

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 6, 2018

WORKSHOPS

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

All present

4:00-4:30 p.m. Disposition of Old Fire Stations #1 and #2

Presenter: Chris Malone, Public Works Finance & Asset Manager, 487-7711

Summary

Staff provided Council with an update on the next steps for the old fire stations, #1 and #2, including potential plans and steps for the disposition of both properties.

4:30-5:30 p.m. Downtown Parking Investment Policy

Presenters: Chad Eiken, Community & Economic Development Director, 487-7882; Rick Williams, Consultant

Summary

Staff and the City's parking consultant provided Council with an overview of the background of the City's parking policy, including current areas of focus, policy considerations and examples of other municipalities parking policies for comparison.

5:30-6:00 p.m. Interstate 5 Bridge Update

Presenters: Rebecca Kennedy, Long Range Planning Manager, 487-7896; Jennifer Campos, Principal Planner, 487-7728

Summary

Staff provided Council with brief background information on the Interstate 5 bridge and presented Council with a draft resolution supporting efforts to move toward a replacement bridge project.

**6:00-6:30 p.m. Washington State Department of Transportation (WSDOT)
SR 500 Study Update**

Presenter: Kris Strickler, WSDOT SW Regional Administrator

Summary

WSDOT Staff provided Council with an update on the SR 500 / NE 42nd and NE 54th Streets Safety Study, including the agency's proposed project and next steps for construction.

COUNCIL DINNER/ADMINISTRATIVE UPDATES

Birch Conference Room – 6:30-7:00 p.m.

COUNCIL REGULAR MEETING

Pledge of Allegiance

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 7:03 p.m. by Mayor Anne McEnery-Ogle in the Council Chambers of City Hall, 415 W. 6th Street, Vancouver, Washington.

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

Absent: None

Approval of Minutes

Minutes – July 9, 2018

Motion by Councilmember Glover, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of July 9, 2018.

Minutes – July 16, 2018

Motion by Councilmember Stober, seconded by Councilmember Turlay, and carried unanimously to approve the meeting minutes of July 16, 2018.

Citizen Communication (Items 1-11)

Mayor McEnerny-Ogle opened Citizen Communication on the Consent Agenda and received the following testimony:

- Robert Schaefer, representing the I-5 Bridge Group and the High Tech Council, spoke in support of Item 10, the Council's consideration of a resolution supporting a replacement I-5 Bridge.
- Edward Barnes, representing the I-5 Bridge Group, spoke in support of Item 10, the Council's consideration of a resolution supporting a replacement I-5 Bridge.

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

Consent Agenda (Items 1-11)

Council requested that Item 10 be pulled from the Consent Agenda for separate consideration.

Motion by Councilmember Lebowsky, seconded by Councilmember Hansen, and carried unanimously to approve Items 1-9 and 11 of the Consent Agenda.

1. La Ferme Subdivision Final Plat

Staff Report 114-18

Summary

The applicant is requesting final plat approval, having complied with all requirements and completed all required infrastructure improvements to City standards.

Request: Approve the La Ferme Subdivision Final Plat

Andrew Reule, Senior Planner, 487-7891

Motion approved the request.

2. Autumn Woods Subdivision Final Plat

Staff Report 115-18

Summary

The applicant is requesting final plat approval, having complied with all requirements and completed all required infrastructure improvements to City standards.

Request: Approve the Autumn Woods Subdivision Final Plat

Patti McEllrath, Senior Planner, 487-7893

Motion approved the request.

3. Construction Acceptance of the Alpine View Sanitary Sewer Improvement Project
Staff Report 116-18

Summary

Halme Excavating of Battle Ground, Washington, has completed construction of the Alpine View Sewer Connection Incentive Program (SCIP) project. The project provided reliable sewer service to 44 parcels by installing over 2,300 linear feet of 8-inch gravity sewer mains in NE 147th Ave, NE 70th St, NE 71st St, NE 73rd St, NE 74th St, and NE 76th St.

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

TOTAL CONTRACT COSTS

<i>Labor, Equipment and Material</i>	<i>\$327,785.78</i>
<i>Sales Tax</i>	<i>\$27,534.01</i>
<i>Total</i>	<i>\$355,319.79</i>
<i>Retainage</i>	<i>\$16,389.29</i>

The original contract amount, including sales tax, was \$344,005.23. The final project cost was \$355,319.79, which was \$11,315.56 (under 4%) more than the original contracted amount. The difference between the original contract amount and the final contract amount can be attributed to the typical variances in unit prices and/or quantities commonly encountered during construction.

Request: On August 6, 2018, accept the facilities as constructed by Halme Excavating of Battle Ground, Washington, and authorize release of the retainage in the amount of \$16,389.29, subject to receipt of all documentation required by law.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

4. Construction Acceptance of the Lieser Homesite Sewer Improvement Project
Staff Report 117-18

Summary

Clark and Sons Excavating of Battle Ground, Washington, has completed construction of the Lieser Homesites Sewer Connection Incentive Program (SCIP) project. The project will provide reliable sewer service to 40 parcels by installing 2,248 linear feet of 8-inch gravity sewer mains in the following NE 82nd Ave, NE 6th St., NE 7th St., E Lieser Rd and Lieser Ct.

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

TOTAL CONTRACT COSTS

<i>Labor, Equipment and Material</i>	<i>\$475,670.91</i>
<i>Sales Tax</i>	<i>\$31,449.87</i>
<i>Total</i>	<i>\$507,120.78</i>
<i>Retainage</i>	<i>\$23,783.55</i>

The original contract amount, including sales tax, was \$532,300.38. The final project cost was \$507,120.78, which was \$25,179.60 (under 5%) less than the original contracted amount. The difference between the original contract amount and the final contract amount can be attributed to the typical variances in unit prices and/or quantities commonly encountered during construction.

Request: On August 6, 2018, accept the facilities as constructed by Clark and Sons Excavating of Battle Ground, Washington, and authorize release of the retainage in the amount of \$23,783.55 subject to receipt of all documentation required by law.

Sheryl Hale, Senior Engineering Supervisor, 487-7151

Motion approved the request.

5. Bid Award for Janitorial Supplies – Facilities, Invitation to Bid #18-8

Staff Report 118-18

Summary

The City released a competitive bid solicitation request for janitorial supplies on April 20, 2018. The solicitation requested pricing for Green Seal and EPA approved janitorial supplies to be utilized in various City facilities. Bids were opened June 12, 2018. Two bids were received. A summary of the bid results follows:

SUMMARY of BIDS

BIDDER	AMOUNT
<i>Walter E. Nelson, Portland, Oregon</i>	<i>\$123,670.11</i>
<i>Supplyworks, Portland, Oregon</i>	<i>Non-Responsive</i>

Based on the current needs of the City departments, annual estimated costs will be approximately \$123,670.11. This figure is expected to grow over the life of the contract. It is already known that the City's Fire Department will be utilizing the Contract. The low bidder was identified as Walter E Nelson of Portland, Oregon. The low bidder was determined to be responsive and responsible.

City Staff is proposing that a contract be entered into for a duration of five (5) years.

Request: Award a Janitorial Supply Contract for the Janitorial Supplies –City Facilities Project and authorize the City Manager or his designee to sign a contract with the lowest responsive and responsible bidder, Walter E. Nelson Co. Portland, Oregon, USA, for an amount not to exceed one

million dollars (\$1,000,000), which includes Washington State sales tax, over the five-year life of the Contract.

Michael Shrum, Facilities Contract Services Supervisor, 487-8260

Motion approved the request.

6. Professional Services Agreement for Evaluation and Design Services related to Upgrades to Vancouver's Industrial Wastewater Pretreatment Lagoon System
Staff Report 119-18

Summary

The 40-year-old lagoon receives food-process wastewater from three industries in Vancouver. The lagoon is integral to Vancouver's wastewater treatment strategy, particularly with operations at the Westside Wastewater Treatment Plant. It is currently operating with treatment equipment beyond its expected service life.

With lagoon systems becoming supplanted with more advanced and complex treatment equipment, the City will need to engage with an engineering firm with expertise and experience in evaluating and designing food-related wastewater systems. This will also allow the City to holistically evaluate opportunities for energy efficiency, residual materials recovery, lower operating and maintenance costs and smaller land foot print. The City's three existing lagoon customers will be engaged as part of the planning and design process. The City advertised for these services in RFQu #3-18 and received five qualified responses from the following firms:

- *Brown & Caldwell*
- *Jacobs*
- *Keller Associates*
- *Kennedy Jenks*
- *Stantec*

City staff evaluated the proposals and selected Brown and Caldwell, Inc. They received the highest score and were determined to be the most qualified respondent. A proposed professional services agreement has been negotiated and is attached for consideration.

Request: Award a contract for evaluation and design services for upgrades to Vancouver's industrial wastewater pretreatment lagoon system and authorize the City Manager or his designee to execute a professional services agreement with Brown & Caldwell, Inc. of Portland, Oregon, with a not-to-exceed cost of \$386,920.00, and authorize the City Manager or his designee to approve amendments to this contract, as needed.

Frank Dick, Wastewater Engineering Supervisor, 487-7179

Motion approved the request.

7. Appointment to the Parks and Recreation Advisory Commission

Request: Reappoint John Caton to the Parks and Recreation Advisory Commission, term beginning immediately and expiring July 31, 2021.

Council Committee 2 (Turlay, Topper, Lebowsky)

Motion approved the request.

8. Appointment to the Clark County Arts Commission

Request: Nominate Lynne Bowden for appointment to the Clark County Arts Commission, mid-term appointment beginning immediately and expiring December 15, 2018.

Council Committee 1 (Hansen, Stober, Glover)

Motion approved the request.

9. Appointment to Clark County Public Health Advisory Council

Request: Nominate Joan Caley for reappointment to the Clark County Public Health Advisory Board, term beginning immediately and expiring September 30, 2021.

Council Committee 1 (Hansen, Stober, Glover)

Motion approved request.

10. Interstate 5 Bridge Replacement

Staff Report 120-18

A RESOLUTION supporting the replacement of the Interstate 5 Bridge between the State of Washington and State of Oregon, guided by the principles herein.

Summary

The existing Interstate 5 Bridge is needed in order to address congestion, safety, and the efficient movement of goods and people. In 2017, the Washington Legislature passed Substitute Senate Bill 5806, which established a Legislative Action Committee to work on a bridge replacement project. The proposed Council resolution urges the Governor and Legislature to allocate resources to advance this project.

