Box 1995 – Vancouver, Washington 98668-1995
www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor

Bart Hansen • Bill Turlay • Alishia Topper • Ty Stober • Linda Glover • Laurie Lebowsky

August 13, 2018

WORKSHOPS

4:00-6:00 p.m. Council Policy Updates Preview

Presenters: E. Bronson Potter, City Attorney, 487-8500; Amanda Delapena, City Council Assistant, 487-8606

Summary

Staff provided Council with a series of proposed updates to City Council policies and procedures. Council provided feedback and edits for future discussion.

6:00-6:30 p.m. Executive Session re: Real Estate Transaction

Executive session postponed to later date.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

Birch Conference Room – 6:00-6:30 p.m.

COUNCIL CONSENT AGENDA MEETING

Pledge of Allegiance

Call to Order and Roll Call

The consent meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor Anne McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Lebowsky, Glover, Stober, Topper, Turlay, Hansen, Mayor McEnerny-Ogle

Absent: None

Citizen Communication (Items 1-10)

Mayor McEnerny-Ogle opened Citizen Communication for all items, excepting Items 7 and 8, on the Consent Agenda and received the following testimony:

- Shawn Moore, Assistant Manager for Clark Regional Wastewater District, spoke in support of Item 4.
- John Peterson, representing the Discovery Clean Water Alliance, spoke in favor of Item 6.

There being no further testimony, Mayor McEnerny-Ogle closed Citizen Communication.

Consent Agenda (Items 1-10)

Council requested Items 7 and 8 be pulled from the Consent Agenda for separate consideration.

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to approve Items 1-6 and 9-10 of the Consent Agenda.

1. Construction Acceptance of the Premier Acres Sanitary Sewer Improvement Project

Staff Report 124-18

Summary

Nutter Corporation of Vancouver, Washington, has completed construction of the Premier Acres Sewer Connection Incentive Program (SCIP) project. The project will provide reliable sewer service to 72 parcels by installing 3,569 linear feet of 8-inch gravity sewer mains in NE 119th, NE 121st and NE 122nd Avenues as well as NE 35th, NE 36th, and NE 37th Streets. The contractor also installed 167 liner feet of 2-inch pressure main in the private road portion of NE 122nd Avenue.

The work was completed satisfactorily in accordance with the plans and specifications. The original contract amount, including sales tax, was \$1,185,808.22. The final project cost was \$1,195,191.04, which was \$9,382.82 (under 1%) greater than the original contracted amount. The difference between original contract amount and final contract amount can be attributed to the typical variances in quantities commonly encountered during construction.

An apprenticeship goal of 3% was required with the solicitation of this project. The contractor, Nutter Corporation, exceeded the required goal with an apprenticeship utilization of 7.16% recorded on the Apprenticeship Verification Form submitted.

Request: On August 27, 2018, accept the facilities as constructed by Nutter Corporation of Vancouver, Washington, and authorize release of the

retainage in the amount of \$56,732.20 subject to receipt of all documentation required by law.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

2. Award of Bid - Evergreen Airpark North Sewer Improvement Project
Staff Report 125-18

Summary

The Evergreen Airpark North project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 29 parcels by installing 1,975 linear feet of 8-inch gravity sewer mains in NE 139th Avenue between 9th Street and 18th Street. On July 24, 2018, the City received 6 bids for the subject project. The bids ranged between \$365,000 and \$625,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Advanced Excavating Specialists, LLC, Longview, WA	\$365,232.18
Halme Excavating, Inc, Battle Ground, WA	\$387,295.31
NW Construction General Contracting, Battle Ground, WA	\$396,026.39
Nutter Corporation, Vancouver, WA	\$519,208.22
Tapani, Inc., Battle Ground, WA	\$542,371.81
Clark and Sons Excavating, Inc., Battle Ground, WA	\$621,351.51
Engineers' Estimate	\$350,200.00

This project was below the bid amount for a required minimum apprenticeship utilization.

Request: On August 27, 2018, award a construction contract for the Evergreen Airpark North Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, AES, LLC of Longview, WA, at their bid price of \$365,232.18, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

3. Award of Bid - Evergreen Estates Sewer Improvement Project
Staff Report 126-18

Summary

The Evergreen Estates project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 99 parcels by installing 4,150 linear feet of 10-inch and 1,300 linear feet of 8-inch gravity sewer mains in NE 128th, 129th, 130th and 131st Avenues, NE 14th, 16th and 17th Streets as well as, 129th Court.

On July 24, 2018, the City received 6 bids for the subject project. The bids ranged between \$1,637,000 and \$2,206,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
NW Construction General Contracting, Battle Ground, WA	\$1,637,962.43
Advanced Excavating Specialists, LLC, Longview, WA	\$1,648,773.68
Rotschy, Inc., Vancouver, WA	\$1,698,968.72
Tapani, Inc., Battle Ground, WA	\$1,711,816.80
Clark and Sons Excavating, Inc., Battle Ground, WA	\$2,098,802.83
Nutter Corporation, Vancouver, WA	\$2,205,999.22
Engineers' Estimate	\$1,499,125.51

Based on the amount of the bid, this project will have a required minimum apprenticeship utilization of 4%.

Request: On August 27, 2018, award a construction contract for the Evergreen Estates Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, NW Construction General Contracting, Inc. of Battle Ground, WA, at their bid price of \$1,637,962.43, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

4. Resolution Approval for the Comprehensive General Sewer Plan, Clark Regional Wastewater District

Staff Report 127-18

A RESOLUTION relating to review and approval of the December 2017 Clark Regional Wastewater District Comprehensive General Sewer Plan.

Summary

The Clark Regional Wastewater District's Comprehensive General Sewer Plan (CGSP) presents a sewer capital improvement program that supports implementation of the City's adopted comprehensive plan. The CGSP identifies the general location and size of sewer infrastructure and the estimated cost of the improvements, including a long-term plan for financing and distributing the cost and expense of the facilities and services. The capital improvements identified in the unincorporated Vancouver Urban Growth Area total \$106.6 million in investment over the 20-year planning period. Approximately \$41.4 million is forecast for restoration and replacement projects (R&R) and \$65.2 million in capital improvement projects. The grand total investment in the Plan, across the entire District, is \$147.2 million. This plan replaces the District's 2001 General Sewer Plan, adopted by the City via Resolution No. M-3353 on August 6, 2001, which was subsequently amended in 2006 and 2013.

Request: Adopt a resolution approving the Clark Regional Wastewater District Comprehensive General Sewer Plan.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion adopted Resolution M-3977 approving the Clark Regional Wastewater District Comprehensive General Sewer Plan.

5. Memorandum of Understanding - Washington State Utilities and Transportation Commission

Staff Report 128-18

A RESOLUTION relating to approval of a memorandum of understanding ("MOU") between the City of Vancouver and the Washington State Utilities and Transportation Commission ("UTC") concerning participation in the UTC's rail safety program.

Summary

The City currently maintains 17 at-grade railroad crossings that span the various rail lines that operate within the City limits. These rail lines include Burlington Northern/Santa Fe, the Columbia Business Center, and the Port of Vancouver. The Washington State Utilities and Transportation Commission (UTC) is charged with the regulation of all railroad crossings within the State of Washington, with specific emphasis on ensuring the safety of the rail line users and the general public that use the crossings.

The UTC has adopted rules to allow first-calls cities to request participation in the Commission's rail safety program, which includes regular inspections of the City's rail crossings, reporting of any defects and development of corrective action plans.

The attached Memorandum of Understanding sets forth the terms and conditions under which the City will participate in the UTC's rail safety program.

Request: Adopt a resolution authorizing the City Manager to execute the Memorandum of Understanding with the Washington Utilities and Transportation Commission.

Ryan Lopossa, Streets & Transportation Manager, 487-7706

Motion adopted Resolution M-3978 authorizing the City Manager to execute the Memorandum of Understanding with the Washington Utilities and Transportation Commission.

6. Interlocal agreement between City of Vancouver and Discovery Clean Water Alliance for coordination of Columbia River Water Quality Monitoring Program

Staff Report 129-18

Summary

Water quality monitoring data for the the Columbia River reach between river mile 110 and river mile 88, which encompasses Vancouver's and the Alliance's treatment plant effluent outfalls, is very limited, outdated, and not representative of overall water quality

in this 22-mile segment of the river. The last large-scale monitoring effort was conducted between 2006 and 2010, with limited sampling locations in shallow water along the river's shoreline. The data is currently in the EIM and though it is of sufficient quality for regulatory determinations it is not representative of dominant conditions in the main stem of the Columbia River. The old data set needs to be replaced with recent and credible data for state regulatory agencies to make determinations that impact wastewater discharge permit requirements.

City staff and their contractor are currently collecting samples at many sites along this Columbia River segment and compiling analytical data in preparation for submittal to the EIM. This activity will occur during the periods June through September during years 2018 and 2019.

Request: Approve the Interlocal Agreement by and between the City of Vancouver and Discovery Clean Water Alliance, as provided in the Attachment, and authorize the City Manager or his designee to execute the same.

Frank Dick, Wastewater Engineering Supervisor, 487-7179

Motion approved the request.

7. Vancouver Police Department 2016-2020 Staffing Plan – Revenue replacement plan

Staff Report 130-18

Mayor McEnerny-Ogle read the title of the ordinance into the record.

AN ORDINANCE amending Vancouver Municipal Code (VMC) Sections 5.04.020, 5.04.075, 5.04.095, 5.92.010, 5.93.010, 5.94.030, 14.04.210, 14.14.230, and 14.09.060 to amend business license fee limitations and exemptions; to increase water, sewer, and stormwater rate and taxes; and to increase solid waste taxes to fund additional police protection services; and repealing Section 5.04.096 business license fees based on square footages for commercial, industrial, and multi-family residential rental properties; providing for savings, severability, ratification, and an effective date.

Summary

In February 2017 the City Council adopted a revenue and staffing package (herein referred to as "resourcing package") to support an increase in sworn and civilian positions that would close identified gaps in key service areas of the Vancouver Police Department (VPD). The resourcing package is intended to add 42 sworn and 19 civilian positions to VPD between 2016 and 2020.

The package was designed to be implemented over a 5-year period, with staffing increases generally matched with a concurrently phased in set of revenues. The package was adopted based Community Resource Team recommendations, which were developed through a broad-based, inclusive community engagement effort over the preceding 10 months.

This revenue package adopted by City Council included a \$20 increase in the existing per FTE business license surcharge (to a total of \$90 per FTE per year), a 3.4%

increase to the utility tax rate on City-owned utilities (sewer, water, drainage, garbage) and a new indoor space business license fee surcharge for retail, commercial and industrial businesses and a per-unit surcharge for leased multi-family residential units. The new business license surcharges were approved to become effective on 1/1/2019, while other funding components of the package have already been implemented. Of the total combined resources dedicated to police, the new business license surcharges (per square foot and per multi-family unit) represent \$6.1 million in annual revenue. This dollar amount included the costs for the City to administer the new tax, which was estimated to be approximately \$0.25 million annually; the net revenue dedicated to police would have been approximately \$5.8 million.

The Council action to adopt a multi-year funding package for police included legislative intent to consider alternative funding sources to the new surcharges in the context of a larger, more comprehensive plan for sustainable, stable and streamlined resourcing for all City services.

As a result, the City initiated an extensive community engagement effort in the spring of 2017 referred to as Vancouver Strong. Central to the Vancouver Strong engagement efforts is the Executive Sponsors Council (ESC), a nine-member advisory group composed of leaders from business, not-for-profit, diverse and volunteer communities. Since May 2017 the ESC has been engaged in developing a recommended comprehensive, long-term, streamlined funding solution to close identified gaps in core City services and to more fully implement the City's strategic plan. The first actionable component of their work is the replacement revenue source for the business license surcharge portion of the original police funding package.

On June 18, 2018, the ESC presented at a Council workshop their recommendation for replacement revenue to fund police. The ESC recommendation includes replacing the per square foot and per multi-family unit surcharge with a combination of increased utility tax on water, sewer, drainage and solid waste and an expansion of the per FTE business license surcharge to cover the not-for-profit businesses as well as eliminating the 400 FTE cap per business. Their recommendation included a recognition that Council may wish to consider phasing in implementation of the replacement revenue, as well as take into account the unique considerations of including nonprofits as subject to the FTE surcharge.

While eliminating the 400 FTE cap per business ultimately applies to a relatively small number of all businesses in Vancouver, in some instances the difference between the current cap and actual FTEs subject to the fee is substantial. By providing for a two-year phase out of the cap, the City provides a longer transition period and multiple fiscal periods for effected businesses to plan for and accommodate the change.

At the workshop, Council expressed an interest in additional engagement with the nonprofit sector to gather feedback on the recommendation to include them as subject to the surcharge. Through an online survey of almost 200 nonprofits, staff gathered feedback on the nonprofit component. This feedback is summarized in the attached memorandum dated August 21, 2018. A more detailed review of response themes is included in the attached memorandum.

In addition to the outreach to non-profits, staff conducted a finer grained analysis of the composition of the nonprofit sector in the City. Based on data from the Washington State

Department of Labor, a sensitivity analysis examined the forecasted revenue to be derived from the nonprofit component at the 4 FTEs and

above threshold, as well as at 10 and 20 FTEs and above levels. This analysis showed that at different thresholds, the following total number of nonprofits would be subject to the FTE surcharge with their associated projected revenue generation:

Non-profit FTE threshold	Number of non-profit businesses subject to surcharge	Total revenue derived from non-profit sector
4 or fewer	122	\$900,000
10 or fewer	38	\$700,000
20 or fewer	27	\$650,000

Based upon the relative amount of revenue generated at each threshold, there is an opportunity to adopt a BLS surcharge applicable to nonprofit businesses with 20 or more FTEs, minimizing the impact on the smaller nonprofit sector while capturing a significant majority of the revenue contemplated by including the non-profit sector as a whole.

Based upon the above and attached, the draft ordinance presented to City Council would phase in the expanded applicability of the per employee surcharge as well as establish a threshold of applicability to nonprofits at 20 or more employees. The proposed ordinance also includes a phasing proposal, with the cap of FTEs per business being increased from 400 to 799 per company in year 2019 and removing the cap in 2020. The City would utilize a combination of its undesignated General Fund in 2019 and savings from VPD vacancies to offset the lost revenue in 2019. The utility tax increase on water, sewer, drainage and solid waste is consistent with the Vancouver Strong recommendation to Council, increasing 2.2% in 2019 and an additional 1.8% in 2020.

In addition to the changes above, the 2017 Washington State Legislature passed a law requiring cities with business licenses to administer their business license program through the state's Business Licensing System by 2022 or File Local by 2020 and to adopt the model ordinance by October 17, 2018. The model ordinance includes a mandatory definition of "engaging in business" and a minimum threshold exception to establish when out-of-town or transient businesses are required to be licensed. The City is already administering its business license program through File Local and has current provisions compliant for the most part with the model ordinance. The model ordinance has recommended including a \$2,000 threshold level, or higher, per year for out-of-city businesses. The city's current limit is \$12,000 per year. The proposed ordinance brings the City in compliance with the model ordinance, but does not recommend changing income thresholds.

Request: Approve the ordinance on first reading, setting date of second reading and public hearing for Monday, September 10, 2018.

Natasha Ramras, Chief Financial Officer, 487-8484

City Manager Eric Holmes provided background information for context regarding this item.

Natasha Ramras, Chief Financial Officer, provided an overview of the proposed recommendation.

Councilmember Stober stated he has a lot of concerns regarding the proposal, noting that the only way nonprofit organizations will be able to cover the proposed fees would be through additional fundraising.

Mayor McEnerny-Ogle asked how many Vancouver nonprofits would be impacted by the proposal. Ms. Ramras stated 27 organizations would meet the threshold criteria of employing more than 20 FTEs.

Councilmember Topper stated she knows how difficult it is for a nonprofit organization to raise money but stated the Council is also tasked with ensuring the City's police force is well staffed, and that is currently not the case. She stated the previous proposal Council passed in 2017 is very difficult and expensive to implement. She noted that the Executive Sponsors Council includes a representative from the Community Foundation who supported the proposal. She stated she is not unsympathetic to the nonprofit organizations, but said the community is in a place where everyone needs to share responsibility for funding police services.

Mayor McEnerny-Ogle opened Citizen Communication on Items 7 and 8 and received the following testimony:

- Susan Greb, representing CDM Services, spoke in opposition to the proposal because of the new expense for nonprofit organizations and provided information about how the fees would impact the organization.
- Carol Doane, president of Woman of Wonder Scholarships, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- Angela Fadlovich, representing Support for Early Learning and Families (SELF), spoke in opposition to the proposal, and noted that SELF recently became the hiring agency for ESD 112, significantly increasing the organizations number of FTEs.
- Brittini Allen, representing YWCA Clark County, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- James Phelps, Vancouver, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- Todd Boulanger, Vancouver, spoke in opposition to the proposal because of the increase to utility taxes.
- Craig Pridemore, CEO of Columbia River Mental Health, spoke in opposition to the proposal because of the new expense for nonprofit organizations.

- Jeanne Kojis, Executive Director for the Nonprofit Network of Southwest Washington, spoke in opposition to the proposal because of the new expense for nonprofit organizations, noting nonprofits already shoulder a burden of supporting unfunded mandates and would have no way of passing on the cost of the proposed fees.

There being no further testimony on Items 7 or 8, Mayor McEnerny-Ogle closed Citizen Communication.

Mayor McEnerny-Ogle asked what phasing of implementation looks like for this proposal. Ms. Ramras explained the lifting of the FTE caps would be phased for both for-profit and nonprofit organizations.

Councilmember Stober stated he was greatly surprised to learn that PeaceHealth is a nonprofit organization and not subject to the current FTE surcharges in place. He stated he would not be surprised if a handful of large nonprofit organizations in the city look like businesses, and he stated his major concern is around how the threshold is being applied to the nonprofits.

Mr. Holmes provided some process context, noting that the proposal before Council is the result of an attempt to balance the months of work by the ESC with the interests expressed by the City Council regarding rigorous analysis of the potential impacts of this proposal and the options for phasing implementation. He stated that the Council has options as far as making adjustments to the revenue scenario.

Councilmember Glover thanked the representatives from the nonprofit community present at the meeting. She stated this proposal is an attempt to balance need with resources available and requires some difficult decisions. She noted that when she was campaigning for her Council seat, the number one issue residents spoke to her about was safety. She also noted that she serves as a liaison on the ESC and stated the members of that group are very dedicated and represent a cross-section of the community, including strong representation from the nonprofit sector. She stated nonprofits are important to the community, but they also receive services from the police department and noted that increased resourcing for the police department will benefit the clients of nonprofit organizations. She stated she would like to see this proposal move forward to the next ordinance reading.

Councilmember Hansen asked if a Council decision on this proposal is time sensitive. Mr. Holmes confirmed it is, as the current revenue package adopted in 2017 will go into effect Jan. 1, 2019, and implementation of that will take some time in advance of that date.

Councilmember Topper stated it would be helpful for the Council to wait to take action on this for a couple of weeks in order to get more information about phasing options. She stated she would also like to see information regarding the City's utility tax increases and the analysis of Vancouver's rates compared to those of other regional municipalities.

Mayor McEnerny-Ogle agreed it would be helpful to see phasing options regarding to the rate scale and the schedule for implementation.

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to return the item to staff for further development.

Councilmember Stober stated he would also like to see some analysis regarding the nonprofit FTE thresholds and the potential for exempting a baseline number of FTEs, as well as what the impact to the utility tax would be if the threshold was raised to exempt more FTEs.

Mayor McEnerny-Ogle asked whether a workshop on the potential options and analysis would be appropriate. Mr. Holmes stated staff would bring this information back in a workshop at the earliest possible date for Council to discuss prior to bringing the item back for action.

8. Garbage, Yard Debris and Recycling Collection Rate Increases for 2019

Staff Report 131-18

Mayor McEnerny-Ogle read the title of the ordinance into the record.

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

Summary

City Council is the rate-making authority for garbage, residential recycling, and yard debris collection services within the City of Vancouver. The City contracts with a private hauling company, Waste Connections of Washington, to provide comprehensive garbage, recycling and yard debris collection services to residents and businesses within city limits. The contract terms authorize Waste Connections to receive annual adjustments to customer rates based on changing operating conditions including: an inflation adjustment factor tied to a percentage of the CPI and fuel costs, disposal tip fees, the number of customers served and fees paid to the City to support solid waste related programs. All adjustments to rates are made in accordance with Exhibit D of the contract. Garbage rates also include the City's utility tax embedded within them. The City's utility tax does not apply to recycling or yard debris services.

For 2019, Public Works staff updated the model consistent with the contract and the anticipated increase in the utility tax and determined that garbage rates will need to increase by 6.6 percent while recycling and selected other fees, not linked to the disposal tip fee, will need to increase by 4 percent, effective January 1st. Key reasons for this increase are a 3.61 percent increase in the CPI, a 19.68 percent increase in the diesel fuel index, and a 2.7 percent increase in the disposal tip fees.

Inflation Adjustment Factor

Under the contract, collection costs for garbage, recycling and yard debris adjust at 80 percent of a blended and combined CPI (92 percent) and diesel fuel index (8 percent) factor which leads to a 3.91 percent increase for the collection cost component and other miscellaneous fees. New this year, the CPI specified in the contract (Consumer Price Index First Half for the Portland Metropolitan Area for Urban Wage Earners and Clerical Workers, All Items (Revised Series) (CPI-W, 1982-1984=100), prepared and reported in August each year by the United States Department of Labor, Bureau of Labor Statistics) is no longer being calculated by the Bureau of Labor Statistics (BLS). Therefore, the parties have agreed to a replacement index as is permissible under the contract. The

new CPI is the First Half for all items in Seattle-Tacoma-Bellevue, WA, urban wage earners and clerical workers, not seasonally adjusted (1982-84=100).

Disposal Tip Fees

On January 1st, the disposal tip fee is scheduled to increase \$2.49 per ton due to growth in the CPI (Waste Connections receives 75 percent of the CPI change). This \$2.49 per ton increase in the tip fee will take the current tip fee at the transfer stations from \$93.22 per ton to \$95.71 per ton (a 2.7 percent increase). The proposed tip fee for 2019 also includes a continuance of \$1.43 per ton surcharge approved by the Clark County Council to make up for a reduction in Department of Ecology grant funds of approximately \$540,000 per year in the 2017-2019 biennium, and an additional 9 cents per ton surcharge for the acquisition and development of private land near the Central Transfer Station to be developed into a drop lane for customers entering the transfer station heading south on SR 503. Those latter improvements were deemed necessary to handle increased traffic at Central Transfer Station.

Recycling Fees

The rates proposed for January 1, 2019, include adjustments to these fees based only on the Inflation Adjustment Factor detailed above. As a result of international recycling market conditions over the past 6 to 9 months, Columbia Resource Company (the designated processor of recyclable materials collected under this contract and a wholly owned subsidiary of Waste Connections of Washington) has requested increased compensation to offset increased processing costs as well as decreased market revenue. No specific strategy or a particular surcharge has been agreed to at this time, however, the City should anticipate that with involvement of Clark County and other cities that contract for recycling collection, some further increase to the recycling fee(s) may be proposed later this year or early in 2019.

City Fee

Garbage rates were last increased in January 2018 after remaining flat since 2013. Customer rates for those operating cost factors were kept stable by offsetting Waste Connections' contractually allowed cost increases using a combination of the Solid Waste Fund's Operating and Rate Stabilization Reserve and a reduction in the franchise fee paid by Waste Connections to the City used to fund the City's solid waste program. Increases to customer rates in January 2016 and April 2017 were a pass-through of the City-imposed Utility Tax on garbage services.

These adjustments are in line with the City policy to maintain steady rates to customers with reasonable increases. For 2019, contractual rate adjustments are proposed to be passed on to the customers. The combination of tip fee increases and the inflation adjustment factor results in a proposed rate increase of approximately 6.6 percent for most customer rates. For example, the typical customer with a 32 gallon cart currently pays \$20.87 per month for garbage and recycling services. With the proposed increase, for 2019 that service would cost \$22.17 per month. Households with subscription yard debris service currently pay \$7.15 per month and with the proposed increase that rate would grow to \$7.43 per month.

Staff recommends increasing customer rates to meet the contractual obligations of adjusting collection services by the defined Inflation Adjustment Factor. Garbage rates, which include disposal costs, will increase 6.6 percent while residential recycling, yard debris and other rates, which do not include disposal costs, will increase by about 4% as

detailed on a two-page Proposed Rate Summary for 2019 (attached). All adjustments will be effective January 1, 2019.

Request: Approve the ordinance on first reading, setting date of second reading and public hearing for Monday, September 10, 2018.

Tanya Gray, Solid Waste Supervisor, 487-7163

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to return the item to staff for further development related to the discussion under Item 7.

9. Lodging Tax Advisory Committee Appointments

Request: Appoint Steve Bowers and Chandra Chase and reappoint Jordan Boldt, Melinda Capen, Kari Jonassen, Mike McLeod, Linda Reid and Mike Williams to the Lodging Tax Advisory Committee, terms beginning immediately and expiring September 30, 2020.

Council Committee 2 (Turlay, Topper, Lebowsky)

Motion approved the request.

10. Approval of Claim Vouchers

Request: Approve claim vouchers for August 27, 2018

(Copy available upon request.)

Motion approved claim vouchers for August 27, 2018, in the amount of \$4,028,893.31.

Citizen Forum

Mayor McEnerny-Ogle opened the Citizen Forum and received the following testimony:

- Al Parmantier, representing Harney Heights Neighborhood Association, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Dan Packard, Vancouver, requested the City consider different options regarding bike and pedestrian upgrades along McLoughlin Boulevard. He also expressed concerns about WSDOT's safety project on SR500.
- Jim Thomas, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.

- Kenneth Williams, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.
- Patty Ingraham, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- James Conright, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Bob Morris, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Jane Wilson, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Leah Jackson, Vancouver, spoke in support of Complete Streets projects that provide safety to all travelers of a corridor regardless of their mode of transportation.
- Todd Boulanger, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.
- Scott Yeager, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.
- Brian Sutherland, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Madeleine von Lowe, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.
- Jan Verrinder, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.

Council recessed at 8:26 p.m. for a break.

Council reconvened at 8:36 p.m.

- Alan Stewart, representing the Vancouver Lake Rowing Club, requested assistance from the City regarding necessary improvements to Vancouver Lake.
- Shari Bush, Vancouver, requested the Council adopt a Climate Action Plan.
- Alona Steinke, Vancouver, requested the Council adopt a Climate Action Plan.

- Don Steinke, Vancouver, requested the Council adopt a Climate Action Plan.
- Cathryn Chudy, Vancouver, requested the Council adopt a Climate Action Plan. She also requested the City submit comments opposing the U.S. Department of Energy proposal to lower the classification of the hazardous nuclear waste at the Hanford site along the Columbia River.
- Kristin Edmark, Vancouver, requested the Council adopt a Climate Action Plan.
- Gary Bock, representing Clark County Connect, thanked the Mayor for issuing a proclamation for 2018 Day of Service, and provided information about this year's event.
- Ted Pyle, Vancouver, expressed concerns about ongoing code enforcement action taken against him.

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

Adjournment

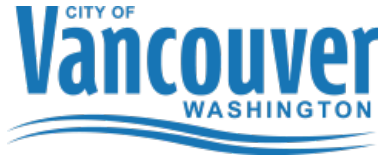
9:01 p.m.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

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



CITY COUNCIL MEETING MINUTES

Vancouver City Hall – Council Chambers – 415 W. 6th Street
PO Box 1995 – Vancouver, Washington 98668-1995
www.cityofvancouver.us

Anne McEnerny-Ogle, Mayor

Bart Hansen • Bill Turlay • Alishia Topper • Ty Stober • Linda Glover • Laurie Lebowsky

August 13, 2018

WORKSHOPS

4:00-6:00 p.m. Council Policy Updates Preview

Presenters: E. Bronson Potter, City Attorney, 487-8500; Amanda Delapena, City Council Assistant, 487-8606

Summary

Staff provided Council with a series of proposed updates to City Council policies and procedures. Council provided feedback and edits for future discussion.

6:00-6:30 p.m. Executive Session re: Real Estate Transaction

Executive session postponed to later date.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

Birch Conference Room – 6:00-6:30 p.m.

COUNCIL CONSENT AGENDA MEETING

Pledge of Allegiance

Call to Order and Roll Call

The consent meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor Anne McEnerny-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

Present: Councilmembers Lebowsky, Glover, Stober, Topper, Turlay, Hansen, Mayor McEnerny-Ogle

Absent: None

Citizen Communication (Items 1-10)

Mayor McEnerny-Ogle opened Citizen Communication for all items, excepting Items 7 and 8, on the Consent Agenda and received the following testimony:

- Shawn Moore, Assistant Manager for Clark Regional Wastewater District, spoke in support of Item 4.
- John Peterson, representing the Discovery Clean Water Alliance, spoke in favor of Item 6.

There being no further testimony, Mayor McEnerny-Ogle closed Citizen Communication.

Consent Agenda (Items 1-10)

Council requested Items 7 and 8 be pulled from the Consent Agenda for separate consideration.

Motion by Councilmember Hansen, seconded by Councilmember Lebowsky, and carried unanimously to approve Items 1-6 and 9-10 of the Consent Agenda.

1. Construction Acceptance of the Premier Acres Sanitary Sewer Improvement Project

Staff Report 124-18

Summary

Nutter Corporation of Vancouver, Washington, has completed construction of the Premier Acres Sewer Connection Incentive Program (SCIP) project. The project will provide reliable sewer service to 72 parcels by installing 3,569 linear feet of 8-inch gravity sewer mains in NE 119th, NE 121st and NE 122nd Avenues as well as NE 35th, NE 36th, and NE 37th Streets. The contractor also installed 167 liner feet of 2-inch pressure main in the private road portion of NE 122nd Avenue.

The work was completed satisfactorily in accordance with the plans and specifications. The original contract amount, including sales tax, was \$1,185,808.22. The final project cost was \$1,195,191.04, which was \$9,382.82 (under 1%) greater than the original contracted amount. The difference between original contract amount and final contract amount can be attributed to the typical variances in quantities commonly encountered during construction.

An apprenticeship goal of 3% was required with the solicitation of this project. The contractor, Nutter Corporation, exceeded the required goal with an apprenticeship utilization of 7.16% recorded on the Apprenticeship Verification Form submitted.

Request: On August 27, 2018, accept the facilities as constructed by Nutter Corporation of Vancouver, Washington, and authorize release of the

retainage in the amount of \$56,732.20 subject to receipt of all documentation required by law.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

2. Award of Bid - Evergreen Airpark North Sewer Improvement Project
Staff Report 125-18

Summary

The Evergreen Airpark North project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 29 parcels by installing 1,975 linear feet of 8-inch gravity sewer mains in NE 139th Avenue between 9th Street and 18th Street. On July 24, 2018, the City received 6 bids for the subject project. The bids ranged between \$365,000 and \$625,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
Advanced Excavating Specialists, LLC, Longview, WA	\$365,232.18
Halme Excavating, Inc, Battle Ground, WA	\$387,295.31
NW Construction General Contracting, Battle Ground, WA	\$396,026.39
Nutter Corporation, Vancouver, WA	\$519,208.22
Tapani, Inc., Battle Ground, WA	\$542,371.81
Clark and Sons Excavating, Inc., Battle Ground, WA	\$621,351.51
Engineers' Estimate	\$350,200.00

This project was below the bid amount for a required minimum apprenticeship utilization.

Request: On August 27, 2018, award a construction contract for the Evergreen Airpark North Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, AES, LLC of Longview, WA, at their bid price of \$365,232.18, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

3. Award of Bid - Evergreen Estates Sewer Improvement Project
Staff Report 126-18

Summary

The Evergreen Estates project is proposed to be constructed under the Sewer Connection Incentive Program (SCIP). This project will provide reliable sewer service to 99 parcels by installing 4,150 linear feet of 10-inch and 1,300 linear feet of 8-inch gravity sewer mains in NE 128th, 129th, 130th and 131st Avenues, NE 14th, 16th and 17th Streets as well as, 129th Court.

On July 24, 2018, the City received 6 bids for the subject project. The bids ranged between \$1,637,000 and \$2,206,000. The low bidder was responsive. The bids are as follows:

SUMMARY OF BIDS	
BIDDER	AMOUNT
NW Construction General Contracting, Battle Ground, WA	\$1,637,962.43
Advanced Excavating Specialists, LLC, Longview, WA	\$1,648,773.68
Rotschy, Inc., Vancouver, WA	\$1,698,968.72
Tapani, Inc., Battle Ground, WA	\$1,711,816.80
Clark and Sons Excavating, Inc., Battle Ground, WA	\$2,098,802.83
Nutter Corporation, Vancouver, WA	\$2,205,999.22
Engineers' Estimate	\$1,499,125.51

Based on the amount of the bid, this project will have a required minimum apprenticeship utilization of 4%.

Request: On August 27, 2018, award a construction contract for the Evergreen Estates Sanitary Sewer Improvement project to the lowest responsive and responsible bidder, NW Construction General Contracting, Inc. of Battle Ground, WA, at their bid price of \$1,637,962.43, which includes Washington State sales tax.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

4. Resolution Approval for the Comprehensive General Sewer Plan, Clark Regional Wastewater District

Staff Report 127-18

A RESOLUTION relating to review and approval of the December 2017 Clark Regional Wastewater District Comprehensive General Sewer Plan.

Summary

The Clark Regional Wastewater District's Comprehensive General Sewer Plan (CGSP) presents a sewer capital improvement program that supports implementation of the City's adopted comprehensive plan. The CGSP identifies the general location and size of sewer infrastructure and the estimated cost of the improvements, including a long-term plan for financing and distributing the cost and expense of the facilities and services. The capital improvements identified in the unincorporated Vancouver Urban Growth Area total \$106.6 million in investment over the 20-year planning period. Approximately \$41.4 million is forecast for restoration and replacement projects (R&R) and \$65.2 million in capital improvement projects. The grand total investment in the Plan, across the entire District, is \$147.2 million. This plan replaces the District's 2001 General Sewer Plan, adopted by the City via Resolution No. M-3353 on August 6, 2001, which was subsequently amended in 2006 and 2013.

Request: Adopt a resolution approving the Clark Regional Wastewater District Comprehensive General Sewer Plan.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion adopted Resolution M-3977 approving the Clark Regional Wastewater District Comprehensive General Sewer Plan.

5. Memorandum of Understanding - Washington State Utilities and Transportation Commission

Staff Report 128-18

A RESOLUTION relating to approval of a memorandum of understanding ("MOU") between the City of Vancouver and the Washington State Utilities and Transportation Commission ("UTC") concerning participation in the UTC's rail safety program.

Summary

The City currently maintains 17 at-grade railroad crossings that span the various rail lines that operate within the City limits. These rail lines include Burlington Northern/Santa Fe, the Columbia Business Center, and the Port of Vancouver. The Washington State Utilities and Transportation Commission (UTC) is charged with the regulation of all railroad crossings within the State of Washington, with specific emphasis on ensuring the safety of the rail line users and the general public that use the crossings.

The UTC has adopted rules to allow first-calls cities to request participation in the Commission's rail safety program, which includes regular inspections of the City's rail crossings, reporting of any defects and development of corrective action plans.

The attached Memorandum of Understanding sets forth the terms and conditions under which the City will participate in the UTC's rail safety program.

Request: Adopt a resolution authorizing the City Manager to execute the Memorandum of Understanding with the Washington Utilities and Transportation Commission.

Ryan Lopossa, Streets & Transportation Manager, 487-7706

Motion adopted Resolution M-3978 authorizing the City Manager to execute the Memorandum of Understanding with the Washington Utilities and Transportation Commission.

6. Interlocal agreement between City of Vancouver and Discovery Clean Water Alliance for coordination of Columbia River Water Quality Monitoring Program

Staff Report 129-18

Summary

Water quality monitoring data for the the Columbia River reach between river mile 110 and river mile 88, which encompasses Vancouver's and the Alliance's treatment plant effluent outfalls, is very limited, outdated, and not representative of overall water quality

in this 22-mile segment of the river. The last large-scale monitoring effort was conducted between 2006 and 2010, with limited sampling locations in shallow water along the river's shoreline. The data is currently in the EIM and though it is of sufficient quality for regulatory determinations it is not representative of dominant conditions in the main stem of the Columbia River. The old data set needs to be replaced with recent and credible data for state regulatory agencies to make determinations that impact wastewater discharge permit requirements.

City staff and their contractor are currently collecting samples at many sites along this Columbia River segment and compiling analytical data in preparation for submittal to the EIM. This activity will occur during the periods June through September during years 2018 and 2019.

Request: Approve the Interlocal Agreement by and between the City of Vancouver and Discovery Clean Water Alliance, as provided in the Attachment, and authorize the City Manager or his designee to execute the same.

Frank Dick, Wastewater Engineering Supervisor, 487-7179

Motion approved the request.

7. Vancouver Police Department 2016-2020 Staffing Plan – Revenue replacement plan

Staff Report 130-18

Mayor McEnerny-Ogle read the title of the ordinance into the record.

AN ORDINANCE amending Vancouver Municipal Code (VMC) Sections 5.04.020, 5.04.075, 5.04.095, 5.92.010, 5.93.010, 5.94.030, 14.04.210, 14.14.230, and 14.09.060 to amend business license fee limitations and exemptions; to increase water, sewer, and stormwater rate and taxes; and to increase solid waste taxes to fund additional police protection services; and repealing Section 5.04.096 business license fees based on square footages for commercial, industrial, and multi-family residential rental properties; providing for savings, severability, ratification, and an effective date.

Summary

In February 2017 the City Council adopted a revenue and staffing package (herein referred to as "resourcing package") to support an increase in sworn and civilian positions that would close identified gaps in key service areas of the Vancouver Police Department (VPD). The resourcing package is intended to add 42 sworn and 19 civilian positions to VPD between 2016 and 2020.

The package was designed to be implemented over a 5-year period, with staffing increases generally matched with a concurrently phased in set of revenues. The package was adopted based Community Resource Team recommendations, which were developed through a broad-based, inclusive community engagement effort over the preceding 10 months.

This revenue package adopted by City Council included a \$20 increase in the existing per FTE business license surcharge (to a total of \$90 per FTE per year), a 3.4%

increase to the utility tax rate on City-owned utilities (sewer, water, drainage, garbage) and a new indoor space business license fee surcharge for retail, commercial and industrial businesses and a per-unit surcharge for leased multi-family residential units. The new business license surcharges were approved to become effective on 1/1/2019, while other funding components of the package have already been implemented. Of the total combined resources dedicated to police, the new business license surcharges (per square foot and per multi-family unit) represent \$6.1 million in annual revenue. This dollar amount included the costs for the City to administer the new tax, which was estimated to be approximately \$0.25 million annually; the net revenue dedicated to police would have been approximately \$5.8 million.

The Council action to adopt a multi-year funding package for police included legislative intent to consider alternative funding sources to the new surcharges in the context of a larger, more comprehensive plan for sustainable, stable and streamlined resourcing for all City services.

As a result, the City initiated an extensive community engagement effort in the spring of 2017 referred to as Vancouver Strong. Central to the Vancouver Strong engagement efforts is the Executive Sponsors Council (ESC), a nine-member advisory group composed of leaders from business, not-for-profit, diverse and volunteer communities. Since May 2017 the ESC has been engaged in developing a recommended comprehensive, long-term, streamlined funding solution to close identified gaps in core City services and to more fully implement the City's strategic plan. The first actionable component of their work is the replacement revenue source for the business license surcharge portion of the original police funding package.