Request: Adopt proposed resolution on the replacement of the Interstate 5 Bridge.

Rebecca Kennedy, Long Range Planning Manager, 487-7896

Mayor McEnery-Ogle stated this is a significant night for Vancouver, as the community has waited a long time to move this project forward. She stated that businesses, citizens

and the community are asking for help in regards to congestion on the I-5 bridge. She stated it is appropriate that the City of Vancouver takes the first step in showing that Southwest Washington is supportive of a replacement bridge.

Motion by Mayor McEnerny-Ogle, seconded by Councilmember Stober, and carried unanimously to adopt Resolution M-3975 regarding the replacement of the Interstate 5 Bridge.

11. Approval of Claim Vouchers

Request: Approve claim vouchers for August 6, 2018

(Copy available upon request.)

Motion approved claim vouchers for August 6, 2018, in the amount of \$20,463,489.04.

Public Hearings (Item 12)

12. Declaration of Real Property as Surplus

Staff Report 121-18

A RESOLUTION of the City of Vancouver declaring certain real property as surplus, directing its disposal and method of disposition.

Summary

The Subject Parcel is a 3,997-square-foot vacant parcel located at the SE corner of West Fourth Plain Boulevard and West Lincoln Avenue (Assessor Parcel 058823-000).

Public Works staff has determined that we need 15' of right-of-way along Fourth Plain Boulevard, but the remainder of the parcel can be surplus. Therefore, staff is proposing to convert the northerly 15' of the parcel to right-of-way and surplus the remaining approx. 2,498 square feet.

The City obtained this parcel in 2002, as part of the 4th Plain Ramp Project (Simpson to "E").

The parcel submitted for council review as surplus is attached in a detailed report and a map is also attached.

Declaration of surplus is the first of a two-step process as outlined in VMC 3.30 - Disposition of City-Owned Surplus Real Property, allowing the City to sell the subject property. The disposition step requires a separate hearing and action prior to actual sale of the property

Request: On August 6, 2018, following a public hearing, adopt a resolution declaring certain real property located at 1111 W. 4th Plain Blvd. (Portion of Assessor parcel 058823-000) as surplus.

Linda Carlson, Property Management Specialist, 487-8423

Linda Carlson, Property Management Specialist, and Ryan Lopossa, Streets and Transportation Manager, provided staff comments.

Ms. Carlson provided an overview of the property and the details of the proposed surplus action. Mr. Lopossa described the method by which the estimated value of the property was determined. He noted that the sized the of subject lot means there are no reasonable development opportunities for the site on its own, unless it was combined with the abutting parcel to the south. Therefore, the value was decreased by 50 percent.

Mayor McEnerny-Ogle noted that it appeared from County records that the property to the south was sold in May for about \$30 per square foot, but the this parcel would be valued at about \$6 per square foot.

Councilmember Stober asked what the property to the south is. Mr. Lopossa stated it is a single-family residence. Councilmember Stober stated he would like to have staff complete more research on adjacent parcel and the valuations before Council takes action on this item.

Mayor McEnerny-Ogle, referencing an email from Vancouver resident Todd Boulanger, asked whether surplus and disposition of the site would provide an opportunity to construct sidewalks along the frontage of the subject parcel. Mr. Lopossa stated that if the property were developed, that would be the opportunity to require those frontage improvements. He stated City staff did consider this section for sidewalk infill, but because the site may be developed in the future, staff opted to wait to see if a project will move forward and would include frontage improvements.

Mayor McEnerny-Ogle stated she would like to have more information on this property as well and asked if there is any immediate need for the Council to move forward with the surplus action at this time. City Manager Eric Holmes stated there is no regulatory need and Council could move to continue the hearing to a date certain, at which point staff would bring back more information regarding the valuation of the parcel and surrounding properties.

Motion by Councilmember Stober, seconded by Councilmember Hansen, and carried unanimously to continue this public hearing to Monday, August 20, 2018.

Communications

A. From the Council

B. From the Mayor

Mayor McEnerny-Ogle reopened Citizen Communication to hear the following testimony:

- Fred Meurer, Vancouver, expressed concerns over the Council's resolution regarding an I-5 Bridge Replacement, stating he had experienced a very long process and complications related to the Oakland Bay Bridge replacement. He

recommended the I-5 Bridge be left as it is and instead local and regional agencies should focus on building a third river crossing and a regional beltway.

Mayor McEnerny-Ogle closed Citizen Communication.

C. From the City Manager

Adjournment

7:47 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.

Memorandum

DATE: July 24, 2018

TO: Mayor and City Council

FROM: Bryan Snodgrass, Principal Planner, Community and Economic Development Department

RE: August 20 work session review of proposed Sadri Mill Plain/148th Avenue Development Agreement (DA) rescission request

CC: Eric Holmes, City Manager

This memorandum provides additional background information on the proposal, which was reviewed by the City Council at a July 2, 2018 worksession, following a Planning Commission recommendation to remove some but not all provisions of the DA. A City Council public hearing is scheduled for October 1, 2018, with first reading of the ordinance on September 17. City planning, transportation and legal staff will attend the worksession and hearings. Staff contact is Bryan Snodgrass, bryan.snodgrass@cityofvancouver.us, (360) 487-7946. A complete listing of the 2008 Development Agreement and Planning Commission record is contained in the June 13 Council memorandum in advance of the first Council worksession on this item.

The request is to remove a 2008 Development Agreement which applies to five contiguous properties on the north side of Mill Plain Boulevard at 148th Avenue. The westernmost three of the five properties are vacant. The easternmost two properties contain a small commercial mall and a tavern. The site is zoned Community Commercial. No development is proposed at this time by the applicant, which owns the three vacant properties of the five covered by the DA.

The principal requirements of the 2008 DA requested for removal are:

- Prohibition of certain automobile oriented, storage, or industrial uses
- Required orientation of buildings near front setbacks with parking in the rear and first floor building frontage features;
- Enhanced landscaping and screening requirements;
- Limitations on vehicle access to Mill Plain Blvd, with required coordinated access among all properties to 148th Avenue;
- Road design and construction specifications for 148th Avenue, which has since been built

Below is additional information on allowed uses and development history under the DA, overall citywide context and history with Development Agreements, and transportation corridor policy issues considered in the Planning Commission review of this proposal.

Allowed uses and development history under the DA

The Community Commercial zoning district lists 57 residential, civic, commercial, industrial and other uses that are permitted outright or allowed on a conditional or limited basis. The DA prohibits drive through or 24-hour uses, outdoor or bulk sales, storage, carwashes, gas stations or auto repair, auto rental or sales, industrial service, and manufacturing uses. Most restaurant, retail, office, or mixed use residential uses allowed in the CC zone are allowed under the DA. Earlier versions of DA prohibited a wider range of commercial uses than the 2008 version currently in place, as a result of significant concerns expressed by the adjoining residential neighborhood during the initial rezone process.

The approximately 15,000 square foot retail and office building at 14930 Mill Plain Blvd in the middle of the site appears to have been constructed in 2008. In 2017, the westernmost of the subject properties was proposed by a third party for storage development, but the proposal did not advance beyond the pre-application stage after the DA restrictions became apparent.

Development Agreements citywide

A brief review of city electronic files lists 38 development agreements, the majority for large complicated projects with provisions for infrastructure financing, concurrency trip reservations, and other stipulations. Mid to smaller size sites have occasionally established DAs as part of a rezone process, typically at the behest of the City to ensure future development is consistent with what is envisioned at the rezone stage. Recent examples include the 2015 Huyette residential rezone at St James Rd and 42nd Street, or the 2018 5th Plain Creek residential and commercial rezone at Fourth Plain Blvd and 157th Avenue just recently annexed to Vancouver. Use restrictions were more common a decade or more ago when concomitant rezone agreements, effectively conditions attached to rezone approval, were used.

Policy implications of current proposal

The Planning Commission and staff recommendations for partial removal of the 2008 DA on the proposal site were based on the specific conditions of the site, and on emerging policy considerations for the largest transit corridors citywide. The site is relatively unusual compared with nearby properties given the presence and extent of the median strip in Mill Plain Blvd, which only has one opening, allowing east bound Mill Plain traffic to cross into the site. Traffic exiting the site is forced to turn right. As a result, DA prohibitions of automobile-oriented and traffic-intensive uses have been recommended for retention to limit use of nearby signalized Mill Plain intersections for turnarounds to get to or from the site. The 2008 office and retail development on the site provides at least one example of market willingness to develop under the building orientation and use restrictions of the DA.

Based on recent interest expressed by Council, there is also an emerging policy consideration of focusing more strategic uses and building placement on Vancouver's major east-west transit corridors in recognition of the transportation access, public investment, and potential for place-making these corridors represent. Community and Economic Development staff anticipates bringing a Commercial Corridors Initiative for Council consideration later in 2018 or 2019, focusing on Mill Plain and Fourth Plain Boulevards, along with related strategies for historical, small lot corridors such as Evergreen, Grand, or St John/St James. On the current proposal site, these concerns have informed the recommendation to maintain existing DA prohibitions on storage and bulk sales uses. A similar approach was taken on the recent 5th Plain Creek Station annexation and rezone on Fourth Plain

Boulevard, where the adopted DA also prohibits storage and other commercial uses with relatively limited economic and employment benefits.

Memorandum

DATE: June 13, 2018

TO: Mayor and City Council

FROM: Bryan Snodgrass, Principal Planner, Community and Economic Development Department

RE: July 2 work session review of proposed Sadri Mill Plain/148th Avenue Development Agreement (DA) rescission request

CC: Eric Holmes, City Manager

This memorandum summarizes the DA rescission request scheduled for Council worksession review on July 2, followed by first reading on August 13, and public hearing on August 20. City planning, transportation and legal staff will attend the worksession and hearing. Staff contact is Bryan Snodgrass, bryan.snodgrass@cityofvancouver.us, (360) 487-7946.

The request from applicant Kia Keyvani of Delta Management is to remove a 2008 Development Agreement applying to five contiguous properties on the north side of Mill Plain Boulevard at 148th Avenue. The westernmost three of the five properties are vacant. The easternmost two properties contain a small commercial mall and a tavern. The site is zoned Community Commercial. North of the site are single family homes constructed in the 1970's, although a majority of those abutting the proposal appear to have been purchased since 2000. South of the site is Mill Plain Boulevard, which contains an almost continuous median, with a single opening that westbound traffic only to turn north into the existing development on the site. On the south side of Mill Plain is a senior housing facility. To the west is a credit union. The Vancouver Police Department's East Precinct building is located to the east of the site.