On June 18, 2018, the ESC presented at a Council workshop their recommendation for replacement revenue to fund police. The ESC recommendation includes replacing the per square foot and per multi-family unit surcharge with a combination of increased utility tax on water, sewer, drainage and solid waste and an expansion of the per FTE business license surcharge to cover the not-for-profit businesses as well as eliminating the 400 FTE cap per business. Their recommendation included a recognition that Council may wish to consider phasing in implementation of the replacement revenue, as well as take into account the unique considerations of including nonprofits as subject to the FTE surcharge.

While eliminating the 400 FTE cap per business ultimately applies to a relatively small number of all businesses in Vancouver, in some instances the difference between the current cap and actual FTEs subject to the fee is substantial. By providing for a two-year phase out of the cap, the City provides a longer transition period and multiple fiscal periods for effected businesses to plan for and accommodate the change.

At the workshop, Council expressed an interest in additional engagement with the nonprofit sector to gather feedback on the recommendation to include them as subject to the surcharge. Through an online survey of almost 200 nonprofits, staff gathered feedback on the nonprofit component. This feedback is summarized in the attached memorandum dated August 21, 2018. A more detailed review of response themes is included in the attached memorandum.

In addition to the outreach to non-profits, staff conducted a finer grained analysis of the composition of the nonprofit sector in the City. Based on data from the Washington State

Department of Labor, a sensitivity analysis examined the forecasted revenue to be derived from the nonprofit component at the 4 FTEs and

above threshold, as well as at 10 and 20 FTEs and above levels. This analysis showed that at different thresholds, the following total number of nonprofits would be subject to the FTE surcharge with their associated projected revenue generation:

Non-profit FTE threshold	Number of non-profit businesses subject to surcharge	Total revenue derived from non-profit sector
4 or fewer	122	\$900,000
10 or fewer	38	\$700,000
20 or fewer	27	\$650,000

Based upon the relative amount of revenue generated at each threshold, there is an opportunity to adopt a BLS surcharge applicable to nonprofit businesses with 20 or more FTEs, minimizing the impact on the smaller nonprofit sector while capturing a significant majority of the revenue contemplated by including the non-profit sector as a whole.

Based upon the above and attached, the draft ordinance presented to City Council would phase in the expanded applicability of the per employee surcharge as well as establish a threshold of applicability to nonprofits at 20 or more employees. The proposed ordinance also includes a phasing proposal, with the cap of FTEs per business being increased from 400 to 799 per company in year 2019 and removing the cap in 2020. The City would utilize a combination of its undesignated General Fund in 2019 and savings from VPD vacancies to offset the lost revenue in 2019. The utility tax increase on water, sewer, drainage and solid waste is consistent with the Vancouver Strong recommendation to Council, increasing 2.2% in 2019 and an additional 1.8% in 2020.

In addition to the changes above, the 2017 Washington State Legislature passed a law requiring cities with business licenses to administer their business license program through the state's Business Licensing System by 2022 or File Local by 2020 and to adopt the model ordinance by October 17, 2018. The model ordinance includes a mandatory definition of "engaging in business" and a minimum threshold exception to establish when out-of-town or transient businesses are required to be licensed. The City is already administering its business license program through File Local and has current provisions compliant for the most part with the model ordinance. The model ordinance has recommended including a \$2,000 threshold level, or higher, per year for out-of-city businesses. The city's current limit is \$12,000 per year. The proposed ordinance brings the City in compliance with the model ordinance, but does not recommend changing income thresholds.

Request: Approve the ordinance on first reading, setting date of second reading and public hearing for Monday, September 10, 2018.

Natasha Ramras, Chief Financial Officer, 487-8484

City Manager Eric Holmes provided background information for context regarding this item.

Natasha Ramras, Chief Financial Officer, provided an overview of the proposed recommendation.

Councilmember Stober stated he has a lot of concerns regarding the proposal, noting that the only way nonprofit organizations will be able to cover the proposed fees would be through additional fundraising.

Mayor McEnerny-Ogle asked how many Vancouver nonprofits would be impacted by the proposal. Ms. Ramras stated 27 organizations would meet the threshold criteria of employing more than 20 FTEs.

Councilmember Topper stated she knows how difficult it is for a nonprofit organization to raise money but stated the Council is also tasked with ensuring the City's police force is well staffed, and that is currently not the case. She stated the previous proposal Council passed in 2017 is very difficult and expensive to implement. She noted that the Executive Sponsors Council includes a representative from the Community Foundation who supported the proposal. She stated she is not unsympathetic to the nonprofit organizations, but said the community is in a place where everyone needs to share responsibility for funding police services.

Mayor McEnerny-Ogle opened Citizen Communication on Items 7 and 8 and received the following testimony:

- Susan Greb, representing CDM Services, spoke in opposition to the proposal because of the new expense for nonprofit organizations and provided information about how the fees would impact the organization.
- Carol Doane, president of Woman of Wonder Scholarships, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- Angela Fadlovich, representing Support for Early Learning and Families (SELF), spoke in opposition to the proposal, and noted that SELF recently became the hiring agency for ESD 112, significantly increasing the organizations number of FTEs.
- Brittini Allen, representing YWCA Clark County, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- James Phelps, Vancouver, spoke in opposition to the proposal because of the new expense for nonprofit organizations.
- Todd Boulanger, Vancouver, spoke in opposition to the proposal because of the increase to utility taxes.
- Craig Pridemore, CEO of Columbia River Mental Health, spoke in opposition to the proposal because of the new expense for nonprofit organizations.

- Jeanne Kojis, Executive Director for the Nonprofit Network of Southwest Washington, spoke in opposition to the proposal because of the new expense for nonprofit organizations, noting nonprofits already shoulder a burden of supporting unfunded mandates and would have no way of passing on the cost of the proposed fees.

There being no further testimony on Items 7 or 8, Mayor McEnerny-Ogle closed Citizen Communication.

Mayor McEnerny-Ogle asked what phasing of implementation looks like for this proposal. Ms. Ramras explained the lifting of the FTE caps would be phased for both for-profit and nonprofit organizations.

Councilmember Stober stated he was greatly surprised to learn that PeaceHealth is a nonprofit organization and not subject to the current FTE surcharges in place. He stated he would not be surprised if a handful of large nonprofit organizations in the city look like businesses, and he stated his major concern is around how the threshold is being applied to the nonprofits.

Mr. Holmes provided some process context, noting that the proposal before Council is the result of an attempt to balance the months of work by the ESC with the interests expressed by the City Council regarding rigorous analysis of the potential impacts of this proposal and the options for phasing implementation. He stated that the Council has options as far as making adjustments to the revenue scenario.

Councilmember Glover thanked the representatives from the nonprofit community present at the meeting. She stated this proposal is an attempt to balance need with resources available and requires some difficult decisions. She noted that when she was campaigning for her Council seat, the number one issue residents spoke to her about was safety. She also noted that she serves as a liaison on the ESC and stated the members of that group are very dedicated and represent a cross-section of the community, including strong representation from the nonprofit sector. She stated nonprofits are important to the community, but they also receive services from the police department and noted that increased resourcing for the police department will benefit the clients of nonprofit organizations. She stated she would like to see this proposal move forward to the next ordinance reading.

Councilmember Hansen asked if a Council decision on this proposal is time sensitive. Mr. Holmes confirmed it is, as the current revenue package adopted in 2017 will go into effect Jan. 1, 2019, and implementation of that will take some time in advance of that date.

Councilmember Topper stated it would be helpful for the Council to wait to take action on this for a couple of weeks in order to get more information about phasing options. She stated she would also like to see information regarding the City's utility tax increases and the analysis of Vancouver's rates compared to those of other regional municipalities.

Mayor McEnerny-Ogle agreed it would be helpful to see phasing options regarding to the rate scale and the schedule for implementation.

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to return the item to staff for further development.

Councilmember Stober stated he would also like to see some analysis regarding the nonprofit FTE thresholds and the potential for exempting a baseline number of FTEs, as well as what the impact to the utility tax would be if the threshold was raised to exempt more FTEs.

Mayor McEnerny-Ogle asked whether a workshop on the potential options and analysis would be appropriate. Mr. Holmes stated staff would bring this information back in a workshop at the earliest possible date for Council to discuss prior to bringing the item back for action.

8. Garbage, Yard Debris and Recycling Collection Rate Increases for 2019

Staff Report 131-18

Mayor McEnerny-Ogle read the title of the ordinance into the record.

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

Summary

City Council is the rate-making authority for garbage, residential recycling, and yard debris collection services within the City of Vancouver. The City contracts with a private hauling company, Waste Connections of Washington, to provide comprehensive garbage, recycling and yard debris collection services to residents and businesses within city limits. The contract terms authorize Waste Connections to receive annual adjustments to customer rates based on changing operating conditions including: an inflation adjustment factor tied to a percentage of the CPI and fuel costs, disposal tip fees, the number of customers served and fees paid to the City to support solid waste related programs. All adjustments to rates are made in accordance with Exhibit D of the contract. Garbage rates also include the City's utility tax embedded within them. The City's utility tax does not apply to recycling or yard debris services.

For 2019, Public Works staff updated the model consistent with the contract and the anticipated increase in the utility tax and determined that garbage rates will need to increase by 6.6 percent while recycling and selected other fees, not linked to the disposal tip fee, will need to increase by 4 percent, effective January 1st. Key reasons for this increase are a 3.61 percent increase in the CPI, a 19.68 percent increase in the diesel fuel index, and a 2.7 percent increase in the disposal tip fees.

Inflation Adjustment Factor

Under the contract, collection costs for garbage, recycling and yard debris adjust at 80 percent of a blended and combined CPI (92 percent) and diesel fuel index (8 percent) factor which leads to a 3.91 percent increase for the collection cost component and other miscellaneous fees. New this year, the CPI specified in the contract (Consumer Price Index First Half for the Portland Metropolitan Area for Urban Wage Earners and Clerical Workers, All Items (Revised Series) (CPI-W, 1982-1984=100), prepared and reported in August each year by the United States Department of Labor, Bureau of Labor Statistics) is no longer being calculated by the Bureau of Labor Statistics (BLS). Therefore, the parties have agreed to a replacement index as is permissible under the contract. The

new CPI is the First Half for all items in Seattle-Tacoma-Bellevue, WA, urban wage earners and clerical workers, not seasonally adjusted (1982-84=100).

Disposal Tip Fees

On January 1st, the disposal tip fee is scheduled to increase \$2.49 per ton due to growth in the CPI (Waste Connections receives 75 percent of the CPI change). This \$2.49 per ton increase in the tip fee will take the current tip fee at the transfer stations from \$93.22 per ton to \$95.71 per ton (a 2.7 percent increase). The proposed tip fee for 2019 also includes a continuance of \$1.43 per ton surcharge approved by the Clark County Council to make up for a reduction in Department of Ecology grant funds of approximately \$540,000 per year in the 2017-2019 biennium, and an additional 9 cents per ton surcharge for the acquisition and development of private land near the Central Transfer Station to be developed into a drop lane for customers entering the transfer station heading south on SR 503. Those latter improvements were deemed necessary to handle increased traffic at Central Transfer Station.

Recycling Fees

The rates proposed for January 1, 2019, include adjustments to these fees based only on the Inflation Adjustment Factor detailed above. As a result of international recycling market conditions over the past 6 to 9 months, Columbia Resource Company (the designated processor of recyclable materials collected under this contract and a wholly owned subsidiary of Waste Connections of Washington) has requested increased compensation to offset increased processing costs as well as decreased market revenue. No specific strategy or a particular surcharge has been agreed to at this time, however, the City should anticipate that with involvement of Clark County and other cities that contract for recycling collection, some further increase to the recycling fee(s) may be proposed later this year or early in 2019.

City Fee

Garbage rates were last increased in January 2018 after remaining flat since 2013. Customer rates for those operating cost factors were kept stable by offsetting Waste Connections' contractually allowed cost increases using a combination of the Solid Waste Fund's Operating and Rate Stabilization Reserve and a reduction in the franchise fee paid by Waste Connections to the City used to fund the City's solid waste program. Increases to customer rates in January 2016 and April 2017 were a pass-through of the City-imposed Utility Tax on garbage services.

These adjustments are in line with the City policy to maintain steady rates to customers with reasonable increases. For 2019, contractual rate adjustments are proposed to be passed on to the customers. The combination of tip fee increases and the inflation adjustment factor results in a proposed rate increase of approximately 6.6 percent for most customer rates. For example, the typical customer with a 32 gallon cart currently pays \$20.87 per month for garbage and recycling services. With the proposed increase, for 2019 that service would cost \$22.17 per month. Households with subscription yard debris service currently pay \$7.15 per month and with the proposed increase that rate would grow to \$7.43 per month.

Staff recommends increasing customer rates to meet the contractual obligations of adjusting collection services by the defined Inflation Adjustment Factor. Garbage rates, which include disposal costs, will increase 6.6 percent while residential recycling, yard debris and other rates, which do not include disposal costs, will increase by about 4% as

detailed on a two-page Proposed Rate Summary for 2019 (attached). All adjustments will be effective January 1, 2019.

Request: Approve the ordinance on first reading, setting date of second reading and public hearing for Monday, September 10, 2018.

Tanya Gray, Solid Waste Supervisor, 487-7163

Motion by Councilmember Hansen, seconded by Councilmember Turlay, and carried unanimously to return the item to staff for further development related to the discussion under Item 7.

9. Lodging Tax Advisory Committee Appointments

Request: Appoint Steve Bowers and Chandra Chase and reappoint Jordan Boldt, Melinda Capen, Kari Jonassen, Mike McLeod, Linda Reid and Mike Williams to the Lodging Tax Advisory Committee, terms beginning immediately and expiring September 30, 2020.

Council Committee 2 (Turlay, Topper, Lebowsky)

Motion approved the request.

10. Approval of Claim Vouchers

Request: Approve claim vouchers for August 27, 2018

(Copy available upon request.)

Motion approved claim vouchers for August 27, 2018, in the amount of \$4,028,893.31.

Citizen Forum

Mayor McEnerny-Ogle opened the Citizen Forum and received the following testimony:

- Al Parmantier, representing Harney Heights Neighborhood Association, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Dan Packard, Vancouver, requested the City consider different options regarding bike and pedestrian upgrades along McLoughlin Boulevard. He also expressed concerns about WSDOT's safety project on SR500.
- Jim Thomas, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.

- Kenneth Williams, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.
- Patty Ingraham, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- James Conright, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Bob Morris, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Jane Wilson, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Leah Jackson, Vancouver, spoke in support of Complete Streets projects that provide safety to all travelers of a corridor regardless of their mode of transportation.
- Todd Boulanger, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.
- Scott Yeager, Vancouver, spoke in support of the proposed Complete Streets project to upgrade bike and pedestrian facilities along McLoughlin Boulevard.
- Brian Sutherland, Vancouver, expressed concerns regarding potential changes to street parking along McLoughlin Boulevard due to some potential changes to bike and pedestrian facilities along the corridor.
- Madeleine von Lowe, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.
- Jan Verrinder, Vancouver, spoke in support of Complete Streets projects, including that being contemplated for McLoughlin Boulevard.

Council recessed at 8:26 p.m. for a break.

Council reconvened at 8:36 p.m.

- Alan Stewart, representing the Vancouver Lake Rowing Club, requested assistance from the City regarding necessary improvements to Vancouver Lake.
- Shari Bush, Vancouver, requested the Council adopt a Climate Action Plan.
- Alona Steinke, Vancouver, requested the Council adopt a Climate Action Plan.

- Don Steinke, Vancouver, requested the Council adopt a Climate Action Plan.
- Cathryn Chudy, Vancouver, requested the Council adopt a Climate Action Plan. She also requested the City submit comments opposing the U.S. Department of Energy proposal to lower the classification of the hazardous nuclear waste at the Hanford site along the Columbia River.
- Kristin Edmark, Vancouver, requested the Council adopt a Climate Action Plan.
- Gary Bock, representing Clark County Connect, thanked the Mayor for issuing a proclamation for 2018 Day of Service, and provided information about this year's event.
- Ted Pyle, Vancouver, expressed concerns about ongoing code enforcement action taken against him.

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

Adjournment

9:01 p.m.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

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



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON		INDEX		
		Administrative/Council/City Manager		
Subject	Number	Rev.	Effective Date	Page
	100-06	C	1/4/11	1 of 9
Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces	Supersedes	Prepared by:	Approved by:	
	4/16/071/4/11	[City Manager]	[Mayor]	

1.0 Purpose

The purpose of this policy is to establish policies and procedures for selection of citizens to serve on city boards, commissions, advisory committees and task forces.

2.0 Organizations Affected

All boards, commissions, and committees.

3.0 References

Resolution No. M-1751, March 25, 1974
Resolution No. M-2386, February 2, 1984
Memorandum to Mayor and City Council, April 15, 1998
Resolution No. M-3179, June 15, 1999
Resolution No. M-3254, November 22, 1999
Resolution No. M-3298, July 3, 2000
Resolution No. M-3347, June 25, 2001
Resolution No. M-3460, July 12, 2004
Resolution No. M-3607, April 16, 2007
Resolution No. M-3730, January 3, 2011
Resolution No. M-____, [date]

4.0 Declaration of Policy

The City of Vancouver's boards, commissions, committees and task forces provide an invaluable service to the City. Their advice on a variety of subjects aids the Mayor and

Councilmembers in the decision-making process. Effective citizen participation is an invaluable tool for local government.

City regulatory and advisory bodies provide an opportunity for citizens who want to participate in public service to be involved in governmental boards, commissions, committees and task forces. These bodies can also serve as a training ground or stepping-stone for qualified persons who are interested in seeking public office.

4.1 Authority

The City Council of the City of Vancouver is specifically empowered by state law, City Charter, and ordinance to fill by appointment all boards and commissions established by such state law, charter or ordinance, or such other advisory boards or commissions as the Council deems necessary or advisable. In the exercise of this power, it is the desire of the City Council to establish a consistent policy in its decision-making role to fairly select citizens of the community who desire to serve on boards or commissions. To this end, this policy has been created, and it shall remain in effect until such time as the City Council desires to amend or modify it in part or revoke it in whole.

The City Manager is responsible for the oversight and administration of the process by which the advisory boards and commission program is managed. The City Manager shall assign primary coordination of the Boards and Commissions program to a staff member within the City Manager's Office.

4.2 Length of Service for Boards and Commission Members

Appointees serving in a three- (3) year term may be reappointed twice for a maximum of three (3) terms.

Appointees serving in a four- (4), five- (5), or six- (6) year term may be reappointed once for a maximum of two (2) terms.

Appoint~~ment~~~~sees~~ ~~of less than two (2) years chosen to fill to~~ an unexpired term ~~of less than half the length of the full term, up to two (2) years,~~ shall not be considered as a term in ~~this~~ ~~these~~ criteria. Appointments ~~for any length over this over two (2) years~~ shall be considered a full term.

If a candidate is selected to fill the remainder of an unexpired term of six (6) months or less, ~~then~~ their appointment shall be for the unexpired term plus the next full term.

Specific boards and commissions may have different term lengths and term limits that are exceptions to the general rule above.

4.3 Established Terms Years per Term

Aviation Advisory Committee	3
Building – Fire Codes Commission Board of Appeals	6
Charter Review Committee	Meets every 5 years
City/County Telecommunications Commission	3
Lodging Tax Advisory Committee	2
Civil Service Commission	6
Clark County Arts Commission	4
Clark County Public Health Advisory Council	3
Clark County Mosquito Control District Board of Trustees	2
Clark County Public Facilities District Board	3
City Center Redevelopment Authority Board (concurrent with DRA)	4
Cultural Commission (inactive)	3
Design Review Committee (inactive)	4
Downtown Redevelopment Authority Board (concurrent with the CCRA)	4
Fort Vancouver Regional Library Board	7
Lodging Tax Advisory Committee	2
Parking Advisory Committee	4
Parks and Recreation Advisory Commission	3
Planning Commission	4
Port of Portland Citizens Noise Advisory Committee	2 or 3
Private for Hire Transportation Commission (inactive)	4
Public Facilities District Board	4
Salary Review Commission	4
Urban Forestry Commission	4
Vancouver Housing Authority Board (no limit on number of terms)	5

4.34 Initial Appointment Criteria

It shall be the policy of the City Council to evaluate each applicant for appointment on an objective basis, utilizing the following criteria:

Residency - Appointments to certain boards and commissions must, by state law or local ordinance, be limited to residents of the City of Vancouver. It is preferable that all appointments be filled by city residents. However, persons living outside the City of Vancouver may be considered and appointed to positions not legally restricted to city residents when determined appropriate by the Council. City employees will not be appointed to City boards, committees, and commissions, and task forces, but they may apply and be considered appointment to non-City bodies. The City Council may choose to nominate a City staff member to serve as the City representative on the Clark County Solid Waste Advisory Commission.

Contributive Potential – City Council shall evaluate the potential contribution that each applicant may make if appointed to a board or commission. Factors to guide Council in its evaluation of this could include:

- a) Desire to perform public service.
- b) Ability to express ideas, concepts or philosophies.
- c) Experience in the community on other boards and committees.
- d) Special knowledge important to a particular board or commission.

Time Available to Serve – City Council will need to be assured that the candidate will be available to serve at the scheduled meetings.

Sectional Composition - Maintaining geographic balance of community representation is recognized as a desirable goal in the appointment of boards and commissions when applicable.

4.45 Reappointment

Incumbents who wish to be reappointed and who are eligible for reappointment in accordance with the provisions of section 4.2 shall ~~notify~~ provide a Letter of Continued Interest to the Mayor's Office within ~~690~~ days prior to the expiration of their term. There is not a vested right to reappointment for any position.

~~An incumbent seeking reappointment will be evaluated by the appropriate chair and City staff. The evaluation and their recommendation shall be given to the Council interview committee. This committee will also evaluate the candidate using the following performance criteria:~~ The board or commission Staff Liaison and Chair will provide an overview of the prior service for any incumbent seeking reappointment. This memo will accompany the incumbent's Letter of Continued interest and include the following information:

- a) Regularity of attendance. ~~If the incumbent has less than 75% attendance, the position may be advertised.~~
- b) Understanding of committee or commission function.
- c) Effectiveness.
- d) Demonstrated contribution during past term of office on issues, programs, policies, etc., of the advisory board, committee or commission.
- e) Number of terms served.

Once a Letter of Continued Interest has been received and City staff has determined the incumbent seeking reappointment is eligible to continue service, the position will be advertised as a position whose incumbent member is seeking reappointment and in accordance with Section 4.6. Incumbents seeking reappointment will be interviewed by the ~~The Council interview committee shall either conduct an interview of the incumbent and along with any other eligible candidates who submit applications during the recommend reappointment by forwarding their recommendation to the full council for consideration, or decide to conduct an~~ open recruiting process in accordance with section 4.6.

4.5 Recruitment and Appointment Timeline

4.5.1 Announcement Determination of Vacancy

At such time as a vacancy occurs ~~that requires an open recruitment process~~ in a city board, commission or committee, or 90 days prior to the expiration of a term of office, it shall be the policy of the City Council to determine whether an incumbent member is interested in and eligible for reappointment in accordance with the provisions of Section 4.5. If so, City staff will request a Letter of Continued Interest from the applicant.

4.5.2 Announcement of Position Recruitment

60 days prior to the expiration of a term, staff in the City Manager's Office will:

- a) Schedule a tentative consent item on a future Council meeting agenda for appointment or reappointment for the subject recruitment;
- b) Accept a Letter of Continued Interest from incumbent, if applicable;
- c) Contact the Council subcommittee assigned to reviewing the subject recruitment to provide information pertinent to the recruitment and schedule a tentative date for the subcommittee to conduct candidate interviews;
- d) Establish a 30-day minimum filing period and publicly announce recruitment for the position ~~recruitment~~ by news release and other City communication methods;
- e) Notify ~~previous~~ applicants who have expressed an interest in being considered for the subject board or committee and who have ~~with~~ valid applications (less than one year old) of the upcoming recruitment.

Subject to section 4.4, any interested resident of the community who is not at that time a member of that board or commission may submit an application and resume for consideration of appointment during the announced application filing period. Applications will remain active for one year from the date received by the City Manager's Office.

4.5.3 Assessment of Applicant Pool

30 days prior to the expiration of a term, and upon closure of the application filing period, staff in the City Manager's Office will:

- a) Confirm the date of the Council meeting agenda on which the subject appointment or reappointment will appear;
- b) Request from the subject board or commission Staff Liaison a Status Summary Memo to be provided as reference for the Council subcommittee assigned to evaluate candidates. Such memo should not include specific recommendations from the staff member but should rather include general information pertaining to the board or commission's work over the past year, the current environment, future goals, and other general information as appropriate;
- c) Assess the applicant pool and advance the process as follows:

- a. If no qualified applications have been received, the recruitment will be reposted for an additional 30 days;
- b. If 10 or fewer qualified applications have been received, all applications and Letters of Continued Interest will be provided to the assigned Council subcommittee, and all applicants and incumbents (if applicable) will be scheduled for interviews;
- c. If 10 or more qualified applications have been received, all applications and Letters of Continued Interest will be provided to the assigned Council subcommittee, and the Council subcommittee will collectively review applicants and identify candidates to be interviewed. All incumbents and the candidates identified by the Council subcommittee will be scheduled for interviews.

4.5.4 Confirmation of Interview Process

Three weeks prior to expiration of term, staff in the City Manager's Office will:

- a) Confirm with the Council subcommittee members if they would like to meet with the subject board or commission Staff Liaison prior to candidate interviews, and if so, schedule such meeting immediately prior to the first candidate interview;
- b) Finalize the interview date and block of time with the Council subcommittee;
- c) Schedule interviews with candidates selected in accordance with the provisions of Section 4.6.2.
 - a. In-person interviews are preferred, but interviews via ~~conference call~~ available audio or video conferencing technology are acceptable and may be scheduled when a candidate is unable to come in person.
 - b. Applicants unable to accommodate an ~~in-person or phone~~ interview on the scheduled date and time will not be considered for the current position, but such applicants will be notified of future board and commission openings for up to one year from the application submission date.

4.5.5 Distribution of Recruitment Packet

Two weeks prior to expiration of term, staff in the City Manager's Office will distribute the recruitment packet to the Council subcommittee evaluating candidate via email. Such packet will include the following:

- Interview schedule
- News release
- Status summary from board or commission staff member
- Current board or commission roster
- Individual applications of those candidates scheduled for interview and any Letter(s) of Continued Interest, if applicable

4.6 Interview and Selection

~~Council Interview Period~~—In accordance with Section 4.6.3, aAll candidates will be interviewed by the Council subcommittee assigned to the subject recruitment unless an exceptionally large number of applications is ~~are~~ received and the committee decides, after screening the applications, to interview a smaller number of applicants. If insufficient applications are received, the committee may decide to ~~re-advertise~~re-open the application period.

The Council subcommittee will conduct interviews at City Hall during the timeframe previously scheduled by staff in the City Manager's Office. Council subcommittee members will conduct individual interviews and utilize a standard list of interview questions and a Rater Panel Notes template to capture relevant information.

Upon conclusion of all interviews, the Council subcommittee will deliberate and complete an Interview Outcome Form, which will be provided to the City Manager's staff along with all interview notes for recordkeeping purposes.

Upon conclusion of all interviews, the Council subcommittee members will notify the City Manager's staff as to which candidate(s) they wish to recommend to the full Council for appointment and/or reappointment

4.7 Council Appointment

Council subcommittee recommendations are brought forward for consideration by the full City Council at a Council meeting. The appointment or reappointment will appear on the Council's Consent Agenda for the scheduled meeting date.

Upon recommendation of the Council subcommittee evaluating the subject recruitment, the City Manager's staff will prepare an appointment memo to be included in the advance packet provided to the full City Council for the scheduled Council meeting date.

Members of all boards and commissions will be appointed by a majority vote of the Council.

After each applicant or member has been interviewed, the committee shall forward a recommendation to the full council for consideration.

4.8 Notification of Council Decision –

Each applicant shall be notified by email of the decision of the Council within three (3) business days of the Council action on the proposed appointment(s) at a Council meeting.

The appointed applicant shall be provided information regarding next steps. A confirmation letter from the Mayor will be sent to the appointment applicant.

Applicants who were interviewed but not appointed will be notified via email and provided information regarding any upcoming potential opportunities to serve. A letter from the Mayor will also be sent.

The City Manager's Office will also notify the chairperson Staff Liaison assigned to support the subject advisory board, committee or commission concerned of the Council decision shall also be advised.

4.98 Records

The ~~Mayor's~~ City Manager's Office shall maintain records of persons who have applied for a vacancy on a given board, commission or committee for one (1) year after each filing period. If another appointment shall become available within that year, all such applicants shall be notified thereof by mail so that such persons can file for such new appointment.

The City Manager's Office shall collect and maintain Council subcommittee interview notes, including all Interview Outcome Forms completed upon conclusion of subcommittee deliberations.

4.109 Recognition

The Mayor will send a certificate of appreciation and letter of thanks to each member of a board or commission upon the completion of a term.

5.0 Definitions

5.1 Public Development Authority/ Public Corporation

A public development authority is an independent legal entity established pursuant to state statute (RCW 35.21.730 - .755) to administer and execute federal grants or programs and to receive and administer other public and private funds in order to accomplish a public purpose. Authorities include the Downtown Redevelopment Authority and the City Center Redevelopment Authority.

5.2 Board

A semi-autonomous body established pursuant to federal or state statute or authority or city ordinance. Actions of a board are usually appealable to designated courts of law. Boards related to city affairs include, Building - Fire Codes Board of Appeals, Vancouver Public Facilities District Board, Vancouver Housing Authority Board, and Fort Vancouver Regional Library District Board and Clark County Mosquito Control District Board of Trustees.

5.32 Commission

A body established by city ordinance to study and recommend action to the City Council. Authority of commissions is delegated from Council or, in the case of telecommunications and solid waste, in conjunction with the County Commissioners.

With the exception of the Civil Service Commission, some actions of commissioners are appealed directly to City Council. Commissions established by city ordinances include: City/County Telecommunications Commission, Cultural Commission, Civil Service Commission, Parks and Recreation Commission, Planning Commission, Private For-Hire Transportation Commission, Salary Review Commission, and Urban Forestry Commission.

5.43 Committee

A body appointed by Council with a specified task or function. Committee action ordinarily will be subjected to review and/or appeal to City Council or to a commission established by Council. City of Vancouver committees include the Aviation Advisory Committee, Charter Review Committee, Lodging Tax Advisory Committee, Parking Advisory Committee, Port of Portland Citizen Noise Advisory Committee, and the Design Review Committee.

5.54 Ad Hoc Task Force

A body appointed by Council to study or work on a particular subject or problem. A task force will cease to exist upon completion of its charge as given by the Council. Examples of previously appointed task force bodies are the Water/Sewer Rate Task Force and the Cruising Task Force.

6.0 Formation and Dissolution of Committees

6.1 Establishment

These advisory bodies originate from different sources. Some are established by ordinance while others are established by motion of the City Council. It is at the discretion of the Council as to whether or not any advisory body should be established by ordinance. See Section 4.2 for the current list of City Advisory Committees.

6.2 Statement of Purpose and Function

Every advisory body, when it is formed, will have a specific statement of purpose and function, which will be re-examined periodically by City Council to determine its effectiveness. This statement of purpose is made available to all citizen members when they are appointed.

6.3 Size

The size of each advisory group is determined by City Council and the size is related to its duties and responsibilities. Another determination to be made prior to formation is the cost impact for City staffing a proposed advisory body.

6.4 Periodic Review~~Audit of Effectiveness~~

Every ~~five~~-four years, all established boards, commissions and committees will be evaluated on a regular cycle by the City Manager in consultation with the Mayor and Mayor Pro Tem. The schedule of review of each body will be staggered in a rational manner to prevent all bodies from being under review simultaneously. Review will examine ~~necessity and~~ the bodies' purpose and compliance with their respective bylaws, Vancouver Municipal Code, Council policy, and other pertinent governing documents and legislation. The system of ~~audit~~-evaluation will be determined by the City Manager in consultation with the Mayor and Mayor Pro Tem. The purpose of such audit is to determine whether an advisory body remains necessary to the work of the City and City Council and whether it continues to function as intended. The City Manager shall prepare a report to the Council summarizing the review, including any recommended actions.

Upon Council direction, such evaluation of an individual board, commission, or committee may take place outside of the regular four-year cycle if the Council deems it necessary to do so.

Size

The size of each advisory group is determined by City Council and the size is related to its duties and responsibilities. Another determination to be made prior to formation is the cost impact for City staffing a proposed advisory body.

6.54 Dissolution

City Council may dissolve any advisory body that, in their opinion, ~~has completed its working function~~ is no longer necessary to the work of the city, is not functioning as intended or for any other reason.

7.0 Mayor al Authority in Evaluating Candidates and Making Appointments ~~Members for Vancouver Housing Authority Board of Directors and Recommends Appointments to the Charter Review Committee, and the Private for Hire Transportation Commission~~

7.1 Vancouver Housing Authority Board of Directors

The Mayor shall ~~evaluate review~~, interview and appoint members to the Vancouver Housing Authority (VHA) Board of ~~Commissioners Directors~~, in accordance with and as directed by RCW 35.82.040). ~~and~~,

7.2 Charter Review Committee and Salary Review Commission

~~The Mayor shall~~ appoints members to the Charter Review Committee (City Charter Section 11.17) ~~and the Salary Review Commission (City Charter Section 2.18) and the Private For Hire Transportation Commission (VMC 5.76.210)~~, subject to City Council confirmation. ~~The Mayor has discretion as to the process by which candidates for these bodies are evaluated prior to Council confirmation.~~

8.0 City Council Authority in Evaluating Candidates for Appointment Council Committee Recommends Members for all Boards and Commissions

The Mayor, with the concurrence of Council, shall appoint two subcommittees consisting of three Councilmembers each to review, interview and recommend appointments to all boards and commissions, except as provided for under Section 7.0 the VHA Board of Commissioners. See Section 4.2, listing the current boards and commissions.

The Council Committee assignments will be reviewed following the change of Councilmembers based on elections or appointments or at the beginning of the calendar year and in accordance with Council Policy 100-33. The Council Committee will be chaired by the most senior Councilmember, unless the most senior Councilmember chooses not to chair the subcommittee. In this event, the subcommittee will select an alternative Councilmember to serve as chair.

9.0 Council Concerns about Recommendations

Councilmembers should raise any concerns about any recommendation with the Mayor prior to the City Council meeting that is scheduled for the approval of the appointment.

10.0 Appointment of Members

Appointees to ~~advisory committees~~ citizen boards, commissions, committees and task forces should serve on only one committee, unless qualified applicants cannot be identified or other special circumstances are identified.

Members of all advisory bodies are appointed by a majority vote of the Council during a regularly scheduled meeting.

11.0 Removal of Members

Council may terminate any Council-confirmed appointment ~~Members may be removed from any advisory committee~~ prior to the expiration of ~~their~~ that member's term of office

by a majority vote of the City Council if the Council finds cause for removal, unless otherwise provided for in governing bylaws, and city, state or federal law applicable to the City board, commission, advisory committee, or task force at issue.

12.0 **Overlapping Terms Intended**

Lengths of terms vary from one advisory body to another, but in all cases, overlapping terms are intended. On special work task forces, where a specific project is the purpose, there need not be terms of office.

13.0 **Committee Operation**

City Council expects new members will be oriented to the roles and responsibilities of their appointment.

14.0 **Yearly ~~Report to Meeting with~~ City Council**

Each Committee should make a report to City Council each year. This report need not be presented in person.

15.0 **Lobbying Efforts Consistent with City Policy**

Lobbying efforts by any advisory bodies on legislative or political matters should first be checked for consistency with existing City policy by contacting the City Manager's office. In the event a position is taken that differs from that of the City's policy, an advisory body acting as an official body of the City of Vancouver cannot represent that position before another body, i.e., the State Legislature or the Clark County Board of Commissioners. An individual member is free to voice a position, oral or written, on any issue as long as it is made clear that he or she is not speaking as a representative of the City of Vancouver, or as a member of his or her commission, committee or task force.

16.0 **~~City Advisory Committees Appointed by Council~~ Current Boards, Committees, Commissions and Task Forces**

16.1 **Appointments Made by Council**

Council appointments are subject to the provisions of Section 8.0.

	<u>Term</u>	<u>Governing Legislation</u>
Aviation Advisory Committee	<u>3 years</u>	VMC 10.05.020; Resolution M-545
Building-Fire Code Commission Board of <u>Appeals</u>	<u>6 years</u>	VMC 17.08.040(G)

City/County Telecommunications Commission	<u>3 years</u>	VMC 5.19.300(a)
Lodging Tax Advisory Committee	<u>2 years</u>	RCW 67.28.1817
Civil Service Commission	<u>6 years</u>	VMC 2.57.010
City Center Redevelopment Authority <u>Board</u>	<u>4 years</u>	VMC 2.71.010
Cultural Commission (inactive)	<u>3 years</u>	VMC 2.88.010 (A) and 020(A)
Downtown Redevelopment Authority <u>Board</u>	<u>4 years</u>	VMC 2.73.080
Parking Advisory Committee	<u>4 years</u>	VMC Section 2.6362.020(a)
Vancouver-Clark Parks and Recreation Advisory Commission	<u>3 years</u>	VMC 2.16.020-070, Vancouver City Charter Section 8.054
Planning Commission	<u>4 years</u>	Vancouver City Charter 8.01 (authorization); VMC 20.220.010 18.04.010
Urban Forestry Commission	<u>4 years</u>	VMC 12.02.010030
Vancouver Public Facilities District Board	<u>4 years</u>	RCW 35.57

16.2 Appointments Made by Mayor Subject to Council Confirmation

Mayoral appointments are subject to the provisions of Section 7.0.

	<u>Term</u>	<u>Governing Legislation</u>
Charter Review Committee	<u>Length of service;</u> <u>Meets every 5 years</u>	Charter Section 11.17
<u>Salary Review Commission</u>	<u>4 years</u>	<u>Vancouver City Charter</u> <u>Section 2.18</u>

16.3 Appointments Made by Mayor

Appointments made by the Mayor and are subject to the provisions of Section 7.0.

	<u>Term</u>	<u>Governing Legislation</u>
Vancouver Housing Authority Board of Commissioners	<u>5 years</u>	RCW 35.82.040; Charter Section 8.03; VHA Resolution #2477

16.4 Non-City Boards, Commissions, Committees, and Task Forces

The City has the opportunity to nominate representatives to sit on boards, commissions, committees and task forces outside of City jurisdiction. City Council shall evaluate candidates and take action on nominations for appointment to these positions in accordance with the provisions of this policy, unless otherwise directed by the subject body's governing agency.