No development is proposed at this time by the applicant, which owns the three vacant properties of the five covered by the DA. In 2017, the westernmost of the subject properties was proposed by a third party for storage development, but the proposal did not advance beyond the pre-application stage after the DA restrictions became apparent.

The principal requirements of the 2008 DA (page 16 herein) requested for removal are:

- Prohibition of drives through or 24-hour uses, outdoor or bulk sales, storage, carwashes, gas stations or auto repair, auto rental or sales, industrial service and manufacturing uses;
- Required orientation of buildings near front setbacks with parking in the rear and first floor building frontage features;
- Enhanced landscaping and screening requirements;
- Limitations on vehicle access to Mill Plain Blvd, with required coordinated access among all properties to 148th Avenue;
- Road design and construction specifications for 148th Avenue, which has since been built

If the DA is rescinded, future development could occur as allowed in the Community Commercial (CC) zone under normal City zoning and transportation standards. The CC zone allows a range of primarily commercial uses, including eating and drinking establishments, lodging, childcare centers, dog daycare and kennels, indoor entertainment, retail, auto sales and service including gas stations, office, and storage. Industrial services, micro-breweries and optical/medical/dental manufacturing are also allowed in the CC zone. Housing is allowed only as part of a mixed use development.

The 2008 D.A. is derived from a 2002 concomitant rezone agreement in which the site and two additional properties to the east were rezoned from office and multi-family residential designations to the current Community Commercial. Follow up amendments in 2004 and 2006 shrank the geographic scope of the agreement to the current five properties. The mini-mall on the site was built in 2007 under the concomitant rezone requirements. The 2008 decision converted those requirements into a Development Agreement, and reduced the list of prohibited uses so that most retail uses were allowed.

Proposal details and mapping are addressed in greater detail in the attached Planning Commission staff report beginning on page 3 of this memorandum. The DA itself is attachment D to the Planning Commission staff report, beginning on page 16. The applicant has argued that the DA restrictions are unique among the many similarly zoned commercial properties along Mill Plain Blvd, have resulted in most of the site remaining undeveloped, and are redundant of existing City regulations. The staff report recommended retaining those portions of the DA that reflect the particular features of this site, such as keeping prohibitions on auto and other high intensity uses which might be unadvisable given the access constraints posed by the unusually lengthy median on Mill Plain Blvd, or the building orientation provisions which could result in development similar to the commercial mini-mall on the site. The staff report also recommended retaining use prohibitions on storage and other uses offering relatively lower employment or economic benefit in the context of a major east-west arterial with extensive transit service such as Mill Plain Blvd.

At the hearing the applicant dropped objections to the DA provision requiring coordinated access among all the properties to 148th Avenue, and focused concerns on the use prohibitions. No public testimony was offered. The Planning Commission voted 4-2 to recommend partial rescission of the DA as recommended in the staff report. See Exhibit 3 for Planning Commission minutes.

No public testimony was offered although the hearing was attended by two neighboring residential homeowners who had received notice through hardcopy mail. The site is within the area of the East Mill Plain Neighborhood Association, which was recognized in June 2017. Notice of the Planning Commission hearing was mistakenly not sent to the neighborhood chair. Communication has since been established, and staff presented at a June 12 neighborhood meeting. Attendees present voted to support retention of the use prohibitions in the DA. Concerns were also raised about ongoing noise from the existing tavern on the proposal site.

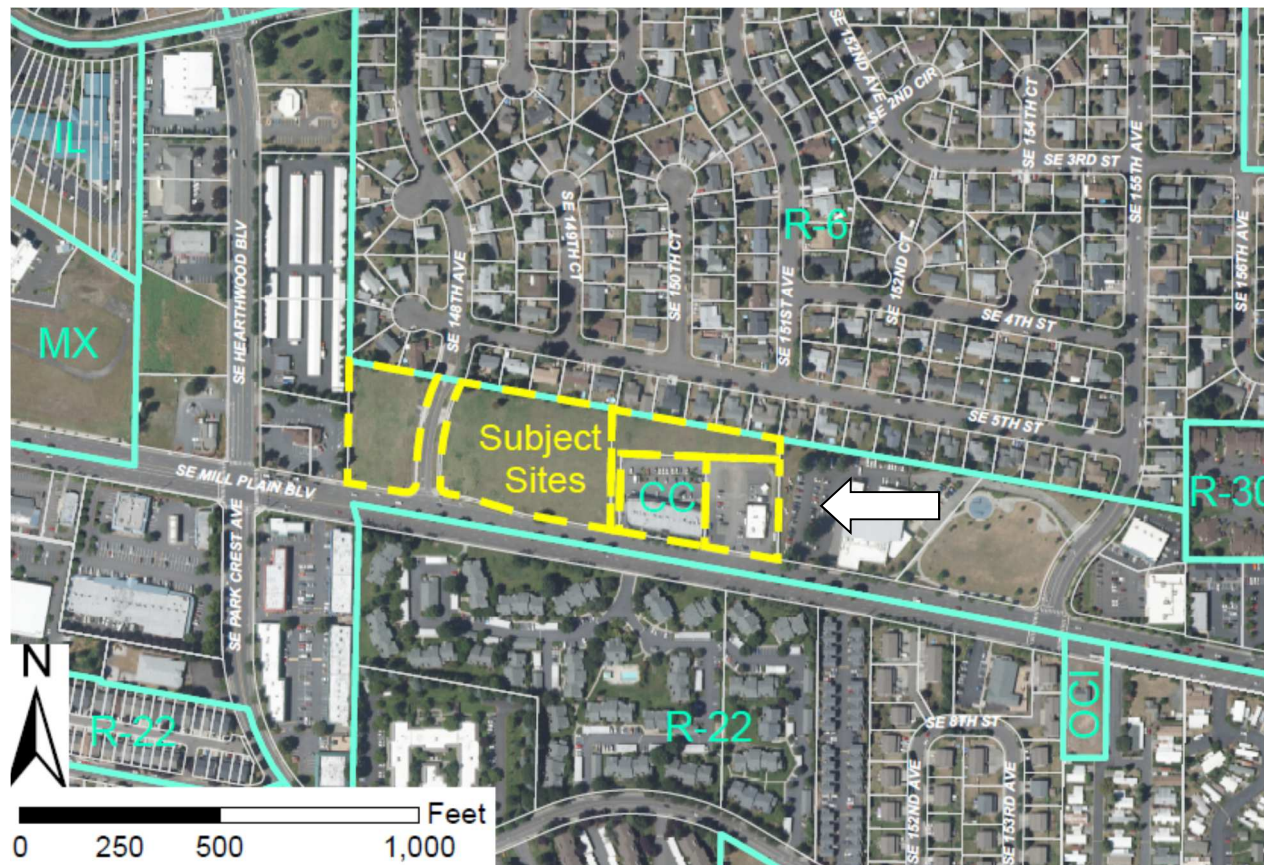
Exhibits:

1. Planning Commission Staff Report and attachments (begins on page 3. Existing Development Agreement begins on page 16)
2. Applicant submittal at Planning Commission hearing (begins on page 23)
3. May 22, 2018 Planning Commission minutes (begins page 25)

EXHIBIT 1 – PLANNING COMMISSION STAFF REPORT



May 22, 2018 Planning Commission Public Hearing Staff Report Sadri – Yu Mill Plain/148th Avenue Development Agreement rescission request



Report Date: May 9, 2018

Proposal: Rescind Development Agreement established in 2008 on five adjacent properties zoned Community Commercial (CC).

Location: North side of Mill Plain Boulevard near Southeast 148th Avenue. Addresses are 14799, 14800, 14900, 14930 and 15000 Mill Plain Blvd. Parcel numbers are 167676000, 164700000, 164699000, 167650000, and 167633000

Proponent: Kia Keyvani 203 E Reserve Street Vancouver WA 98661 360-696-4448

City Staff: Bryan Snodgrass, Community and Economic Development Principal Planner, 360 487-7946, bryan.snodgrass@ci.vancouver.wa.us

Recommendation: Forward to City Council recommendation to **remove some but not all substantive provisions** of the Development Agreement

I. BACKGROUND AND REVIEW PROCESS

The five properties subject to the Development Agreement are partially developed. The easternmost two of these properties, at 14930 and 15000 Mill Plain Blvd., contain a small commercial mall fronting Mill Plain, and a tavern. The other three properties at 14799, 14800, and 14900 Mill Plain Blvd are undeveloped. The five proposal site properties are all zoned Community Commercial (CC). Adjacent to the site are range of uses. To the west is a credit union zoned CC. East is the Vancouver Police East Precinct building, also zoned CC. To the north are single family homes zoned R-6. South of the site across Mill Plain Blvd is a senior housing complex zoned R-22.

The existing D.A. was adopted by the Vancouver City Council at a public hearing on December 1, 2008, following a Planning Commission hearing on October 28, 2008. See Attachment D of this report. Current property owners Ashgar Sadri and Ken Yu have retained ownership through this period, and were signators to the DA. Key requirements of the D.A. are:

- Uses: Commercial drive throughs, 24-hour services, car washes, body shops, auto sales or rental, fuel stations, outdoor sales or other outdoor activities of any kind, bulk sales, self-serve storage, industrial services and manufacturing are all prohibited.
- Building orientation and appearance: Buildings must be located at or near minimum front and street side setbacks to the extent possible, with parking behind buildings away from streets. Entrances must be oriented towards pedestrian streets or plazas. First floor building walls facing streets or pedestrian access ways must largely (3/4 of wall length and ½ of wall area) consist of windows or other interest gathering features.
- Landscaping and Screening: Development along Mill Plain Blvd. must provide a landscaped 20 foot deep front yard and 3-foot tall shrubbed berm is required. Development abutting single family residences to the north must provide a landscape buffer that is 10 foot deep, contains continuous 6-foot high shrub or fence screen, and trees no more than 30 feet apart. Storage and equipment areas shall be screened from abutting residences.
- Access: The westernmost property on the west side of 148th Avenue must take access from 148th Avenue only. The remaining four properties must provide shared or cross access so they can all access both 148th Avenue and Mill Plain Blvd, but no more than two access points in total are allowed on Mill Plain.
- Road Improvements: The D.A. contains requirements for design and construction of 148th Avenue, which have been met.

The proposal to rescind the D.A. is being processed as a post-decision review and generally in the same manner as the 2008 process in which the D.A. was established. Vancouver Municipal Code (VMC 20.210.140.C.7 - Post Decision Review) stipulates “When a post-decision request for a change involves a condition of approval that was imposed in the original decision to address a specific potential impact of the proposed development, then that condition of approval can be changed only by using the same process as the original decision”. Post Decision Review standards do not provide for approval criteria, but the 2008 ordinance establishing the D.A. used Small Scale

Rezone change criteria of VMC 20.285.080. This staff report considers those standards to evaluate the current rescission proposal.

Notice of the May 22, 2018 Planning Commission public hearing has been published in the Columbian newspaper, signs posted at the site, and hardcopy mail notice sent owners and residents within 500 feet of the site. The site and properties to the north are not represented by a recognized Neighborhood Association. Only one comment has been received to date, Attachment E of this report, from Ken Yu, an owner of property within the proposal site and originally a supporter of the application as submitted, requesting retention of the D.A. provision requiring coordinated access across all proposal properties to 148th Avenue.

The 2008 D.A. follows a 2002 concomitant rezone agreement in which the site and two additional properties to the east were rezoned from office and multi-family residential designation to the current Community Commercial, with requirements established prohibiting most retail uses, apply design criteria, and facilitating access to 148th Avenue while limiting access to Mill Plain Boulevard. Follow up amendments in 2004 and 2006 shrank the geographic scope of the agreement to the current five properties. The 2008 decision converted the requirements into a Development Agreement, and allowed more types of retail uses. A SEPA Determination of Non-Significance (DNS) was issued for the D.A. on Sept. 24, 2008.

II. PROPOSAL SUMMARY

The applicant proposes rescinding the 2008 Development Agreement, which would allow the properties to develop as allowed under the Community Commercial zone and applicable City transportation and other standards. The applicant's narrative is included in full in Attachment C of this report. Main arguments presented are:

- Other commercially zoned Mill Plain corridor properties in the vicinity do not have similar use, design, and access restrictions.
- Some of the concerns raised in the original 2002 decision establishing commercial zoning on the site subject to various requirements are no longer appropriate today. The Mill Plain corridor between I-205 and 164th Avenue has already been developed with commercial uses, obviating previous concerns about strip commercial development on the site. Original requirements for properties to provide access to 155th Avenue to the east, in addition to 148th Avenue to the west, are no longer achievable because the eastern sites have been developed for a police station.
- 2008 D.A. requirements intended to limit impacts to the single family neighborhood north of the site are not required of other nearby commercial development abutting neighborhoods, and are no longer needed, as baseline City code requirements for screening and buffering have been strengthened since 2008.

III. REVIEW CRITERIA AND FINDINGS

Section 20.285.080 Small Scale Rezones

A. Approval process for rezones of 25 acres or less and Planned Unit Developments

All proposals for amendments to the zoning map for parcels of less than 25 acres in size and for approval of Planned Unit Developments shall be processed in accordance with the procedures set forth for a Type IV process in VMC 20.210. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.

B. Approval criteria for rezones of 25 acres or less and Planned Unit Developments

Zone change proposals submitted without an associated comprehensive plan change shall demonstrate consistency with the Comprehensive Plan and that a substantial change in circumstances has occurred since the original designation. In addition, applications for approval of Planned Unit Developments shall meet the requirements of VMC 20.260.

C. Required Findings for rezones of 25 Acres or less and Planned Unit Developments

No zone change shall be approved unless the required findings of VMC 20.285.085 have been addressed in the written staff report and the written decision of the review authority.

Applicable Vancouver Comprehensive Plan Policies

CD-2 Citywide land supplies

Encourage efficient development patterns throughout Vancouver to ensure achievement of an average density of 8 units per acre set by countywide planning policies . Encourage higher density and more intense development in areas that are more extensively served by facilities, particularly transportation and transit services.

CD-6 Neighborhood livability

Maintain and facilitate development of stable, multi-use neighborhoods that contain a compatible mix of housing, jobs, stores, and open and public spaces in a well-planned, safe pedestrian environment.

CD-9 Compatible uses

Facilitate development that minimizes adverse impacts to adjacent areas, particularly neighborhoods.

EC-1 Jobs-housing balance

Increase the ratio of jobs to residents in the City of Vancouver and the region.

EC-5 No net loss of employment capacity

Restrict zone changes or legislative land use approvals that would lessen long-term capacity for high-wage employment unless accompanied by other changes within the same review cycle that would compensate for the lost capacity or unless the proposed change would promote the long-term economic health of the city.

EC-6 Efficient use of employment land

Maximize utilization of land designated for employment through more intensive new building construction and redevelopment and intensification of existing sites.

The existing Vancouver Comprehensive Plan may be read in full at http://www.cityofvancouver.us/sites/default/files/fileattachments/community_and_economic_development/page/874/vancouvercomprehensiveplan2011-2030.pdf

Staff Findings: The passage of time since 2008, construction of 148th Avenue on the site and changes to City code together represent a significant change in circumstances since the D.A. was established, although the 148th Avenue construction was envisioned and required by the D.A. Staff also finds that removal of several but not all provisions are D.A. is consistent with the Comprehensive Plan and appropriate in light of updated code standards. Requirements recommended for retention are:

- Prohibited uses (Section I of D.A., attachment D of this report) which represent uses that either provide limited employment relative to the potential of Mill Plain Boulevard, Vancouver's most prominent east-west arterial; or are problematic with Mill Plain access limited to right-in, right out.
- Design standards (Section III A, B, and C) requiring building placement near street setbacks lines, with primary entrances oriented to pedestrian oriented streets, window or interest-creating features along building frontages, and parking in the rear. The intent is the remaining undeveloped Mill Plain frontage be developed in a generally similar manner to the existing small commercial mall in the proposal site at 14930 Mill Plain.
- Access provisions (Section V A and B) requiring all properties to provide access to 148th Avenue. As noted retention of this provision has been requested by Ken Yu, owner of property within the proposal area.
- Miscellaneous boilerplate legal provisions (VII)

D.A. requirements for landscaping, fencing and screening, and tree selection are generally repetitive of City code, which would require 10-foot wide buffer containing a 6-foot high fully site obscuring fence, as well as four high shrubs and one tree for every 30 lineal feet of buffer length. (VMC tables 20.925.030-1 and -2). Relative to other locations where residential and commercial zones abut each other, the site does not appear to pose unusual impact potential and may have less if the use prohibitions are maintained. City zoning standards may be read in full at <https://www.cityofvancouver.us/vmc?tid=334&throbber=1>

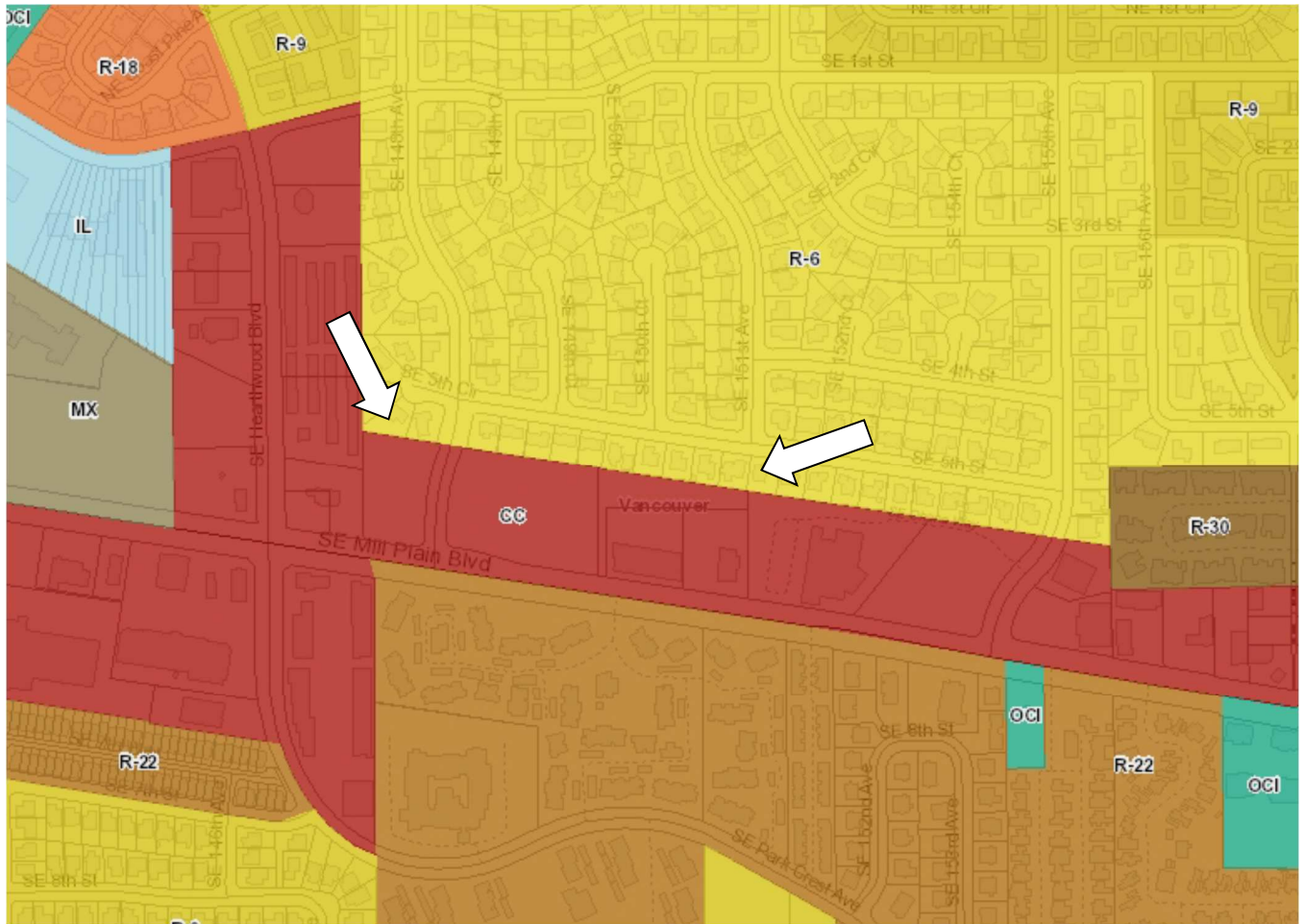
IV. RECOMMENDATION

Based on analysis and findings in this report, staff recommends that the Planning Commission forward a recommendation to the Vancouver City Council to remove some but not all substantive provisions of the 2008 Development Agreement, retaining sections I, III.A, III.B, III.C, IV.A, IV.B, AND VII.