	<u>Term</u>	<u>Governing Legislation</u>
Clark County Arts Commission	<u>4 years</u>	Clark County Resolution # 2010-03-07
<u>Clark County Historic Preservation Commission</u>	<u>3 years</u>	<u>County Code 40.250.030;</u> <u>Ord. M-3673;</u> <u>VMC 20.220.050</u>
Clark County Mosquito Control District Board of Trustees	<u>2 years</u>	RCW 17.28.110
Clark County Public Health Advisory Council	<u>3 years</u>	Clark County Resolution 2003
Clark County Public Facilities District	<u>3 years</u>	Clark County Code 2.19.010
Fort Vancouver Regional Library Board of Trustees	<u>7 years</u>	RCW 27.12.190, City Charter Section 8.05
PDX Citizen Noise Advisory Committee	<u>3 years</u>	Port of Portland Port Executive Director

- ~~Aviation Advisory Committee (VMC 10.05.020; Resolution M-545)~~
- ~~Building Fire Code Board of Appeals (VMC 17.08.040(C))~~
- ~~City/County Telecommunications Commission (VMC 5.19.300(a))~~
- ~~Lodging Tax Advisory Committee (RCW 67.28.1817)~~
- ~~Civil Service Commission (VMC 2.57.010)~~
- ~~Clark County Arts Commission (Clark County Resolution # 2010-03-07)~~
- ~~Clark County Mosquito Control District Board of Trustees (RCW 17.28.110)~~
- ~~Clark County Public Health Advisory Council (Clark County Resolution 2003)~~
- ~~Clark County Public Facilities District (Clark County Code 2.19.010)~~
- ~~City Center Redevelopment Authority (VMC 2.71.010)~~
- ~~Cultural Commission (VMC 2.88.010(A) and 020(A))~~
- ~~Design Review Committee (VMC 20.61.200)~~
- ~~Downtown Redevelopment Authority (VMC 2.73.080)~~
- ~~Fort Vancouver Regional Library Board of Trustees (RCW 27.12.190, Charter Section 8.05)~~
- ~~PDX Citizen Noise Advisory Committee (Port of Portland Port Executive Director)~~
- ~~Parking Advisory Committee (VMC Section 2.62.020(a))~~
- ~~Planning Commission (Vancouver City Charter 8.01 (authorization); VMC 18.04.010.)~~

- ~~Private For Hire Transportation Commission (VMC 5.76.205)~~
- ~~Salary Review Commission (Vancouver City Charter Section 2.178)~~
- ~~Urban Forestry Commission (VMC 12.02.030)~~
- ~~Vancouver Clark Parks and Recreation Advisory Commission (VMC 2.16.020-070; Vancouver City Charter Section 8.04)~~
- ~~Vancouver Public Facilities District Board (RCW 35.57)~~
- ~~Clark County Arts Commission (Clark County Resolution # 2010-03-07)~~

~~Mayor's Appointments~~

- ~~Vancouver Housing Authority Board (RCW 35.82.040; Charter Section 8.03, VHA Resolution #2477)~~

~~Mayor's Appointments Subject to Council Confirmation~~

- ~~Charter Review Committee (Charter Section 11.17)~~
- ~~Private For Hire Transportation Commission (VMC 5.76.205)~~
- ~~Salary Review Commission (Vancouver City Charter Section 2.18)~~

100-06 Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 100-32	Rev. F	Effective Date 11/14/16	Page 1 of 9
City Council Meetings	Supersedes 12/15/14 <u>11/14/16</u>	Prepared by: // SIGNED //	Approved by: // SIGNED //	

1.0 Purpose

The purpose of this policy is to establish formal procedures for the conduct of City Council meetings.

2.0 Organizations Affected

City Council/City Manager

3.0 References

City Council Resolution M-3239, August 9, 1999
City Council Resolution M-3258, November 22, 1999
City Council Resolution M-3350, July 23, 2001
City Council Resolution M-3412, December 12, 2002
City Council Resolution M-3607, April 16, 2007
City Council Resolution M-3737, March 21, 2011
City Council Resolution M-3844, December 15, 2014
City Council Resolution M-3912, November 14, 2016
City Council Resolution M-____, [adoption date]

4.0 Presiding Officer

~~4.1. Presiding Officer~~

The Presiding Officer at all meetings of the Council is the Mayor, and in the absence of the Mayor, the Mayor Pro Tempore will act in that capacity. If both the Mayor and Mayor Pro Tempore are absent, the ~~next ranking most senior~~ member in attendance shall act in that capacity.

4.12. Choosing Mayor Pro Tempore

The Mayor Pro Tempore shall be chosen according to *Section 2.04 of the Vancouver City Charter and Roberts Rules of Order*.

4.23. Obligations of Presiding Officer

The Presiding Officer shall:

- (1) Preserve order and decorum in the Council chambers in accordance with Section [10.15](#);
- (2) Observe and enforce all rules adopted by the Council;
- (3) Decide all questions on procedure and order, in accordance with these rules, subject to appeal by a Councilmember;
- (4) Recognize Councilmembers in the order in which they request the floor, giving every Councilmember who wishes an opportunity to speak. The Presiding Officer, as a Councilmember, shall have only those rights, and shall be governed in all matters and issues by the same rules and restrictions as other Councilmembers.
- (5) From time to time, appoint Councilmembers to serve on ad hoc committees.

5.0 Council Meetings General Information

5.1. Meetings Schedule

City Council meetings are held on the first, second, third, and fourth Mondays of a month in the City Council Chambers, 415 West 6th Street, Vancouver, Washington. Meetings are not scheduled on the fifth Monday of a month.

The Vancouver City Charter requires that Council conduct two “regular” meetings each month. Regular Council meetings will be scheduled on the first and third Mondays of each month, beginning at 7 p.m.; Consent Agenda meetings will be scheduled on the second and fourth Mondays of each month, beginning at 6:30 p.m. All Regular and Consent Agenda meetings will begin at 6:30/7 p.m., unless otherwise advertised, and adjourn no later than 11 p.m. To continue past this time, a majority of the Council must concur.

Comment [DA1]: Council discussion needed

5.4 — Council Meeting Scheduled on Holiday

In the event a City-recognized holiday occurs on Monday, the Council meeting shall not meet be cancelled. The Vancouver City Charter requires that Council conduct two “regular” meetings each month. Therefore, wWhen such a holiday falls on a first or third Monday (~~Regular Council meeting nights~~), a Regular Council meeting will be scheduled on the following Monday (second or fourth), thereby pre-empting the Consent Agenda Meeting that would typically fall on that Monday under the normal schedule described above.

The City Manager's Office will develop the next year's annual Council meeting schedule by December 1 each year. The meeting calendar will be presented for Council approval at the first meeting in December.

The adopted annual schedule ~~for the entire year~~ will be ~~sent~~distributed to Council, the media, and all City departments, and will placed on the City's website ~~and distributed to all City departments~~ before January 1 of each year. City Council may, at any time, add, cancel or change a meeting date and/or time by a majority vote of the Council and proper notification to the press. Special meetings not included in the adopted annual meeting schedule may be called in accordance with Section 9.0.

5.2. Quorum

At all meetings of the Council, a majority of the Council ~~(four members, or five members for budget items and appropriations)~~ constitutes a quorum for the transaction of business, but a lesser number may adjourn from day to day or until the time of the next regular meeting and may compel the attendance of absent members in such manner and under such penalties as the City Council shall prescribe. (Section 2.~~1002~~ of Vancouver City Charter)

7.05.3 Councilmember ~~Attendance at~~ Absences from Meetings

Councilmembers shall inform the Mayor or City Manager, as well as Council Assistant, if they are unable to attend any Council meeting, or if they will be late to any meeting. A majority vote is required following the initial meeting roll call to excuse any Councilmember absence as outlined per Section 10.1.

5.43. Council Seating

The Presiding Officer and six elected Councilmembers sit on a dais facing the public with the Presiding Officer seated in the middle. The Councilmembers are seated based on seniority, with the most senior Councilmember seated on the Presiding Officer's left side and continuing in decreasing seniority away from the Presiding Officer. Maintaining order, exceptions may be made to balance seating on the dais, to the end of the dais. The order is continued at the far opposite side of the dais and progressing toward the Presiding Officer's right side, resulting in the least senior Councilmember seated on the Presiding Officer's right side.

8.05.5 Council Meeting Staffing

The City Manager shall attend all meetings of the Council. In the event of the City Manager's absence, the Deputy City Manager shall attend, unless excused. At the discretion of the City Manager, the ~~Assistant~~ Deputy City Manager, department heads, and other staff members shall attend. The City Manager may make recommendations to

the Council and shall have the right to take part in the discussions of the Council but shall have no vote.

5.65 Recording Proceedings

The City Clerk or delegate shall maintain ~~minutes an account~~ of all ~~proceedings of the Regular, Consent, Special Meetings and Workshops of the~~ Council in accordance with statutory requirements and ~~such account shall be entered into a minute book constituting the official record of the Council according to~~ Section 2.11 of the Vancouver City Charter. Such minutes ~~shall be open to public inspection and~~ will also be posted on the City's website. City Council meeting minutes can be corrected if in error but shall not be revised without a majority affirmative vote of the Council at a regularly scheduled Council meeting.

~~5.6.25.7~~ Broadcasting

Regular and Consent Agenda meetings, including workshops, are cablecast live and replayed on CVTV-23 and CVTV-323, and streamed live at www.cvtv.org, whenever reasonable use of technology allows.

~~9.05.8~~ Media Representation at Council Meetings

All public meetings of the City Council and its advisory committees shall be open to the media, freely subject to recording by radio, television, electronic, and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.

~~5.6. 6.0~~ Order of Business

Regular and Consent Agenda meetings shall follow a general order of business to ensure consistency and enhance public expectations as to the general format of the agenda.

Modifications to the order of business and meeting format as provided for in Sections 6.1 and 6.2 may occur in the event of scheduling necessities or by Council action.

~~6.1.~~ Regular Meetings

The order of the agenda for Regular Council meetings will be as follows:

- Pledge of Allegiance
- Call to Order and Roll
- Approval of Minutes

- Proclamations and Special Presentations
- Citizen Communication
- Consent Agenda
- Public Hearings
- New Business
- Unfinished Business
- Communications
 - o From the Council
 - o From the Mayor
 - o From the City Manager
- Adjournment

6.2 Consent Agenda Meetings

The order of the agenda for Consent Agenda Council meetings will be as follows:

- Pledge of Allegiance
- Call to Order and Roll
- Proclamations and Special Presentations
- Citizen Communication
- Consent Agenda
- Public Hearings*
- Citizen Forum (per Section 10.11)
- Adjournment

*Public hearings should typically appear on Regular Meeting agendas unless it is impractical to do so due to scheduling concerns. In such cases, they may be scheduled for a Consent Agenda Meeting, subject to the provisions of Section 10.6.

5.9-7.0 Workshops

At the discretion of Council, Council workshops are held Mondays from 4 to 6 p.m. Occasionally, the Mayor and City Manager may extend workshops beyond this timeframe as needed. Workshop times will be published on the final agenda, and Councilmembers will be given as much advance notice as possible if a workshop is scheduled to fall outside this normal timeframe.

During these meetings, items needing in-depth discussion are introduced and reviewed. No formal action is taken at workshops. Formal action is defined as a collective positive or negative decision following an actual vote by a majority of the Council upon a resolution, order or ordinance. ~~Workshops are open to the public. Workshops are cablecast live and replayed on CTV 23 and CTV 323, and streamed live at www.ctvtv.org.~~

Council will, on a regular basis, be provided with an on-going preview of upcoming workshops.

5.10-8.0 Executive Sessions

An Executive Session is a council meeting or portion of a council meeting that is closed except to the Council, City Manager and authorized staff members and/or consultants authorized by the City Manager. The public is restricted from attendance. Executive Sessions may be held during Regular, Consent Agenda, Workshops or Special council meetings and will be announced by the Mayor. Before convening an Executive Session, the Mayor shall announce the purpose of the meeting and the anticipated time when the session will be concluded. Should the session require more time, a public announcement shall be made that the meeting is being extended and the duration of the extension. Executive Sessions shall be held in accordance with the provisions of the Washington State Open Meetings Act. Council Regular Meetings, Consent Agenda Meetings, and Workshops are both “regular meetings” as that term is defined by RCW 42.30.075 and used in RCW 42.30.110(1) from which Council may convene into executive session.

5.119.0 Special Meetings

The city clerk shall call special public meetings of the City Council upon the approval of the Mayor or a majority of the Councilmembers. Any request shall state the subjects to be considered at such special meeting and no other subject shall there be acted upon. (Section 2.10 of the Vancouver City Charter)

Notice of every special meeting shall be given in writing personally, by fax or email to every Councilmember, to the City Manager, to the City Attorney, and to all local news media representatives who have on file with the city clerk a request for such notices. The notice shall be posted on the City’s website, prominently displayed at the main entrance to City Hall and the meeting site if the meeting is not being held at City Hall. The notice must be delivered or posted personally, by mail, or otherwise, so as to be received at least 24 hours before the meeting. The notice shall state the place and time of the meeting and the business to be conducted. The Council shall not make final disposition of any matter not included in the notice.

Councilmembers are active in their community and attend many meetings and events. The citizens of Washington have declared that all meetings of a public agency shall be open and public. When a quorum of the council is present at a meeting where action is taken, the meeting is subject to the Open Public Meetings Act. A “meeting” of the council occurs “when a majority of its members gathers with the collective intent of transacting the governing body’s business.”¹ “Action” is broadly defined as the transaction of the official business of an agency ~~is broadly defined to include~~ “deliberations, discussions, considerations, reviews, [and] evaluations” and receipt of testimony.² If councilmembers plan to attend an event or meeting with the intent of transacting city business, they should notify the City Manager’s Office so that it can be

¹ Citizens All. for Prop. Rights Legal Fund v. San Juan County, 184 Wn.2d 428, 444, 359 P.3d 753, 761, 2015 Wash. LEXIS 1146, *18

² RCW 42.30.020

determined if a quorum of the council will be present. If a quorum will be present the City Manager's Office will provide a notice of a special meeting of the council. In order to prepare and give notice of the meeting, councilmembers need to notify the City manager's Office at least one week before the meeting.

If a quorum of Council is present at an event or meeting without notice having been provided, Councilmembers shall "self-police" by either having members leave to avoid a quorum or by not sitting together and not discussing city business. In the absence of an agreement otherwise, the Councilmember(s) whose arrival triggered the quorum shall leave the event or meeting.

10.0 Council Meeting Protocol

5.6.3.210.1 Call to Order and Roll Call

The Presiding Officer shall call the meeting to order and request the Council Assistant call roll of Councilmember attendance. ~~The Presiding Officer will announce the attendance of Councilmembers and indicate any Councilmember who is not in attendance.~~ Lack of response by a Councilmember at the time of roll call will indicate the absence of that Councilmember. A majority vote is required to excuse any Councilmember absence. Councilmembers should provide advance notice of absences whenever possible, as provided for in Section 5.3.

5.6.3.310.2 Changes to Agenda Item Order

The Presiding Officer may, with the concurrence of the Councilmembers, take agenda items out of order or change the order of the agenda.

5.6.3.410.3 Approval of Minutes

Meeting minutes shall be approved by a majority vote of the Council. Councilmembers who were absent from the meeting may either vote on approval of those minutes or may choose to abstain from voting.

5.6.3.510.4 Formal Proclamations and Special Presentations

A proclamation is ~~defined as~~ an official announcement or recognition as defined and signed by the Mayor regarding a non-controversial event which will have a major citywide impact. The issuance of a proclamation at a Council meeting shall be at the discretion of the Mayor.

Proclamations will be briefly summarized by the Mayor and presented to the recipient(s). The recipient(s) will be allowed to make brief comments.

Special presentations include, but are not limited to, retirements, commendations and recognition by the Mayor and City Council.

5.6.3.610.5 Citizen Communications on Agenda Items

Members of the public are invited to speak for approximately three minutes each about any item on that evening's Council Agenda that is not already scheduled for public hearing or which otherwise allows for public testimony. Such public comment regarding any item on that evening's Agenda is taken at the beginning of the meeting under Citizen Communication and is subject to the provisions of Section 10.14. Comments are limited to approximately three minutes per speaker.

Item numbers to be considered under Citizen Communications shall be indicated on the agenda. Testimony taken under Citizen Communications shall follow protocol set forth in Section 10.14.

5.6.3.810.6 Consent Agenda

These Items appearing on the Consent Agenda are routine items voted on by a single motion. Typical items include payment of bills, awarding contracts, adoption of resolutions that do not require a public hearing, and first reading of ordinances. Any Councilmember may remove any item from the consent agenda for discussion and separate action. Councilmembers should indicate which items they wish to pull from the Consent Agenda prior to the Council's vote on the full Consent Agenda.

5.6.3.810.7 Ordinances for First Reading

First readings of ordinances shall follow the provisions provided for in the City of Vancouver Charter, Section 2.13. The City Manager presents information on a proposed new city law or practice, or a change to an existing law or practice. The Mayor shall read into the record the title of any ordinance appearing for first reading at the time of its consideration on the agenda. Council then sets a date for second reading and public hearing.

5.6.3.910.8 Public Hearings

Public hearing items are those specific items being considered by Council on which citizens are invited to present their views on specific issues being considered by Council. Certain item types may be required by law to be scheduled as a public hearing. Speakers are asked to limit their testimony to approximately three minutes. The Presiding Officer will state the public hearing procedures before each public hearing.

All public hearings on proposed ordinances are advertised in The Columbian at least three days in advance, or as required by law, and information is posted on the City's website. In an emergency, a most public hearings can be called within 24 hours with proper media notification, unless longer notice is required by law.

Public testimony on public hearing items is subject to the provisions of Section 10.14.

5.6.3.10.9 Ordinances for Second Reading and Public Hearing

Citizens are invited to present their views on proposed ordinances before a final vote by Council. All public hearings on proposed ordinances are advertised in accordance with Section 10.8. The Columbian at least three days in advance and information is posted on the City's website. (In an emergency, a public hearing can be called within 24 hours with proper media notification.) ~~Public testimony is subject to the provisions of section 5.6.3.78.~~

The Mayor shall read into the record the title of any ordinance appearing for second reading at the time of its consideration on the agenda. Second readings of ordinances shall follow the provisions provided for in the City of Vancouver Charter, Sections 2.14 and 2.15.

5.6.3.11.10 Council and City Manager Communications

City Councilmembers, Mayor and the City Manager make special announcements or provide updates on current issues or items of Council interest.

Councilmembers, the Mayor and the City Manager may also present new proposals and seek feedback on such at this time.

5.8.10.11 Citizen Forum

A Citizen Forum will be held at the end of ~~the first and second~~ Consent Agenda meetings ~~of the month~~. A Citizen Forum includes up to ninety (90) minutes of public testimony or less depending on the number of speakers. Citizens may speak on any issue of concern or interest, provided that speakers may not use this opportunity to speak in favor of or opposition to any ballot measure or candidate for elected office. Speakers are asked to fill out testimony cards as provided for in Section 10.14 and to limit their comments to approximately three minutes. Each speaker shall have one opportunity to address the Council. During Citizen Forum, Councilmembers have the ability to ask questions and reply to speakers.

10.12 New Business

Matters that do not appear on the agenda may be raised as new business.

5.6.3.12.10.13 Unfinished Business

Council discusses ongoing issues or items continued from earlier meetings.

~~11.12~~ New Proposals and Reports

~~These are presented by the Councilmembers for a brief discussion. They can include policy changes, new laws, regulations and resolutions. Action is not taken on items at this time.~~

~~5.6.3.7~~ 10.14 Public Testimony and Conduct to Council

Speakers who wish to testify before the City Council ~~either during citizen communication on agenda items or as part of a scheduled public meeting or public hearing or during the Citizen Forum portion of the Council meeting as set forth in Section 5.8~~ are required to complete a "Testimony Registration Form" which ~~provides~~ requests the speaker's ~~their~~ name, address, agency or group ~~they~~ represented, the item ~~they~~ the speaker wishes to testify on, and their position on the subject. Distinct cards will be identified to be used for either agenda item or Citizen Forum testimony.

At the appropriate time, speakers are requested by the Presiding Officer to step up to the ~~podium~~ place designated for testimony, give their name for the record, and ~~asked to~~ limit ~~their~~ remarks to approximately three minutes. (Council prefers lengthy written testimony to be submitted at least a week prior, so Council has a chance to fairly consider the comments.) All remarks will be addressed to the Council as a whole. Each person who addresses the Council shall do so in an orderly manner and shall not make slanderous or profane remarks to any member of the Council, staff or the general public. Any person who makes such remarks or who becomes boisterous, threatening or personally abusive while addressing the Council and which disrupts or otherwise impedes the orderly conduct of any Council meeting may be requested to leave the meeting.

The Presiding Officer and City Manager have the authority to preserve order at all meetings of the Council, to cause the removal of any person from any meeting for disorderly conduct as described herein and which disrupts or otherwise impedes the orderly conduct of a Council meeting and to enforce the Rules of the Council. The Presiding Officer and City Manager may command assistance of any peace officer of the City to enforce all lawful orders to restore order at any meeting.

~~10.0~~ 10.15 Council Discussion

All Council discussion shall be governed by Robert's Rules of Order, Newly Revised. The City Attorney is the Parliamentarian. Every Councilmember shall be provided with a copy of Robert's Rules of Order, Newly Revised when first joining the Council.

~~11.0~~ 10.16 Voting

~~11.1~~ 10.16.1 Roll Call Votes

The ~~City Clerk~~Council Assistant will take a roll call vote, if requested by the Presiding Officer, a Councilmember, or as required by law. The roll call vote shall be by seniority with the least senior member voting first.

11.210.16.2 Tie Vote

The passage of a Motion, Resolution or Ordinance is lost by a tie vote, provided that the question may be brought forward again at the request of any member at the same meeting or at the next meeting when any members who were absent or disqualified at the time of the tie vote are present.

11.310.16.3 Votes on Questions

Each member present shall vote on all questions put to the City Council except on matters on which he or she has been disqualified for a conflict of interest or under the Appearance of Fairness Doctrine. Such a member shall disqualify himself or herself prior to any discussion of the matter. If abstaining, the Councilmember must state the reasons for abstaining, identifying one or more of the following: (1) an excused absence from the prior council meeting and/or (2) a conflict of interest and/or (3) an Appearance of Fairness issue. See Policy 100-39. A Councilmember, who abstains but fails to identify the absence, conflict of interest and/or Appearance of Fairness issue, will be considered to have voted for the majority's position in respect to questions before the council and have their vote so recorded. When disqualification of a member or members results, or would result, in the inability of the Council to act on a matter on which it is required by law to take action, any member who is absent or who is disqualified under the Appearance of Fairness Doctrine may subsequently participate, provided such member first shall have reviewed all materials and listened to all tapes of the proceedings in which the member did not participate.

5.6.3.1410.17 Adjournment

There being no further business, the Presiding Officer adjourns the meeting.

6.011.0 Agenda Preparation

6.411.1 General Information

The City Manager's office will prepare an agenda for each Council meeting specifying the time and place of the meeting and set forth a brief general description of each item to be considered by the Council. The agenda is subject to approval by the Mayor and the City Manager.

5.6.3.111.2 Placing Item on the Agenda

An item may be placed on a Council meeting agenda by any of the following methods:

- (1) By any two (2) or more Councilmembers
- (2) By the City Manager, or
- (3) By the Mayor.

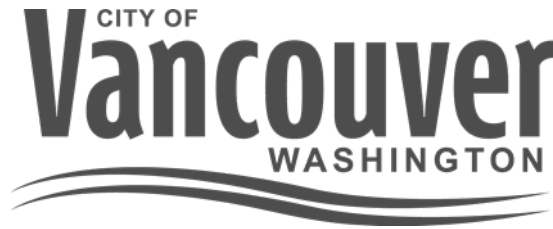
6.211.3 Adding an Item to a Published Agenda

An item may be ~~placed on~~ added to a ~~Regular~~ or Consent meeting agenda, per Section 11.2, after the agenda is closed and the notice published if an amended agenda is published, provided to the Mayor and City Councilmembers and posted on the City's website prior to the subject meeting date.

An item may be added to a Regular or Consent meeting agenda on the subject Council meeting date as a walk-on item if the Councilmember or City Manager requesting the addition of the item explains the necessity and receives a majority vote of the Council to amend the agenda at the public meeting.

6.311.4 Agenda Finalization Schedule

Agenda materials will be available at City Hall and on the City's website for City staff, the media and public ~~on by Friday-Wednesday~~ prior to the meeting. Agenda materials will be available for Councilmembers ~~on by Thursday-Tuesday~~ prior to the meeting.



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 100-33	Rev. C	Effective Date 12/15/14	Page 1 of 3
City Council Councilmember Appointment to Boards and Commissions	Supersedes 01/03/11 12/15/14		Prepared by:	Approved by: [Mayor]

1.0 Purpose

The purpose of this policy is to establish formal procedures for making appointments of City Councilmembers as representatives to boards and commissions.

2.0 Organizations Affected

City Council/City Manager

3.0 References

City Council Resolution M-3255, November 22, 1999
City Council Resolution M-3299, July 3, 2000
City Council Resolution M-3607, April 16, 2007
City Council Resolution, M-3730, January 3, 2011
City Council Resolution, M-3844, December 15, 2014
City Council Resolution, M-____, [DATE]

4.0 Process for Making Appointments

At the beginning of the biennium following an election, the Mayor shall confer with each Councilmember in order to solicit information from Councilmembers as to those boards and commissions on which they wish to serve. Following these meetings, Council shall meet in a setting open to the public to discuss and approve final appointment assignments. At such public meeting, the Mayor shall lead a discussion of potential appointments to each position. ~~Conflicts shall be resolved by giving the appointment to the most senior member desiring the appointment.~~ For appointments where there is only one Councilmember expressing interest, the Council will vote on the appointments as a slate. For positions where there are two or more Councilmembers expressing interest, the

Council shall vote on appointments individually. A majority vote of the Council is required to approve all appointments.

5.0. Appointment Limits

The Council values continuity on boards and commissions, providing experience to the boards and commissions, and providing learning opportunities for the growth of new Councilmembers. There shall be no limit to the number of terms any Councilmember may serve on any board or commission.

6.0 Councilmembers Representing an Official City Position

Individual Councilmembers serving on appointed boards and commissions represent the Council as a whole. Once the City Council has taken a position on an issue, either through a majority vote or consensus, all official City correspondence regarding that issue will reflect the Council's adopted position.

The Mayor is authorized to send letters stating the City's official position to appropriate officials. Councilmembers shall receive copies of all such letters. If a member of the City Council appears before another governmental agency or organization either as an appointed member of that agency or as a guest to give a statement regarding an issue affecting the City on which the City Council has taken a position, the Councilmember shall indicate the majority position of the Council. Personal opinions, minority positions and comments contrary to the majority position may be expressed only if the Councilmember clarifies that such statements do not reflect the official position of the City Council.

Councilmembers have a responsibility to bring significant policy decisions back to the whole Council for discussion and decision whenever possible.

7.0. Boards and Commissions: Council Participation Required

Council participation in the following boards and commissions is required ~~by law~~:

- Bi-State ~~Transportation~~ Coordination Committee (Interlocal Agreement)
- C-TRAN (RCW 36.57A.050; Bylaws Section 3.1)
- Child Abuse Intervention Executive Board (Children's Justice Center) (Bylaws, Section 2(b))
- Lodging Tax Advisory Committee (RCW 67.28.1817)
- Metro Policy Advisory Committee ((MPAC) Bylaws, Article III, Section 1(b)(e))
- Southwest Clean Air Agency (RCW 70.94.100)
- Southwest Washington Regional Transportation Council (RCW 47.80.020; 1992 Interlocal Agreement)
- Clark County Elder Justice Center Executive Board (2012 Interlocal Agreement, Section IV(A)(2))

- Clark Regional Wastewater District Oversight Committee (2010 Coordination of Services Agreement, Article 12)

8.0 Boards and Commissions: Council Participates by Choice or invitation

Council has decided Councilmembers will participate on the following, although not required ~~by law~~:

- Joint Policy Advisory Committee on Transportation ((JPACT) Bylaws, IV(f))
- Clark County Community Action Advisory Board (Bylaws require 3 local elected officials)
- ~~Clark County Solid Waste Advisory Commission (RCW 24.16.040)~~
- Columbia River Economic Development Council (Bylaws)
- Council for the Homeless (Intergovernmental Cooperation Agreement between City, County and the Housing Authority, approved December 18, 1989)
- Regional Disaster Preparedness Organization (RDPO) Policy Committee (interlocal agreement)
- Safe Communities Task Force (voluntary membership).

9.0 Boards and Commissions: Mayor/Mayor pro Tempore Participation Required

The following boards and commissions require participation by the Mayor or the Mayor and Mayor Pro Tempore:

- Police Pension Board - (RCW 41.20.010) Mayor Pro Tempore participation required. The Mayor may appoint a designate representative who is an elected official.
- Fireman's Pension Board (RCW 41.16.020) The Mayor may appoint a designated representative who is an elected official.
- City Audit Committee
- Strategic Plan Oversight Committee – Mayor Pro Tempore participates as committee chairperson

Procedure 100-33 Appointment to Boards & Comm (~~12/15/14~~)



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 100-35	Rev.	Effective Date 1/4/11	Page 1 of 2
City Council Miscellaneous Procedures	Supersedes 12/13/99 1/4/11	Prepared by: [City Manager]	Approved by: [Mayor]	

1.0 **Purpose**

The purpose of this policy is to establish formal procedures for endorsing or supporting political candidates, the State of the City Report, retreat reports, ~~and~~ answering identical letters addressed to a majority of Councilmembers, and the Council Sunshine Fund.

2.0 **Organizations Affected**

City Council/City Manager

3.0 **References**

City Council Resolution M-3266, December 13, 1999.
City Council Resolution M-3730, January 3, 2011.

4.0 **Endorsing or Supporting Political Candidates**

The Mayor and Council, as private citizens, are entitled to support any political candidates or support or oppose any ballot measure; however, such action might have an adverse affect on the City and/or the City Council and the Mayor and Council should consider the potential consequences prior to taking such action. Caution should be exercised in raising these issues at council meetings since State law prohibits the use of public facilities to support or oppose political candidates or ballot measures subject to certain exceptions as set forth in RCW 42.17.130.

5.0. State of City Report

The Mayor will make an annual State of the City report at a public meeting during the first quarter of each year. A written report will be made available to the public at the time of the meeting.

6.0. Retreat Report

The City Manager will provide an Executive Summary following each City Council retreat. A written report shall be made available to the public as soon as possible.

7.0. Answering Identical Letters Addressed to a Majority of Councilmembers

If a substantially similar letter, e-mail or other type of correspondence is sent to four or more Councilmembers, the Mayor's office will, in a timely manner, develop a response to the correspondence that shall be reviewed and approved by the Mayor prior to being sent to the constituent. discuss the correspondence with the Council at the next available Council meeting and reply with a written response summarizing the Council's position.

A copy of the reply and original letter will, in a timely manner, be provided to all Councilmembers. At their discretion, individual Councilmembers may provide a follow-up reply. after the Mayor's letter has been sent.

8.0 Council Sunshine Fund

A fund has been established to allow Councilmembers to acknowledge individuals and events, as appropriate. The Sunshine Fund is an account independent from all City of Vancouver funds and accounts and is to be managed by existing Councilmembers.

The Sunshine Fund is Council-supported and intended to cover expenses that cannot be paid for by City funds, which may relate to:

- Gifts for dignitaries;
- Acknowledgment of significant events and other personal issues among Council or staff.
- Other expenses as deemed appropriate by Council.

The Sunshine Fund account is co-owned by two active Councilmembers serving as double signatories on a voluntary basis. Each Councilmember is encouraged to donate \$300 annually.

In the event there is an ending balance in the Sunshine Fund bank account at the end of a calendar year, the Council may decide to:

- Roll the balance forward into the next year
- Make a group cash donation to a project or fund of the Council's choice



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 100-38	REV. B	Effective Date 1/4/11	Page 1 of 4
Filling City Council Vacancies	Supersedes 1/3/001/4/11	Prepared by:		Approved by:

1.0 Purpose

The purpose of this policy is to provide guidance to City Council when a Vancouver Councilmember position becomes vacant before the expiration of the official's elected term of office. Pursuant to state law, a vacancy shall be filled only to serve the remainder of the unexpired term until the next regular ~~municipal~~ election.

2.0 Organizations Affected

City Council/City Manager

3.0 References

Vancouver City Charter – Sections 2.01 Terms; 2.02 Qualifications; 2.06 Vacancies Defined; 2.08 Vacancies in Council

RCW 29A.60.270 Beginning of terms; RCW 29A.60.280 Term of office; RCW 35A.13.020 – Vacancies – Filling of Vacancies in Council/Manager Form of Government; 42.30.110(h) – Executive Session Allowed to Consider Qualifications of a Candidate for Appointment of Elective Office; RCW 42.30.060 – Prohibitions on Secret Ballots; RCW 42.12 – Vacant Position

City Council Resolution M-3274, January 3, 2000
City Council Resolution, M-3730, January 3, 2011

4.0 ~~Appointment Notification~~ Process

A Council position shall be officially declared vacant upon the occurrence of any of the causes of vacancy set forth in City of Vancouver Charter, Section 2.06, including resignation, recall, forfeiture, written intent to resign, or death of a Councilmember. The

Councilmember who is vacating his or her position cannot participate in the appointment process.

Vacancies in the City Council shall be filled by a majority vote of the remaining members of the City Council. ~~but~~ Such appointee shall hold office only until the next regular general election, at which time ~~a person shall be elected~~ the appointee may run to serve ~~for~~ the remainder of the unexpired term.

City Council shall direct staff to begin the Councilmember appointment process and establish an interview and appointment schedule so that the position is filled at the earliest opportunity. In the case of a councilmember submitting an intent to resign, the application process may commence prior to the effective date of the resignation. The overall length of the process timeline should allow for the expedient conclusion of the appointment process, but also sufficient time for Council evaluation of candidates. The City Manager's Office will propose an appointment schedule to the Council prior to advertisement of the vacancy.

The City ~~Clerk's~~ Manager's Office shall prepare and submit a display advertisement to The Columbian , Oregonian and Daily Insider, posted on the City's website and social media site, distributed via the City's internal and external newsletter services (Currents, Emma, Office of Neighborhoods, etc.), and distributed to all current members of Vancouver advisory boards, commissions, committees, and task forces (per Council policy 100-06) via email to the staff of those bodies with ~~courtesy~~ copies to ~~all~~ other local media outlets, which announces the vacancy consistent with the requirements necessary to hold public office: that the applicant be a registered-qualified elector¹ ~~voter of the City of Vancouver;~~ have a two-year continuous period of residency in the City of Vancouver; and hold no other public office; ~~or~~ and have no employment under the city government.

This display advertisement shall be published once each week for two consecutive weeks. This display advertisement shall contain other information, including, but not limited to; time to be served in the vacant position; election information, including qualifications of an elected official; salary information; Councilmember powers and duties; complete list of materials required to apply for appointment; the deadline date and time for submitting applications; interview and appointment schedules; and such other information that the City Council deems appropriate. ~~Information about the vacancy will also be posted on the City's website and will be distributed through other electronic media.~~

5.0 Application Process

5.1 The Application

¹ To be a "qualified elector" a person must be at least 18; a citizen of the United States; have lived in the city for at least 30 days prior to the election at which they offer to vote; have not been convicted of a felony unless their civil rights have been restored. Washington State Constitution Article VI, Section 1.

The City ~~Clerk's~~Manager's Office shall prepare an application form which requests appropriate information for City Council consideration of the applicants. The application form will request the following information from the applicant: include, among other requests for information, the question,

- Pertinent contact information
- Confirmation the applicant is a qualified elector¹
- Answers to the following:
 1. Is there anything in your background that would attract heightened public scrutiny if undisclosed and later discovered bring discredit to this city if appointed?
 2. Please give a brief summary of your background and experience, including education, work history and civic engagement activities.
 3. Why are you seeking appointment to the City Council? What do you feel your qualifications are for the position?

Applications will be available at City of Vancouver offices, on the City's website and such other locations that the City Council deems appropriate.

5.2 Supplemental Materials

In addition to the application form, tThe applicants will also be ~~requested~~required to provide a completed Washington State PDC form F-1 and a current resume. The F-1 form must be provided directly to the City Manager's Office. It should not be submitted on the Washington PDC website. Applications will be available at City of Vancouver offices, on the City's website and such other locations that the City Council deems appropriate. Copies of the display advertisement will be provided to current members of City of Vancouver commissions, committees, task forces and other City sponsored citizen groups.

In addition to the required supplemental materials, candidates may also submit additional supportive information, such as a list of endorsements, up to three (3) letters of reference, and other pertinent materials. Endorsements and letters of reference should include contact information for the person(s) supporting the candidate.

5.3 Conclusion of Application Period

The application period shall be open for at least two weeks and no more than 30 days following the announcement of the vacancy and details of the appointment process. The length of the application period will be included in the proposed appointment schedule, as set forth in section 4.0.

Applications received by the deadline date and time will be copied and circulated by the City ~~Clerk's~~Manager's Office to the Mayor and City Council within one (1) business day following the deadline. ~~Packets may also contain additional information received such as endorsements, letters of reference and other pertinent materials. Candidates who submit completed application packets by the deadline will be required to also submit information~~

necessary for the City to conduct a criminal background check, the results of which will be provided to the City Council.

All completed candidate application packets will be posted on the City's website following the application deadline and delivery of the packets to the City Council. Applicant materials will be redacted for non-disclosable information prior to being made public.

6.0 Council Evaluation of Candidates

City Councilmembers, individually, will conduct an initial review of all completed applications within three (3) business days of receiving the packets.

Council will meet in executive session at the next Council meeting to discuss applicant qualifications. It is permissible to meet in executive session to "evaluate the qualifications of a candidate for appointment to elective office."² The City Manager's Office will provide Council with the results of the candidate criminal background checks during this executive session.

In the event the City receives more than 10 completed applications, each City Councilmember will submit to the Council Assistant an unranked list of names of the candidates the Councilmember wishes to move forward in the process. Each Councilmember's list should contain no more than 15 names. The Council Assistant shall aggregate all Councilmember lists into one unranked master list of the 10-15 candidates most commonly preferred selected among the individual lists provided by Council as a whole. The list shall be arranged in alphabetical order and shall only include the names of the candidates. This aggregated list shall be provided to the Council during the executive session held prior to the interview meeting.

Immediately following executive session, Council shall meet in public session to select which candidates to invite to participate in an interview at the next City Council meeting. The decision as to which applicants to interview will be based on the information contained in the application forms and Council's evaluation of the qualifications of the candidates. The decision as to which candidates will be interviewed will be at the sole discretion of the City Council.

The decision as to which applicants to interview will be based on the information contained in the application forms and council's evaluation of the qualifications of the candidates. In the event that more applications are received than the City Council wishes to interview, it may determine the number to interview. The decision as to which candidates will be interviewed will be at the sole discretion of the City Council. The City Clerk's~~Manager's~~ Office shall notify applicants selected for interview of the location, date and time and format (per Section 7.0) of City Council interviews. In the event Council does not select all applicants to move forward to the interview, staff in the City

² RCW 42.30.110(1)(h).

Manager's Office will notify those candidates not selected of their status. Information about the interview meeting and those applicants selected for an interview will be announced to the public via a news release and posted on the City's website after all applicants have been contacted.

Prior to the date and time of the interview meeting, ~~the Mayor shall accept~~ each Councilmember shall submit one interview question and one back-up question to the Mayor and Council Assistant ~~from each Councilmember~~. If two or more Councilmembers submit the same primary question, the Mayor shall choose whose to accept, and the back-up question(s) from the other Councilmember(s) will be used. The final list of questions will be provided to all of Council prior to the interview meeting. Each Councilmember will ask his or her question during the interviews.

~~Prior to the interview meeting, the City Manager will provide Council with the results of a Criminal Background Check for each applicant.~~

6.0 7.0 Interview Meeting

An interview meeting shall be scheduled for a regularly scheduled Council meeting. The meeting will be open to the public and broadcast and live streamed by CVTV.

At the opening of the interview meeting, the Mayor shall provide an overview of the format and ground rules for the meeting. The applicant's order of appearance also shall be determined at this time by a random lot drawing performed by the Council Assistant.

In order to ensure each candidate has a fair and equal opportunity to speak with Council, all candidates shall be sequestered at City Hall for the duration of all candidate interviews. Access to electronic devices shall be prohibited during sequestration. Candidates will be ushered to and from the City Council Chambers by a member of City staff in order to participate in their interview at the pre-determined time. Candidates will be released from sequestration upon conclusion of the final interview and may observe the remainder of the public portion of the Council meeting.

Each candidate interview ~~of an applicant/candidate~~ shall be no more than 30 minutes in length. The Council may reduce the 30-minute interview time if the number of applicants exceeds six candidates. Each interview shall follow the following format: as follows:

- The applicant shall present his or her credentials to the City Council (up to 10 minutes).
- The City Council shall ask the predetermined set of questions, one question per Councilmember, which must be responded to by the applicant. Each applicant will be asked and will answer the same set of questions and will have two (2) minutes to answer each question (up to 14 minutes)
- An informal question-and-answer period in-during which Councilmembers may ask and receive answers to miscellaneous or follow-up questions (10 minutes remainder of time).

~~The applicant's order of appearance will be determined by a random lot drawing performed by the City Clerk.~~

~~The Council may reduce the 30-minute interview time if the number of applicants exceeds six candidates, or alternatively, the Council may elect not to interview all of the applicants if the number exceeds six candidates.~~

~~Vacancies in the City Council shall be filled by a majority vote of the remaining members of the City Council, but such appointee shall hold office only until the next regular general election, at which time a person shall be elected to serve for the remainder of the unexpired term.~~

7.0 8.0 Voting

Upon completion of the interviews, Councilmembers may convene into Executive Session to further discuss evaluate the qualifications of the ~~applicants~~candidates; however, all interviews, nominations and votes taken by the Council shall be in open public session.

~~The new Councilmember shall be chosen according to Roberts Rules of Order.~~

Balloting will continue until a nominee receives a majority of ~~four~~ votes.

At any time during the balloting process, the City Council may postpone balloting until a date certain or regular meeting if a majority vote has not been received.

Nothing in this policy shall prevent the City Council from reconvening into Executive Session to further discuss the ~~applicant~~/candidate qualifications.

The Mayor shall declare the nominee receiving the majority vote as the new Councilmember and he or she shall be sworn into office ~~by the City Clerk~~ at the earliest opportunity, or no later than the next regularly scheduled City Council Meeting.

C:\C\Procedure 100-38 Council Vacancies (~~1/4/11~~)

COUNCIL COMPACT
Adopted July 15, 2013

To build a culture of trust and enhance the effective administration of City Council affairs, the City Council agrees to be bound by these practices:

- Councilmembers set the tone of every public meeting by exhibiting their professionalism, respect for all people, respect for the responsibilities of their elective office, and by their gracious treatment of each other, City employees and the public.
- Council recognizes that there will be times of strong disagreement among its members; however, Councilmembers understand the importance of working together on each item separately based on its own merits.
- The Council will deal with issues and not personalities.
- Councilmembers will be straightforward; with no hidden agendas.
- Council emphasizes the value of training for itself to improve skills/for the betterment of the community, etc.
- It is important to recognize that the City Council acts as a body - while individual Council members may disagree with policy decisions of the majority, a decision of the majority binds the Council to a course of action and provides staff with direction to follow.
- At all times, Councilmembers in the minority on an issue shall have the privilege of expressing their individual views while also respecting the decision and authority of the majority to establish policy.
- Council places a high priority on the need for confidentiality regarding items such as legal, personnel, negotiations, and other sensitive matters.
- The Council will set high priority majority goals on which the City will focus.
- Council will give clear and focused direction as early as possible in the formulation of policy.
- Councilmembers will confer with the City Manager on issues of concern so that they may be appropriately addressed.
- Councilmembers will show respect for those present at meetings.
- All written information requested by individual Councilmembers will be submitted to all Councilmembers.



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 2018-01	Rev. A	Eff. Date 9/05/2018	Pg. 1 of 9
Electronic Written Communications	Supersedes 100-37; 100-40		Prepared by:	Approved by:

1.0 **Purpose**

The purpose of this policy is to establish standards for the appropriate use of electronic written communications by the Mayor and individual Councilmembers in their capacity as elected officials of the City of Vancouver, and is intended to foster transparency and open communication between elected officials and members of the public through the use of electronic written communications.

2.0 **Applicability**

This policy applies to the City Council of the City of Vancouver.

3.0 **References**

Ch. 42.56 Revised Code of Washington ("RCW") – Public Records Act
Ch. 42.30 RCW – Open Public Meetings Act
Ch. 40.14 RCW - Preservation and Destruction of Public Records
Ch. 42.52 RCW – Ethics in Public Service Act

4.0 **Definitions**

- a. "City owned device" means a computer or other electronic device owned by the City which is used for the transmission of electronic written communications.
- b. "City business" means relating to the conduct of City government, or the performance of any governmental function, or the work of the elected official in their official capacity for the City of Vancouver.
- c. "Comment" is a response to a post, an article, or other social media content submitted by a visitor.
- d. "Elected official" or "user" means the Mayor, Councilmembers, and any staff working on an elected official's behalf to represent him or her, using an electronic written communication resource.

- e. "Electronic mail" or "email" means a type of electronic written communication sent from a sender's Email account (e.g. Microsoft Exchange, Gmail, Yahoo!) across a network (often the Internet) to a recipient's Email account.
- f. "Electronic written communication" or "e-communication" means a communication using electronic media for the transmission of a written message or information. Types of electronic written communication include a message in writing transmitted via electronic mail, social media, and/or text messaging.
- g. "Personal device" means a computer, cell phone, or other electronic device personally owned by the user which is used for the transmission of electronic written communications.
- h. "Post" is an original entry onto a social media site by the user of the site.
- i. "Social media" are collectively a variety of third-party hosted online technologies that facilitate social services and may be used by elected officials to informally communicate with the public. Such third party hosted services/tools may include, but are not limited to: social networking sites (Facebook, Linked-In), micro-blogging tools (Twitter, Instagram, Snapchat), audiovisual networking sites (YouTube, Vimeo), and blogs (Wordpress, Tumblr, etc.)
- j. "Text message" means a type of electronic written communication, commonly sent by a mobile device such as a smartphone or tablet computer, using a short message (SMS or text message), multimedia message (MMS), or instant messaging (IM) service.
- k. "Visitor" is a person who views an elected official's social media site.

5.0 General Policy – Electronic Written Communications

- a. Electronic written communications represent and reflect upon the City's public image and integrity. Therefore, elected official e-communications shall be courteous in their language and deportment and shall not engage in contemptuous or disorderly behavior, or indulge in derogatory remarks or insinuations with respect to any other member of the Vancouver City Council, or any member of the staff, or the public.
- b. Elected officials who use City e-communications resources are expected to do so responsibly and in compliance with all state and federal laws and Council policy.
- c. No Expectation of Privacy
 - i. Resources facilitating electronic written communications are for official City business use only and users should not have any expectation of privacy in any message, file, image, or data created, sent, viewed, retrieved, or received through or using City resources.
 - ii. The City Attorney should be contacted with questions about whether an e-communication may be considered private or otherwise confidential.
- d. Use of Personal Devices for City Business

- i. Elected officials should avoid using their personal devices for any electronic written communications pertaining to City business, and are strongly advised that City owned devices should be used for e-communications pertaining to City business.
- ii. E-communications related to City business will not be treated as private and may be subject to public disclosure or discovery in the event of a lawsuit, regardless of whether the e-communication was sent or received on a City owned or personal device.

6.0 Electronic Mail

- a. The information contained in the City's email system is the property of the City.
- b. City system administrators and other authorized personnel may inspect, monitor, and disclose electronic written communications with or without notice as necessary to comply with State and Federal law and City policy.
- c. Email communications that are intended to be shared among a quorum (majority) of Councilmembers, whether concurrently or serially must be considered in light of the Open Public Meetings Act. Such emails should be restricted to providing information such as materials for later review or notice of a potential new agenda item. Responses to such emails should be limited to ensure that City business is conducted only at its scheduled meetings. Discussion of City business by a majority of the Council must be conducted in an open meeting. If the intended purpose of the email is to have a discussion that should be held at an open meeting, the electronic discussion should not occur. The use of email communication to form a collective decision of the Council is inappropriate and violates the Open Public Meeting Act.
- d. Email should be used cautiously when discussing matters of pending litigation or other "confidential" City business. In general, email is discoverable in litigation. Confidential email communications requesting or receiving legal advice should not be shared with individuals other than the intended recipients, or the attorney-client privilege protecting the document from disclosure may be waived.
- e. It is not recommended to use City email for personal or non-City Business reasons, as this resource is a public asset. Limited use of City equipment and facilities for personal email are limited to instances where:
 - i. The use causes no additional cost to the City;
 - ii. The use causes no disruption or disturbance to the conduct of City business or other City functions; and
 - iii. The use does not violate any local, state, or federal law, or Council policy.

- f. Email on an elected official's personal device pertaining to City business may be considered open to public disclosure, and may not be deleted.
- g. Elected officials responding to emails from outside the City organization, including communications with members of the public, should "cc" the City Manager and forward the message being responded to the City Manager's Office for retention.

7.0 Text Messaging

- a. All City owned devices are required to have mobile device management software approved by the City IT department installed and operational, including remote-wipe, message capture, and retrieval capabilities.
- b. If such mobile device management software is not installed and/or is not operational on the City owned device, or if a personal device is used for text messaging regarding City business, text messages used to conduct City business should be immediately forwarded to the elected official's City email account for retention and promptly deleted from the City owned or personal device.
- c. If the City owned or personal device is unable to directly forward text messages via e-mail, the elected official should create a screenshot of the relevant text message and forward such screenshot to their City email account.
- d. If an elected official uses a City owned device for text messaging, or a personal device for text messaging regarding City business, and the City receives a public records request for these text messages, the elected official shall be responsible for:
 - i. Searching for and reviewing all of his/her text messages to determine if they are public records subject to the applicable retention standards;
 - ii. Sending the requested text messages to the staff member processing the public records request; and
 - iii. Upon request of the City Attorney's Office, complete a notarized affidavit stating the nature and extent of the elected official's search and what, if any, responsive records were located and a description of any records withheld.

8.0 Social Media

- a. The City of Vancouver participates in social media to reach a broader audience, disseminate information, and to provide a limited forum to communicate with residents and other stakeholders.
- b. The City of Vancouver maintains or administers a limited number of elected official social media sites in order to communicate with members of the public regarding subjects directly related to the City of Vancouver.

- c. Elected officials may use elected official social media sites in strict compliance with this policy, city ordinances, administrative rules, and Washington State law regulating elected officials. Elected official social media site(s) shall not be used as mechanisms for conducting official city business other than to informally communicate with the public. Elected official social media site(s) do not constitute an official form of communication for legal notice, specific requests for service, making a public records request, registering a complaint, or filing a claim.
- d. Examples of City business that may not be conducted through elected official social media sites include making policy decisions, official public noticing, and discussing items of legal or fiscal significance that have not previously been released to the public. Elected official social media site(s) should contain links directing users back to the City's official website for in-depth information, forms, documents or online services necessary to conduct official City business.
- e. Social Media Disclaimers
 - i. Users and visitors of elected official social media site(s) who submit comments should be clearly notified that the intended purpose of the site is to serve as a mechanism for informal communication between elected officials and the public regarding the City-related topics discussed.
 - ii. If the public is allowed to post comments to an elected official media site, the Content Restrictions set out in Appendix A must be displayed or made available by hyperlink.
 - iii. Elected officials are not allowed to post links to their personal social media accounts or "crosspost" between personal and elected official social media site(s).
 - iv. Any content removed from elected official social media site(s) must be retained, including the time, date, and identity of the poster when available, to the extent required by law.
- f. All users of social media sites are subject to the social media site's own privacy policy. The City and its elected officials have no control over a third party's privacy policy or their modifications to it.

9.0 Other Modes of Electronic Written Communications

If an electronic written communication is sent or received using another form of e-communication not specifically addressed herein, elected officials shall use such form of communication consistent with the intent of this policy to foster transparency and open communication between elected officials and the public.

10.0 Ethics and Elections Rules of Compliance

Elected officials shall not include in electronic written communications:

- Content that promotes or advertises commercial services, entities, or products;
- Proprietary, confidential or sensitive information;
- Any content that endorses or opposes political candidates or ballot propositions, including links to an elected officials campaign site;
- Obscene, profane, abusive, or threatening language or graphic representations except for a legitimate business purpose.
- Conducting business transactions of any non-City enterprise, either for profit or non-profit, or disseminating related material from these activities;
- Communications in furtherance of any illegal activity; or
- Statements or graphic representations that may be construed as harassing, discriminatory, or offensive by race, national origin, gender, religion, age, disability, sexual orientation, or other legally protected status.

11.0 Retention of Electronic Written Communications

- a. Elected official e-communications that are related to City business, including social media actions such as chatting, tagging, reacting, sharing, posting, and other communications between an individual elected official and constituents or the general public, and a social media site's listing of "friends" or "followers," may be considered a public record subject to disclosure under the Washington State Public Records Act.
- b. State and local records retention laws and schedules apply to e-communications. All social media content that is required to be retained shall be maintained for the legally required retention period based on the subject matter of the content. E-communications accounts owned or maintained by the City of Vancouver, will be retained through the City's archiving system.
- c. Any elected official social media sites used should clearly state that all content submitted by members of the public is potentially subject to public disclosure pursuant to the Public Records Act, RCW 42.56 using the suggested language in Appendix B, or made available by hyperlink.
- d. Elected officials should avoid using their elected official social media site to comment on other social media account because those comments may not be captured for public records purposes.

12.0 Transitory Electronic Written Communications

- a. E-Communications which have little or no documentary or evidential value, thereby having minimal retention value, are considered transitory records. Retain these types of records only until they are no longer needed for City business, then delete.

b. Examples of transitory e-communications include, but are not limited to:

- i.** Unsolicited or misdirected messages that are not requested by the City nor used by the City in the normal course of business, including unrequested advertising & solicitations.
- ii.** Records related to the scheduling of appointments/meetings such as participant availability, rescheduling, declinations, etc. provided the calendar record of the appointment/meeting is retained in accordance with applicable retention schedule.
- iii.** Informational communications that do not document City decisions or actions are not used as the basis of City decision or actions; and are not otherwise covered by a more specific retention schedule.
- iv.** Internal announcements such as Council potlucks, birthdays, cookies in the Council Chambers, and other records of purely informational value.
- v.** Reference materials gathered from outside sources for reference/reading use which are not evidence of City's business transactions.

13.0 Assistance with Fulfilling Public Records Requests

Elected officials shall fully cooperate with the City and provide their fullest assistance in fulfilling the City's duties and obligations under the Public Records Act.

14.0 Legal Holds

- c.** The City must take reasonable steps to preserve records when it learns of pending or imminent litigation, or when litigation is reasonably anticipated. Legal holds seek to prevent spoliation (destruction, alteration, or mutilation) of evidence. A legal hold applies not only to paper-based documents but also to Electronic written communications.
- d.** In the event of a legal hold, the City Attorney's Office will submit a written request to preserve all records, including documents and electronically stored information that may relate to a pending or anticipated legal action involving the City.
- e.** When the litigation has been concluded, or the threat of litigation has been resolved, the City Attorney's Office will notify the affected elected official(s) that the record hold has been removed. Such records must be retained and not deleted or otherwise altered until the legal hold is removed.

15.0 Open Public Meetings

- a. Communication between elected officials via e-communications, as with telephone and email, may potentially constitute a "meeting" under the Open Public Meetings Act, Chapter 42.30 RCW.
- b. For this reason, elected officials are prohibited from participating in e-communications discussions/threads regarding City business that involve a quorum of councilmembers, and are strongly discouraged from "friending" of "following" other elected officials or reacting to other elected official's posts.
- c. Receiving or making posts or comments regarding quasi-judicial matters via e-communications may violate the Appearance of Fairness Doctrine (Ch. 42.36 RCW).
- d. To avoid receiving any comments on pending quasi-judicial matters that may violate the Appearance of Fairness Doctrine, elected officials are strongly encouraged to maintain social media sites with settings that can restrict users' ability to post content.

16.0 Appearance of Fairness

- a. E-communications to or from elected officials relating to pending quasi-judicial matters to be decided by the City Council should be treated as an ex-parte communication, requiring the elected official to:
 - i. Respond to the sender of the e-communication that "On the advice of the City Attorney, s/he may not comment outside a public meeting on a pending quasi-judicial matter before Council and that the sender's communication is being forwarded to the City Manager's Office for inclusion in the public record on the matter."
 - ii. Immediately forward the e-communication to the City Manager's Office for filing in the public record on the matter."
 - iii. Disclose on the record in the public hearing or public meeting that the electronic communication had been received, and included in the in the public record.

17.0 Equal Access

Elected officials are discouraged, in their official capacity, from posting or commenting on social media sites or other e-communication media that require membership or subscription. When posting information or soliciting feedback on such a site, elected officials should always provide an alternate source for the same information or mechanism for feedback on the City's public web site, so that those who are not members of the site may have equal access.

18.0 Enforcement

The Vancouver City Council has the power to impose punishment on its members, short of removal of office, for violation of state law or Council rules. The use of social media by elected officials may be otherwise limited or banned by Council if they are not or cannot be used in compliance with this policy.

19.0 Appendices:

a. Appendix “A” - Content Restrictions for Elected Official Social Media Site(s)

The following content will be removed from this site:

- Comments not related to the specified topics for discussion;
- Posts or comments in support of or opposition to political campaigns or ballot measures;
- Profane or obscene language;
- Posts or comments espousing or conveying racially, ethnically, religiously, gender-oriented,
- Discriminatory comments;
- Solicitations and/or transactions of commerce;
- Sexual content or links to sexual content
- Encouragement, promotion or undertaking of illegal activity;
- Information that may tend to compromise the safety or security of the public or any City equipment, property or system;
- Content that violates a legal ownership interest of any party; and
- Posts or comments that would constitute ex parte communications in violation of the Appearance of Fairness Doctrine.

b. Appendix “B” - Disclaimer for Elected Official Social Media Site(s)

The views expressed represent the views of the author and may not reflect the views of the City of Vancouver or the Vancouver City Council.

Responses to this communication by other Councilmembers may be limited by the provisions of the Open Public Meetings Act under which a policy discussion must be held in an open public meeting if a quorum of the City Council participates.

Posts, comments, chat, or other content posted to this site, may be considered public records subject to public disclosure under the Washington State Public Records Act (RCW 42.56).



POLICY AND PROCEDURE

CITY OF VANCOUVER WASHINGTON	INDEX			
	Administrative/Council/City Manager			
Subject	Number 2018-	Rev. A	Eff. Date	Page 1 of X
Health Insurance Opt-Out Payment	Supersedes	Prepared by:	Approved by:	

1.0 **Purpose**

The purpose of this policy is to establish the option for a councilmember to receive a payment in lieu of participating in the City's health insurance program.

2.0 **Applicability**

This policy applies to the City Council of the City of Vancouver.

3.0 **References**

Washington State Constitution Article XI, Section 8 – Limitations on Salaries
Washington State Constitution Article XXX, Section 1 – Authorizing Mid-term Compensation Increase
RCW 35.21.015 - Salary Commission
RCW 41.04.190 – Cost of medical insurance not compensation
Resolution 003-11

4.0 **General Policy – Councilmembers Ability to Receive Opt Out Payment**

Councilmembers are able to participate in the City's health insurance programs. However, a councilmember may have health coverage through other employment, a spouse's employment or other benefit provider. This policy is intended to provide councilmembers the option of declining city-provided health coverage and to receive an "opt-out" cash payment while avoiding the prohibition on mid-term adjustment to compensation.

The Washington State Constitution prohibits the mid-term adjustment of compensation of elected officials. It states:

The salary of any county, city, town, or municipal officers except as provided in section 1 of Article XXX or diminished after his election, or during his term of office; nor shall the term of any such officer be extended which he is elected or appointed.

While the cost of a health insurance policy is statutorily exempted from this prohibition, the receipt of an opt-out payment is not. Thus, a councilmember wishing to receive an opt-out payment can only exercise this option prior to their beginning a successive term of office and the increase can only be effective upon the beginning of the new term. An apparent winner of an election to a councilmember position can only exercise this option after the initial election returns and before the election results are certified. An appointee to a councilmember position may only exercise this option this option prior to taking office.

Pursuant to this policy, the City Council hereby approves including in a councilmember's compensation an opt-out payment if a councilmember declines to participate in the City's health plan. The amount of the payment shall be the rate paid to nonrepresented employees at the time that the councilmember exercises their option and it shall not increase nor decrease during their term of office.

Concurrent with the adoption of this policy, the Council rescinded Section 2 of Resolution M-3734 which precluded the ability to be eligible for an opt-out payment.



Council Policy Updates

September 17, 2018

Vancouver City Council Workshop

Amanda Delapena, Assistant to City Council
Michael Nigrey, Assistant City Attorney



Presentation Overview

- 2018 Policy Review Timeline
- Review & Discussion of Proposed Edits
 - Wrap-up of revisions from 9/10/18 Council feedback
 - Council discussion on remaining policies
- Next Steps

2018 Review of Policies

Aug. 20

- Preview & Council feedback

Aug. 27, Sept. 10;
Sept. 17

- Detailed review of proposed text edits

September 24

- Council action via resolution on Consent

Council Policies & Procedures



Previously discussed



Not yet discussed



Priority

Policy No.	Title	Last update
100-06	Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces	2011
100-32	City Council Meetings	2016
100-33	City Council Appointment to Boards and Commissions	2014
100-35	City Council Miscellaneous Procedures	2011
100-38	Filling City Council Vacancies	2011
NEW	Electronic Communications Policy (supersedes 100-37 & 100-40)	
NEW	Health Care Opt-Out Policy	
	Council Compact	2013

Review of Edits Discussed

100-06 Citizen Boards, Commissions, Advisory Committees, & Task Forces

Section 10.0 Appointment of Members

Appointees to ~~advisory committees~~ citizen boards, commissions, committees and task forces should serve on only one committee, unless qualified applicants cannot be identified or other special circumstances are identified.

100-35 Miscellaneous Procedures

Section 7.0 Answering Identical Letters Addressed to Majority of Councilmembers

A copy of the reply and original letter will, in a timely manner, be provided to all Councilmembers. At their discretion, individual Councilmembers may provide a ~~follow-up~~ reply. ~~after the Mayor's letter has been sent.~~

Review of Edits Discussed

100-32 City Council Meetings

Section 5.1 Meetings Schedule

The Vancouver City Charter requires that Council conduct two “regular” meetings each month. Regular Council meetings will be scheduled on the first and third Mondays of each month, ~~beginning at 7 p.m.~~; Consent Agenda meetings will be scheduled on the second and fourth Mondays of each month, ~~beginning at 6:30 p.m.~~ All Regular and Consent Agenda meetings will begin at 6:30/7 p.m., unless otherwise advertised, and adjourn no later than 11 p.m. To continue past this time, a majority of the Council must concur.

Section 9.0 Special Meetings

A “meeting” of the council occurs “when a majority of its members gathers with the collective intent of transacting the governing body's business.” “Action” is broadly defined as the transaction of the official business of an agency, including “deliberations, discussions, considerations, reviews, [and] evaluations” and receipt of testimony.

Review of Edits Discussed

Health Insurance Opt-Out Payment

While the cost of a health insurance policy is statutorily exempted from this prohibition, the receipt of an opt-out payment is not. Thus, a councilmember wishing to receive an opt-out payment can only exercise this option prior to their beginning a successive term of office and the increase can only be effective upon the beginning of the new term. An apparent winner of an election to a councilmember position can only exercise this option after the initial election returns and before the election results are certified. An appointee to a councilmember position may only exercise this option this option prior to taking office.

New Policy: Electronic Written Communications

Basic Purpose(s) of Policy:

- Provide for informal communication with the public using electronic communications systems
- Capture City records to comply with records retention requirements / foster transparency.

New Policy: Electronic Written Communications

Methods of Using Electronic Written Communication

- *Email: electronic written communication sent from a sender's Email account (e.g. Microsoft Exchange, Gmail, Yahoo!) across a network (often the Internet) to a recipient's Email account.*
- *Social Media: Third-party hosted online technologies that facilitate communication [...] may used by elected officials to informally communicate with the public*
- *“Texting”: type of electronic written communication, commonly sent by a mobile device such as a smartphone or tablet computer, using a short message (SMS or text message), multimedia message (MMS), or instant messaging (IM) service.*

New Policy: Electronic Written Communications

Email Policy Decision:

City business on City provided email accounts only [and/or private email accounts allowed, transferred to City account]?

New Policy: Electronic Written Communications

Issue of note: Consolidates existing email and social media policies with new texting policy.

Notable changes to Email Policy:

See → Section 5.0(d) avoid using personal devices for City email

See → Removes outdated Section 8.0 Sensitive or Confidential Information

See → Removes from email policy existing sections 8.0 Sensitive or Confidential Information and requirement to forward or copy City Manager with all emails (existing Section 9.0)

New Policy: Electronic Written Communications

Social Media Policy Decision:

Open ended allowed social media platforms [or specified allowed social media platforms]?

- Section 9.0: Catch-all for unspecified platforms

New Policy: Electronic Written Communications

Issue of note: Consolidates existing email and social media policies with new texting policy.

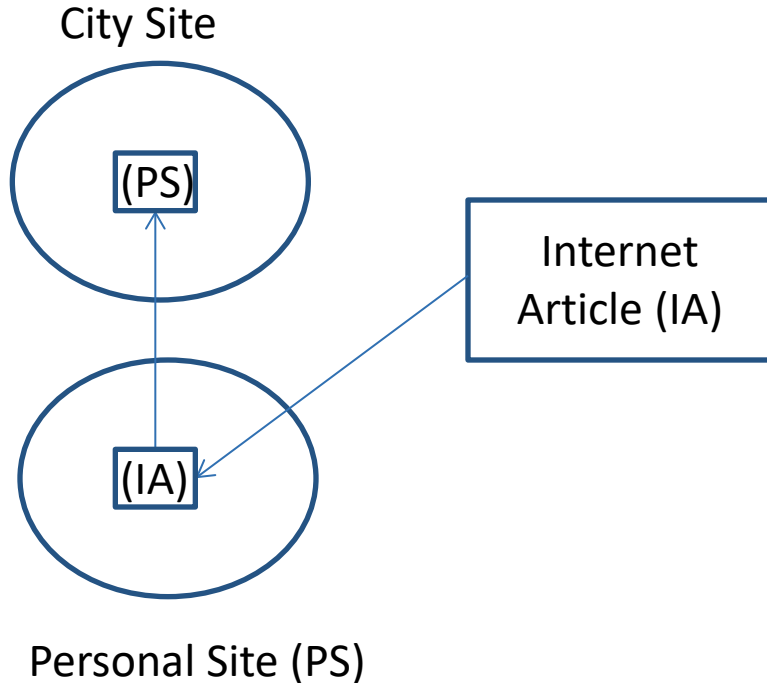
Notable changes to Social Media Policy:

See → Section 8.0(b) and (c) provides for use of “official” social media sites administered by the city as opposed to using personal sites for city

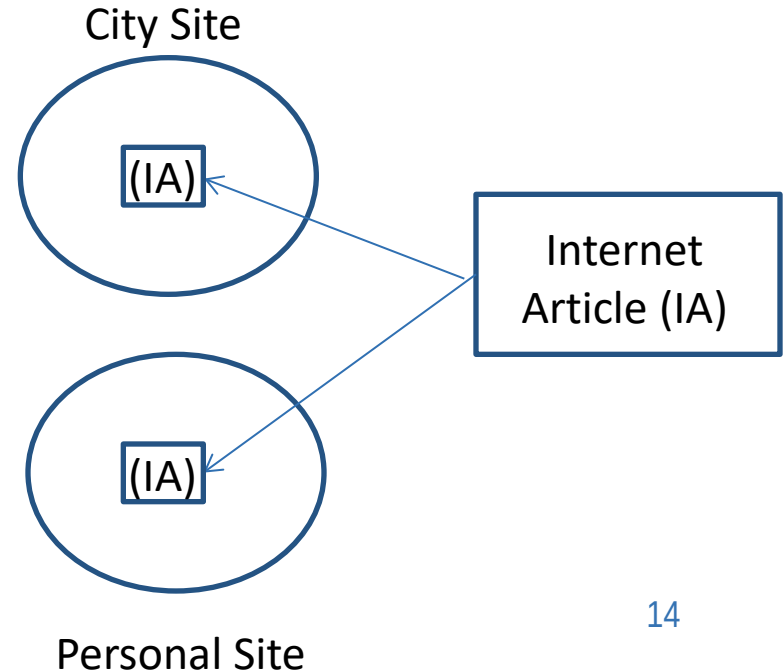
See → Section 8.0(e)(iii) prohibits “crossposts”

New Policy: Electronic Written Communications

Cross-Posting: Prohibited



Multiple Posting: Ok



New Policy: Electronic Written Communications

Texting Policy Decision:

City provided devices and City social media accounts only
[and/or personal device and social media account forwarded]?

- Section 9.0: Catch-all for unspecified platforms
- Social Media “Texting” (e.g. Facebook Messenger, Twitter direct message)

New Policy: Electronic Written Communications

Issue of note: Consolidates existing email and social media policies with new texting policy.

New Texting Policy:

See → Section 7.0(a) requires certain software on City-owned devices

See → Section 7.0(b) if using personal device, forward texts to City email account

See → Section 7.0(d) cooperation with public records requests

Other questions or requests?

Council Compact

Issue of note: Non-binding, articulation of shared and mutual expectations between Councilmembers – Adopted 07.15.13

- Discussion of potential revisions

2018 Review of Policies

Aug. 20

- Preview & Council feedback

Aug. 27, Sept. 10;
Sept. 17

- Detailed review of proposed text edits

September 24

- Council action via resolution on Consent

Questions and Discussion

- Amanda Delapena, Council Assistant
amanda.delapena@cityofvancouver.us



VANCOUVER'S FIREWORKS SPECTACULAR



CITY OF
Vancouver
WASHINGTON



THE
**HISTORIC
TRUST**
CELEBRATE FREEDOM

2018 Event Report

HISTORY OF A VANCOUVER TRADITION

Vancouver's First 4th of July Fireworks

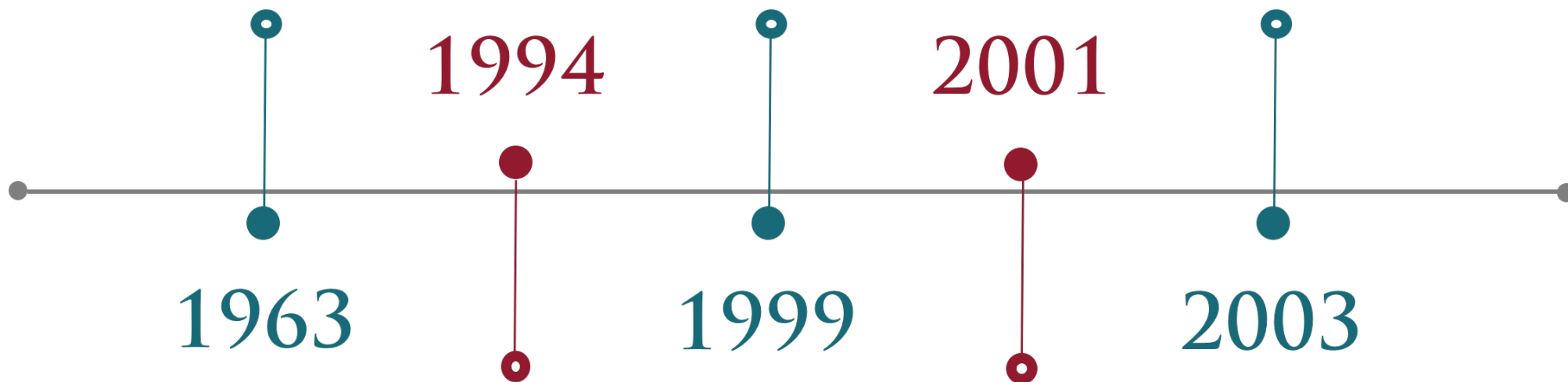
The first fireworks show at Fort Vancouver. Fireworks were run by a volunteer 4th of July Committee.

Celebrate Freedom

Financial troubles prompted the 4th of July Committee to join forces with Celebrate Freedom. Celebrate Freedom in turn became a part of the Vancouver National Historic Reserve Trust (now The Historic Trust).

Budget Cut

Entertainment budget cut by 76%, fireworks display reduced from a 42 minutes to 30 minutes.

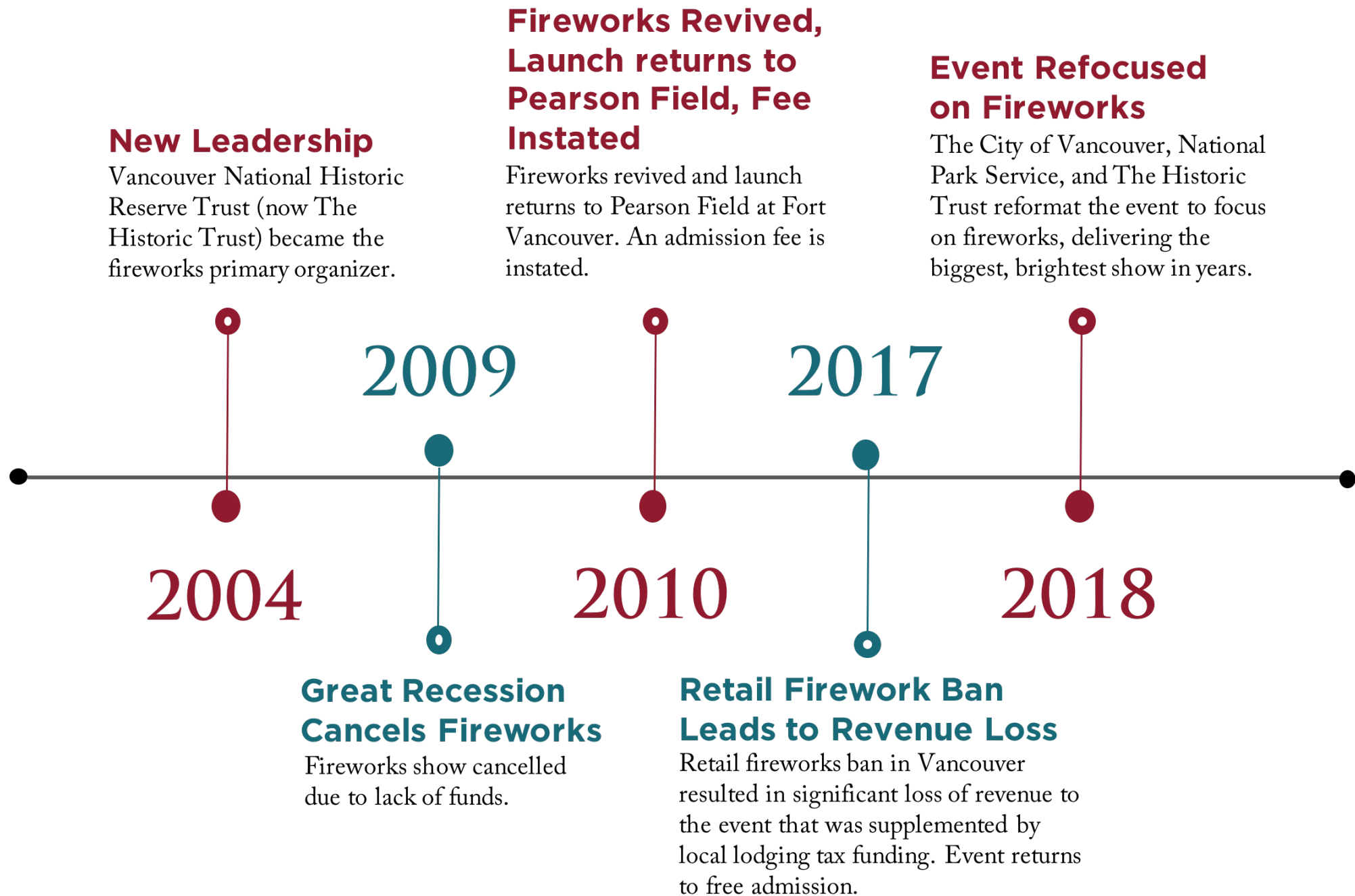


First Barge Launch

Fireworks are launched from a barge in the Columbia River for the first time.

Community Donations

Campaign to promote donations from attendees launched.