Attachments

- A. Regional zoning map
- B. Site vicinity aerial photo
- C. Applicant narrative
- D. 2008 Development Agreement
- E. Comments received

ATTACHMENT A – REGIONAL ZONING MAP



ATTACHMENT B - SITE AERIAL PHOTO



ATTACHMENT C – APPLICANT NARRATIVE

February 14, 2018

Mr. Jon Wagner,

City of Vancouver

Dept. of Community Development

Vancouver WA, 98668-1995

RE: DEVELOPER'S AGREEMENT RELEASE NARRATIVE

Request

The owner, Asghar Sadri, is requesting release of Ordinance No. M-3906 and the Development Agreement approved by Ordinance No. M-3906 and attached thereto. Ordinance No. M-3906 and the attached Development Agreement were recorded by Auditor's File #3559738 on February 6, 2009 against the following five parcels; 167676-000, 164700-000, 164699-000, 167650-000, 167633-000. All five parcels are currently zoned CC (Community Commercial).

The current Development Agreement terminated and replaced a prior concomitant rezone covenant that was adopted in 2002. Independently of the 2002 concomitant rezone, the City has zoned the entire Mill Plain Corridor from I-205 to 164th Avenue as CC (with the exception of a small portion on the south side that is zoned R-22 with a couple tiny pockets of OCI), so the need for the concomitant rezone covenant/ Development Agreement is no longer valid.

Background:

Asghar Sadri and Ken Yu own five adjoining parcels along the north side of Mill Plain Blvd. west of the police station. (The five properties, hereinafter referred to as "the Site," are outlined on the attached documents hereinafter referred to as "Exhibits".) The City annexed the site in 1994 and zoned it for a mix of office and multi-family residential uses.

In 2002 the owners applied for a Comprehensive Plan amendment asking to rezone the parcels from R-22 and O-22 to Community Commercial through ordinance M-3597. The City rezoned the Site to Community Commercial in 2002, but in so doing required a concomitant agreement that severely restricted retail uses and applied strict design and development criteria. This included a circulation agreement so all parcels would have cross access to SE 148th Ave., SE 155th Ave., and the limited access points to and from Mill Plain, as well as asking that major improvements to SE 148th Ave be made.

Substantial changes have occurred within the area since the concomitant rezone agreement was applied to the properties. The rezone agreement limits the type of land uses and provides design related development standards. The intent of the original 2002 rezone agreement was to minimize and/or mitigate traffic and noise impacts on adjoining residential properties. Office development was contemplated as the primary use for the subject properties. Non-office related uses now occupy almost half the original properties subject to the rezone agreement. The City Council twice modified the concomitant agreement, in 2004 to allow the police station and park, and in 2006 to allow residential use as part of a mixed-use development. Furthermore, these two parcels to the east are no longer subject to the original rezone agreement. Development of the police station and park in 2006 effectively eliminated the cross-access circulation between 148th and Southeast 155th Avenues.

In 2008 an attempt was made by the property owners to amend the 2002 Concomitant Agreement to allow small scale retail uses for the properties as the current Agreement at the time did not allow retail uses. The justification for the amendment was:

- Difficult to develop these properties in an economically justifiable manner with restrictions
- Changing the Comprehensive Plan and zoning designation to Community Commercial would allow the properties to become viable for development
- The properties would match better with the surrounding properties and it will fulfill the goals of the Comprehensive Plan.
- Encouraged more intensive development to locate in major urban centers and corridors

On February 26, 2008, the Vancouver Planning Commission denied the applicants request to amend the 2002 Concomitant Agreement to allow small scale retail uses with no restrictions for the properties. The rationale behind the denial was to stop strip mall development and encourage office development and minimize impacts on the surrounding neighborhood. At the time Staff's belief was that the greatest economic benefit was to have the land be used as office building which would go the furthest towards creating a mixed-use neighborhood and family wage-jobs.

In 2009 Sadri and Yu applied again for a Covenant Release and a new Development Agreement to allow for a greater range of retail uses on the property. Ordinance No. M-3906 which is currently the standing agreement was adopted to allow a greater range of retail uses on the properties however, the restrictions still in place from this ordinance do not allow full commercial use of the property making for undue hardships on the property owners.

How and Why the Request Complies with the Applicable Criteria

We are addressing the criteria both under VMC 20.285.060.B and under VMC 20.285.070.B:

- Why changes in circumstances make the covenant no longer applicable;
- How removal of the covenant is in the best interest of the community; and
- How the covenant release request(s) comply with the current Comprehensive Plan and municipal code.

The context of this request is somewhat unusual in that the staff report supporting the original 2002 rezone listed three clear reasons for restricting retail use of the Site. Those reasons were:

- Compatibility with adjoining residential neighborhoods;
- The non-commercial character of this stretch of Mill Plain; and
- Greater need in Vancouver for land zoned for other types of uses.

These concerns provide an obvious framework for evaluation of this request to release these properties from the Developers Agreement. Furthermore, they cut across the three criteria listed above. Thus, this narrative addresses the three criteria within a discussion of the three concerns laid out by staff. It goes on to discuss the Application in the context of relevant Comp Plan policies.

Compatibility with the Neighborhood

A built single-family neighborhood sits immediately north of the Site. In recommending the concomitant agreement, the 2002 staff report concluded the following:

Adjoining homes would be considerably impacted by many types of businesses permitted in a community commercial zone. Impacts would include noise; potentially, glare; and possibly aesthetic impacts affecting property value. Impacts on numerous apartments across Mill Plain would include an increase in noise if late night traffic were stopping and accelerating from businesses, and also visual impact. Impacts on the planned park, if developed, would include noise and, potentially, safety.

Mitigating impacts on adjoining residential properties is a key component of the recommended developer's agreement. The intended effect of use restrictions would be to make offices the primary use, limiting traffic and noise (in addition to affording economic benefits). Limited commercial uses recommended would not involve all-night hours or drive-throughs.

Ordinance No. M-3906 or the current Developers Agreement now allows a range of retail services to be allowed on the property. This is restricted both by uses as well as design criteria that needs to be met in order to develop. A few basic restrictions are as follows:

- All uses are stated as permitted, 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 are Bulk Sales. Outdoor Sales. Motor Vehicle Sales/Rental. Vehicle Fuel Sales. Non-Accessory Parking, Self-Service Storage. Industrial Services. Manufacturing and Production.
- Design standards that are typically associated with overlays currently restrict these properties, where no other CC Developments in the vicinity of the subject property require design standards.

The Applicants agree that it is essential for this process to protect the living environment of the adjacent neighborhood however, since the agreements inception, screening and buffering standards for a commercial property abutting a residential property with no road separating has intensified. Per VMC Table 20.925.030-1 an L4 screening with a 10-foot setback exists for a commercial property abutting residential land. This standard has been put in place to specifically to reduce the adverse impacts on a residential neighborhood. The added use restrictions and design standards is an excessive development restriction that is meant to protect only one area of residential land.

The Applicants argue that strengthened design criteria and development standards set forth in the current VMC protects residential land that abuts commercial property. Furthermore, no commercial property that abuts residential zoned land in the vicinity of the subject property has any restrictions put forth on it. The purpose of these standards put in place are to mitigate offsite impacts of retail use of the Site. Putting use restrictions and design standards does not fully protect a residential property, and hinders growth in the community.

Commercial Character of Mill Plain

In detailing its concern about this issue, the 2002 staff report reached the following conclusions:

Strip commercial development is discouraged by Plan policies and Plan amendment approval criteria, even though much commercial development in transportation corridors has already occurred.

[T]his is the last stretch of Mill Plain between I-205 and 164th that has no commercial development on either side. It provides a very noticeable break between the heavily developed commercial node across Mill Plain from the airport, and the commercial area approaching 164th to the east. Conversion of the subject properties to unrestricted community commercial uses would have the effect of creating a continuous commercial strip from I-205 to 164th.

The Applicants agree that this observation applied circa 2002, but circumstances have changed. Most notably, the city acquired 5.05 acres of the Site (also shown on the attached aerial) and developed them with the police station and park. This change in circumstances means over half the original developable acreage is already converted to the types of uses desired by city planners for this area, i.e. non-strip commercial development.

The new development standards set in place by Vancouver Municipal Code sets standards that limit signage and access on Mill Plain, and mitigate the visual appearance of a "sea of asphalt" by requiring substantial landscaping. The standards set in place today mixed with the break in retail uses by the existing park and police station eliminate the concern for a resulting strip mall appearance.

Greater Need for Land Zoned Other than CC

The Applicants suspect that this concern may be largely a non-sequitur at this point. First, measuring land need over an area as large as the Vancouver urban area may not be very meaningful. We suspect that, City-wide, such an inventory would show plenty of land available in all zoning categories.

More important, City boundaries do not define market areas. Rather, the market defines how much land is needed and where.

Like the multi-family zoning before it, the market has not supported the office uses that were sought by the concomitant agreement. We do not suggest that the market should be left unregulated and do recognize the City's legitimate interest to regulate land use for the broader public welfare. However, the lack of development activity on the Site over the past thirty years is evidences that, even assuming the City has a greater need for land other than retail, the Site is unable to satisfy that need.

Comprehensive Plan Policies

The following addresses the criteria both under VMC 20.285.060.B and under VMC 20.285.070.B:

1. Overall. Proposed amendments reviewed under this chapter shall be approved only if demonstrated by the proponent to be in the public interest, as based on a review of all applicable principals from the following:

a. How the proposal is more consistent with applicable policies of the comprehensive plan than the existing designation, and

The Development Agreement preserves restrictions that were initially imposed some fifteen years ago as part of a concomitant rezone process. The existing zoning for the property is now CC.