2018 AT A GLANCE

EVENT STATS

- 20,000 attended
- 74,500 homes tuned into the live broadcast on KGW
- 70 volunteers
- 25% more fireworks and 50% more big shells than last year
- Nearly \$4,000 raised by gate contributions
- \$45,000 raised from community sponsors



ADVERTISING SUMMARY

- 314,383 impressions from outdoor advertising
- 387,000 print impressions in The Columbian, Pamplin Media, and The Reflector
- 154,600 digital impressions on The Columbian's website
- 103 commercial spots on KGW
- 2,800+ commercial spots across Comcast's 50 networks
- 370 radio spots on Alpha Media, a value of \$154,000

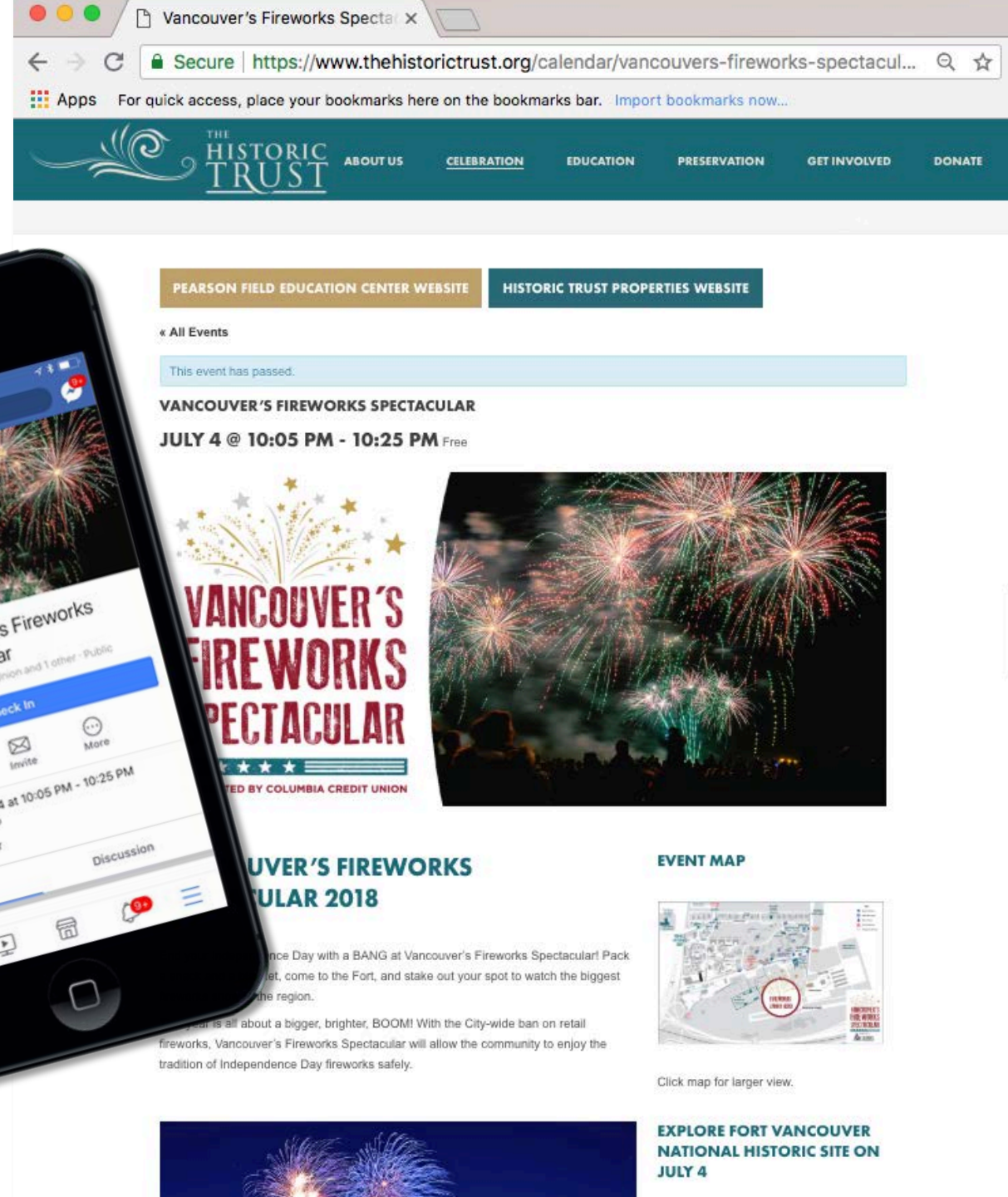
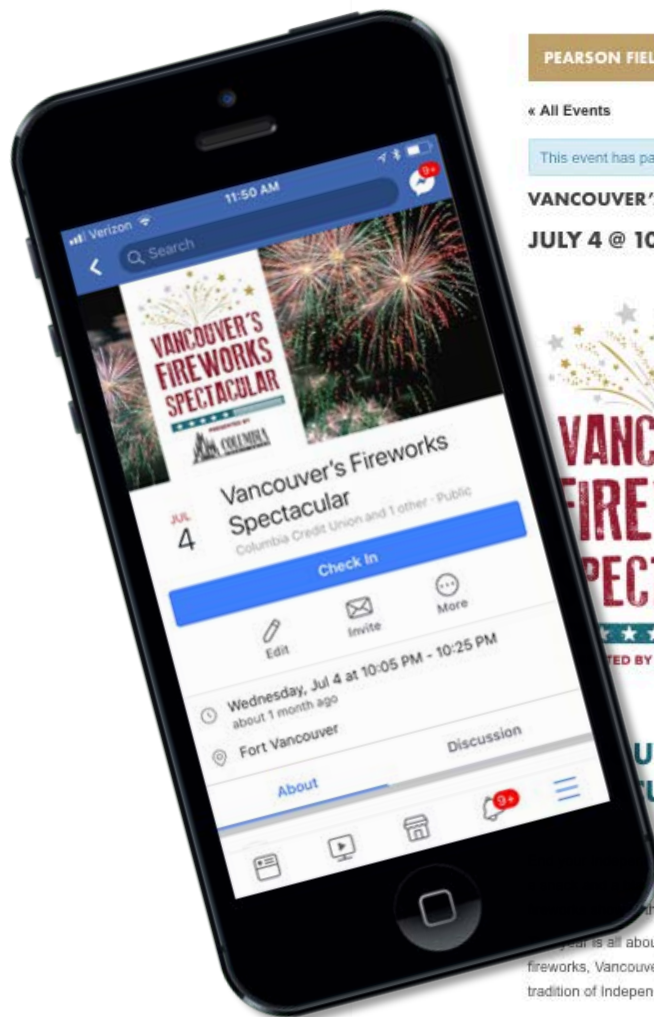




Vancouver's Fireworks Spectacular 2018 commercial aired on KGW and Comcast (video)

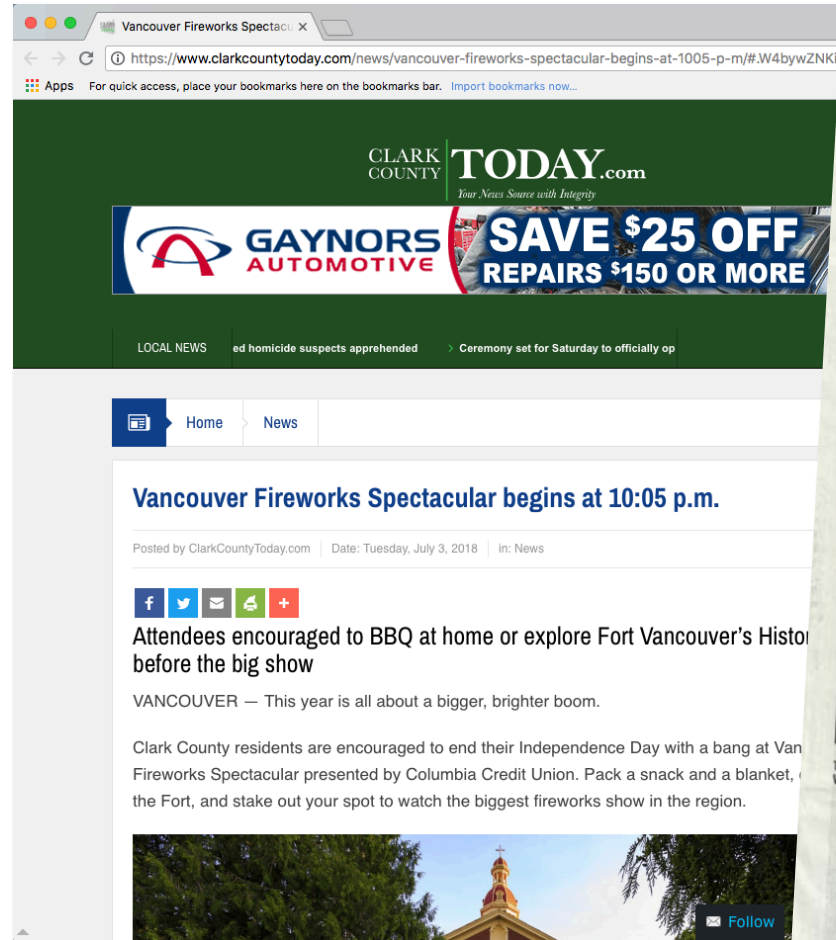
DIGITAL ENGAGEMENT

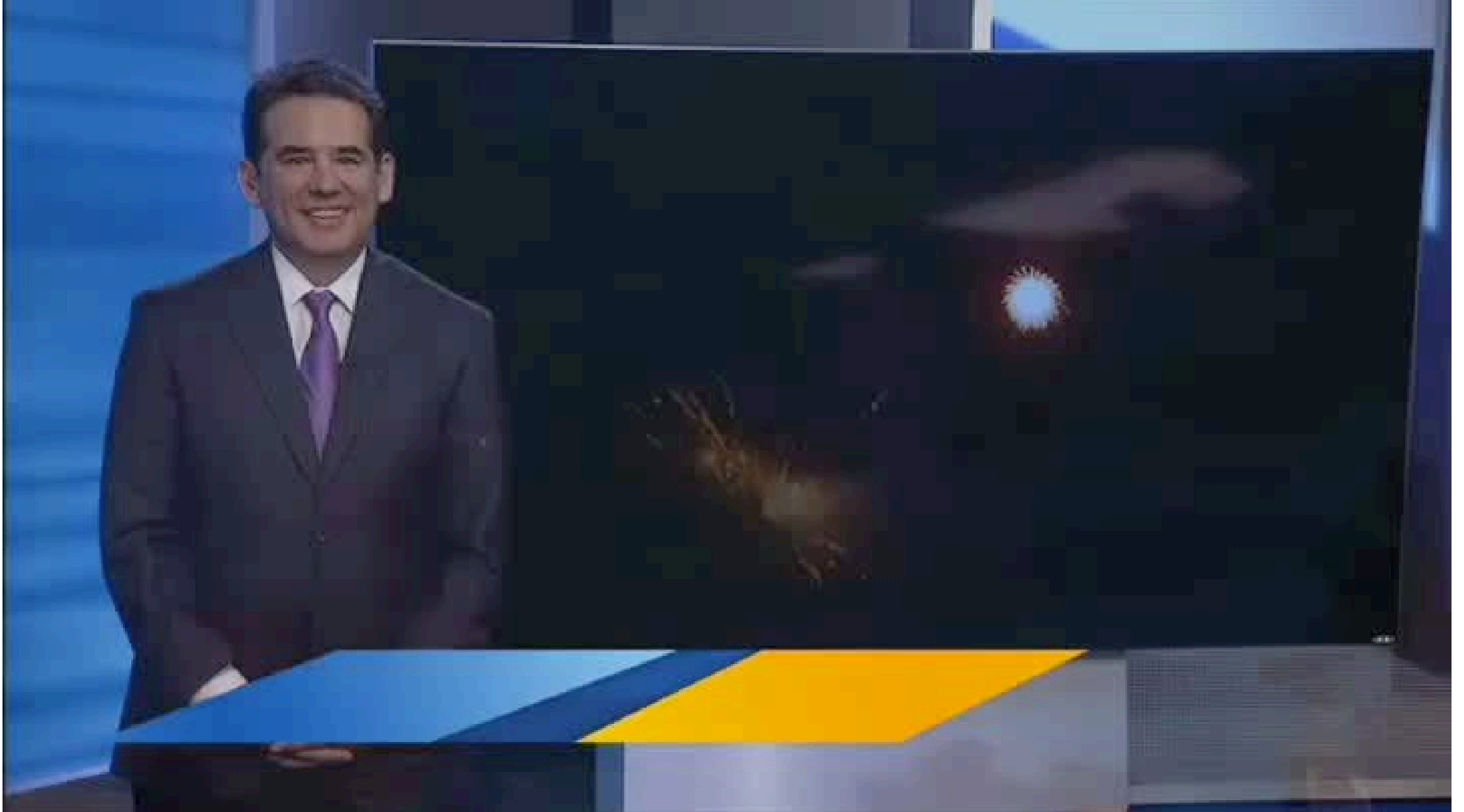
- 48,300 event impressions on Facebook
- 30,720 total event page views



EARNED MEDIA

- KGW
- KOIN
- KATU
- KPTV
- The Columbian
- The Reflector
- The Messenger





KPTV coverage of Vancouver's Fireworks Spectacular 2018 (video)

2018

FINANCIALS

2018 EXPENSES

COSTS PAID BY THE HISTORIC TRUST

Personnel	\$70,802
Fireworks show	\$ 65,000
Infrastructure	\$ 59,296
NPS Permit	\$ 13,386
Marketing/Staff Support	\$ 19,696
Event Insurance	<u>\$ 17,769</u>
	\$ 245,949

COSTS PAID BY CITY OF VANCOUVER

Porta-Potties	\$ 4,838
Fire	\$ 9,000
Police	\$ 4,852
Flagging	<u>\$ 2,700</u>
	\$ 21,390

TOTAL EXPENSES

\$ 267,339

COST REDUCTION MEASURES TAKEN IN 2018:

- *No big stage/entertainment*
- *Eliminated craft and food booths*
- *Reduced allocated staff costs*

2018 FUNDING SOURCES

County Firework permits	\$72,000
Lodging Tax Grant*	\$71,162
Celebrate Freedom funds**	\$76,505
Other City Funding	\$16,552
Sponsorships	\$44,955
Gate Contributions	\$3,804
Parking Revenue	<u>\$3,994</u>
TOTAL REVENUE	\$288,972

**Total Lodging Tax Grant was \$76,000. City of Vancouver paid for Porta-Potties directly (\$4,838.00).*

***Allocation of the total Celebrate Freedom contract is based on 2017 expenses for all Celebrate Freedom programs.*

THE FUTURE OF THE FIREWORKS

The Historic Trust is dedicated to continuing to produce Vancouver's 4th of July fireworks display in 2019 as a part of our mission to inspire civic pride and economic vitality through the education, celebration, and preservation of our community's history.



2019 FINANCIALS (PROJECTED)

2019 PROJECTED EXPENSES

COSTS PAID BY THE HISTORIC TRUST

Personnel	\$75,985
Fireworks show	\$75,000
Infrastructure	\$63,211
NPS Permit	\$14,000
Marketing/Staff Support	\$19,550
Event Insurance	<u>\$18,000</u>
	\$265,746

COSTS PAID BY CITY OF VANCOUVER

Porta-Potties	\$4,985
Fire	\$9,300
Police	\$5,000
Flagging	<u>\$2,800</u>
	\$22,085

TOTAL PROJECTED EXPENSES	\$287,831
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PROJECTED 2019 FUNDING SOURCES

County Firework permits	\$72,000
Celebrate Freedom funds**	\$76,000
Lodging Tax	\$0
Sponsorships	\$38,000
Gate Contributions	\$5,000
Parking Revenue	<u>\$6,000</u>
TOTAL PROJECTED FUNDING	\$197,000
TOTAL PROJECTED EXPENSES	\$287,831
TOTAL PROJECTED FUNDING GAP	-\$90,831

***Allocation of the total Celebrate Freedom contract is based on 2017 expenses for all Celebrate Freedom programs.*

- County fireworks permit revenue is not guaranteed and may be subject to changes in fireworks ordinance*
- Pending approval*
- No funding from Lodging Tax set aside for 2019*
- Changes to show and attendance may negatively affect sponsorship revenue*
- Attendance dependent on weather and day of the week*
- Dependent on attendance and road access*

IN 2019, THE HISTORIC TRUST SUGGESTS:

- Launching the fireworks from Pearson Field at Fort Vancouver*
- Revisiting offering a Prime Viewing area to increase revenue*
- Exploring inviting food trucks to increase event attendance and revenue through permits*



Staff Report 139-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 9/17/2018
10/1/2018

SUBJECT Proposed Partial Removal of a Development Agreement applying to five contiguous properties at 148th Avenue and Mill Plain Blvd

Key Points

- The site is zoned Community Commercial (CC). The applicant has proposed removal of the DA, which prohibits drive-through or 24-hour uses, outdoor or bulk sales, storage, car washes, gas stations or auto repair, auto rental or sales, industrial service and manufacturing uses. The DA also requires buildings to be placed near front setbacks with parking in the rear and with first floor building frontage features; enhanced landscaping and screening requirements; and transportation requirements effectively allowing only one additional vehicle access from the front of the properties to Mill Plain Blvd, and requiring coordinated access from the rear of all properties westward to 148th Avenue.
- The applicant has argued for removal of the Development Agreement (DA), particularly use limitations, noting that similarly zoned Mill Plain properties are not subject to these restrictions. At the Planning Commission hearing the applicant indicated that the DA transportation requirements were acceptable. The Planning Commission voted 4-2 to retain the use prohibitions, and building orientation and transportation requirements. At an August 20 worksession the City Council directed staff to explore a compromise position regarding use prohibitions, with consideration given to impacts on the abutting neighborhood north of the site, and policy goals of limiting passive economic uses.

Strategic Plan Alignment

N/A

Present Situation

The 2008 DA is derived from a 2002 concomitant rezone agreement which covered two additional properties east of the site, and included additional use restrictions. The site is surrounded by the East Vancouver Police Precinct to the east, a residential subdivision to the north, a credit union to the west and a senior housing facility to the south across Mill Plain Blvd. Within the site the westernmost three of the five properties are undeveloped, while the other two contain a long

standing tavern, and a commercial mini-mall built in 2007. Mill Plain Blvd. is a major east-west corridor with existing bus service and planned Bus Rapid Transit improvements, and contains a landscaped center median extending along most of the site frontage.

Proposed Amendments:

Based on Council direction, staff recommends amending the DA regarding allowed uses as follows:

- Continue to prohibit 24-hour uses, car washes, auto body shops, auto sales and rental, manufacturing and production, bulk sales and outdoor sales
- Allow self-storage and non-accessory parking only on parcel #164699000, located behind the mini mall and tavern and removed from Mill Plain.
- Allow drive through uses and gas stations.

Other DA provisions would be as recommended by the Planning Commission.

Advantage(s)

Amends and lessens DA requirements to allow property development more consistent with allowances on similarly zoned properties, while maintaining various protections for adjacent residences, and limiting passive economic uses on an active traffic and transit corridor.

Disadvantage(s)

Allowance for high traffic generators such as gas stations and drive-through uses fronting an almost continuous median may encourage use of nearby signalized intersections and/or adjacent streets for turn-arounds, but no significant concurrency or safety impacts are anticipated.

Budget Impact

No direct budget impacts.

Prior Council Review

Council worksessions were held on July 2 and August 20, 2018.

Action Requested

On Monday, September 17, 2018, approve the ordinance on first reading, setting the date of second reading and public hearing for Monday, October 1, 2018.

Bryan Snodgrass, Principal Planner, 487-7946

ATTACHMENTS:

- ▢ Ordinance with Exhibit
- ▢ Amended Development Agreement
- ▢ Exhibit - Legal Description

9/17/18
10/1/18

ORDINANCE NO. M _____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; partially rescinding a Development Agreement applying to five contiguous properties zoned Community Commercial (CC) at approximately 148th Avenue and Mill Plain Boulevard, specifically 14799, 14800, 14900, 14930 and 15000 Mill Plain Blvd, parcel numbers 167676000, 164700000, 164699000, 167650000, and 167633000; and authorizing the City Manager to enter into a Development Agreement, attached hereto as Exhibit A and referred to herein as “DA”.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted a Comprehensive Plan for the City of Vancouver (Ordinance M-3994), and Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, property owners Delta Management and Ken Yu have requested rescission of the DA adopted through Ordinance M-3096 on December 1, 2008, Clark County Auditors Recording number 4529049; and

WHEREAS, The Vancouver Planning Commission at a duly advertised public hearing on May 22, 2018, voted 4-2 to recommend partial rescission of the DA with retention of sections I, III.A, III.B, III.C, V.A, V.B, and VII addressing prohibited uses, building orientation requirements, and transportation requirements; and

WHEREAS, the Vancouver City Council at duly advertised worksessions on July 2 and August 2018, considered the proposal, and directed City staff to explore a compromise position on prohibited uses in the DA, in consideration of impacts to adjacent residences north of the property, and economic impacts of allowing passive economic uses on major vehicular and

ORDINANCE - 1

transit corridors such as Mill Plain Boulevard; and

WHEREAS, the City Council finds and concludes that the proposed partial rescission of the DA is consistent with all relevant criteria of Vancouver Municipal Code Chapter 20.250, Development Agreements; and

WHEREAS, the City Council conducted a duly advertised public hearing on October 1, 2018, following which the Council adopted the Planning Commission recommendations for approval; and

WHEREAS, the cumulative environmental impacts of the proposed Comprehensive “Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy Act. Notices of Determination of Non-significance (DNS) were issued on May 14, 2018 for the proposed DA rescission, and no SEPA comments or appeals were received; and

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the May 22, 2018 public hearing, are hereby adopted as the City Council’s findings of fact; and

Section 2. Development Agreement. The City Manager is authorized to enter into a Development Agreement, attached hereto as Exhibit A herein.

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 go into effect upon adoption.

Section 5. Instruction to City Clerk. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

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 _____, 2018

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

SUMMARY

ORDINANCE NO. M_____

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; partially rescinding a Development Agreement applying to five contiguous properties zoned Community Commercial (CC) at approximately 148th Avenue and Mill Plain Boulevard, specifically 14799, 14800, 14900, 14930 and 15000 Mill Plain Blvd, parcel numbers 167676000, 164700000, 164699000, 167650000, and 167633000; and authorizing the City Manager to enter into a Development Agreement, attached hereto as Exhibit A and referred to herein as “DA”.

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 Exhibit A – Development Agreement

TO BE RECORDED

RETURN ADDRESS

City of Vancouver
City Clerk's Office
PO Box 1995
Vancouver, WA 98668-1995

**DEVELOPMENT AGREEMENT
ASGHAR R. SADRI and KEN J. YU AND AGNES YU ET AL**

This Development Agreement ("Agreement") is entered into by and between the CITY OF VANCOUVER, a Washington Municipal Corporation ("City") and ASGHAR R. SADRI and KEN J YU and AGNES YU ET AL ("Sadri and Yu") and shall be effective as of the last signed date below.

RECITALS

WHEREAS, Sadri and Yu separately own lots comprising that certain real property, located in the City of Vancouver, more fully described as attached and incorporated by reference herein (hereafter, the "Properties"); and,

WHEREAS, Sadri and Yu have applied for a Covenant Release and a new Development Agreement to allow a greater range of uses on the Properties; and,

WHEREAS, the City is a Washington Municipal Corporation with land use planning and permitting authority over all land within its corporate limits; and,

WHEREAS, the City has the authority to enter into Development Agreements pursuant to RCW 36.70B.170 which provides:

The Legislature finds that the lack of certainty of the approval of development projects can result in a waste of public and private resources, escalate housing costs for consumers, and discourage the commitment to comprehensive planning which would make maximum efficient use of resources at the least economic cost to the public. Assurance to a development project applicant that upon government approval the project may proceed in accordance with existing policies and regulations, and subject to conditions of approval, all is set forth in a development agreement, will strengthen the public planning process, encourage private participation and comprehensive planning, and reduce the economic cost of development; and,

WHEREAS, the City is further authorized to enter into Development Agreements pursuant to Vancouver Municipal Code ("VMC") 20.250; and

DEVELOPMENT AGREEMENT - 1

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Clark Auditor Fri Feb 06 15:49:29 PST 2009 4529049 Page 8

ORDINANCE - 6

WHEREAS, in 2002 the City rezoned a larger area that includes the Properties to Community Commercial (CC), subject to a concomitant agreement that prohibited most retail uses, applied strict design criteria, required a joint cross-access agreement for all tax parcels between 148th Avenue and 155th Avenue, and limited access to each parcel; and

WHEREAS, the City twice modified the concomitant agreement to allow development of neighboring properties as a police precinct and a neighborhood park such that there no longer is cross-access to 155th;

NOW, THEREFORE, based on the foregoing Recitals, the parties agree as follows:

AGREEMENT

Development Agreement: This Agreement is a Development Agreement that applies to the properties described in the attachment to be implemented in accordance with RCW 36.70B.170 through RCW 36.70B.210 and VMC 20.250. It shall become a contract between Sadri and Yu and the City upon the City's approval by ordinance or resolution following a public hearing as provided for in RCW 36.70B.170 and VMC 18.55.340.

Effective Date and Duration of Agreement: This Agreement shall take effect immediately upon its adoption by the City Council and execution by all parties; provided that, any time periods specified in this Agreement shall be tolled pending any appeals of any city, state or federal land use decisions entitling Sadri and Yu to commence or complete development.

Vesting: The Properties shall be vested with the following uses, and mitigation measures, and design standards:

I. Uses

Unless otherwise stated, all uses permitted, either outright or pursuant to conditional use approval, within the Community Commercial - CC zone as per VMC Table 20.430.030-1, shall be allowed as such on the Properties. Except no drive-through, all-night, 24-hour services or establishments, car washes and body shops either free-standing or accessory to main use shall be permitted on the subject properties.

Uses Not Allowed. Bulk Sales. Outdoor Sales. Motor Vehicle Sales/Rental. Vehicle Fuel Sales. Non-Accessory Parking. Self-Service Storage. Industrial Services. Manufacturing and Production. (See VMC Chapter 20.160 Use Classifications for definitions).

II. Impact Mitigation

Development on the Properties shall be designed, screened, and buffered to minimize and mitigate negative impacts upon the adjacent residential neighborhood, including but not limited to light, glare, noise, odor, aesthetics, and security in accordance with applicable City, State, and other regulations.

III. Design Standards

DEVELOPMENT AGREEMENT - 2

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- A. Except as provided in this section, all setbacks, landscape standards, design and architectural standards, street and pedestrian standards, parking standards, floor area ratio and building coverage standards, storm water, sewer, water and other utility standards and all other planning or engineering standards applicable to the development of the Properties; all as provided for or identified on the approved CC zone, as amended.
- B. At least 75 percent of the width of any new or reconstructed first story building wall facing a public street or pedestrian way and 50 percent of the ground level wall area, which is defined as the area 9 feet above the grade, shall be devoted to interest-creating features, such as pedestrian entrances, reliefs, murals, landscaping, transparent show or display windows, or windows affording views into office or lobby space.
- C. Buildings in all future developments on the Properties shall be located at or near the lines demarcating setbacks from public streets; parking areas shall be located behind the buildings, away from public streets, to the extent possible. Primary ground floor building entrances shall have an entrance oriented to pedestrian-oriented streets, plazas, or parks. The building may also have other entrances as long as direct pedestrian access is provided from all entrances.
- D. New development on the Property shall provide a continuous, 20-foot-deep landscaped front yard (on Mill Plain) with three-foot-tall berm that is fully shrubbed.
- E. Use of the property shall mitigate noise and glare directed toward the neighborhood through the following:
 - 1. No outside display;
 - 2. No outside storage;
 - 3. Noise leaving the site will not exceed either the City's acoustic standards or the ambient noise level (whichever is higher at the given moment);
 - 4. Service bays will not face adjacent residential-zoned property to the north.
- F. All activities shall be conducted within an enclosed building.

IV. Landscaping

- A. Landscape Buffer. A ten (10) foot landscape buffer is required in order to reduce negative interaction between the commercial uses and the residential neighborhood to the north:

Required Materials. One (1) tree is required per thirty (30) lineal feet of property or as appropriate to provide a tree canopy over the landscaped area. In addition, 6 foot high

shrubs are required to form a continuous sight-obscuring screen. Groundcover plants must fully cover the remainder of the landscaped area.

- B. Fully Sight-Obscuring Fence. Where complete visual separation is needed to protect abutting uses, and landscaping alone cannot provide that separation.

Required Materials. A fence or wall shall be six (6) feet high and one hundred percent (100%) sight-obscuring. Fences may be made of bricks, masonry or other permanent materials. The responsible official may approve and condition an alternative landscape design and buffer standard that is that reduces the negative visual and noise impacts.

- C. Landscape and Screening Standards for Storage and Equipment Areas.

1. Storage and equipment areas shall be screened from property used or zoned for residential purposes or a public road right-of-way. Storage areas include storage of solid waste and recyclables from the site and, where permitted, storage of goods, materials or equipment.
2. Rooftop and ground-level exterior equipment shall be screened from abutting property used or zoned for residential purposes or from an abutting public road right-of-way.

- D. Tree Selection. Trees may be deciduous or evergreen. The required tree height shall be measured from the ground level at final planting to the top of the tree.

1. Required deciduous trees shall be fully branched, have a minimum caliper of two (2) inches, and a minimum height of eight (8) feet at the time of planting.
2. Required evergreen trees (other than street trees) shall be fully branched and a minimum of six (6) feet high at the time of planting.
3. If the responsible official decides reducing the minimum size of trees will not detract from the desired effect of the trees, the minimum size of trees may be reduced if the applicant submits a written statement by a landscape architect registered in Washington or expert in the growing of the tree(s) in question certifying that the reduction in size at planting will not decrease the likelihood the trees will survive.

V. Access

- A. Developments on the subject parcels shall be designed to maximize compatibility with and minimize transportation impacts on the adjacent neighborhood and Mill Plain Boulevard.
- B. Developments on the Properties shall provide continuous access across each Lot comprising the Properties, such that all Lots comprising the Properties shall have access

DEVELOPMENT AGREEMENT - 4

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to both Mill Plain Boulevard and SE 148th Avenue, whether and upon development, redevelopment, additional site development, or expansion of an existing structure. The cross access ways shall not be built adjacent to Mill Plain Boulevard, and shall be designed to accommodate both pedestrian and vehicular site-related traffic. (See Cross Circulation Agreement).

C. No more than two direct access ways to Mill Plain Blvd shall be permitted from the Properties. These access ways may be joint driveways with direct access to two or more parcels.

D. Parcel 167676-000 shall take direct access from 148th Avenue only.

VI Traffic Circulation /Improvements

There is approximately 80 feet width right-of-way and approximately 60 feet of pavement along SE 148th frontage of the Properties. Sadri and Yu agree to the following improvements with the contingency that Yu does not pay for any of the improvements listed below in this section. Improvements shall be the responsibility of Sadri or the developer of the property:

A. S.E. 148th Avenue north of Mill Plain Boulevard along the frontage of the Properties is designated as a neighborhood circulator. Additionally, the intersection is limited to right-in/right-out. Therefore, 60 feet of pavement is not needed. It shall be modified to 26-feet to allow two travel lanes and no parking on either side of the road.

B. To accommodate the turning radius of large trucks entering 148th Avenue from Mill Plain, a right turn lane meeting WSDOT design standards is required.

C. The right of way width can be reduced from current approximately 80 feet down to 54 feet. The applicant could request a right of way vacation of approximately 13 feet on each side of the road. Right of way vacations are processed as a separate application and are subject to City Council approval.

D. The right of way for SE 148th Avenue can be 54 feet, which will allow 26 feet of roadway, 8 feet of landscaping strip and 6 feet of sidewalk on each side of the road.

E. A median with neighborhood sign shall be built to indicate that the vehicles are entering a residential neighborhood.

F. A total of two driveways will be allowed, one on each side of the road. The driveways will be required to be placed as far north as possible and need to be built as per City of Vancouver Standards. The driveways shall align with each other.

G. The driveways shall be built in a manner that would minimize or discourage cut-through traffic through the neighborhood along 5th Street.

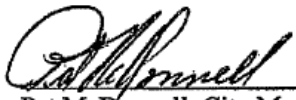
1. The driveway for the western property shall be built to allow a right-in/right-out and a left-in/no-left-out.
2. The driveway for the eastern property shall be built to allow a right-in, a left-turn-in, and a left-only out.

VII. Miscellaneous

- A. Failure by either party at any time to require performance by the other party of any of the provisions hereof shall in no way affect the parties' rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this non- waiver clause.
- B. This Agreement shall be construed with, and governed by, the laws of the State of Washington. The parties agree to venue in the Superior Court for Clark County, State of Washington, to resolve any disputes that may arise under this Agreement.
- C. If any portion of this Agreement shall be invalid or unenforceable to any extent, the validity of the remaining provisions shall not be affected thereby.
- D. Binding on Successors and Recording: This Agreement is assignable and shall run with the land and be binding upon and insure to the benefit of the parties, their respective heirs, successors and assigns. This Agreement shall be recorded.
- E. Each of the recitals contained herein are intended to be, and are incorporated as, covenants between the parties and shall be so construed.
- F. This Agreement may only be amended by mutual agreement of the parties.

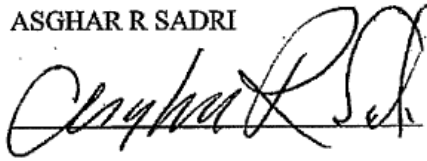
DATED this 1st day of December 2008.

CITY OF VANCOUVER, WASHINGTON

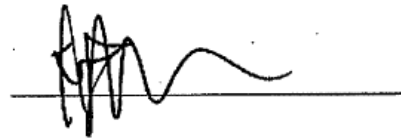


Pat McDonnell, City Manager

ASGHAR R SADRI



KEN J YU



**AMENDED DEVELOPMENT AGREEMENT
ASGHAR R. SADRI and KEN J. YU and AGNES YU ET AL**

This Amended Development Agreement ("Agreement") is entered into by and between the CITY OF VANCOUVER, a Washington Municipal Corporation ("City") and ASGHAR R. SADRI and KEN J. YU and AGNES YU ET AL ("Sadri and Yu") and shall be effective as of the last signed date below. This Amended Agreement supersedes and replaces the Development Agreement entered into by and between the City and Sadri and Yu on December 1, 2008, which was recorded under Clark County Auditor number 4529049.

RECITALS

WHEREAS, Sadri and Yu separately own lots comprising that certain real property, located in the City of Vancouver, more fully described as attached and incorporated by reference herein (hereafter, the "Properties"); and,

WHEREAS, Sadri and Yu applied for a Covenant Release and a new Development Agreement to allow a greater range of uses on the Properties that resulted in the City and Sadri and Yu entering a Development Agreement on December 1, 2008 ; and,

WHEREAS, the City is a Washington Municipal Corporation with land use planning and permitting authority over all land within its corporate limits; and,

WHEREAS, the City has the authority to enter into Development Agreements pursuant to RCW 36.70B. 1 70 which provides:

The Legislature finds that the lack of certainty of the approval of development projects can result in a waste of public and private resources, escalate housing costs for consumers, and discourage the commitment to comprehensive planning which would make maximum efficient use of resources at the least economic cost to the public. Assurance to a development project applicant that upon government approval the project may proceed in accordance with existing policies and regulations, and subject to conditions of approval, all is set forth in a development agreement, will strengthen the public planning process, encourage private participation and comprehensive planning, and reduce the economic cost of development; and,

WHEREAS, the City is further authorized to enter into Development Agreements pursuant to Vancouver Municipal Code ("VMC") 20.250; and

WHEREAS, in 2002 the City rezoned a larger area that includes the Properties to Community Commercial (CC), subject to a concomitant agreement that prohibited most retail uses, applied strict design criteria, required a joint cross-access agreement for all tax parcels between 148th Avenue and 155th Avenue, and limited access to each parcel; and

WHEREAS, the City twice modified the concomitant agreement to allow development of neighboring properties as a police precinct and a neighborhood park such that there no longer is cross-access to 155th; and

WHEREAS, in 2018, Sadri and Yu requested that the 2008 Development Agreement be amended to remove certain restrictions, noting that similarly zoned Mill Plain properties are not subject to such restrictions; and

WHEREAS, the Parties agreed that the 2008 Development Agreement contained provisions, which no longer serve a public purpose;

NOW, THEREFORE, based on the foregoing Recitals, the Parties agree as follows:

AGREEMENT

Development Agreement: This Agreement is a Development Agreement that applies to the properties described in the attachment to be implemented in accordance with RCW 36.70B.170 through RCW 36.70B.210 and VMC 20.250. This Agreement amends the 2008 Development Agreement entered into between the parties. Once this Agreement becomes effective, it shall supersede and replace the Development Agreement entered into by and between the City and Sadri and Yu on December 1, 2008, which was recorded under Clark County Auditor number 4529049.

Effective Date and Duration of Agreement: City Council must approve this Agreement by ordinance or resolution following a public hearing as provided for in RCW 36.70B.170 and VMC 18.55.340. This Agreement shall take effect immediately upon its adoption by the City Council and execution by all parties; provided that, any time periods specified in this Agreement shall be tolled pending any appeals of any city, state or federal land use decisions entitling Sadri and Yu to commence or complete development.

Vesting: The Properties shall be vested with the following uses, and mitigation measures, and design standards:

I. Uses

Unless otherwise stated, all uses permitted, either outright or pursuant to conditional use approval, within the Community Commercial - CC zone as per VMC Table 20.430.030-1, shall be allowed as such on the Properties. Except no, all-night, 24-hour services or establishments, car washes and body shops either free-standing or accessory to main use shall be permitted on the subject properties.

Uses Not Allowed. Bulk Sales. Outdoor Sales. Motor Vehicle Sales/Rental... Industrial Services. Manufacturing and Production. (See VMC Chapter 20.160 Use Classifications for definitions).

Self-storage and non-accessory parking are not allowed, except self-storage and non-accessory parking shall be allowed only on parcel #164699000 located in the rear of the site.

II. [RESCINDED]

III. Design Standards

- A. Except as provided in this section, all setbacks, landscape standards, design and architectural standards, street and pedestrian standards, parking standards, floor area ratio and building coverage standards, storm water, sewer, water and other utility standards and all other planning or engineering standards applicable to the development of the Properties; all as provided for or identified on the approved CC zone, as amended.
- B. At least 75 percent of the width of any new or reconstructed first story building wall facing a public street or pedestrian way and 50 percent of the ground level wall area, which is defined as the area 9 feet above the grade, shall be devoted to interest-creating features, such as pedestrian entrances, reliefs, murals, landscaping, transparent show or display windows, or windows affording views into office or lobby space.
- C. Buildings in all future developments on the Properties shall be located at or near the lines demarcating setbacks from public streets; parking areas shall be located behind the buildings, away from public streets, to the extent possible. Primary ground floor building entrances shall have an entrance oriented to pedestrian-oriented streets, plazas, or parks. The building may also have other entrances as long as direct pedestrian access is provided from all entrances.
- D. [RESCINDED]
- E. [RESCINDED]
- F. [RESCINDED]

IV. [RESCINDED]

V. Access

- A. Developments on the subject parcels shall be designed to maximize compatibility with and minimize transportation impacts on the adjacent neighborhood and Mill Plain Boulevard.
- B. Developments on the Properties shall provide continuous access across each Lot comprising the Properties, such that all Lots comprising the Properties shall have access to both Mill Plain Boulevard and SE 148th Avenue, whether and upon

development, redevelopment, additional site development, or expansion of an existing structure. The cross access ways shall not be built adjacent to Mill Plain Boulevard, and shall be designed to accommodate both pedestrian and vehicular site-related traffic. (See Cross Circulation Agreement).

- C. No more than two direct access ways to Mill Plain Blvd shall be permitted from the Properties. These ways may be joint driveways with direct access to two or more parcels.
- D. Parcel 167676-00 shall take direct access from 148th Avenue only.

VI. [RESCINDED]

VII. Miscellaneous

- A. Failure by either party at any time to require performance by the other party of any of the provisions hereof shall in no way affect the Parties' rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this non- waiver clause.
- B. This Agreement shall be construed with, and governed by, the laws of the State of Washington. The Parties agree to venue in the Superior Court for Clark County, State of Washington, to resolve any disputes that may arise under this Agreement.
- C. If any portion of this Agreement shall be invalid or unenforceable to any extent, the validity of the remaining provisions shall not be affected thereby.
- D. Binding on Successors and Recording: This Agreement is assignable and shall run with the land and be binding upon and insure to the benefit of the Parties, their respective heirs, successors and assigns. This Agreement shall be recorded
- E. Each of the recitals contained herein are intended to be, and are incorporated as, covenants between the Parties and shall be so construed.
- F. This Agreement may only be amended by mutual agreement of the Parties.

DATED this ____ day of _____ 2018.

CITY OF VANCOUVER

ASGHAR R. SADRI

Eric Holmes, City Manager

KEN J. YU

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

ATTACHMENT

PROPERTY SUBJECT TO THIS DEVELOPMENT AGREEMENT

Five parcels of land located north of Mill Plain Blvd., at or near its intersection of SE 148th and more particularly describe as follows:

FIRST PARCEL:

Assessor's Parcel Number: 167676-000

Site Address: 14799 SE MILL PLAIN BL, VANCOUVER, 98684

Abbreviated Legal Description: #60 SEC 35 T2N R2EWM 1.18A

Complete Legal Description:

#60 SEC 35 T2N R2EWM 1.18A A PTN OF NEQ SEC 35 DAF: BEG AT A 5/8 IN IR RD AT SW COR OF PLAT OF SHALIMAR-II ALSO BG SW COR OF LOT 138 SHALIMAR-II TH S 79DG 54MIN 09SEC E ALG SLY BNDRY OF SHALIMAR-II 206.94 FT TO A 5/8 IN IR RD AT W R/W OF NE 148TH AVE TH SLY ALG W R/W OF SD NE 148TH AVE (AS SHWN ON PLAT OF SHALIMAR-II) ALG A 599.64 FT RAD CRV TO LEFT 227.64 FT (CNTRL ANGL OF 21DG 45MIN 11SEC) TO A 5/8 IN IR RD TH S 02DG 02MIN 30SEC W 49.39 FT TO A 5/8 IN IR RD TH ALG A 22 FT RAD CRV TO RT 37.65 FT (CNTRL ANGL OF 98DG 03MIN 21SEC) TO A 5/8 IN IR RD ON N R/W OF MILL PLAIN BLVD (SD N R/W BG NLY AT RT ANGLS 50 FT FRM C/L OF MILL PLAIN BLVD) TH N 79DG 54MIN 09SEC W ALG N R/W 131.37 FT TO A 5/8 IN IR RD AT SLY EXTN OF W LI OF SHALIMAR-II TH N 00DG 42MIN 50SEC E ALG W LI OF J DUBACK JR TT PER VOL 21 PG 256 304.07 FT TO POB EXC THRFROM ANY PTN WCH LIES WIN BNDYRS OF THT CTN TT MF 7909110006

SECOND PARCEL:

Assessor's Parcel No: 164700-000

Tax Status: Regular Parcel

Site Address: 14800 SE MILL PLAIN BL, VANCOUVER, 98684

Abbreviated Legal Description: #4 SEC 26 T2N R2EWM 2.72A M/L

Complete Legal Description:

#4 SEC 26 T2N R2EWM 2.72A M/L PTN NEQ SEC 35-2-2 DAF: BEG AT 5/8 IN IR RD AT SW COR PLAT OF SHALIMAR II ALSO BG SW COR LOT 138 SHALIMAR

II TH S 79DG 54MIN 09SEC E ALG SLY BNDRY OF SHALIMAR II 206.94 FT TO A 5/8 IN IR RD AT W R/W OF NE 148TH AVE TH SLY ALG W R/W SD NE 148TH AVE AS SHWN ON PLAT OF SHALIMAR II ALG A 599.64 FT RAD CRV TO LEFT 227.66 FT CNTRL ANG OF 21DG 45MIN 11SEC TO A 5/8 IN IR RD TH S 02DG 02MIN 30SEC W 49.39 FT TO A 5/8 IN IR RD TH ALG A 22 FT RAD CRV TO RT 37.65 FT CNTRL ANG OF 98 DG 03MIN 21SEC TO A 5/8 IN IR RD ON N R/W OF MILL PLAIN BV SD N R/W BG NLY AT RT ANG 50 FT FRM C/L OF MILL PLAIN BV TH N 79DG 54MIN 09SEC W ALG N R/W 131.37 FT TO A 5/8 IN IR RD AT SLY EXTN OF W LI OF SHALIMAR II TH N 00DG 42MIN 50SEC E 304.07 FT TO POB ALSO A PTN NEQ SEC 35-2-2 DAF: BEG AT A 5/8 IN IR RD AT SW COR LOT 1 SHALIMAR II TH S 79DG 54MIN 09SEC E ALG S LI OF SHALIMAR II VOL G PG 790 TO W LI OF TT CVYD TO W V TEUSCHER PER G-732017 TH S ALG W LI SD TEUSCHER TT TO NLY R/W LI OF MILL PLAIN RD TH NWLY ALG NLY R/W LI OF SD MILL PLAIN RD TO A 5/8 IN IR RD AT BEG OF ENTRANCE RD NE 148TH AV TO SHALIMAR II TH ALG E R/W NE 148TH AVE ALG A 22 FT RAD CRV TO RT 31.46 FT CNTRL ANG OF 81DG 56MIN 39SEC TO A 5/8 IN IR RD TH N 02DG 02MIN 30SEC E 66.94 FT TO A 5/8 IN IR RD TH NLY ALG A 519.64 FT RAD CRV TO RT 206.36 FT CNTRL ANG OF 22DG 45 MIN 11SEC TO A 5/8 IN IR RD TH NLY ALG A 360.54 FT RAD CRV TO LEFT CNTRL ANG OF 1DG 39MIN 41SEC 10.45 FT TO POB EXC #60

THIRD PARCEL:

Assessor's Parcel No: 164699-000

Tax Status: Regular Parcel

Site Address: 14900 SE MILL PLAIN BL, VANCOUVER, 98684

Abbreviated Legal Description: #3 SEC 26 T2NR2EWM .82A

Complete Legal Description:

#3 SEC 26 T2NR2EWM .82A PTN NEQ SEC 35-2-2 DAF: BEG AT INTERS OF S LI OF SHALIMAR-IV BK G PG 820 & E LI OF NEQ SD SEC 35 TH S ALG E LI SD NEQ TO NE COR OF TT CVYD TO E BARBIER PER F-43257 TH N 89DG 14MIN 22SEC W ALG N LI SD BARBIER TT & N LI OF THT TT CVYD TO S F WAGNER PER G-601384 632.94 FT TO A 5/8 IN IR RD AT NW COR SD WAGNER & NELSON TT TH S 6DG 31MIN 19SEC W ALG W LI SD WAGNER & NELSON TT TO N R/W LI OF MILL PLAIN BV TH NWLY ALG NLY R/W LI OF MILL PLAIN BV TO W LI OF TT CVYD TO W V TEUSCHER PER G-732017 TH N ALG W LI SD TEUSCHER TT TO S LI SHALIMAR-II VOL G PG 790 TH SELY ALG S LI OF SHALIMAR-II & SHALIMAR-IV TO POB EXC BEG AT INTRSN OF E LI OF SD SEC 35 WI C/L OF EAST MILL PLN RD TH N 341 FT TH W 233 FT TO NW COR OF TT CVYD TO CITY OF VANC PER AF 3806910 SD PT BG TPOB TH N ALG A LI EX- TNDD NLY FRM W LI OF SD CITY OF VANC TT 52.5 FT M/L TO S LI OF

SHALIMAR PH IV VOL G PG 820 TH SELY ALG S LI OF SHALIMAR IV TO E LI OF NEQ OF NEQ SD SEC 35 TH S ALG E LI OF NEQ OF NEQ 15.5 FT M/L TO NE COR OF TT CVYD TO CITY OF VANC PER AF 3806910 TH W ALG N LI OF CITY OF VANC TO NW COR THOF SD PT BG TPOB

FOURTH PARCEL:

Assessor's Parcel No: 167650-000

Tax Status: Regular Parcel

Site Address: 14930 SE MILL PLAIN BL, VANCOUVER, 98684

Abbreviated Legal Description: #33 SEC 35 T2N R2EWM 1.00A

Complete Legal Description:

#33 SEC 35 T2N R2EWM 1.00A THAT PTN OF NE1/4 SEC 35-2-2 DAF: BAAP OF INTERSEC OF C/L OF MILL PLAIN RD WITH E LI OF SD SEC 35 TH N ON SD E LI 341 FT TH W 9.59 CHS TO NW COR OF THE WAGNER & NELSON TT PER DD G601384 AND TPOB TH E ALG N LI OF SD WAGNER & NELSON TT 215 FT TH S PLWI E LI OF SD SEC 35 A DIST OF 220 FT M/L TO N LI OF SD MILL PLAIN RD TH N 80 DG 35' W ALG N LI OF SD MILL PLAIN RD 218 FT M/L TO SW COR OF WAGNER & NELSON TT TH N 185 FT M/L TO TPOB

FIFTH PARCEL:

Account No: 167633-000

Tax Status: Regular Parcel

Site Address: 15000 SE MILL PLAIN BL, VANCOUVER, 98684

Abbreviated Legal Description: #14 SEC 35 T2N R2EWM .95A

Complete Legal Description:

#14 SEC 35 T2N R2EWM .95A BAAP OF INTERS OF CNTR LI OF MILL PLAIN RD WI E LI OF SEC 35 TH N ALG SEC LI 341 FT TAP TH W 9.59 CHS TH S 235 FT M/L TO CNTR OF SD MILL PLAIN RD TH S 80 DG 35 MIN E 10 CHS TO POB EXC E 233 FT THOF CNVE TO EDWD A BARRIER DD F43257 EXC CO OR PUB RDS, EXC #33

Recorders Note

Legibility poor in a portion of
this document when received



Item #2.

TO: Mayor and City Council

FROM: Natasha Ramras, Chief Financial Officer

DATE: 9/17/2018

SUBJECT Approval of Claim Vouchers

Action Requested

Approve claim vouchers for September 17, 2018.

(Copy available upon request.)

ATTACHMENTS:

- ▢ Claim Vouchers

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:

\$ **9,313,594.86** this 17th day of September 2018.

MAYOR



AUDITING OFFICER

COUNCILMEMBER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
September 4 - September 10	Accounts Payable Checks (see attached)	\$ 6,453,006.59
September 4 - September 10	Visa Refunds (see attached)	\$ 1,296.10
September 4 - September 10	Payroll Checks (see attached)	\$ 2,859,292.17
TOTAL		\$ 9,313,594.86

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
119798	04-Sep-2018	132,246.38	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS WEEKLY CLAIMS INVOICE, WEEK 4 OF AUGUST
119799	04-Sep-2018	3,680.75	INTERNAL REVENUE SERVICE	***WIRE*** 8 2018 PENSION TAXES
119800	04-Sep-2018	736.50	HEALTH SMART BENEFITS SOLUTIONS INC	***WIRE*** WEEKLY CLAIMS HEALTH SMART WEEK 5 OF AUGUST
119801	04-Sep-2018	280,029.78	US BANK TRUST	***WIRE*** TAX REVENUES - TREASURY
119802	04-Sep-2018	43,375.00	US BANK	***WIRE*** LID 545 DEBT SERVICE PAYMENT - TREASURY
119804	07-Sep-2018	60,145.55	HEALTH SMART BENEFITS SOLUTIONS INC	***WIRE*** WEEKLY CLAIMS, WEEK 1 OF SEPTEMBER
119805	07-Sep-2018	1,333,844.79	INTERMOUNTAIN SLURRY SEAL	***WIRE*** 2018 JOINT CITY/COUNTY PRES - EST 1 - THRU 08/06/18
119806	07-Sep-2018	1,709,238.23	TAPANI UNDERGROUND INC	***WIRE*** 2018 RESURFACING - EST 1 - THRU 08/10/18
119807	10-Sep-2018	675.00	VANCOUVER FIRE COMMAND OFFICERS	***WIRE*** PAYROLL
119808	10-Sep-2018	6,222.70	ICMA 401A	***WIRE*** PAYROLL
119809	10-Sep-2018	24,666.00	VANCOUVER FIREFIGHTERS UNION HEALTH	***WIRE*** PAYROLL
119810	10-Sep-2018	6,342.83	WASHINGTON SDU	***WIRE*** PAYROLL
119811	10-Sep-2018	150,053.09	ICMA CORP	***WIRE*** PAYROLL
119812	10-Sep-2018	12,399.64	WESTERN STATES HEALTH &	***WIRE*** PAYROLL
119813	10-Sep-2018	17,300.00	WASHINGTON STATE FIREFIGHTERS	***WIRE*** PAYROLL
119814	10-Sep-2018	375.00	OREGON SDU	***WIRE*** PAYROLL
119815	10-Sep-2018	21,855.62	ING	***WIRE*** PAYROLL
119816	10-Sep-2018	76,810.29	STATE OF WASHINGTON 457	***WIRE*** PAYROLL
119817	10-Sep-2018	12,484.26	ALLEGIANCE BENEFIT PLAN MANAGEMENT	***WIRE*** PAYROLL
119818	10-Sep-2018	75.00	HRA VEBA PLAN	***WIRE*** PAYROLL
119820	10-Sep-2018	269.00	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** SEPT BLUE CROSS PT MED PREMIUMS
119821	10-Sep-2018	22,811.20	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** SEPT BLUE CROSS FT MED PREMIUMS
119822	10-Sep-2018	2,313.40	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** SEPT BLUE CROSS VHA MED PREMIUMS
119823	10-Sep-2018	12,495.73	KAISER PERMANENTE	***WIRE*** SEPT KAISER DENTAL PREMIUMS
119824	10-Sep-2018	264,017.42	KAISER PERMANENTE	***WIRE*** SEPT KAISER MEDICAL PREMIUMS
119825	10-Sep-2018	379,240.24	VANCOUVER FIREFIGHTERS UNION HEALTH	***WIRE*** SEPT FIRE HEALTH TRUST PREMIUMS
119826	10-Sep-2018	65,784.32	WASHINGTON DENTAL SERVICE	***WIRE*** SEPT WDS ACTIVE PREMIUMS
119827	10-Sep-2018	648.06	WASHINGTON DENTAL SERVICE	***WIRE*** SEPT WDS PT PREMIUMS
119828	10-Sep-2018	197,093.75	WESTERN STATES HEALTH &	***WIRE*** SEPT OPEIU HEALTH PREMIUMS TO HEALTH TRUST
119829	10-Sep-2018	4,790.70	LYNN WITTEW MD PC	***WIRE*** 18AUG - VANCOUVER FIRE DEPT SERVICES - FINANCE/FIRE
119830	10-Sep-2018	14,751.20	LYNN WITTEW MD PC	***WIRE*** 18AUG - AMERICAN MEDICAL RESPONSE SERVICES - FINANCE
594564	05-Sep-2018	16,391.16	A LINE ASPHALT MAINTENANCE INC	08/03/18 - SAW CUT/REMOVE FAILED ASPHALT - SOUTH-SIDE DRIVE TO BAY DOOR - FIRE STN 8 - OP CENTER
594565	05-Sep-2018	5,126.00	ACCENT BUSINESS SERVICES INC	SUMMARY: CONSTRUCTION
594566	05-Sep-2018	34,904.53	ACTION TECHNOLOGY SYSTEMS	INV P 39681 & P 39682 - TOWN PLAZA FIRE ALARM SYSTEM REPAIRS - EST 5 - THRU 08/08/18
594567	05-Sep-2018	110.20	ADT LLC	PERMIT WITHDRAWN
594568	05-Sep-2018	321.33	AIR EXCHANGE INC	REHAB LOAN PROGRAM - BEVERLY FINCHER - 15509 SE MILL PLAIN RD UNIT 89 - THRU 08/25/18 - CDBG FUNDING
594569	05-Sep-2018	1,358.05	ALLEGIANC BENEFIT PLAN MANAGEMENT	RETIRED LEOFF 1 POLICE MEDICAL CLAIMS
594570	05-Sep-2018	4,100.00	ALPHA MEDIA INC	08/24/18-08/26/18 - ADVERTISING - VPD
594571	05-Sep-2018	219.72	ARAMARK UNIFORM SERVICES INC	SUMMARY: MAT/TOWEL/COVERALL CLEANING - WREC - OP CENTER
594572	05-Sep-2018	10,344.07	ARBORSCAPE LTD INC	SUMMARY: TREE MAINTENANCE - OP CENTER - FORESTRY
594573	05-Sep-2018	719.09	ARCHAEOLOGICAL INVESTIGATIONS NW INC	BILLING 20 - ARCHAEOLOGICAL PREDETERMINATION REPORT REVIEW/SURVEYS - MULTIPLE PROJECTS - 18JUN-18JUL - DRS - RECEIPT 136599 BY B THOMAS PER E-MAIL
594574	05-Sep-2018	26.25	ASHLEY WEBB DBA AWTRANSCRIBES	07/26/18 - TRANSCRIPTION SERVICES - CAUSE 7Z1254761 - CMO
594575	05-Sep-2018	136.32	AT&T MOBILITY II LLC	ACCOUNT # 287238238360 - 07/17/18-08/16/18 - IT
594576	05-Sep-2018	102.00	Avery, Daniel C	CDL ENDORSEMENT REIMBURSEMENT

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
594577	05-Sep-2018	8,657.50	BARRAN LIEBMAN LLP	CLIENT 707505 - RE: 0010-INVESTIGATION FOSTER/HAMLIN - THRU 07/31/18 - VPD
594578	05-Sep-2018	18,734.45	BERGER ABAM INC	PROJ A18.0064.00 - 6TH STREET GATEWAY - THRU 08/03/18 - ECON DEV - RECEIPT 137077 BY B THOMAS PER E-MAIL
594579	05-Sep-2018	6,000.00	BERRY DUNN MCNEIL & PARKER LLC	CLIENT 111225.40 - DEVELOPMENT OF STRATEGIC IT PLAN - THRU 08/10/18 - INFO TECH
594580	05-Sep-2018	71.17	Blocker, Jude J	AUGUST MILEAGE
594581	05-Sep-2018	7,447.08	BLOOMBERG FINANCE LP	ACCT 30136675 - BLOOMBERG TERMINAL W/ 23" DUAL W/PC - 07/15/18-10/14/18 - TREASURY
594582	05-Sep-2018	440.00	BSK ASSOCIATES	CLIENT VANCO8428 - WO V8H0096 - SAMPLE TESTING SERVICES - PCE & TCE ONLY - 08/07/18 - OP CENTER - RECEIPT 136619 BY M CORRELL PER E-MAIL
594583	05-Sep-2018	40.49	CADMAN MATERIALS INC	CUST 9408272 - S/O 10079831 - PROD 93004 - .83 TON - OPS CENTER
594584	05-Sep-2018	74,439.71	CENTENNIAL CONTRACTORS ENTERPRISES, IN	CITY HALL WINDOW LEAKS EAST & WEST WALLS - EST 1 - THRU 05/29/18
594585	05-Sep-2018	9,292.29	CH2M HILL INC	CUST 003143 - PROJ 667093 - SEWER INTERCEPTOR CONDITION ASSESSMENT - THRU 07/27/18 - MP ENG - RECEIPT 136803 BY H VASKELIS PER E-MAIL
594586	05-Sep-2018	1,759.08	CHOUGH, INC	RECEIPT 136692 - 5230B - 7290-9 CTS CANISTER GRENADE - CTS CS FLASH BANG - VPD
594587	05-Sep-2018	144,940.95	CLARK AND SONS EXCAVATING	NW WHITNEY ROAD PRESSURE REDUCING VALVE STATION - EST 1 - THRU 07/31/18
594588	05-Sep-2018	75.00	CLARK COUNTY	CUST 1811 - FINGERPRINTING SERVICES - 4 EA - 18JUN - LAW
594588	05-Sep-2018	920.87	CLARK COUNTY	CUST 1811 - JURY FEES - THRU 07/13/18 - BUDGET
594588	05-Sep-2018	1,100.00	CLARK COUNTY	CUST 1811 - RANGE RENTAL - 18JUN - VPD
594588	05-Sep-2018	30,309.01	CLARK COUNTY	CUST 1814 - WHATLEY TIPPING FEE - 18JUN - OP CENTER
594589	05-Sep-2018	2,186.00	CLH PARTNERS LLC	SEWER REIMBURSEMENT CONTRACT
594590	05-Sep-2018	2,900.00	COLLIERS INTL VALUATION & ADVISORY SERV	JOB VAN180052 - APPRAISAL SERVICES - INDUSTRIAL LAND - 15811 NE 65TH ST - FACILITIES
594591	05-Sep-2018	3,421.00	COLUMBIA CLAIMS SERVICE INC	FILE V118-1000 - CLAIMS ADJUSTER SERVICES - THRU 08/19/18 - RISK
594592	05-Sep-2018	154.00	COLUMBIAN PUBLISHING COMPANY	ACCT 263636 - ADVERTISING - 08/17/18-08/23/18 - URBAN FORESTRY
594593	05-Sep-2018	13,823.64	COMCAST CABLE COMMUNICATIONS INC	SUMMARY: INTERNET SERVICES
I				
594596				
594597	05-Sep-2018	148.23	CONSOLIDATED SUPPLY CO	CUST 23132 - OPERATING SUPPLIES - OPS CENTER
594598	05-Sep-2018	9,284.15	CONSOLIDATED SUPPLY CO	CUST 23132 - OPERATING SUPPLIES - OPS CENTER
594599	05-Sep-2018	200.53	Crawford, Ian Christopher	BOOT REIMBURSEMENT
594600	05-Sep-2018	2,337.52	CUES INC	SO 000663438 - REPAIR SERVICES - ORDER DATE 8/6/18
594601	05-Sep-2018	877.49	DKS ASSOCIATES	PROJ 16117-006 - 42ND & ST JAMES SIGNAL DESIGN - THRU 07/31/18 - TRANSPORTATION - RECEIPT 136594 BY L JONES PER E-MAIL
594602	05-Sep-2018	18,041.45	EPIC LAND SOLUTIONS INC	SUMMARY: ON-CALL RIGHT-OF-WAY SERVICES - TRANSPORTATION
594603	05-Sep-2018	5,723.07	ERIC LANCIAULT ARCHITECT	06/29/18-07/28/18 - DESIGN/ENGINEERING SERVICES - TASK ORDER 5 - HISTORICAL MUSEUM STAIR - OP CENTER/FACILITIES - RECEIPT 137026 BY S TURK PER E-MAIL
594604	05-Sep-2018	752.50	ESIX SPORSTWEAR INC	PUBLIC WORKS UNIFORMS/PROTECTIVE CLOTHING - OP CENTER
594605	05-Sep-2018	750.00	EUROFINS EATON ANALYTICAL INC	FOLDER 753436 - SAMPLE TESTING SERVICES - 08/02/18 - MP ENG
594606	05-Sep-2018	850.00	EXAMWORKS INC	CUST 1-BMWHT - MANDATORY INSURER REPORTING - 18AUG - RISK
594607	05-Sep-2018	11,358.59	EXCELTECH CONSULTING INC	PROJ 1808 - VARIOUS PROJECTS - THRU 07/31/18 - CONSTRUCTION - RECEIPT 136660 BY L PETERSEN PER E-MAIL
594608	05-Sep-2018	2,117.77	FERGUSON ENTERPRISES INC	CUST 46835 - OPERATING SUPPLIES - WAREHOUSE
594609	05-Sep-2018	1,134.10	FIRST STREET APARTMENTS	SETTLEMENT RE: FIRST STREET APTS - DOL: 08/01/18 - RISK

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
594610	05-Sep-2018	4,076.32	FREDERICK VANKUREN	SUMMARY: REAL PROPERTY VOUCHER - MILL PLAIN BLVD-104TH AVE TO CHKLOV DR -CONSTRUCTION
594611	05-Sep-2018	40.69	FRONTIER COMMUNICATIONS	ACCT 253-014-5765-032404-5 - 08/25/18-09/24/18 - WESTRIDGE PUMP STATION OPS CENTER
594612	05-Sep-2018	6,519.00	GALLAGHER BASSETT SERVICES INC	CONTR 00423500107 - CLIENT C004235000 - MONTHLY CLAIMS ADMIN SERVICE FEE - THRU 09/29/18 - RISK
594612	05-Sep-2018	52.13	GALLAGHER BASSETT SERVICES INC	CONTR 00423500205 - CLIENT C004235000 - BILL ON ACTUAL PER CLAIM - THRU 07/31/18 - RISK
594613	05-Sep-2018	1,455.42	GENUINE PARTS COMPANY	CUST 7970 - 18AUG - PARTS FOR VEHICLE AND EQUIPMENT REPAIRS - EQUIP SERVICES
594614	05-Sep-2018	740.36	GORDON TRUCK CENTERS	CUST 96056 - 18AUG - PARTS FOR VEHICLE AND EQUIPMENT REPAIR - EQUIP SERVICES
594615	05-Sep-2018	35,696.74	HALBERT CONSTRUCTION LLC	INV 711-89628-3 - RADON TESTING/REPAIRS - EST 3 - THRU 08/06/18
594616	05-Sep-2018	13,386.25	HARPER HOUF PETERSON RIGHELLIS INC	PROJ VAN-71 - MCLOUGHLIN BLVD COMPLETE STREETS PILOT PROJECT - THRU 07/20/18 - CED - RECEIPT 136525 BY B THOMAS PER E-MAIL
594617	05-Sep-2018	56.03	HASKIN ELECTRIC	PERMIT WITHDRAWN
594618	05-Sep-2018	907.00	HOULIHAN LAW PC	GENERAL REAL ESTATE SERVICES - 07/18/18-07/27/18 - LEGAL SERVICES - LAW
594619	05-Sep-2018	10,440.59	IMPERIAL HOMES	WATER REIMBURSEMENT CONTRACT
594620	05-Sep-2018	4,750.00	JCI JONES CHEMICALS INC	ORDER 563890 - CHLORINE 150 LB CYLINDERS - 19 EA - OP CENTER
594621	05-Sep-2018	200.00	JILL HOFSTEDE CI/CT	06/27/18 - SIGN LANGUAGE INTERPRETATION - SUMMER CAMP TRAINING - 8:00AM-12:00PM - MARSHALL CTR - PARKS
594622	05-Sep-2018	30.00	JORGE CASTRO	REF OVERPMT PKG CIT
594623	05-Sep-2018	81.29	Kandoll, Wesley L	BOOT REIMBURSEMENT
594624	05-Sep-2018	1,253.43	KELLI BROWN	SETTLEMENT RE: KELLI BROWN - DOL: 04/12/18 - RISK
594625	05-Sep-2018	211.05	LAKEYLAND DBA NORTHWEST SAFETYCLEAN	NFPA ADVANCED CLEANING/REPAIRS/GENERAL REPAIRS - FIRE
594626	05-Sep-2018	58,938.00	LEE CONTRACTORS LLC	WATER STATION 5-7 STORAGE TOWER-SEISMIC IMPROVEMENTS - EST 2 - THRU 08/05/18
594627	05-Sep-2018	195.10	Leedom, Lance Raymond	BOOT REIMBURSEMENT
594628	05-Sep-2018	63.99	Loski, Melissa Lynne	BOOT REIMBURSEMENT
594629	05-Sep-2018	40,460.09	MACKAY & SPOSITO INC	SUMMARY: RESURFACING/PRESERVATION - TRANSPORTATION
594630	05-Sep-2018	89,016.24	MACKENZIE ENGINEERING INC	SUMMARY: PROJECTS - OPS CENTER - FIRE - FACILITIES
594631	05-Sep-2018	600.00	MAUL FOSTER & ALONGI INC	PROJ 0363.06.03 - 2018 PHA UPDATE - THRU 07/31/18 - MP ENG
594632	05-Sep-2018	55.10	MILLERS HEATING AIR CONDITION	PERMIT WITHDRAWN
594633	05-Sep-2018	31,156.28	MISCELLANEOUS	SUMMARY: CITY UTILITIES REFUNDS, PARKS REFUNDS & OTHER MISC REFUNDS
I				
594732				
594733	05-Sep-2018	1,176.00	MOTUS RECRUITING & STAFFING INTL	MOORE ALAN - W/E 08/05/18 - PAYROLL WORK DAY PROJ
594734	05-Sep-2018	2,383.72	MSDSOONLINE INC	USER ID 4120025 - MSDSONLINE HQ ACCOUNT - ANNUAL SUBSCRIPTION/IMPLEMENTATION RENEWAL - 10/10/18-10/09/19 - OP CENTER
594735	05-Sep-2018	3,408.30	MUNICIPAL EMERGENCY SERVICES INC	CUST C63793 - POINT BLANK AXIAX AND ACCESSORIES - VPD
594736	05-Sep-2018	126.96	MUNNELL AND SHERRILL INC	CUST 3363 - DOC 009916 - SHOP SUPPLIES - EQUIP SERVICES
594737	05-Sep-2018	7,121.00	MURRAYSMITH INC	PROJ 18-2177 - WATER STATION 5-DRAIN REVISION - THRU 05/31/18 - MP ENG - RECEIPT 136965 BY H VASKELIS
594738	05-Sep-2018	5,934.90	NORTH PACIFIC CONSTRUCTION & REMODELIN	REHAB LOAN PROGRAM - PENNY KOISTENEN - 3909 E FOURTH PLAIN BLVD # 38 - THRU 08/07/18 - CDBG FUNDING
594739	05-Sep-2018	36,430.14	NORTHWEST STAFFING RESOURCES	CITY WIDE TEMPORARY SERVICES - W/E 08/12/18
594739	05-Sep-2018	894.00	NORTHWEST STAFFING RESOURCES	THORNTON, BRAYDEN - W/E 08/12/18 - STREET MAINTENANCE

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
594740	05-Sep-2018	7,050.28	OLYMPIC TRAILER AND TRUCK ACCESSORIES	2019 CARGOMATE BL816TA2 8X16 TRAILER - EQUIP SERVICES
594740	05-Sep-2018	3,573.95	OLYMPIC TRAILER AND TRUCK ACCESSORIES	CARGOMATE BL610SA IN WHITE W/REAR RAMP DOOR - EQUIP SERVICES
594741	05-Sep-2018	1,800.00	PACIFIC OUTDOOR ADVERTISING LLC	ACCT 2810 - CONTR 2692 - ADVERTISING SERVICES - BILLBOARD DU CAMPAIGN ADS - NE ST JOHNS RD 100 FT S/O 78TH ST/W FOURTH PLAIN BLVD 10' E/O ROOSEVELT - 08/06/18-09/02/18 - VPD
594742	05-Sep-2018	33.65	PAPE MACHINERY	CUST 101272 - 18AUG - PARTS FOR VEHICLE REPAIR - EQUIP SERVICES
594743	05-Sep-2018	72,174.09	PC SPECIALISTS INC	SUMMARY: HARDWARE/FIRMWARE TECH SUPPORT - INFO TECH
594744	05-Sep-2018	184.11	PETTY CASH CUSTODIAN	SUMMARY: PETTY CASH REPLENISHMENT
594747				
594748	05-Sep-2018	15,000.00	POLICE RECORDS & INFORMATION MANAGEMEN	VPD RECORDS PROJECT MANAGEMENT - CONSULTING SERVICES - THRU 08/08/18 - VPD - RECEIPT 136587 BY A CARMAN PER E-MAIL
594749	05-Sep-2018	2,769.70	PORT OF VANCOUVER	CONCRETE PAD CONSTRUCTION - LAGOON SAMPLER - THRU 06/27/18 - MP ENG
594750	05-Sep-2018	601.45	PORTLAND MECHANICAL CONSTRUCTION INC	INV 270597 - TOWN PLAZA HVAC INSPECTIONS/REPAIR PROJECT - EST 14 - THRU 08/08/18 - RECEIPT 136537 BY P TANDY PER E-MAIL
594750	05-Sep-2018	6,559.14	PORTLAND MECHANICAL CONSTRUCTION INC	INV 270959 - TOWN PLAZA HVAC INSPECTIONS/REPAIR PROJECT - EST 15 - THRU 08/10/18 - RECEIPT 136723 BY P NEWTON PER E-MAIL
594751	05-Sep-2018	1,858.02	POTTER WEBSTER CO	SUMMARY: PARTS FOR VEHICLE REPAIR AND EQUIPMENT - EQUIP SERVICES
594752	05-Sep-2018	55.10	PRAIRIE ELECTRIC INC	PERMIT WITHDRAWN
594753	05-Sep-2018	795.15	PRAXAIR DISTRIBUTION INC	SUMMARY: CO2 LIQUID BULK TANK - PARKS & REC AQUATICS
594754	05-Sep-2018	255.82	PROJECTS NW LLC	ASBESTOS INSPECTION/SAMPLE TESTING - CONTR TW18277 - '87 ALLEGRO MOTORHOME - THRU 08/07/18 - SOLID WASTE
594754	05-Sep-2018	511.64	PROJECTS NW LLC	ASBESTOS INSPECTION/SAMPLE TESTING - THRU 08/07/18 - SOLID WASTE
594755	05-Sep-2018	2,307.29	QUALITY MOBILE COMMUNICATIONS	CUST C00413 - KENWOOD RADIO REPAIR - 2 EA - SER B8630024 & B8630025 - 08/09/18 - CMO
594756	05-Sep-2018	6,216.80	QWEST CORP DBA CENTURY LINK	CITYWIDE PHONE LINES
594757	05-Sep-2018	375.61	RENTOKIL NORTH AMERICA INC	SUMMARY: MONTHLY PEST CONTROL MAINTENANCE
594758	05-Sep-2018	236.00	RICHARD HEPPEL	18AUG - WEEK 1 - SENIOR MESSENGER DELIVERY - MEDIA SERVICES
594759	05-Sep-2018	4,061.25	RICHARD NARDINI	MARKETING DESIGN SERVICES - 2018 FALL PARKS & RECREATION CATALOG - THRU 08/07/18 - PARKS - RECEIPT 136820 BY C VOGELZANG PER E-MAIL
594760	05-Sep-2018	9,608.75	ROBERTSON ENGINEERING PC	PROJ VANC-02 - 6TH ST TEMPORARY LOT - THRU 07/31/18 - OP CENTER - RECEIPT 136524 BY S TURK PER E-MAIL
594761	05-Sep-2018	20.00	RONALD/KAREN HILL	REF ALARM
594762	05-Sep-2018	267,559.50	ROTSCHY INC	WFP - GRANT ST PIER - EST 25 - THRU 08/10/18
594763	05-Sep-2018	175.00	SCATTER CREEK PET PRODUCTS	08/06/18 - PRIVATE DOG TRAINING - SALES RECEIPT 8706 - VPD/CANINE UNIT
594764	05-Sep-2018	9.13	SHRED IT USA LLC	ACCT 13630245 - DOCUMENT DESTRUCTION - 07/26/18 - UTILITIES
594765	05-Sep-2018	3,577.20	SHRUMS PEST CONTROL	18AUG - SPECIAL REQUEST PEST CONTROL SERVICES - FIRE DEPT LOCATIONS - OP CENTER
594766	05-Sep-2018	2,244.96	SME SOLUTIONS LLC	REF 259453 - LANTRONIX DEVICE - 1 EA - THRU 07/31/18 - 912 NE 192ND AVE - EQUIP SERVICES - RECEIPT 137019 BY D PRATT PER E-MAIL
594767	05-Sep-2018	3,442.50	SONIA LOPEZ DBA ACTION ONSITE INC	18JUL - INJURY ASSESSMENT TRAINING - OP CENTER - RECEIPT 136764 BY P NEWTON PER E-MAIL
594768	05-Sep-2018	35,004.01	SPECIAL ASPHALT PRODUCTS INC	ACCT VAN001 - CRACKSEALANT - 45,449 LBS & \$477.21 MGMT FEE - OPS CENTER STREETS
594768	05-Sep-2018	33,340.92	SPECIAL ASPHALT PRODUCTS INC	SA PLF 210 CRACKSEALANT - 43,939 LB - STREETS
594769	05-Sep-2018	74.45	SPRINT NEXTEL	ACCT 677292845 - CELL PHONE BILL - 07/22/18-08/21/18 - FCC

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
	SUBTOTAL	6,453,006.59		
VISA	11-Sep-2018	538.93	MISCELLANEOUS	PARKS CLASS REFUNDS - FCC 09/4/18 - 09/10/18
VISA	11-Sep-2018	757.17	MISCELLANEOUS	PARKS CLASS REFUNDS - MCC 09/4/18 - 09/10/18
VISA	11-Sep-2018	-	MISCELLANEOUS	PARKS CLASS REFUNDS - SPECIAL EVENTS 09/4/18 - 09/10/18
VISA	11-Sep-2018	-	MISCELLANEOUS	PARKS CLASS REFUNDS - WREC 09/4/18 - 09/10/18
	SUBTOTAL	1,296.10		
	TOTAL	6,454,302.69		

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
594770	05-Sep-2018	3,120.00	TEKSYSTEMS	BAKER MICHAEL - W/E 08/18/18 - INFO TECH - RECEIPT 136879 BY J SCHOESSLER PER E-MAIL
594770	05-Sep-2018	4,000.00	TEKSYSTEMS	LAWSON COREY - W/E 08/18/18 - INFO TECH - RECEIPT 136880 BY J SCHOESSLER PER E-MAIL
594771	05-Sep-2018	108.40	TOWING & RECOVERY SERVICES INC	TOWING - '04 TOYOTA PRIUS - LIC 836-BHS OR - FROM 2800 NE 138TH AVE TO EAST PRECINCT - CASE UNSPECIFIED - VPD
594772	05-Sep-2018	173.44	TOWING & RECOVERY SERVICES INC	TOWING - INFINITI I35 - LIC BHN6113 WA - FROM W 13TH AVE WALMART TO WEST PRECINCT - VPD
594773	05-Sep-2018	1,348.50	TRANE US INC	ACCT 3980326 - SO 18-7756564 - CHILLER REPAIR SERVICES - CITY HALL - 07/23/18-07/26/18 - OP CENTER
594774	05-Sep-2018	94.85	TRIPLE J ENTERPRISES	08/03/18 - TOWING - '98 FORD ECONOLINE - LIC NOT SPECIFIED - FROM ROCK PIZZA/2500 COLUMBIA HOUSE TO WEST PRECINCT - VPD
594775	05-Sep-2018	12.45	UNITED PARCEL SERVICE	18AUG - SHIPPER #856018 - SERVICE CHARGE - OPS CENTER
594776	05-Sep-2018	4,331.26	UNIVAR USA INC	CUST 107817 - ORDER 204913 - CAUSTIC SODA - OPS CENTER
594777	05-Sep-2018	66.50	VANCOUVER AIRE LLC DBA FRESH AIRE AIR FR	ROUTE 1-3 0 - DEODORIZING SERVICE - THRU 08/07/18 - FIRSTENBURG COMM CTR - 700 NE 136TH AVE - OP CENTER - RECEIPT 136998 BY P NEWTON PER E-MAIL
594778	05-Sep-2018	1,800.00	VANCOUVER NATIONAL HISTORIC RESERVE TR	09/19/18-11/09/8 - FACILITY RENTAL - VPD TRAINING
594779	05-Sep-2018	2,403.79	VERIZON WIRELESS	SUMMARY: WIRELESS SERVICES
594786				
594787	05-Sep-2018	3,271.88	W TODD PASCOE PLLC	2018 CONTRACTURAL SERVICES - 18AUG - CMO
594788	05-Sep-2018	350.00	WA STATE PATROL	ACCT VAN311 - MONTHLY BACKGROUND CHECKS - 18JUL - LAW
594789	05-Sep-2018	641.14	WALTER E NELSON CO	SUMMARY: JANITORIAL SUPPLIES - FIRE - OP CENTER
594790	05-Sep-2018	42,366.24	WASHINGTON STATE DEPT OF ECOLOGY	PERMIT WA0024350 - WATER QUALITY PROGRAM /MUNICIPALITIES - COVERS FISCAL YEAR 2019 (JULY 1, 2018 THROUGH JUNE 30, 2018) - MP ENG
594790	05-Sep-2018	42,366.24	WASHINGTON STATE DEPT OF ECOLOGY	PERMIT WA0024368 - WATER QUALITY PROGRAM/MUNICIPALITIES - COVERS FISCAL YEAR 2019 (JULY 1, 2018 THROUGH JUNE 30, 2018) - MP ENG
594791	05-Sep-2018	38,387.70	WILCOX & FLEGEL	SUMMARY: FUEL - EQUIP SERVICES
594792	05-Sep-2018	79.56	XPO ENTERPRISE SERVICES INC	WEEKLY POSTAGE SERVICES - THRU 08/04/18 - FINANCE/MAILROOM
594793	05-Sep-2018	3,521.61	YWCA OF CLARK COUNTY	DV ARREST GRANT 620050 - DOMESTIC VIOLENCE ARREST GRANT - 18JUL - VPD
594794	07-Sep-2018	1,087.01	UNITED WAY OF THE COLUMBIA WILLAMETTE	PAYROLL
594795	07-Sep-2018	3,612.00	CHAPTER 13 - TRUSTEE	PAYROLL
594796	07-Sep-2018	7,364.87	LIFE INSURANCE CO OF NORTH AMERICA	PAYROLL
594797	07-Sep-2018	9,344.77	AMERICAN FAMILY LIFE ASSURANCE	PAYROLL
594798	07-Sep-2018	722.50	IAM LOCAL #1374	PAYROLL
594799	07-Sep-2018	18,645.54	IAFF LOCAL #452	PAYROLL
594800	07-Sep-2018	14,842.90	VANCOUVER POLICE OFFICER GUILD	PAYROLL
594801	07-Sep-2018	5,188.50	AFSCME LOCAL #307	PAYROLL
594802	07-Sep-2018	1,095.54	WESTERN METAL IND PENSION FUND	PAYROLL
594803	07-Sep-2018	5,042.33	OPEIU LOCAL #11	PAYROLL
594804	07-Sep-2018	3,292.20	WESTERN CONFERENCE OF TEAMSTERS	PAYROLL
594805	07-Sep-2018	550.00	MFS SERVICE CENTER INC	PAYROLL
594806	07-Sep-2018	672.00	TEAMSTERS LOCAL #58	PAYROLL
594807	07-Sep-2018	297.50	UA LOCAL #290	PAYROLL
594808	07-Sep-2018	72.36	LEGAL SHIELD	PAYROLL
20001444	10-Sep-2018	82,483.63	CITY OF VANCOUVER	SUMMARY: INFOR CITY PAYMENTS

*Please contact Procurement Services if you would like to review the justification for EMERGENCY procurement.