Given the existing CC zoning that predominates along Mill Plain from I-205 to 164th Avenue, the proposal to remove the Development Agreement that is inconsistent with the existing development regulations pertaining to the property and surrounding properties is more consistent with the applicable Comprehensive Plan policies than the outdated restrictions of the Development Agreement. Revert the property to the existing and applicable zoning and development regulations would be more consistent with applicable policies of the comprehensive plan than the existing outdated restrictions of the Development Agreement.

b. How the proposal is more consistent with each of the following objectives than the existing designation. Consistency is not required where the objective is clearly not applicable to the type of proposal involved.

1. Encourage more intensive development to locate in major urban centers and corridors, particularly downtown Vancouver. Encourage development of distinct neighborhoods served by commercial nodes, and discourage urban sprawl and strip commercial development;

This standard is not applicable to this proposal, although the proposal would promote development of vacant property along a major commercial corridor that is currently vacant due to the obstacles to development presented by the Development Agreement.

2. Provide development of uses which are functionally integrated with surrounding areas and neighborhoods in terms of local shopping, employment, recreational or other opportunities;

This standard is not applicable to this proposal, although the proposal would promote development of vacant property into an integrated development with surrounding areas through the regulations the City has established in its development regulations applicable to CC zoned property. The additional restrictions in the Development Agreement are left over from a past era and are no longer helpful or necessary and in fact present an obstacle to development of the property to productive uses.

3. Provide development which is compatible and integrated with surrounding uses in terms of scale, orientation, pedestrian enhancements, and landscaping;

This standard is not applicable to this proposal, although the proposal would promote development of vacant property that is compatible and integrated with surrounding uses through the regulations the City has established in its development regulations applicable to CC zoned property. The additional restrictions in the Development Agreement are left over from a past era and are no longer helpful or necessary and in fact present an obstacle to development of the property to productive uses.

4. Conserve or enhance significant natural or historical features;

This standard is not applicable to this proposal. There are no significant historic or natural features on the property subject to the Development Agreement.

5. Provide adequate provision of transportation, water, sewer, and other public services;

This standard is not applicable to this proposal. Provision of transportation, water, sewer, and other public services would be provided through compliance with the City's development and concurrency regulations applicable to CC zoned property.

6. Provide significant family wage employment opportunities and broadening of the Vancouver economy; and

This criterion is not applicable; however, the proposal would facilitate development of vacant property to productive uses in furtherance of the goals of this criterion.

7. Provide for the formation and enhancement of neighborhoods and communities.

This criterion is not applicable to the request to remove outdated restrictions from a Development Agreement to CC zoned property that will remain subject to all of the City's development regulations.

1. Proposed plan text changes shall be considered based on the following:

a. The proposed change is consistent with the applicable provisions of the Growth Management Act, state and federal law, or other legal mandates; and

Removing outdated restrictions from a Development Agreement in order to subject the property to current regulations would be consistent with the applicable provisions of the Growth Management Act, state and federal law, or other legal mandates.

b. The proposed change is consistent with the applicable provisions of the Community Framework Plan, Countywide Planning Policies, and the Vancouver Comprehensive Plan; and

Removing outdated restrictions from a Development Agreement in order to subject the property to current regulations would be consistent with the applicable provisions of the Community Framework Plan, Countywide Planning Policies, and the Vancouver Comprehensive Plan.

c. The proposed change is necessary to further the public interest based on present needs and conditions.

Present needs and conditions are regulated by the City's development regulations that implement the comprehensive plan. The Development Agreement is a remnant from an old concomitant rezone that occurred over 15 years ago. The surrounding area is predominately the same CC zone all the way along Mill Plain from I-205 to 164th Avenue, so whatever need there may have been for these additional restrictions 15 years ago when the zoning in this area was changed no longer exists. These old outdated restrictions from the development Agreement are presenting an obstacle to development of the property to productive uses. The public interest would be served by removing these restrictions from the Development Agreement and reverting to the City's current development regulations.

Conclusion

We are requesting this outdated Development Agreement be terminated because it is no longer needed and is in fact hindering the development of the property. As discussed above, conditions in the area have substantially changed over time and the City's zoning and development regulations applicable to the property have changed to either address issues originally sought to be addressed in the Development Agreement (in the case of the design review restrictions) or to make those issues moot (in the case of the commercial limitations on property that is now surrounded by commercial zoning).

What remains undeveloped on this site is too small to make much of a difference along the Mill Plain corridor or to provide the break in strip commercial that is desired. The restrictions create a burden upon the owner and interested developer's that exceed the benefits the restrictions would provide. The site fits the location and function criteria of CC. We request that this site receive all the uses normally allowable under the CC zoning to allow undue hardship be removed from the owners of these properties.

ATTACHMENT D – 2008 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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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

- 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

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).

~~no more~~ 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 c~~ parcels.

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

VI Traffic Circulation /Improvements

vement
ements

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

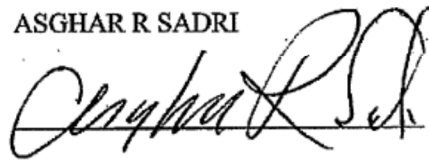
- A. Failure by either party at any time to require performance by the other party of any of the provisions hereof shall in no way affect the parties' rights hereunder to enforce the same, nor shall any waiver by the party of the breach hereof be held to be a waiver of any succeeding breach or a waiver 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.

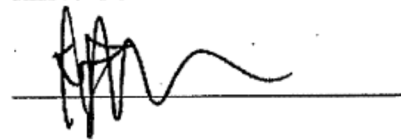
CITY OF VANCOUVER, WASHINGTON


Pat McDonnell, City Manager

ASGHAR R SADRI



KEN J YU



DEVELOPMENT AGREEMENT - 6

A8111001 DEVELOPMENT AGREEMENT2.doc

ATTACHMENT E – COMMENTS RECEIVED

From: Ken Yu [mailto:kalydesigns@yahoo.com]
Sent: Friday, April 27, 2018 12:39 PM
To: Snodgrass, Bryan
Cc: Karl Seid
Subject: 148th Ave DA removal

Hi Bryan,

It just brought to our attention that removing the DA, could also remove the access agreement between the properties. This will not be in our interest, we think that the access agreement shall remain. It will benefit the public to make sure the customers can access from one shopping center to the others without going back to Mail Plain, and traffic will be smoother if all properties has access to 148th. Please let me know if access agreement will be remain.

Ken Yu
Kaly Construction & Designs, Inc.
503-348-0712

EXHIBIT 2 – APPLICANT SUBMITTAL AT PLANNING COMMISSION HEARING



LANDERHOLM

Legal advisors. Trusted advocates.

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E: stevem@landerholm.com

May 22, 2018

City of Vancouver Planning Commission
City Hall
415 West 6th Street
Vancouver, WA 98660

Re: May 22, 2018 Planning Commission Public Hearing on Sadri/ Yu Mill Plain/148th Avenue Development Agreement rescission request

Dear Planning Commission:

We represent the applicant (Sadri) requesting rescission of the above referenced Development Agreement. We are submitting this letter to the record in response to the staff report. We agree with retaining the following portions of the Development Agreement, as recommended on page 5 of the staff report:

- Access provisions (Section V A and B) requiring all properties to provide access to 148th Avenue. As noted retention of this provision has been requested by Ken Yu, owner of property within the proposal area.
- Miscellaneous boilerplate legal provisions (Section VII).

However, we disagree with staff's proposal to retain the Prohibited Uses (Section I of DA) or the Design Standards (Section III A, B and C). These provisions are now over 15 years old and no longer reflect the needs of the area now that Mill Plain has developed as a commercial corridor. Furthermore, the City's code and comprehensive plan have been updated to reflect that change, with most of the other properties along this corridor having been rezoned to CC and the code now contains more refined tools to deal with these issues.

Staff has expressed concern about allowing the full range of permitted outright uses in the CC zone on the Sadri property because of the existing traffic volumes and limited right-in-right-out access on Mill Plain. However, that concern would apply to any property fronting Mill Plain and there is nothing to distinguish the Sadri property from the numerous other properties along the Mill Plain corridor that now have the same CC zoning.

Issues related to traffic volumes and access are dealt with during the development application review process, so that is not a basis to retain the Prohibited Uses provisions. Whatever uses the applicant may propose in the future will still need to meet concurrency and all other transportation and access related regulations in the City's development ordinances.

Now that the vast majority of the other properties along this section of Mill Plain have been rezoned to the same CC zone, the original reason for the Prohibited Uses provision of the DA no

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longer exists, and it is unfair to continue burdening this single property with restrictions that do not apply to any of the neighboring CC zoned properties up and down the Mill Plain corridor.

At some point those other properties along the Mill Plain corridor were also rezoned to CC and at that time the City did not feel the need to impose additional use restrictions on those properties. Therefore, there is no longer any reasonable reason to continue outdated 15 year old use restriction on the Sadri property. The Sadri property should be given equal treatment with the numerous CC zoned properties that were rezoned to CC more recently up and down the Mill Plain corridor.

The same arguments apply to the Design Standards, and the applicant is requesting those provisions be removed. However the Prohibited Uses section is the applicant's biggest concern since that section is preventing the property from being developed for marketable uses. Therefore, we request that the DA be modified to remove these provisions and put the applicant on the same equal footing as all of the other neighboring properties up and down the Mill Plain corridor.

Originally, the Sadri property had cross access easement to the traffic signal at SE 155th Avenue but voluntarily gave up that access so the City could build the Police Station and park, which we believe made a good contribution to the neighborhood. However, without that access, the additional restriction on uses in the Prohibited Uses section of the DA is putting a significant strain on the ability to develop the property. We therefore request removal of that provision to enable development of these properties on equal terms with the other CC zoned properties along the Mill Plain corridor.

Finally, to the extent the Planning Commission desires more traffic analysis of the impacts of potential uses on Mill Plain, the applicant would be willing to conduct further traffic study of the SE 148th public access road that connects the neighborhood to the north with Mill Plain to determine whether that access road could be vacated and whether that would alleviate any concerns. Based on initial consultation with the applicant's traffic engineer, Hann Lee of H. Lee & Associates, it appears this may be likely, and the applicant is willing to study the issue, which is expected to take about 6 weeks, so we could come back later this summer for another hearing.

We don't believe additional traffic analysis is necessary in order to remove the Prohibited Uses provision to enable development of these properties on equal terms with the other CC zoned properties along the Mill Plain corridor, but the applicant is willing to take that step if that is something the Planning Commission would like to evaluate before making a decision.