City of Vancouver
Payroll Council Report
Septemeber 4, 2018 - Septemeber 10, 2018

Check No.	Date	Explanation	Amount
91868 - 91955	09/10/18	17 2018 Payroll	\$ 42,696.47
N/A	09/10/18	17 2018 Direct Deposits	\$ 2,816,595.70

\$ 2,859,292.17

2017 Consolidated Annual Performance Evaluation Report (CAPER)

VANCOUVER
CITY HALL



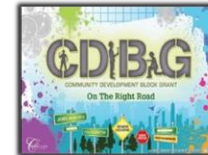
September 17, 2018

Vancouver City Council Workshop

Peggy Sheehan,
Community Development Programs Manager

Presentation Overview

- Purpose
- HUD Program Descriptions
- Program Year Expenditures
- Accomplishments
- Next Steps
- Questions & Discussion



Purpose

- Consolidated Annual Performance and Evaluation Report (CAPER) – annual report due to the U.S. Department of Housing and Urban Development (HUD) regarding the progress of the use of the CDBG and HOME funds
- Document requires approval by Council prior to admission to HUD
- Document available for public review

CDBG Program

The CDBG entitlement program allocates annual grants to larger cities and urban counties to **develop viable communities** by:

- providing decent housing,
- creating suitable living environments, and
- expanding economic opportunities

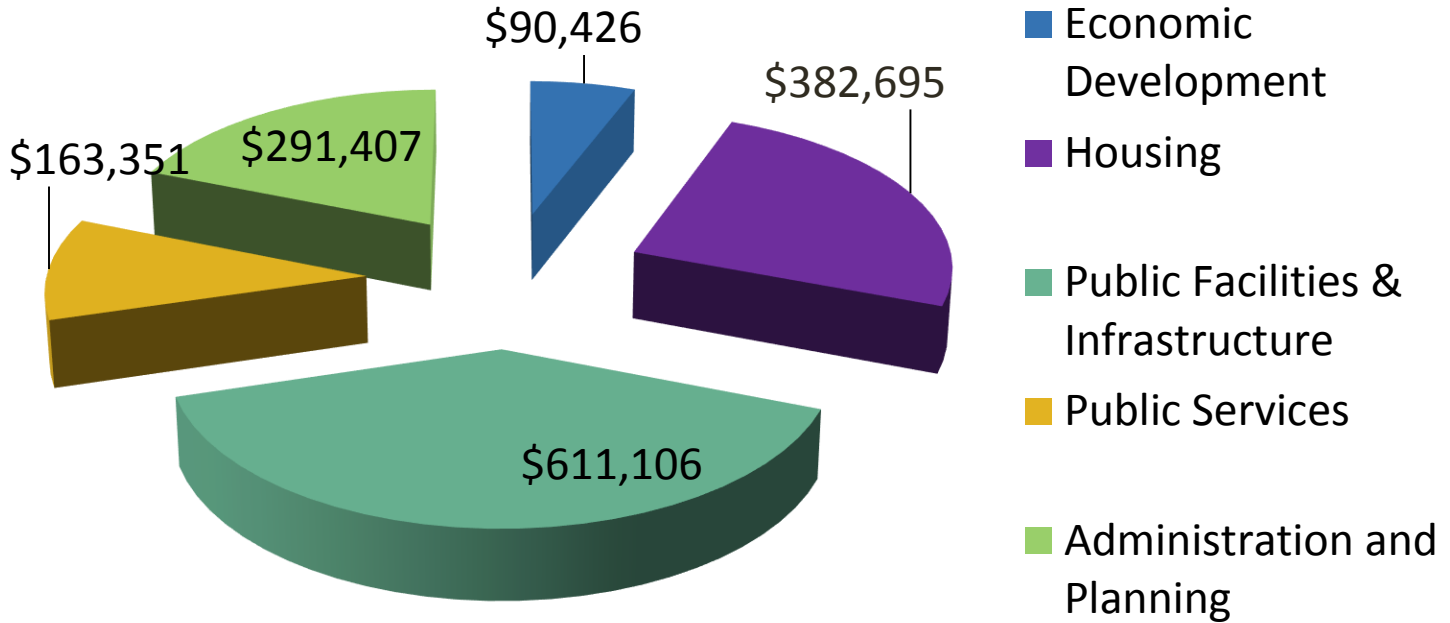
principally for low- and moderate-income persons.

HOME Program

- The HOME Investment Partnerships Program (HOME) is the largest Federal block grant to state and local governments designed to **create affordable housing** for low-income households.
- HOME provides grants to communities, often in partnership with local nonprofit groups, to fund a wide range of activities including
 - building, buying, and/or rehabilitating affordable housing for rent or homeownership, and
 - providing direct rental assistance to low-income people.

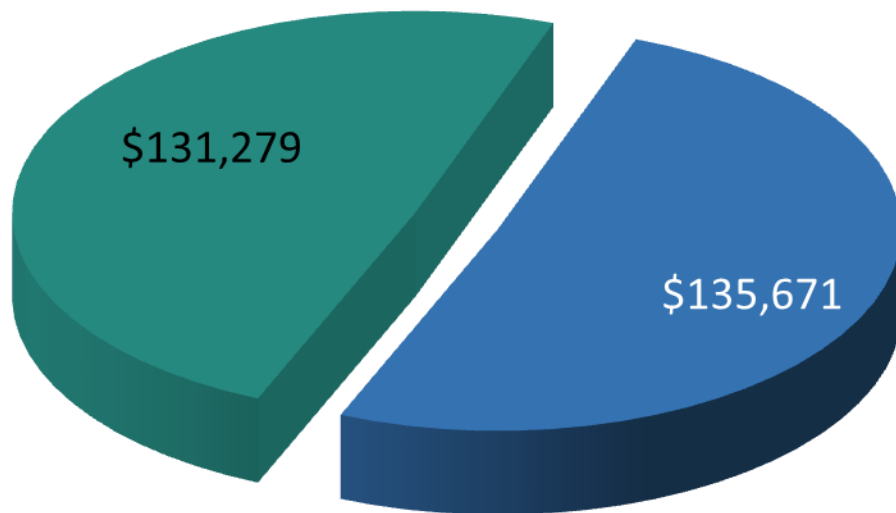
CDBG Accomplishment Spending

2017 CDBG Expenditures: \$1,538,988.40 (PR23)



HOME Accomplishment Spending

2017 HOME Expenditures: \$266,950 (PR07 / PR23)



- Tenant Based Rental Assistance
- First Time Homebuyers

Leveraged Funding

	CDBG	HOME
City 2017 Funding Expenditures	\$1,538,988	\$266,950
Total Leveraged Funding	\$2,696,598	\$5,238,481
Approx. Leverage Ratio	1:2	1:20

CDBG Projects

Public Service Activities: Assisted 18,472 people

- Share – Hunger Response
- Share – Outreach
- Council for the Homeless – Housing Solutions Center
- Janus Youth – The Oaks



CDBG Projects

Public Facilities: Assisted 5,213 people

- 2018 Grand – Day Center



Day Center rehab in
progress

CDBG Projects

Housing Services: Assisted 229 households

- Share – ASPIRE
- Second Step Housing – Resident Sufficiency Program
- Janus Youth – The Nest
- Salvation Army – Moving Forward Together
- Paired with HOME funds for Tenant Based Rental Assistance

CDBG Projects

Economic Development Activities: Assisted 110 people

- Greater Vancouver Chamber of Commerce – Small Business Assistance
- Hispanic Metropolitan Chamber – Small Business Assistance



CDBG Projects

Housing Rehab Loan Program: Assisted 23 households



HOME Projects

Tenant Based Rental Assistance: Assisted 40 households

- Share – ASPIRE
- Second Step Housing – Resident Sufficiency Program
- Janus Youth – The Nest
- Salvation Army – Moving Forward Together
- Paired with CDBG funds for Housing Services

HOME Projects

- New Rental Unit Construction: 1 HOME units (leveraged for 30 total units)
 - – Meadows Apartments (30 units)



Meadow Apartments

Housing Progress during 2014-2018 ConPlan

Completed Affordable Housing Projects with HOME Funding

Project	Units
Lincoln Place	30
39 th Street Triplex (rehab)	3
Isabella Court	49
Freedom's Path	50
Pinewood Terrace (rehab)	14
Evergreen Habitat for Humanity	2
TOTAL	148

Housing Progress during 2014-2018 ConPlan

Completed Multifamily Tax Exemption Projects (2014-2017)

Project	Units	Income-Restricted Units
Prestige Plaza	100	20
15 West	120	120
13 West	92	92
1510 C Street	16	-
Broadway and 19th	36	7
E Street and 16 th	48	10
34 th Street	20	4
The Uptown	167	-
2000 and 2004 Broadway	30	6
TOTAL	631	259

Next Steps/Timeline

- September 17, 2018 – Public hearing providing for public comment and Council approval of CAPER
- Submit CAPER to HUD Region X Office prior to September 28, 2018

Questions and Discussion

Peggy Sheehan, Programs Manager

(360) 487-7952

Peggy.Sheehan@cityofvancouver.us





Staff Report 140-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 9/17/2018

SUBJECT Consolidated Annual Performance Evaluation Report

Key Points

- Required annual performance report to HUD
- Summary of accomplishments for the 2017 program year
- Opportunity for Council to review prior to submitting to HUD

Strategic Plan Alignment

Goal 3, Objective 3.2: Improve services available to underserved or vulnerable residents.

Goal 6, Objective 6.2: Improve amenities and services that allow residents to age in place. Develop a broader range of housing choices through incentives, changes in regulations and implementation of the Affordable Housing Task Force recommendations.

Goal 10, Objective 10.1: Lend the City's support, as appropriate, to assist with the success of community projects.

Present Situation

Annually, the City of Vancouver prepares a Consolidated Annual Performance and Evaluation Report (CAPER) for submission to HUD outlining the expenditures and accomplishments of the City CDBG and HOME programs. The 2017 program year covers from July 1, 2017, to June 30, 2018. The CAPER can be found online at www.cityofvancouver.us/cdbg.

In Program Year 2017 Vancouver expended \$1,538,988 in CDBG funds and \$266,950 in HOME funds. These funds were only a portion of the dollars needed for the 2017 projects. The provided funds leveraged additional federal, state, and other local funds, resulting in an approximate leveraging ratio of 1:2 for 2017 CDBG funding and 1:20 for 2017 HOME funding.

The following is a synopsis of the accomplishments and people assisted during the 2017 program

year.

Affordable Housing:

- Tenant Based Rental Assistance (TBRA): Assisted 40 households
- Homeowner housing rehabilitation: Assisted 23 households
- New Rental units construction: 30 units funded

Increase Economic Opportunity:

- Persons assisted: 110 (small business assistance)

Supportive Services for At-Risk & Homeless Persons:

- Public Service Activities: Assisted 18,472 persons

Public Facilities and Improvements

- Homeless facilities: Assisted 5,213 persons

Advantage(s)

1. Continue to remain in compliance with the federal regulations and ensure the City CDBG program can continue to receive and allocate federal entitlement funds.
2. Annual funding assists low-income persons in the community.

Disadvantage(s)

None.

Budget Impact

Failure to submit required reports places the City CDBG/HOME programs out of compliance with federal contracts and risks the loss of federal funding.

Prior Council Review

Consolidated Annual Performance and Evaluation Report (CAPER) accomplishments memo, provided to Council 9/4/18.

Action Requested

Following a public hearing, approve the 2017 CAPER report for submission to the HUD Region X office for approval.

Peggy Sheehan, Community Development Programs Manager, 487-7952

ATTACHMENTS:

- Draft- Annual Accomplishment Report to HUD



DRAFT

**2017 City of Vancouver
Consolidated Annual
Performance Evaluation Report
to HUD**

Program Year July 1, 2017- June 30, 2018

Public Hearing:

September 17 – Public Hearing

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan.

91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City of Vancouver Community Development Block Grant (CDBG) and the HOME Investment Partnership programs strive to provide a coordinated approach to addressing community needs. The programs partner with the Vancouver Transportation, Public Works, Police and Parks programs, Clark County, Vancouver Housing Authority, and many local non-profit agencies and businesses on CDBG/HOME projects. In program year (PY) 2017 (July 1, 2017 - June 30, 2018), Vancouver expended \$1,538,988.40 in CDBG funds, and \$266,950.10 in HOME funds (PR07). The City of Vancouver also has a Section 108 loan for the purpose of providing emergency response vehicles to access the waterfront in west downtown Vancouver. In 2017 the City paid down the loan by \$299,407.50 and has a principal balance of \$2,760,000.00 remaining. The following is a summary of the accomplishments and people assisted with CDBG and HOME funds during the 2017 program year (PR23).

Affordable Housing:

- Tenant Based Rental Assistance (TBRA): Assisted 40 households
- First Time Homebuyers: Assisted 2 households
- Homeowner housing rehabilitation: Assisted 23 households

Increase Economic Opportunity:

- Persons assisted: 110 persons

Supportive Services for At-Risk & Homeless Persons:

- Public Service Activities: Assisted 18,472 persons

Public Facilities and Improvements

- Homeless facilities: Assisted 5,213 persons

(Source: IDIS report PR23)

Assess how the jurisdiction's use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The highest priority for Vancouver is funding activities assisting low income and homeless persons obtain and maintain affordable housing. Excluding administrative program costs 97% of all CDBG funding expenditures were used for low/ mod income residents (PR-26). The City of Vancouver will continue to focus on funding activities benefiting lower income families and individuals for purposes of providing affordable housing and homelessness prevention.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG	HOME
White	14,902	37
Black or African American	1,737	3
Asian	116	0
American Indian or American Native	501	1
Native Hawaiian or Other Pacific Islander	1232	0
Total	18,488	41
Hispanic	1,840	0
Not Hispanic	16,648	41

Table 1 – Table of assistance to racial and ethnic populations by source of funds (PR23)

Narrative

The race categories listed in the HUD CAPER template do not have an option for "Multi-racial" or "Other" as used in the IDIS activity accomplishment screens. An additional 5,345 multi-racial persons were assisted with CDBG funds and one additional multi-racial person was assisted with HOME funds (PR23).

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	CDBG	1,517,475.69	\$1,538,988.40
HOME	HOME	505,596.18	\$266,950.10

Table 2 - Resources Made Available

Narrative

Vancouver receives annual CDBG and HOME entitlements. Table 2 above identifies the Housing and Urban Development funds made available for advancing the objectives of the 5-year 2014-2018 Consolidated Plan. The 2017 program year (PY) CDBG funding consisted of \$1,158,998.00 HUD entitlement and \$358,477.69 in program income (PR01). The City of Vancouver expended \$1,538,988.40 (PR 23) in CDBG funds within the 2017 program year. HOME 2017 funding consisted of \$503,670 in entitlement and \$1,926.18 in program income (PR01). The City of Vancouver expended \$266,950.10 HOME funds within the program year.

Some of these expenditures include funds from previous project year's entitlements that carry over from year to year. This occurs when projects are not completed within the same project year in which they are funded.

Vancouver currently has \$4,808,759.08 in outstanding receivables that, as it is paid, will be reported as program income (see attached Outstanding Receivables table).

Identify the geographic distribution and location of investments

Narrative

The City of Vancouver does not allocate funding on a geographical basis. At the time of the 2014 Consolidated 5-year Plan Vancouver was considering applying for approval of two Neighborhood Revitalization Strategy Areas (NRSA). The proposed areas were included in the Consolidated Plan in anticipation of future application. However, following a subsequent needs assessment of the areas, the City elected not to pursue NRSA approval.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

Vancouver assists agency partners in applying for other available funds and leveraging other resources to implement the housing strategies and programs. Vancouver has established a network of representatives from the private lending community, financial experts, and private and non-profit housing developers and consultants who can provide technical expertise in packaging development proposals. Vancouver has submitted letters of support and verification of consistency for project applications, which support the goals and objectives that are found in the City's Consolidated Plan. The CDBG and HOME funding application process strongly encourages the leveraging of other funds by awarding points based on the percentage of committed matching funds.

Leveraged Funding	CDBG	HOME
City 2017 Funding Expenditures	\$1,538,988	\$266,950
Total Leveraged Funding	\$2,696,598	\$5,238,481
Approx. Leverage Ratio	1:2	1:20

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	132	0
Number of Non-Homeless households to be provided affordable housing units	18	0
Number of Special-Needs households to be provided affordable housing units	0	0
Total	150	0

Table 3 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	112	40
Number of households supported through The Production of New Units	30	2
Number of households supported through Rehab of Existing Units	8	23
Number of households supported through Acquisition of Existing Units	0	0
Total	150	65

Table 4 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The 2017 Action Plan anticipated 112 TBRA and housing services beneficiaries. The difference between the 2017 one year goal and actual accomplishments for rental assistance occurred because all TBRA providers have not exhausted their funding from previous project years and therefore have not expended all funds allocated for project year 2017.

Production of new units in 2017 anticipated 30 new units. The Meadows Apartments (30 total units) was completed after the close of the 2017 program year and beneficiary data will be reported next year.

An Evergreen Habitat for Humanity home buyer assistance project (2015 funding) completed acquisition of two existing units in 2017.

In 2017 the City homeowner rehab program completed 23 projects. Several 2016 funded projects are in the queue to begin however the City limits the number of open rehab cases at any one time for quality assurance purposes. Further rehab projects will commence once previous years projects are completed.

Tracking the production of new units is difficult to achieve on an annual basis when land use permitting and construction timeframes typically exceed one calendar year. The one-year goals are entered in that project year's action plan but may not be completed within the same year. Housing unit numbers and funding sources may change between the time an action plan is approved and actual contracts are awarded. Other complicating factors include applicants waiting on housing tax credit applications and awards and other uncontrollable variables that can lead to project cancellation. Similar to the tracking of units for new unit production, housing rehabilitation projects may extend into multiple project years. The one-year goal for homeowner rehab is an estimated number based on past program experience. The complexity of the individual projects can also factor into the number of early beneficiaries. Larger projects consume more time and funding resulting in fewer annual beneficiaries where several smaller projects require less time and funding resulting in a higher annual beneficiary total.

Discuss how these outcomes will impact future annual action plans.

The focus on affordable housing in future action plans will not change or impact future action plans. Affordable housing is considered of Vancouver's highest priorities.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	9,569	36
Low-income	3,075	5
Moderate-income	164	1
Total	12,808	42

Table 5 – Number of Households Served (PR23)

Narrative Information

Affordable housing is one of Vancouver's highest funding priorities. Approximately half of all renters in our community are considered cost burdened. The median home sales price in our community has now risen above \$300,000. Recognizing the importance in addressing this issue a local affordable housing task force was initiated by Vancouver City Council in 2015. The task force work resulted in new ordinances to recommendations to protect vulnerable renters. Following the 2015 successes, community voters approved a dedicated affordable housing fund to serve very low-income families and individuals (earning up to 50 percent of area median income) in the fall of 2016. The fund is focused on increasing Vancouver's supply of affordable housing, preserve existing homes, and prevent homelessness through rental assistance, temporary shelter, and services. A committee of community leaders and citizens reviewed the projects and provided funding recommendations to the City Council. Currently there are seven new construction projects that will total 237 units. The fund has also rehabilitated 20 units housing units.

Other initiatives pursued by city staff include changes to the multi-family tax exemption ordinance to increase affordability requirements in order to receive exemption status. Additional project development measures are on going including proposed changes to zoning regulations to ease restrictions on secondary dwelling units, allowing duplex and triplex development in single family zoning districts, as well as exclusionary zoning requiring a percentage of low income housing or payment of fee in lieu of affordable units.

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)
Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Two specific programs funded by the City of Vancouver, Share Outreach and Council for the Homeless, are directly focused on outreach for homeless persons. Partner organizations also participate in a variety of other outreach strategies to engage people who are homeless and connect them to needed resources and services.

SHARE Outreach program:

Share Outreach is a program that works with hard to reach and hard to serve homeless individuals each year. SHARE Outreach clients can come for daily living services including setting up voice mail boxes, accepting client mail, as well as providing clothing, hygiene products, a limited amount of daily showers, and laundry services. Outreach workers go into the community to provide services to clients. Case managers meet with clients on a one to one basis to assist them in accessing existing social services, stable housing situations or to help with needs they may have. Much of the case workers time is also focused on the area of addressing issues pertaining to mental illness, alcohol and chemical dependencies. The Outreach program recorded 144 contacts in program year 2017.

Council for the Homeless:

The Council for the Homeless conducts a countywide "one day homeless count" during the same week once each year. The count is known as the annual Point in Time (PIT) count. Many community partners and volunteers help with the PIT. The PIT provides a statistical snapshot of homelessness in our community and helps us understand trends and needs. It is required by the U.S. Department of Housing and Urban Development and by Washington state law. On the same day as the Point in Time count the Community hosted "Project Homeless connect" where services were made available including haircuts, housing leads, job assistance, counseling, foot washing, clothing, dental care, and access to social service programs.

The Council for the Homeless is a one stop intake and coordination program for over 40 service providers with the goal of preventing and ending homelessness in Clark County, Washington. The Council collaborates with social service providers, government, faith communities, educators, businesses and more to identify and implement solutions to homelessness. The Council operates the

Housing Solutions Center, which includes the Housing Hotline, placing people in available emergency shelter, assessments for housing programs and rental assistance to prevent homelessness, navigation to access other community resources, working with landlords, and community voicemail. The Council administers the Homeless Management Information system (HMIS), which collects homeless service data used to monitor trends and evaluate strategies. The Council also coordinates the emergency winter overflow shelter known as the Winter Hospitality Overflow. The Council for the Homeless reported 5,085 persons served in program year 2017.

Another 2017 initiative was the acquisition of the Grand Boulevard Day Center. The City of Vancouver purchased a 25,000 sq. ft building in January 2018. The City plans to renovate the structure and site to accommodate the new center. The center is expected to be open in the Fall of 2018. The Day Center provides a dry, warm, place for homeless persons to be during the daytime. A range of services including personal belonging storage, mail, phone charging stations, and restrooms are available. Additionally, the day center will provide on-site support services including case management, mental health counseling, job search and training assistance, transportation assistance, and support groups.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Vancouver continues to allocate funding for nonprofit organizations in the delivery of services and emergency and transitional housing. The Council for the Homeless and SHARE programs provide support services for shelters and transitional housing. The SHARE outreach program assists people by helping them access existing social services. The Council inputs “intake” data into HMIS and assists people in finding emergency shelter and navigating access to other community resources.

Vancouver funded several tenant Based Rental Assistance providers including the SHARE-ASPIRE, Janus Youth, and the Salvation Army programs to provide transitional housing opportunities. Housing services case management was also funded through Second Step Housing, Janus Youth, and the Salvation Army.

The City again provided funding to Janus Youth Programs for staffing of the Oaks program providing case management services for children and youth ages 9 to 17 that come into crisis shelter placement at Oak Bridge. These shelters play an essential role in the community network of services as they are the only option for runaway youth, homeless youth and/or at risk youth in crisis on the streets in Vancouver. Case Managers provide crisis intervention, work to clarify the youth’s needs and the family’s needs, and identify resources in the community to provide ongoing support for both youth and family (IDIS 737). The program served a total of 145 people in PY 2017.

The Vancouver Housing Authority has two shelter rehab projects in progress funded through 2015 funds (IDIS 730).

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

City Staff participates in the Coalition of Service Providers, which is a consortium of nonprofit agencies, businesses, community groups, and government agencies, as well as homeless and formerly homeless people. The group identifies critical gaps in service, prioritizes needs and plans for solutions. Prevention, diversion and discharge planning are included in the Clark County Homeless Action Plan.

The Council for the Homeless Housing Solutions Center helps connect low income individuals and families with multiple agencies providing housing, health, social services, employment, education, or youth needs. Specific local projects to help avoid homelessness include funded TBRA and housing services programs. The Janus youth programs are specifically focused on youth by providing emergency shelter, case management and TBRA for youth including those "aging out" of the foster care system.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

Vancouver participates with the Council for the Homeless and area service providers to enhance the community's comprehensive Continuum of Care (CoC) system to end homelessness. The CoC is currently focusing on incorporating a housing first philosophy into our homelessness system. This means a focus on helping people quickly gain stable housing and then offer them the supportive services they need to thrive. For chronically homeless individuals this means permanent supportive housing which uses the housing first model and for families with children it means rapid re-housing with a progressive engagement model. The CoC is also working on creating more transitional housing opportunities for unaccompanied youth.

Specific local projects to help avoid homelessness include include TBRA and Housing services programs. The Janus youth programs are specifically focused on youth by providing emergency shelter, case management and TBRA for youth "aging out" of the foster care system. The Nest program provides intensive case management for high-risk, higher-needs youth who have aged out of the foster care system but still need support in order to succeed on their own. During PY 2017, 16 people made use of the more intensive case management services offered.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The VHA owns and manages 1,030 subsidized units throughout Clark County including 212 Rental Assistance Demonstration (RAD) units, 203 Section 8 New Construction units, 309 Project-Based Voucher units, and 307 nonprofit units.

Two nonprofit organizations have buildings completing construction and beginning lease-up to serve low-income residents. Meriwether Place, owned by VHA-affiliated nonprofit Columbia Non-Profit Housing, is 30 units with services for chronically mentally ill individuals. In addition to residence units, service partners Lifeline and Community Services Northwest, will have office spaces in the building. With lease-up near completion, Meriwether Place will hold a grand opening on August 22, 2018. The Meadows is 30 units owned and operated by Second Step Housing. A ribbon-cutting event is planned for September 13, 2018. Both properties will use some project-based vouchers.

In August of 2017 Bridgeview, a nonprofit affiliate of the VHA, began construction of the Bridgeview Education and Employment Resource Center, an 8,900 sq.ft. building which replaces the RISE & STARS Community Center. The Bridgeview Resource Center will complete construction and be ready for operation in mid-October 2018. The Bridgeview Resource Center, owned and managed by Bridgeview, will comprise 30 community partners who provide services to low-income individuals and families. Through the resource center, these partners will offer classes, services and referrals to other agencies. The partners are committed to breaking down siloes and collaborating to offers services in a new and more efficient way.

In December 2017, the RISE & STARS Community Center in the VHA's Skyline Crest community was demolished to make room for Caples Terrace, a 28-unit apartment building that will provide subsidized housing for youth aging out of foster care and unaccompanied homeless youth. The VHA began construction on Caples Terrace in July 2018. Completion of Caples Terrace in mid-summer 2019 will create a 16-unit net gain for the community and bring total capacity in Skyline Crest to 166 units of subsidized housing.

VHA and its nonprofit affiliate Columbia Non-Profit Housing, as co-developers, are in the pre-development phase for Rhododendron Place. The development will be a 30-unit apartment building targeted to homeless households with behavioral health disorders. Rhododendron Place is scheduled for completion in late 2019.

The VHA provided subsidized housing for more than 2,300 elderly and disabled households through owned/managed subsidized housing and Housing Choice Voucher assistance. These

households represent 68 percent of the VHA's subsidized housing residents. Of the VHA's elderly/disabled households, approximately 80 percent are disabled, including those residents who are both elderly and disabled. The average total income of VHA elderly and disabled households is about \$1,250 per month.

The VHA maintains three full-time staff Resident Service Coordinator positions to provide additional support for elderly and disabled residents of VHA owned and/or managed subsidized housing. The purpose of these positions is to link residents to supportive services or medical services provided by public agencies or private practitioners within the community. The Service Coordinators assess service needs, determine eligibility for public services and work with other agencies involved with the resident. The goal of these positions is to support residents in their desire to remain independent in their own home.

Public Housing Improvements-

With the conversion of Public Housing units into Rental Assistance Demonstration (RAD) units, there are no more units receiving Public Housing Capital funds.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

Beginning in 2012 the Vancouver Housing Authority has placed a great emphasis on the belief that subsidized housing is not the end goal for work-able families, but rather the first step toward self-sufficiency. Work-able individuals are those who are ages 18-62, not disabled, nor caring for a disabled family member. The VHA is providing access to community resources through its nonprofit affiliate Bridgeview and the nearly-complete Bridgeview Resource Center to prepare and equip these individuals and families to move to self-sufficiency in the belief that as families become self-reliant precious subsidized housing resources then become available to other families in need.

The VHA has participated in the Moving to Work (MTW) demonstration program since April 1999 under a contract with the Department of Housing and Urban Development. Utilizing the authority granted under the contract, the VHA currently has 23 approved, implemented and on-going activities aimed at meeting the three MTW goals of reducing cost and achieving greater cost effectiveness in Federal expenditures, giving incentives to families with children where the head of household is working, is seeking work, or is preparing for work by participating in job training, educational programs, or programs that assist people to obtain employment and become economically self-sufficient, and increase housing choices for low-income families.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

In 2015 an affordable housing task force was initiated by Vancouver City Council. The task force recommendations to protect vulnerable renters resulted in adoption of three new ordinances that became effective October 21, 2015. Vancouver now has ordinances requiring a 45-day notice of rent increase, a 60-day notice to vacate and also protections aimed at discrimination of certain sources of income such as Social Security, Veteran's benefits, Temporary Assistance to Needy Families (TANF) or Aged, Blind and Disabled (ABD) benefits.

In 2016 the City established a voter approved tax to create an affordable housing fund to serve very low-income families and individuals (earning up to 50 percent of area median income). The new property tax was effective starting in 2017. It will be paid by both residential and commercial property owners and will be capped at \$6 million per year for seven years. The fund will be used to increase Vancouver's supply of affordable housing, preserve existing homes, and prevent homelessness through rental assistance, temporary shelter, and services.

The City is also investigating changes to the local zoning code that will:

- Amending Human Service Facility ordinance to reduce facility placement barriers
- Relax regulations on accessory/secondary dwelling units (Effective September 6, 2017)
- Allow duplexes and triplexes in single family zoning districts
- Allow low income and specialty housing in commercial zones
- Allow single room occupancy / dormitory style housing
- Allow smaller cottage type dwellings.

The City of Vancouver provides a unique opportunity for developers to assist in meeting the needs for housing in two specific areas: Vancouver City Center and the Fourth Plain Corridor. The Multi-Family Housing Tax Exemption (MFTE) Program allows for an 8, 10 or 12-year tax exemption for the approved value of newly constructed or rehabbed residential units. In PY 2017 five projects used the MFTE program creating 215 new affordable units.

The City's 2011-2030 Comprehensive Plan identifies several potential constraints in meeting future housing demand, including the availability of readily developable land, time delays and costs associated with permitting, and limited financial opportunities. Among the policies in the Comprehensive Plan aimed at reducing barriers to affordable housing and increasing the supply are:

- H1 Provide for a range of housing types and densities for all economic segments of the population. Encourage and support equal and fair access to housing for renters and homeowners.
- H2 Provide affordable housing by formulating innovative policies, regulations and practices and establishing secure funding mechanisms. Target affordability programs toward below median area income.
- H3 Encourage preservation, rehabilitation and redevelopment of existing housing stock.

- H4 Encourage innovative housing policies that provide for affordable housing and maintain neighborhood character.
- H6 Facilitate housing for special needs populations dispersed throughout Vancouver and the region. Such housing may consist of residential care facilities, shelters, group homes, or low income housing, and should be located near transportation and other services such as health care, schools, and stores.
- H7 Promote opportunities for home ownership and owner occupancy of single and multifamily housing.

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

While the City has pursued a variety of strategies to impact the identified needs of the community, the primary obstacle to meeting the underserved needs is the lack of sufficient financial resources. The Affordable Housing levy approved by voters in 2016 has created a fund for additional affordable housing activities beyond what is possible under CDBG and HOME.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

An estimated forty percent of homes built prior to 1978 contain some lead-based paint. In order to make housing safe for low-income residents Vancouver conducted two lead-based paint inspections and risk assessments in PY 2017. One indicated no lead present and one was mitigated and brought into compliance through clearance examinations for the housing rehabilitation program.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

Vancouver works with Clark County to alleviate poverty. Clark County receives the majority of funds to help people in need. The City/County antipoverty strategies focus on the goal of increasing self-sufficiency of low income individuals and families.

The following actions were taken in an effort to achieve this goal:

- Supported programs of the Council for the Homeless and providers of emergency and transitional shelter and services to persons who are homeless or at risk of being homeless;
- City Council members and other city staff members serve on various nonprofit agency boards including service providers, economic development companies and chambers of commerce.
- Assisted in the development of the 10 year plan to end homelessness. The plan is used as the guiding document to provide House Bill 2060, 2163 and 1359 funds for homeless activities;
- City of Vancouver Council members are participants of the Community Action Advisory Board which awards various community funding to nonprofit agencies for homelessness prevention and other basic services.
- Continued to support nonprofits in the delivery of basic services through the City of Vancouver CDBG and general fund for emergency shelter, transitional case management, food, and low income energy assistance and weatherization programs.
- Continue to fund programs and projects that support The Ending Homelessness Plan goals.
- Over the past year the Clark County Asset Building Coalition has undergone the process of strategic planning to realign mission and actions. The Clark County Asset Building Coalition seeks to increase the ability of families and individuals, who are low to moderate income, to increase their assets. The way our coalition works toward this goal is through creating an interconnected network of resources providers who offer programs that help households move out of poverty. In

addition our coalition serves as a platform for various stakeholders in the community to promote asset building. Current efforts include funding an IDA program utilizing PY2016 funds. Specific efforts over the past year have focused on:

- Building awareness of community financial education and asset building programs through community trainings. Coalition partners come together and train case workers, resource navigators and program staff at local nonprofit organization about the programs and resources available. The training has been very effective way to connect these resources to the individuals and families in need, increasing our community presence.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City of Vancouver staff work with a variety of organizations and agencies to plan and implement activities. Staff is responsible for managing the day to day operations of the CDBG and HOME programs. Key partners in the planning and implementation of activities include private nonprofit organizations, multiple City departments, housing developers and the Vancouver Housing Authority. The primary strength of the institutional system for delivering programs of the Consolidated Plan is the cohesiveness of the City of Vancouver Departments as well as the collaboration of the community partners. The primary weakness of the delivery system is a lack of financial resources to meet needs.

The Commissioners of the Vancouver Housing Authority are appointed by the City Council. Once appointed they have no further direct relationship with the City. However, there is close cooperation between the City and VHA through the City's award of funding for housing activities operated by VHA. In addition, the City and VHA cooperate in reviewing the capital needs of VHA. An obstacle to the Authority playing a larger role in the delivery of housing resources to low and moderate income persons is the lack of federal funds to expand public housing.

The City will soon be updating the Consolidated Plan for the next five year period allowing for improving the nexus with the City's Comprehensive Plan and other documents. City staff responsible for the Comprehensive Plan staff will hold a lead role in the preparation of the new Consolidated Plan to ensure cohesiveness of the documents and enhance coordination.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

Vancouver participates with the Council for the Homeless and area service providers to enhance the community's comprehensive Continuum of Care (CoC) system to end homelessness. This partnership includes collaborative efforts of a variety of community groups, government agencies and a coalition of more than 40 homeless service providers. Vancouver enhances coordination of public, private, and nonprofit housing providers, human service agencies, and social service providers through the following actions:

- Accepting the responsibility of appointing the commissioners to the Vancouver Housing Authority Board.
- Continuing to work with other jurisdictions including Clark County and the Vancouver Housing Authority to prioritize housing needs, provide services, and maximize the use of federal, state, and local funds for affordable housing, community development, and related services.
- Continuing to participate in coordinated efforts for shelter and services assisting homeless individuals and families.

The 2016 Continuum of Care application resulted in \$1,738,388 of funding for local projects and services. The 2017 Continuum of Care application awards will be released in September 2018.

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

Vancouver contracted with BBC Research and Consulting to update the *Analysis of Impediments to Fair Housing Choice (AI)* in 2012. The AI assessed the impact of the City's laws, regulations, policies and practices on the availability and accessibility of housing. In addition, the AI provided an assessment of public and private sector conditions that affect fair housing choice. The AI identified the following impediments to fair housing choice.

Housing has become less affordable and deeply subsidized rentals are scarce.

In the last year the City responded by passing three vulnerable renter protection ordinances and has initiated an election for the creation of an affordable housing fund. Additional future measures are focusing on amending local development ordinances to facilitate more affordable housing development. Vancouver continues to allocate funding in support of nonprofit and private sector efforts to increase the stock of affordable housing, preserve existing housing stock through rehabilitation projects, provide rental assistance, case management, and homelessness prevention.

The AI noted that a mortgage origination rate disparity may exist for Hispanic applicants.

The City was unable to address or monitor this issue as the mortgage data at the time of the report (2012) was already 5 years old and is submitted voluntarily by banking institutions.

Fair housing information could be improved. Fair housing information on the City's website is minimal and requires a search to find.

The City of Vancouver CDBG web-site is continually updated to provide relevant information and resources for fair housing issues. If residents call with complaints or concerns regarding housing issues they are referred to fair housing partners and encouraged to call the NW Justice Project.

The City of Vancouver Fair Housing Practices does not include some protected classes. However current federal and state regulations would supersede in any case.

The Fair Housing Center of Washington reported 26 housing complaints from July 1, 2017 through June 30, 2018. Complaints included disability, sex, familial status, national origin, religion, and race.

- Three fair housing questions were answered
- Four reasonable accommodations were granted
- One reasonable accommodation was denied
- Two cases were referred directly to FHAP
- Eight cases were closed due to clients not following through on complaints
- Four case were withdrawn
- Two are still in process
- One case was closed as client chose to file directly with HUD
- One case was closed due to a deceased client

A request for similar data from the HUD Seattle Regional Office of Fair Housing and Equal Opportunity (FHEO) has been submitted but no response has been received. The number of cases, status, and outcomes will be added to this report upon receiving the data.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Vancouver utilized three tools for monitoring to ensure compliance of all projects. These include policies and procedures, contract requirements, and on site monitoring. All projects requesting funds are evaluated to determine program eligibility and priority based on program policies, local, state and federal regulations, consolidated plans and local need.

During the 2017 PY, Vancouver staff conducted monitoring site visits at contracted agencies for various programs including HOME and CDBG. Upon initial contracting for CDBG or other program funds, Vancouver staff review all documents required through the application process and update any new information. Staff reviews the contract requirements with the contracting agency and discusses the needed documentation and reports. As part of the annual reporting of the program accomplishments, CAPER data is collected from recipients.

Vancouver schedules monitoring visits with selected sub grantees. In 2014 the City moved to a risk based monitoring system. Funded agencies are scored based on a range of risk factors. The scoring is used as a basis to determine which agencies to monitor each year. Newly funded entities/programs are likely to be monitored in their first year of CDBG or HOME funding. The City of Vancouver CDBG program ensures that all records are complete and agencies comply with applicable rules and regulations including requirements; Political Activity, Davis Bacon and Related Acts, Civil Rights, Cash Management, Federal Financial Reports, Allowable Costs and Cost Principles, Drug Free Workplace Act and other administrative requirements.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

Vancouver follows a detailed citizen participation plan. All citizens, including low and moderate income people, people living in low and moderate income neighborhoods, minority populations, non-English speaking people, people with disabilities, persons with HIV/AIDS and their families, homeless persons/agencies and residents of public and assisted housing developments are encouraged to participate in the development and implementation of HUD assisted programs. The 2017 CAPER hearing notice was published in The Columbian newspaper on August 31, 2018. The draft CAPER was placed on the City website and distributed to the Vancouver Community Library. Copies of the draft CAPER report were also placed in the office lobbies for the Vancouver Housing Authority, Council for the Homeless and Second Step Housing. Any written comments received during the 15 day comment period prior to the public hearing will be addressed and attached to the final report to HUD. The public hearing was held on Monday, September 17, 2018 at 7 PM at City Hall, 415 W 6th Street, Vancouver, WA. Any comments received the public hearing will be addressed and attached to the final report to HUD.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

No immediate changes to the program objectives are proposed. The goals and objectives listed in the current Consolidated Plan as well as the strategies outlined in the 2017 Action Plan used to achieve those objectives continue to be implemented.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No.

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-50 - HOME 91.520(d)

Include the results of on-site inspections of affordable rental housing assisted under the program to determine compliance with housing codes and other applicable regulations

Please list those projects that should have been inspected on-site this program year based upon the schedule in §92.504(d). Indicate which of these were inspected and a summary of issues that were detected during the inspection. For those that were not inspected, please indicate the reason and how you will remedy the situation.

The City of Vancouver has a very small HOME funded portfolio. The City follows an ongoing monitoring procedure for HOME assisted units. Income and rent data for all HOME assisted rental units is collected annually. Due to the small portfolio, units are inspected for Housing Quality Standards (HQS) every year. In 2017 53 units were inspected. Units must meet HQS to continue operating as rentals. The City also provides inspection services for agencies receiving TBRA funding. The HQS inspection table in the appendix section provides a summary of housing quality results for inspections completing during PY 2017.

Provide an assessment of the jurisdiction's affirmative marketing actions for HOME units. 92.351(b)

The City requires owners of housing projects with five (5) or more HOME assisted units to use affirmative fair housing marketing practices in soliciting renters or buyers, determining their eligibility, and concluding all transactions. Owners must comply with the following procedures for the duration of the applicable compliance period:

Advertising: The Equal Opportunity logo or slogan must be used in all ads, brochures, and written communications to owners and potential tenants. Advertising media may include The Columbian (or any other local newspaper), radio, television, housing organizations such as Housing Connections (<http://www.housingconnections.org>), brochures, leaflets, or may involve simply a sign in the window.

Fair Housing Poster: Owners must display the HUD's fair housing poster in rental offices or other appropriate locations.

Special Outreach: Owners must solicit applications for vacant units from persons in the housing market who are least likely to apply for HOME-assisted housing without the benefit of special outreach efforts. Vancouver recommends the following methods to reach this objective:

- Positioning of informational flyers in minority neighborhoods, including social service agencies and housing counseling agencies.
- Use of minority-specific media: HOME-assisted housing opportunities may be advertised in minority-specific newspapers (i.e., The Skanner, Portland Observer, El Hispanic News, The Asian Reporter).

Record Keeping: Owners must maintain a file containing documentation of all marketing efforts (copies of newspaper ads, memos of phone calls, copies of letters, etc.). These records must be available for

inspection by the Vancouver staff. Owners must maintain a listing of all tenants residing in each unit.

Refer to IDIS reports to describe the amount and use of program income for projects, including the number of projects and owner and tenant characteristics

The City of Vancouver expended \$1,926.18 in program income that was allocated toward HOME projects (IDIS PR-09). All of the 2017 program income applied to HOME activities was used for TBRA (IDIS 745). Tenant characteristics are attached in the report appendix.

Describe other actions taken to foster and maintain affordable housing. 91.220(k) (STATES ONLY: Including the coordination of LIHTC with the development of affordable housing). 91.320(j)

This report will remain in draft form until all agencies have provided accomplishment data. Minor changes in data, content, and attachments may occur prior to submitting HUD. A final report with accompanying attachments will be available October 1, 2018.



Staff Report 141-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 9/17/2018

SUBJECT Aegis Multi-Family Tax Exemption Agreement

Key Points

- The City has utilized the Multi-Unit Tax Exemption Program since 2007 to allow for limited-term tax exemptions for development in the Vancouver City Center Vision and Fourth Plain Corridor subareas.
- The City has received an application for a eight-year tax exemption for the Academy Aegis development, a 140-unit multi-family housing project, to be located in the VCCV sub-district.
- Application has been certified by the CED Director to have met the approval criteria established in VMC 3.22.
- Application has been reviewed by the City Center Redevelopment Authority.

Strategic Plan Alignment

Goal 8: Strengthen commercial, retail and community districts throughout the city.

Goal 8, Objective 8.1: Make downtown Vancouver a vibrant destination for the community and the region.

Goal 8, Objective 8.2: Strengthen neighborhood business districts.

Goal 10: Use our influence to support community partner's actions, projects and initiatives that improve our community's livability and prosperity.

Goal 10, Objective 10.1: Lend the City's support, as appropriate, to assist with the success of community projects.

Present Situation

An application for multi-family tax exemption under VMC 3.22 has been submitted for the following

project. The general intent of multi-family tax exemption ordinance is to encourage development that provides places to live closer to employment, shopping, entertainment and transit services and encourage affordable housing opportunities. In addition to the housing development the applicant is proposing a mix of items considered public benefits noted below.

- Providing new development in a low/moderate income neighborhood.
- Public plaza space with public art and historical information.
- Providing LEED certified building

Aegis Academy Apartments

- 2 buildings of 5 and 6 stories / 162,854 sq. ft. residential development in VCCV sub-district
- 140 apartment units (28 Studios, 71 1BD/1BA, 41 2 BD/2BA)
- 12,808 sq. ft. commercial space
- 151 parking spaces available on-site
- Total development cost of ~\$41.36 million
- Qualifies for 8-year multi-family housing property tax exemption

The proposed project is located within the VCCV, one of two eligible target areas designated through the multi-family tax exemption ordinance. The 2007 VCCV subarea plan and Planned Action identified a need of approximately 4,600 new residential units downtown as an essential key to downtown vitality and support of businesses.

The addition of 140 units will add needed rental housing options for area residents.

Advantage(s)

1. Over 20 years, factoring in the tax exemption, the project will generate roughly \$1.4 million in City taxes compared to \$24,000 in annual taxes.
2. Construction of the \$41 million project will continue to support construction trades within the City.
3. Promoting development activity to support housing supply needs.
4. Fostering development of this long time vacant site.
5. Providing residential uses to support and commercial space for area businesses.
6. Providing construction employment opportunities.
7. Providing new development in a low/moderate income neighborhood.

Disadvantage(s)

Approval of the property tax exemption will delay the collection in property taxes associated with residential portion of the project for the duration of the 8 year exemption period.

Budget Impact

None

Prior Council Review

Workshop September 10, 2018.

Action Requested

Subject to public hearing, adopt a resolution authorizing the City Manager or his designee to sign

the Multi-Unit Housing Limited Property Tax Exemption Agreement with East Evergreen Apartments LLC.

Peggy Sheehan, Community Development Programs Manager, 487-7952

ATTACHMENTS:

- ▣ Resolution
- ▣ Development Agreement

9/17/2018

RESOLUTION NO. M- 3979

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with East Evergreen Apartments LLC for property tax exemption.

WHEREAS, the City of Vancouver desires to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use, and

WHEREAS, the City is interested in promoting new housing in the downtown areas of the City of Vancouver; and

WHEREAS, the City has, pursuant to authority granted under the Revised Code of Washington (RCW), designated various “Residential Target Areas” for the provision of limited property tax exemptions for new multi-family residential housing; and

WHEREAS, the City has set forth in Chapter 3.22 of the Vancouver Municipal Code (VMC) a program whereby property owners may qualify for a “Final Certificate of Tax Exemption,” which certifies to the Clark County Assessor and Treasurer that a property is eligible to receive a limited property tax exemption; and

WHEREAS, East Evergreen Apartments LLC is interested in receiving a limited property tax exemption for constructing units of new multi-family residential housing within the VCCV subarea, which is a designated “Residential Target Area” identified in Chapter 3.22 VMC; and,

RESOLUTION - 1

WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program outlining the proposed development of new multi-family residential housing to be constructed on property in the block bounded by E 12th Street to the North, and E Evergreen to the South and C Street to the West to the east, property tax ID 39224000 and 986035622 (Property); and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. Agreement attached hereto as Exhibit A between East Evergreen Apartments LLC and the City of Vancouver, a Washington Municipal Corporation, is approved.

Section 2. The City Manager of the City of Vancouver or his designee is authorized to execute the attached Exhibit A.

ADOPTED at a regular session of the Vancouver City Council this 17th of September, 2018.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

RESOLUTION - 2

DEVELOPMENT AGREEMENT
for
MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION

THIS AGREEMENT is entered into this _____ day of _____, 2018, by and between East Evergreen Apartments, LLC a Washington limited liability company (hereinafter referred to as “Applicant”), and the CITY OF VANCOUVER, a Washington Charter City of the First Class (hereinafter referred to as “City”).

WITNESSETH:

WHEREAS, the City desires to stimulate new construction of multi-family housing in certain designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use, and

WHEREAS, the City is interested in promoting new housing in the downtown area of the City of Vancouver, and

WHEREAS, Downtown Vancouver has shown a resurgence in economic development activity with an accompanying need for more multi-family housing; and

WHEREAS, the City has, pursuant to authority granted to it under the Revised Code of Washington (“RCW”), designated various Residential Target Areas for the provision of limited property tax exemptions for new multi-family residential housing, and

WHEREAS, the City has, as set forth at Chapter 3.22 of the Vancouver Municipal Code (“VMC”), enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Clark County Assessor and Treasurer that the Applicant is eligible to receive a limited property tax exemption, and

WHEREAS, the Applicant is interested in receiving a limited property tax exemption for constructing new multi-family residential housing within the Vancouver City Center Vision Subarea, which is a designated Residential Target Area identified in Chapter 3.22 VMC, and

WHEREAS, the Applicant has submitted to the City a complete application for the City’s limited tax exemption program (the “Application”) outlining the proposed development of new multi-family residential housing (“Development”) for an 8 year exemption to be constructed on property located on the grounds of Providence Academy at 312 East Evergreen Boulevard in Vancouver, WA more specifically described on Exhibit A attached hereto (“Property”), and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW THEREFORE, the City and Applicant mutually agree as follows:

1. The recitals set forth above are incorporated into this Agreement by reference.
2. The City has determined that the Development provides significant public benefits on the Property and in the Vancouver City Center Vision Subarea generally and agrees to issue the Applicant a Conditional Certificate of Acceptance of Tax Exemption for a period of eight (8) years in accordance with VMC 3.22.040 (the "Conditional Certificate"). The public benefits provided by the applicant for this project include but are not limited to those set forth on Exhibit B attached hereto (the "Public Benefits").
3. The Applicant agrees to construct multi-family residential housing and commercial space on the Property as described in the most recent site plan, floor plans, and elevations on file with the City as of the date of City Council approval of this Agreement. In no event shall such construction provide fewer than one hundred forty (140) new permanent multi-family residential units.
4. The Applicant agrees to complete construction of the agreed upon improvements within three years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption, or within an extension thereof granted by the City.
5. The City shall grant a two-year extension of the Conditional Certificate (five [5] years total) in accordance with VMC 3.22.040 (H) if the City determines that the Applicant has been acting in good faith, is reasonably expected to continue to act in good faith, and with due diligence. Satisfaction of the following objective criteria within three (3) years of issuance of the Conditional Certificate shall constitute "acting in good faith, reasonably expected to continue to act in good faith, and with due diligence" as required for granting a two-year extension in accordance with VMC 3.22.040 (H):
 - (a) The City has issued a building permit for the Development;
 - (b) The Applicant has closed and secured against the Property a loan for construction of the Development; and
 - (c) The Applicant has commenced construction, evidenced by commencing excavation, for the Development.

The City Community and Economic Development Director, authorized to grant the extension under VMC 3.22.040(H), has represented to Council that he bases his determination on the Development's complexity, the size of the Property, urban location, historic character of the site, adjacent historic structures, and adjacent occupied structures. The City and Applicant acknowledge for the purpose of granting a two-year extension of the Conditional Certificate (five (5) years total) in accordance with VMC 3.22.040(H), that the Development is sufficiently complex that it is

Page 2

beyond the control of the Applicant to ensure completion within three years.

6. The Applicant agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Director of Community Development ("Director") the following:

- (a) A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire Property;
- (b) A description of the completed work and a statement that the new construction on the Property qualifies for limited exemption; and
- (c) A statement that the work was completed within the required three-year period plus any authorized extension.

7. The City agrees, conditioned on the Applicant's successful completion of the improvements in accordance with the terms of this Agreement and on the Applicant's filing of the materials described in Paragraph 5 above, to file a Final Certificate of Tax Exemption with the Clark County Treasurer and Assessor within 30 days.

8. The Applicant agrees, within thirty (30) days following the first anniversary of the City's filing of the Final Certificate of Tax Exemption, and each year thereafter for a period of 8 years, to file a notarized declaration with the Director indicating the following:

- (a) A statement identifying the total number of occupied and vacant multi-family units receiving a property tax exemption;
- (b) A certification that the property continues to be in compliance with this Agreement;
- (c) A description of any improvements or changes to the Property constructed after the issuance of the Final Certificate of Tax Exemption; and
- (d) The total monthly rent for each unit.

9. The Applicant agrees to maintain records supporting all information provided to the City in accordance with this Agreement and to make those records and the multi-family units available for inspection by the City upon reasonable notice and at the office of the Applicant. Failure to submit the annual declaration identified in Paragraph 8 or to maintain adequate records may result in the tax exemption being canceled.

10. If the Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, the Applicant shall notify the Clark County Assessor and Treasurer and the City within sixty (60) days of such change in use.

11. The Applicant agrees to notify the City promptly of any transfer of the Applicant's ownership interest in the Property or in the improvements made to the Property

under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement. Cancellation of the Final Certificate of Tax Exemption may subject the Applicant to potential tax liability as further described in RCW 84.14.

13. The Applicant shall have the right to appeal such cancellation pursuant to VMC 3.22.040(N).

14. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

15. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

16. The Applicant agrees that this Agreement is subject to the Vancouver Multi-Family Housing Tax Exemption set forth at Vancouver Municipal Code, Chapter 3.22.

CITY OF VANCOUVER

East Evergreen Apartments LLC

Eric Holmes, City Manager

Robert G. Johnson Manager East Evergreen Apartments LLC

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL II

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCK 42 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH $87^{\circ}40'59''$ EAST A DISTANCE OF 150.00 FEET; THENCE NORTH $02^{\circ}20'32''$ EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH $87^{\circ}40'59''$ WEST A DISTANCE OF 50.00 FEET; THENCE NORTH $02^{\circ}20'32''$ EAST A DISTANCE OF 115.06 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF ADJUSTED PARCEL 3 AS RECORDED UNDER AUDITOR'S FILE NUMBER 5141996, RECORDS OF SAID COUNTY; THENCE NORTH $87^{\circ}39'28''$ WEST ALONG SAID SOUTH LINE AND ITS EASTERLY PROJECTION A DISTANCE OF 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST "C" STREET; THENCE SOUTH $02^{\circ}20'32''$ WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 240.10 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL VACATED STREETS LYING WITHIN SAID PARCEL.

CONTAINING 0.69 ACRES, MORE OR LESS.

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL III

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCK 47 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH 87°40'59" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 02°20'32" EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH 87°40'59" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 115.06 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°20'32" EAST A DISTANCE OF 29.64 FEET; THENCE SOUTH 87°46'11" EAST A DISTANCE OF 16.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 210.59 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 12TH ST; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE NORTH 87°39'59" WEST A DISTANCE OF 116.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF EAST C ST; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE SOUTH 02°20'32" WEST A DISTANCE OF 240.24 FEET TO A POINT WHICH BEARS NORTH 87°39'28" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 87°39'28" EAST A DISTANCE OF 100.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL VACATED STREETS LYING
WITHIN SAID PARCEL.

CONTAINING 0.63 ACRES, MORE OR LESS.

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL IV

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCKS 47 AND 48 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH 87°40'59" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 02°20'32" EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH 87°40'59" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 144.70 FEET TO A POINT ON THE NORTHERLY LINE OF ADJUSTED PARCEL 1 AS RECORDED UNDER AUDITOR'S FILE NUMBER 5141996; THENCE ALONG THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 SOUTH 87°46'11" EAST A DISTANCE OF 16.00 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 THE FOLLOWING COURSES; SOUTH 87°46'11" EAST A DISTANCE OF 98.62; THENCE NORTH 02°23'59" EAST A DISTANCE OF 87.70 FEET; SOUTH 87°46'11" EAST A DISTANCE OF 126.54 FEET; THENCE LEAVING THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 NORTH 02°20'32" EAST A DISTANCE OF 162.48 FEET TO THE CENTERLINE OF EAST 12TH STREET (VACATED); THENCE WESTERLY ALONG SAID CENTERLINE NORTH 87°39'59" WEST A DISTANCE OF 61.38 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF D STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 02°23'59" WEST DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 12TH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 87°39'59" WEST A DISTANCE OF 163.83 FEET TO A POINT WHICH BEARS NORTH 02°20'32" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 02°20'32" WEST A DISTANCE OF 210.59 FEET TO THE TRUE POINT OF BEGINNING

TOGETHER WITH ALL VACATED STREETS LYING WITHIN SAID PARCEL.

CONTAINING 0.89 ACRES, MORE OR LESS.

EXHIBIT B TO DEVELOPMENT AGREEMENT
PUBLIC BENEFITS

Public Open Space – The Development will create a new 5,026 square foot public plaza at the corner of East Evergreen Boulevard and C Street. The new plaza, with adjacent retail/restaurant space in the new South building, will activate the intersection and serve as a pedestrian gateway from downtown into the new mixed-use urban campus. The new plaza will have seating, landscaping, and a canopy to provide cover. The new plaza will be connected with a crosswalk and curbside parking to the hardscape and landscaping in front of the Academy.

Demolition of the Non-Historic Restaurant – In connection with construction of the Development the non-historic restaurant building in front of the Academy will be demolished. Demolishing the restaurant building will improve the view to the Academy and reconnect the Academy to the Evergreen Boulevard streetscape making the Academy more inviting to the public.

Public Art – The Development will provide public art in the form of historical informative and historical abstract interpretive art to communicate Providence Academy's history to the public. The public art will connect the new buildings to the historical site while providing valuable historical context and information to the public.

Green Certification – The Development will be LEED certified.

Promotion of Bicycle Commuting – The Development will promote bicycle commuting with enhanced bike amenities including indoor secure horizontal bike parking with a ratio of one rack per apartment, lockers for the tenants with a ratio of one locker per apartment, bike service stations with stands and tools, and bike washing stations.

Removal of Unattractive Attributes – The Development will move all onsite utilities underground which will help convert an uninviting unattractive site into a welcoming campus.

Activation of an Underutilized Site – The Development will convert and activate the underutilized large downtown Academy site and its streetscapes into a mixed-use urban campus with residential, retail, restaurant, office, event, public museum, and public outdoor uses while providing the patrons thereof and the public generally an opportunity to engage the history of Providence Academy.

Regional Attractor – The Development will transform the Academy site into a mixed-use campus that could connect the Academy Building, Vancouver Public Library, Main Street, and Fort Vancouver into a multiple public attractor of regional significance. Revitalizing the Academy Site will reestablish the historic gateway from Downtown to Fort Vancouver that I-5 severed.

Increased Exposure of the Vancouver Public Library – Drawing residents, employees, and patrons to the new mixed use urban campus will provide exposure for the Public Library.

Improved Pedestrian Access – The Development will vastly improve pedestrian safety and access to and through the site and to the Academy Building from the East Evergreen Boulevard, C Street, and 12th Street frontages.

Automobile Access – The Development will improve automobile access drives and onsite drive lanes which will in turn improve pedestrian safety and stormwater quality.



Staff Report 141-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 9/17/2018

SUBJECT Aegis Multi-Family Tax Exemption Agreement

Key Points

- The City has utilized the Multi-Unit Tax Exemption Program since 2007 to allow for limited-term tax exemptions for development in the Vancouver City Center Vision and Fourth Plain Corridor subareas.
- The City has received an application for a eight-year tax exemption for the Academy Aegis development, a 140-unit multi-family housing project, to be located in the VCCV sub-district.
- Application has been certified by the CED Director to have met the approval criteria established in VMC 3.22.
- Application has been reviewed by the City Center Redevelopment Authority.

Strategic Plan Alignment

Goal 8: Strengthen commercial, retail and community districts throughout the city.

Goal 8, Objective 8.1: Make downtown Vancouver a vibrant destination for the community and the region.

Goal 8, Objective 8.2: Strengthen neighborhood business districts.

Goal 10: Use our influence to support community partner's actions, projects and initiatives that improve our community's livability and prosperity.

Goal 10, Objective 10.1: Lend the City's support, as appropriate, to assist with the success of community projects.

Present Situation

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project. The general intent of multi-family tax exemption ordinance is to encourage development that provides places to live closer to employment, shopping, entertainment and transit services and encourage affordable housing opportunities. In addition to the housing development the applicant is proposing a mix of items considered public benefits noted below.

- Providing new development in a low/moderate income neighborhood.
- Public plaza space with public art and historical information.
- Providing LEED certified building

Aegis Academy Apartments

- 2 buildings of 5 and 6 stories / 162,854 sq. ft. residential development in VCCV sub-district
- 140 apartment units (28 Studios, 71 1BD/1BA, 41 2 BD/2BA)
- 12,808 sq. ft. commercial space
- 151 parking spaces available on-site
- Total development cost of ~\$41.36 million
- Qualifies for 8-year multi-family housing property tax exemption

The proposed project is located within the VCCV, one of two eligible target areas designated through the multi-family tax exemption ordinance. The 2007 VCCV subarea plan and Planned Action identified a need of approximately 4,600 new residential units downtown as an essential key to downtown vitality and support of businesses.

The addition of 140 units will add needed rental housing options for area residents.

Advantage(s)

1. Over 20 years, factoring in the tax exemption, the project will generate roughly \$1.4 million in City taxes compared to \$24,000 in annual taxes.
2. Construction of the \$41 million project will continue to support construction trades within the City.
3. Promoting development activity to support housing supply needs.
4. Fostering development of this long time vacant site.
5. Providing residential uses to support and commercial space for area businesses.
6. Providing construction employment opportunities.
7. Providing new development in a low/moderate income neighborhood.

Disadvantage(s)

Approval of the property tax exemption will delay the collection in property taxes associated with residential portion of the project for the duration of the 8 year exemption period.

Budget Impact

None

Prior Council Review

Workshop September 10, 2018.

Action Requested

Subject to public hearing, adopt a resolution authorizing the City Manager or his designee to sign

the Multi-Unit Housing Limited Property Tax Exemption Agreement with East Evergreen Apartments LLC.

Peggy Sheehan, Community Development Programs Manager, 487-7952

ATTACHMENTS:

- ▣ Resolution
- ▣ Development Agreement

9/17/2018

RESOLUTION NO. M- 3979

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with East Evergreen Apartments LLC for property tax exemption.

WHEREAS, the City of Vancouver desires to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use, and

WHEREAS, the City is interested in promoting new housing in the downtown areas of the City of Vancouver; and

WHEREAS, the City has, pursuant to authority granted under the Revised Code of Washington (RCW), designated various “Residential Target Areas” for the provision of limited property tax exemptions for new multi-family residential housing; and

WHEREAS, the City has set forth in Chapter 3.22 of the Vancouver Municipal Code (VMC) a program whereby property owners may qualify for a “Final Certificate of Tax Exemption,” which certifies to the Clark County Assessor and Treasurer that a property is eligible to receive a limited property tax exemption; and

WHEREAS, East Evergreen Apartments LLC is interested in receiving a limited property tax exemption for constructing units of new multi-family residential housing within the VCCV subarea, which is a designated “Residential Target Area” identified in Chapter 3.22 VMC; and,

RESOLUTION - 1

WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program outlining the proposed development of new multi-family residential housing to be constructed on property in the block bounded by E 12th Street to the North, and E Evergreen to the South and C Street to the West to the east, property tax ID 39224000 and 986035622 (Property); and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. Agreement attached hereto as Exhibit A between East Evergreen Apartments LLC and the City of Vancouver, a Washington Municipal Corporation, is approved.

Section 2. The City Manager of the City of Vancouver or his designee is authorized to execute the attached Exhibit A.

ADOPTED at a regular session of the Vancouver City Council this 17th of September, 2018.

Anne McEnery-Ogle, Mayor

Attest:

Natasha Ramras City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

RESOLUTION - 2

DEVELOPMENT AGREEMENT
for
MULTI-FAMILY HOUSING LIMITED PROPERTY TAX EXEMPTION

THIS AGREEMENT is entered into this _____ day of _____, 2018, by and between East Evergreen Apartments, LLC a Washington limited liability company (hereinafter referred to as “Applicant”), and the CITY OF VANCOUVER, a Washington Charter City of the First Class (hereinafter referred to as “City”).

WITNESSETH:

WHEREAS, the City desires to stimulate new construction of multi-family housing in certain designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use, and

WHEREAS, the City is interested in promoting new housing in the downtown area of the City of Vancouver, and

WHEREAS, Downtown Vancouver has shown a resurgence in economic development activity with an accompanying need for more multi-family housing; and

WHEREAS, the City has, pursuant to authority granted to it under the Revised Code of Washington (“RCW”), designated various Residential Target Areas for the provision of limited property tax exemptions for new multi-family residential housing, and

WHEREAS, the City has, as set forth at Chapter 3.22 of the Vancouver Municipal Code (“VMC”), enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Clark County Assessor and Treasurer that the Applicant is eligible to receive a limited property tax exemption, and

WHEREAS, the Applicant is interested in receiving a limited property tax exemption for constructing new multi-family residential housing within the Vancouver City Center Vision Subarea, which is a designated Residential Target Area identified in Chapter 3.22 VMC, and

WHEREAS, the Applicant has submitted to the City a complete application for the City’s limited tax exemption program (the “Application”) outlining the proposed development of new multi-family residential housing (“Development”) for an 8 year exemption to be constructed on property located on the grounds of Providence Academy at 312 East Evergreen Boulevard in Vancouver, WA more specifically described on Exhibit A attached hereto (“Property”), and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW THEREFORE, the City and Applicant mutually agree as follows:

1. The recitals set forth above are incorporated into this Agreement by reference.
2. The City has determined that the Development provides significant public benefits on the Property and in the Vancouver City Center Vision Subarea generally and agrees to issue the Applicant a Conditional Certificate of Acceptance of Tax Exemption for a period of eight (8) years in accordance with VMC 3.22.040 (the "Conditional Certificate"). The public benefits provided by the applicant for this project include but are not limited to those set forth on Exhibit B attached hereto (the "Public Benefits").
3. The Applicant agrees to construct multi-family residential housing and commercial space on the Property as described in the most recent site plan, floor plans, and elevations on file with the City as of the date of City Council approval of this Agreement. In no event shall such construction provide fewer than one hundred forty (140) new permanent multi-family residential units.
4. The Applicant agrees to complete construction of the agreed upon improvements within three years from the date the City issues the Conditional Certificate of Acceptance of Tax Exemption, or within an extension thereof granted by the City.
5. The City shall grant a two-year extension of the Conditional Certificate (five [5] years total) in accordance with VMC 3.22.040 (H) if the City determines that the Applicant has been acting in good faith, is reasonably expected to continue to act in good faith, and with due diligence. Satisfaction of the following objective criteria within three (3) years of issuance of the Conditional Certificate shall constitute "acting in good faith, reasonably expected to continue to act in good faith, and with due diligence" as required for granting a two-year extension in accordance with VMC 3.22.040 (H):
 - (a) The City has issued a building permit for the Development;
 - (b) The Applicant has closed and secured against the Property a loan for construction of the Development; and
 - (c) The Applicant has commenced construction, evidenced by commencing excavation, for the Development.

The City Community and Economic Development Director, authorized to grant the extension under VMC 3.22.040(H), has represented to Council that he bases his determination on the Development's complexity, the size of the Property, urban location, historic character of the site, adjacent historic structures, and adjacent occupied structures. The City and Applicant acknowledge for the purpose of granting a two-year extension of the Conditional Certificate (five (5) years total) in accordance with VMC 3.22.040(H), that the Development is sufficiently complex that it is

Page 2

beyond the control of the Applicant to ensure completion within three years.

6. The Applicant agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Director of Community Development ("Director") the following:

- (a) A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire Property;
- (b) A description of the completed work and a statement that the new construction on the Property qualifies for limited exemption; and
- (c) A statement that the work was completed within the required three-year period plus any authorized extension.

7. The City agrees, conditioned on the Applicant's successful completion of the improvements in accordance with the terms of this Agreement and on the Applicant's filing of the materials described in Paragraph 5 above, to file a Final Certificate of Tax Exemption with the Clark County Treasurer and Assessor within 30 days.

8. The Applicant agrees, within thirty (30) days following the first anniversary of the City's filing of the Final Certificate of Tax Exemption, and each year thereafter for a period of 8 years, to file a notarized declaration with the Director indicating the following:

- (a) A statement identifying the total number of occupied and vacant multi-family units receiving a property tax exemption;
- (b) A certification that the property continues to be in compliance with this Agreement;
- (c) A description of any improvements or changes to the Property constructed after the issuance of the Final Certificate of Tax Exemption; and
- (d) The total monthly rent for each unit.

9. The Applicant agrees to maintain records supporting all information provided to the City in accordance with this Agreement and to make those records and the multi-family units available for inspection by the City upon reasonable notice and at the office of the Applicant. Failure to submit the annual declaration identified in Paragraph 8 or to maintain adequate records may result in the tax exemption being canceled.

10. If the Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, the Applicant shall notify the Clark County Assessor and Treasurer and the City within sixty (60) days of such change in use.

11. The Applicant agrees to notify the City promptly of any transfer of the Applicant's ownership interest in the Property or in the improvements made to the Property

under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement. Cancellation of the Final Certificate of Tax Exemption may subject the Applicant to potential tax liability as further described in RCW 84.14.

13. The Applicant shall have the right to appeal such cancellation pursuant to VMC 3.22.040(N).

14. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

15. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

16. The Applicant agrees that this Agreement is subject to the Vancouver Multi-Family Housing Tax Exemption set forth at Vancouver Municipal Code, Chapter 3.22.

CITY OF VANCOUVER

East Evergreen Apartments LLC

Eric Holmes, City Manager

Robert G. Johnson Manager East Evergreen Apartments LLC

Attest:

Natasha Ramras, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL II

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCK 42 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH $87^{\circ}40'59''$ EAST A DISTANCE OF 150.00 FEET; THENCE NORTH $02^{\circ}20'32''$ EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH $87^{\circ}40'59''$ WEST A DISTANCE OF 50.00 FEET; THENCE NORTH $02^{\circ}20'32''$ EAST A DISTANCE OF 115.06 FEET TO A POINT ON THE EASTERLY EXTENSION OF THE SOUTH LINE OF ADJUSTED PARCEL 3 AS RECORDED UNDER AUDITOR'S FILE NUMBER 5141996, RECORDS OF SAID COUNTY; THENCE NORTH $87^{\circ}39'28''$ WEST ALONG SAID SOUTH LINE AND ITS EASTERLY PROJECTION A DISTANCE OF 100.00 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF EAST "C" STREET; THENCE SOUTH $02^{\circ}20'32''$ WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 240.10 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH ALL VACATED STREETS LYING WITHIN SAID PARCEL.

CONTAINING 0.69 ACRES, MORE OR LESS.

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL III

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCK 47 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTHERLY RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH 87°40'59" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 02°20'32" EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH 87°40'59" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 115.06 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 02°20'32" EAST A DISTANCE OF 29.64 FEET; THENCE SOUTH 87°46'11" EAST A DISTANCE OF 16.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 210.59 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 12TH ST; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE NORTH 87°39'59" WEST A DISTANCE OF 116.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF EAST C ST; THENCE SOUTHERLY ALONG SAID RIGHT-OF-WAY LINE SOUTH 02°20'32" WEST A DISTANCE OF 240.24 FEET TO A POINT WHICH BEARS NORTH 87°39'28" WEST FROM THE POINT OF BEGINNING; THENCE SOUTH 87°39'28" EAST A DISTANCE OF 100.00 FEET TO THE TRUE POINT OF BEGINNING.

TOGETHER WITH ALL VACATED STREETS LYING
WITHIN SAID PARCEL.

CONTAINING 0.63 ACRES, MORE OR LESS.

EXHIBIT A TO DEVELOPMENT AGREEMENT
ADJUSTED LEGAL DESCRIPTION

ADJUSTED PARCEL IV

REAL PROPERTY SITUATED IN THE CITY OF VANCOUVER, CLARK COUNTY, WASHINGTON, BEING A PORTION OF BLOCKS 47 AND 48 OF THE PLAT OF EAST VANCOUVER (C-70), RECORDS OF SAID COUNTY, LYING IN THE NORTHEAST QUARTER OF SECTION 27, TOWNSHIP 2 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF BLOCK 42 OF CITY OF VANCOUVER (COMMONLY KNOWN AS EAST VANCOUVER), ACCORDING TO THE PLAT THEREOF, RECORDED IN BOOK "C" OF PLATS, PAGE 70, RECORDS OF CLARK COUNTY, WASHINGTON; THENCE ALONG THE SOUTH LINE OF SAID BLOCK 42, ALSO BEING THE NORTH RIGHT-OF-WAY LINE OF EAST EVERGREEN BLVD, SOUTH 87°40'59" EAST A DISTANCE OF 150.00 FEET; THENCE NORTH 02°20'32" EAST PARALLEL TO THE WEST LINE OF SAID BLOCK 42 A DISTANCE OF 125.00 FEET; THENCE NORTH 87°40'59" WEST A DISTANCE OF 50.00 FEET; THENCE NORTH 02°20'32" EAST A DISTANCE OF 144.70 FEET TO A POINT ON THE NORTHERLY LINE OF ADJUSTED PARCEL 1 AS RECORDED UNDER AUDITOR'S FILE NUMBER 5141996; THENCE ALONG THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 SOUTH 87°46'11" EAST A DISTANCE OF 16.00 TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 THE FOLLOWING COURSES; SOUTH 87°46'11" EAST A DISTANCE OF 98.62; THENCE NORTH 02°23'59" EAST A DISTANCE OF 87.70 FEET; SOUTH 87°46'11" EAST A DISTANCE OF 126.54 FEET; THENCE LEAVING THE NORTHERLY LINE OF SAID ADJUSTED PARCEL 1 NORTH 02°20'32" EAST A DISTANCE OF 162.48 FEET TO THE CENTERLINE OF EAST 12TH STREET (VACATED); THENCE WESTERLY ALONG SAID CENTERLINE NORTH 87°39'59" WEST A DISTANCE OF 61.38 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF D STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 02°23'59" WEST DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST 12TH STREET; THENCE ALONG SAID RIGHT-OF-WAY LINE NORTH 87°39'59" WEST A DISTANCE OF 163.83 FEET TO A POINT WHICH BEARS NORTH 02°20'32" EAST FROM THE TRUE POINT OF BEGINNING; THENCE SOUTH 02°20'32" WEST A DISTANCE OF 210.59 FEET TO THE TRUE POINT OF BEGINNING

TOGETHER WITH ALL VACATED STREETS LYING WITHIN SAID PARCEL.

CONTAINING 0.89 ACRES, MORE OR LESS.

EXHIBIT B TO DEVELOPMENT AGREEMENT
PUBLIC BENEFITS

Public Open Space – The Development will create a new 5,026 square foot public plaza at the corner of East Evergreen Boulevard and C Street. The new plaza, with adjacent retail/restaurant space in the new South building, will activate the intersection and serve as a pedestrian gateway from downtown into the new mixed-use urban campus. The new plaza will have seating, landscaping, and a canopy to provide cover. The new plaza will be connected with a crosswalk and curbside parking to the hardscape and landscaping in front of the Academy.

Demolition of the Non-Historic Restaurant – In connection with construction of the Development the non-historic restaurant building in front of the Academy will be demolished. Demolishing the restaurant building will improve the view to the Academy and reconnect the Academy to the Evergreen Boulevard streetscape making the Academy more inviting to the public.

Public Art – The Development will provide public art in the form of historical informative and historical abstract interpretive art to communicate Providence Academy's history to the public. The public art will connect the new buildings to the historical site while providing valuable historical context and information to the public.

Green Certification – The Development will be LEED certified.

Promotion of Bicycle Commuting – The Development will promote bicycle commuting with enhanced bike amenities including indoor secure horizontal bike parking with a ratio of one rack per apartment, lockers for the tenants with a ratio of one locker per apartment, bike service stations with stands and tools, and bike washing stations.

Removal of Unattractive Attributes – The Development will move all onsite utilities underground which will help convert an uninviting unattractive site into a welcoming campus.

Activation of an Underutilized Site – The Development will convert and activate the underutilized large downtown Academy site and its streetscapes into a mixed-use urban campus with residential, retail, restaurant, office, event, public museum, and public outdoor uses while providing the patrons thereof and the public generally an opportunity to engage the history of Providence Academy.

Regional Attractor – The Development will transform the Academy site into a mixed-use campus that could connect the Academy Building, Vancouver Public Library, Main Street, and Fort Vancouver into a multiple public attractor of regional significance. Revitalizing the Academy Site will reestablish the historic gateway from Downtown to Fort Vancouver that I-5 severed.

Increased Exposure of the Vancouver Public Library – Drawing residents, employees, and patrons to the new mixed use urban campus will provide exposure for the Public Library.

Improved Pedestrian Access – The Development will vastly improve pedestrian safety and access to and through the site and to the Academy Building from the East Evergreen Boulevard, C Street, and 12th Street frontages.

Automobile Access – The Development will improve automobile access drives and onsite drive lanes which will in turn improve pedestrian safety and stormwater quality.