Sincerely,

LANDERHOLM, P.S.



STEVE C. MORASCH

Attorney at Law

SCM/jsr

SADA01-000054 - Document in ProLaw

EXHIBIT 3 – MAY 21, 2018 PLANNING COMMISSION PUBLIC HEARING DRAFT MINUTES

Staff Report

Bryan Snodgrass introduced Kristian Corban, Development Review Planner for the City of Vancouver, who has advised staff in the past with development code interpretations, and Eric Hahn, Civil Engineer for the City of Vancouver, to advise on transportation issues. Bryan announced that the City Council work session on this matter has recently been rescheduled to July 2, 2018, with a public hearing on August 20, 2018.

Snodgrass introduced the site and surrounding uses. The site is located on Mill Plain Boulevard at 148th Avenue. It encompasses five properties. To the north is a single family residential neighborhood. Immediately to the east is a police precinct and to the south is a senior living facility. There is a storage facility and credit union to the west. There is previous development already on the site, including a tavern and a small mini-mall. The existing zoning is Community Commercial (CC), rezoned in 2002 from office and multifamily residential. As part of the rezone, additional requirements were established. Those requirements were amended in 2004 and 2006, and in 2008 they were converted to Development Agreement (“DA”). The current DA is included within the Staff Report, which was submitted to the Record and may also be viewed on the Planning Commission website. Snodgrass summarized the prohibited uses, building orientation, and road access requirements currently outlined in the DA.

Snodgrass stated that the DA release has been advertised in a manner similar to annual review and rezones, including mail notification to residences within 500ft of the site, newspaper publication in *The Columbian* and on-site postings. He stated that he received only one comment. It was from one of the property owners within the development who was a signatory to the application, and that comment is included in the staff report. It requests retention of one of the requirements for coordinated access across the five properties to 148 Street. Snodgrass commented that previous hearings on the matter have generated limited testimony as well.

Snodgrass summarized the staff recommendation to remove some but not all of the provisions of the 2008 development agreement, retaining sections I, III.A, III.B, III.C, V.A, V.B, and VII, which pertain to current features of the property or current policy objectives, specifically requirements for coordinated access, use limitations and requirements for building frontages similar to the existing mini-mall. Snodgrass explained that the Planning Commission is asked to review this DA because the 2008 process involved a Planning Commission hearing, thus establishing precedent for this particular DA. He then turned to the Commissioners for questions.

Chair Paulsen asked for clarification as to why staff recommends leaving the use prohibitions listed in section I in place, as opposed to full rescission of the DA as the applicant has requested. Snodgrass answered that the recommendation to retain section I is driven primarily by the limited access to the site and secondarily by the desire to better utilize the economic potential of Mill Plain Blvd as a transit corridor. The access to the site is further restricted by a median running along Mill Plain Blvd at that location, making it desirable to limit uses that would presumably generate more traffic.

Commissioner Harroun expressed his inclination to encourage flexible uses of this site, prioritizing benefits to the public and transportation over concerns about potential traffic increase, for example allowing a drive-through business but not a storage facility. He encouraged lessening the use restrictions to make this site a more economically viable project for the developer.

Applicant Testimony

Steve Morasch from Landerholm Law Firm represented the applicant, Asghar Sadri. He distributed a letter that has been submitted to the record and gave a brief testimony. He stated that the applicant had requested a full rescission of the DA, but in response to the staff report and particularly into response to the comment received from Kevin Yu, a property owner within the site, the applicant is revising the request and is perfectly happy to keep the access provision. The applicant's main concern is section I on prohibited uses. They would also prefer to remove the design provisions but those are a lesser concern. Morasch cited that the property has remained undeveloped for 15 years and also the treatment of other nearby CC properties, rezoned at a later time and without further restrictions, in his argument for rescission. He also expressed that he felt the City's required development review process would be an adequate solution to address increased traffic as the applicant would have to show compliance with concurrency and access spacing standards as part of that process, and that it was unnecessary to maintain the DA on that basis. Morasch added that the applicant was prepared to provide further analysis of the traffic issue at a later date, if desired by the Planning Commission.

Commissioner Harroun asked the applicant's representative Steve Morasch of the most problematic prohibited uses from Section I. Morasch reiterated that the applicant would like to have section I removed in its entirety but offered to confer with the applicant during the next presentation.

Hann Lee of H Lee & Associates, the applicant's traffic engineer, agreed that the concurrency requirements within City code already dictate what can and cannot be done along the Mill Plain Blvd corridor and that current regulations already address the demands of the area well. He addressed the importance of studying the potential impact to the neighborhood to the north. He suggested discussing whether 148th Avenue should remain connected to the neighborhood or limited to pedestrian and bike access only, with no vehicular traffic. He indicated that closing it off would prevent commercial intrusion into the neighborhood traffic, a common concern of neighbors, and he suspected that it would not have a significant impact on the neighborhood because the intersection of Mill Plain Blvd and 148th Avenue is already right-turn only, both entering and leaving the neighborhood, due to the median along Mill Plain Blvd. The Commission did not have questions for Lee at the conclusion of his statement.

Morasch returned from conferring with the Applicant and reaffirmed that the Applicant's preference is to rescind the entirety of Section I. Additionally, he pointed out that many of the proposed uses would remain prohibited or require conditional use permitting by the CC zoning designation, including many types of manufacturing.

Public Testimony

Chair Erik Paulsen opened the floor for public testimony. Commissioner Atkins asked staff for clarification regarding the timeline of the rezoning of surrounding properties, and what uses listed under Section I would remain prohibited by a CC designation. Snodgrass suspected that some of the surrounding properties on Mill Plain Blvd were previously commercial given their size, and that others were most likely zoned office and multifamily residential, like the site in question had been. He also suspected that the residential neighborhood to the north did pre-date the rezoning, given the appearance of the structures. It was determined that there would be a very limited allowance for manufacturing, that self-storage facilities would be allowed, that a gas station would be allowed with limited use, and that motor vehicle service and repair would be permitted if contained entirely within the building.

Commissioner Harroun asked staff if encouraging transit-oriented development of the Mill Plain Avenue corridor was the guiding principal behind his recommendation. Snodgrass clarified that the foremost principal was to restrict uses that would increase the traffic to undesirable levels, emphasizing that those uses

may be legally permitted under the current zoning and code, but are not allowed under the existing DA. He added that ensuring a more intensive use of land, in terms of employment and economic return along the transit corridor, was his second guiding principal.

Receiving no public testimony, Chair Paulsen closed Public Testimony.

Commission Deliberation

Commissioner Atkins stated that he was in favor of the restrictions and expressed concerns that the home owners in the neighborhood to the north presumably bought their properties with the neighboring zones and resulting restrictions in mind. He was concerned that neither staff nor the commission had heard feedback from those neighbors. He summarized by stating he was supportive of prohibiting usages that do not take advantage of the existing investments in infrastructure.

Commissioner Mattoon expressed that she takes this part of Mill Plain Blvd. every day, and felt that the findings of the traffic studies done so far were in accordance with her personal experience of the area. She described some of the businesses nearby, including mini-storage facility, a credit union, a muffler and brake shop, and a carwash, and questioned the extent to which releasing the full DA as opposed to staff's recommendation, would change the character of the corridor and impact nearby residents.

Commissioner Ledell noted that the section of Mill Plain Blvd in question is primarily a commercial corridor and as such, given the list of uses potentially allowed by the staff recommendation, there would not be a significant deviation in appearance if this recommendation was approved.

Commissioner Harroun expressed that he was inclined to retain the prohibitions as proposed in the staff's recommendation, but was torn because he understood the applicants desire to be treated equally relative to neighboring properties. He concluded by stating that ultimately he was opposed to releasing the DA in its entirety as the restrictions were voluntarily agreed to, and he felt they were in line with the City's long term goals for the character of the area.

Commissioner Lee stated that he was in agreement with Commissioner Mattoon. He pointed out that in the last 15 years this site has remained undeveloped, while in contrast the surrounding area, particularly the site of the former airport, has seen tremendous development with little or no character standards. He stated that it was his preference to release the DA, including section I pertaining to restricted uses, but retain sections III.A, III.B, III.C, V.A, V.B, and VII as suggested by staff.

Commissioner Mattoon observed that, even if the DA restrictions were removed, she would want City Council to envision the kind of thoroughfare it wants Mill Plain Blvd. to be in the future, and how that reflects on our community. Additionally, she asserted that unless they were going to enforce the restrictions equally on new and existing business in the CC zone, then holding the applicant to these restrictions would not make a large impact on the area, and would further delay economic return for the applicant.

Commissioner Harroun stated that he agreed with Mattoon from a builder's perspective, but from a long range planning standpoint, he felt obligated to consider the 100-year impact of these decisions. He felt that the need for density along Mill Plain Blvd. as a heavily invested transit corridor would better fit the future needs of the growing population and that was his main priority in making this decision.

A motion was made by Vice Chair Ledell to forward a recommendation to the City Council to remove some but not all of the provisions in the 2008 DA retaining sections I, III.A, III.B, III.C, V.A, V.B, and VII, and was seconded by Commissioner Atkins. Commissioner Ledell and Commissioner Atkins both expressed that the staff recommendation was a sufficient compromise between removing outdated restrictions from the previous agreements and maintaining the spirit of current and future planning for the area.

Commissioner Lee disagreed, stating that he preferred to remove section I as well on the basis that many of the uses restricted by section I are already established on nearby sites and that neighboring businesses such as a large mixed use development, a hotel, and a senior living facility, constitute a larger traffic impact than the businesses currently restricted by section I.

Commissioner Atkins clarified that traffic impacts were not his main concern, rather encouragement of more intensive use of the site given its proximity to a major transit corridor.

Commissioner Mattoon expressed that it did not feel fair to hold these property owners to a separate set of standards to set to address the aesthetics of the area, rather she recommended that the City Council should consider what Community Commercial means for the City of Vancouver as a zoning category in general going forward.

Commissioner Harroun agreed that Community Commercial overall needed to be examined; however, that did not preclude the commission from having the opportunity to preserve some areas for better uses and that ultimately he was supportive of the motion.

Chair Paulsen indicated that he was supportive of the motion as well, compelled by the guiding principles staff had outlined. He conceded that there was merit to the arguments about fairness and consistency with the CC zoning, but he was aware of the fact that select areas have additional conditions because the City has specific issues or aspirations in mind. He gave the planned implementation of bus rapid transit in this corridor and the resulting transit-oriented development that is anticipated as an example. He concluded that to have this land subject to previously entered legal agreement, fair or unfair, gives the City the benefit of being able to potentially facilitate that kind of development for the long term.

The motion was approved by a 4-2 vote, with Commissioners Lee and Mattoon against.

Sadri Mill Plain/148th Avenue Development Agreement rescission proposal

VANCOUVER
CITY HALL



August 20, 2018

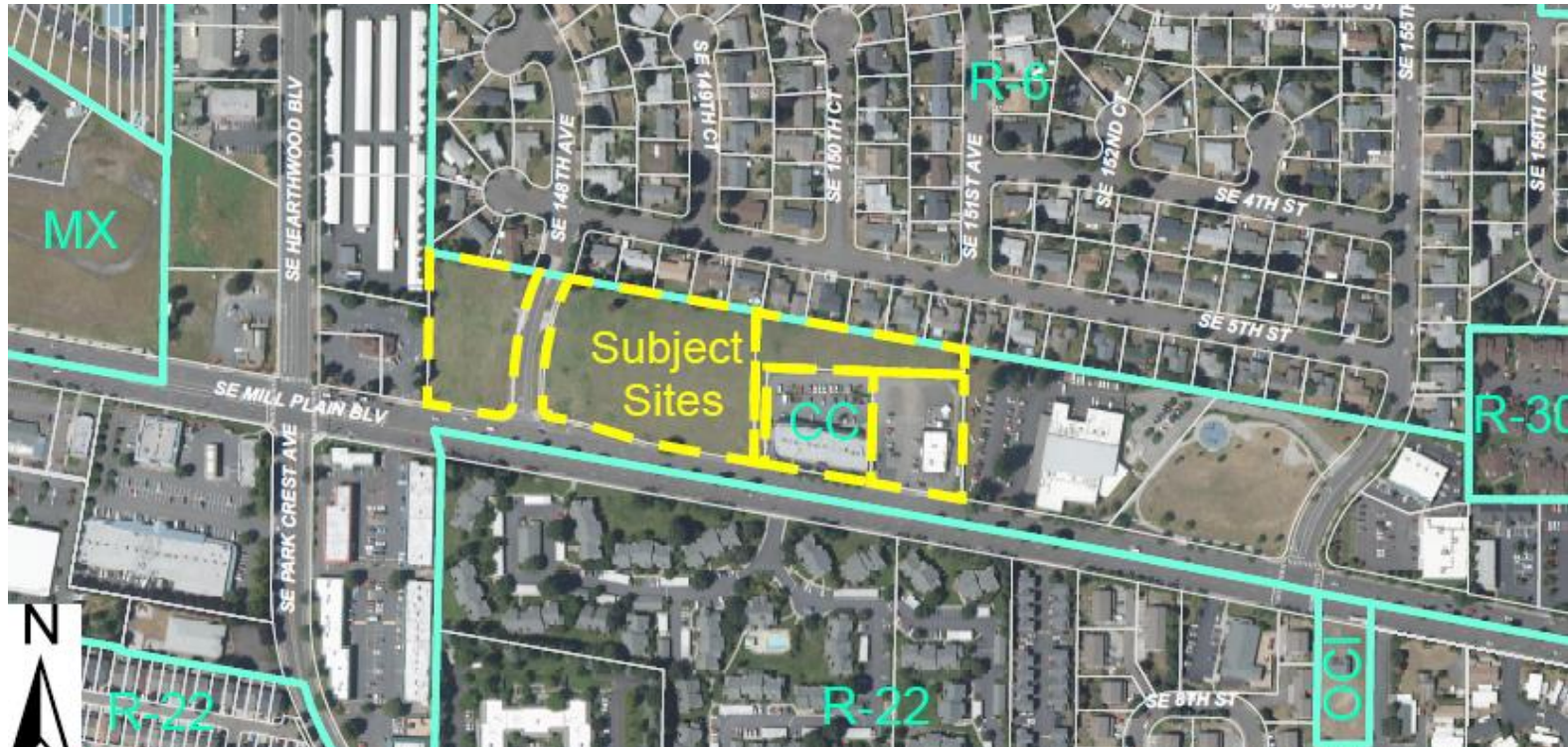
Vancouver City Council Work Shop

Bryan Snodgrass, Principal Planner, Community
and Economic Development Department

Presentation Overview

- Brief staff recap of proposal and Planning Commission recommendation, and additional context regarding allowed uses, citywide development agreements, and corridor policy issues
- Council questions and identification of issues or additional information needed prior to public hearing
- Public hearing October 1, 2018. First reading September 17.

Proposed Site Includes 5 Properties



Background Information

- Site is zoned Community Commercial, rezoned from office and multi-family residential in 2002, with concomitant rezone requirements
- Follow up amendments in 2004 and 2006 shrank the geographic scope.
- Development of on-site office and commercial mini-mall fronting Mill Plain in 2007.
- Conversion of concomitant rezone to current DA in 2008, with expansion of retail allowances
- Current removal request began with storage proposal in 2017

Existing D.A. requirements

- Uses: Drive thru, 24-hour services, car wash, auto body, auto sales or rental, gas stations, outdoor storage or other outdoor activities, bulk sales, self-serve storage, industrial services, manufacturing prohibited. All other restaurant, retail, other commercial, office or mixed use residential uses allowed in the CC zone permitted.
- Building Orientation: Must be located near street setback lines, with parking behind and entries oriented to streets or pedestrian areas. Windows and interest gathering features on street facing walls.

Existing D.A. requirements (cont.)

- Road Access: Shared access required to 148th Ave. No more than two access points to Mill Plain. No access for westernmost property.
- Road Improvements: Various requirements for construction of 148th Avenue that have been met.
- Landscaping and Screening. On Mill Plain, landscaped 20-foot deep front yard with 3-foot shrubs required. In rear of properties, landscaped 10-foot deep buffer with continuous 6-foot high shrub or fence screening and trees no more than 30-feet apart required. Any storage and equipment areas shall be screened from residences to the north.

Proposal

- Applicant requests removal of DA, arguing restrictions are unique among the many similarly zoned commercial properties along Mill Plain Blvd., have stifled development, and are redundant of existing City regulations.
- At the May 22 Planning Commission hearing applicant agreed to accept DA requirement for coordinated access to 148th Avenue, and focused objections on the use prohibitions.

Input

- No public testimony offered at May 22 Planning Commission hearing, which had been noticed through hardcopy mail to properties within 500 feet, newspaper publication, and site postings. East Mill Plain Neighborhood Association recognized in 2017 mistakenly not notified.
- One written comment from on-site property owner Ken Yu requesting retention of the D.A. requirement for coordinated access to 148th Street.
- Staff presented at June 12 East Mill Plain N.A. meeting. Attendees present voted in support of retaining D.A. use prohibitions.

Planning Commission recommendation

- By 4-2 vote the commission supported the staff recommendation to keep D.A. provisions which address particular current features of the property or current policy objectives. These include requirements for coordinated access to 148th Avenue from all properties in the rear; use limitations; requirements for Mill Plain building frontage similar to the existing mini-mall.
- Based on findings in the staff report, sections I, III.A, III.B, III.C, V.A, V.B, and VII are recommended for retention.

Development Agreements citywide

- 38 DAs listed in electronic files, most for complicated projects with provisions for infrastructure provision and financing, concurrency trip reservations, and other issues.
- Mid to smaller size sites have occasionally established DAs as part of a rezone process, typically by City to ensure future development is consistent with plans at the rezone stage.
- Use restrictions were more common a decade or more ago when concomitant rezone agreements were used.

Policy implications for current proposal

- PC and staff recommendations based in part on site features. Lengthy median strip on Mill Plain Blvd along site allows only one opening, so traffic intensive uses on site may result in use of nearby signals and streets for turns to access site. Existing retail and office building on site provides one example of market acceptance of DA's use and building orientation requirements.
- Prohibiting new storage and other commercial use with low economic and employment return on major transit corridors being explored in other policy initiatives.

Questions and Discussion

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

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Paperless Organization (2009 Draft Sustainability Plan)	All Departments	The City has digitized most of our records and most departments are now relatively paperless. We significantly reduced the amount of paper which saves money and storage space in addition to reducing the amount of time it takes to fill requests for documents. A records storage analysis is underway in 2018.					
Building Lighting and Energy Efficiency (2009 Draft Sustainability Plan)	All Buildings	All City facilities from new Fire Stations, to Community Centers, to the Airport are transitioning to LED lighting. Energy efficiency and cost savings are prime considerations in any building renovations. For example, at Firstenburg, the large gas fired boilers that heat the building and swimming pool were recently replaced with smaller, higher efficiency boilers that will reduce natural gas useage an emissions by 20-30%.					
Mobile Work Stations	Police, Fire, Public Works, Community & Economic Development	Departments whose have employees who work in the field have gone to mobile workstations. This allows employees to be more productive, requires less office space and also saves travel time and fuel because employees can look up information and file reports remotely.					
Paris Climate Agreement	City Council	Mayor Leavitt signed on to the "Climate Mayor's Statement to adopt the Paris Agreement goals". Over 1,000 cities have signed on so far. https://www.usmayors.org/mayors-climate-protection-center/					
Neighborhood Sustainability Grants through The Watershed Alliance of SW Washington	City Manager's Office Office of Neighborhood Works - Solid Waste Public	There is \$22,500 in grants available annually. Neighborhood Association can apply for up to \$2,000 with in-kind/other match required. Projects include neighborhood gardens, pet waste disposal, tree planting, stormwater murals, etc.					
Low Impact Development Standards (2016-2021 Strategic Plan Action)	Public Works and Community & Economic Development Land Use	In 2016, the City adopted "Low Impact Development" code requiring at minimizing impervious surfaces and reducing loss of native vegetation and stormwater runoff.					
ePlans (2009 Draft Sustainability Plan)	Community & Economic Development Land Use	Implemented electronic plan review, a web based solution that allows development plans to be submitted electronically which improves plan review efficiency and reduces costs for the City as well as the applicant. Currently mandatory for pre-applications and the plan is to go fully paperless by the end of the year.					
ePermits (2009 Draft Sustainability Plan)	Community & Economic Development Land Use	Implemented electronic permit issuance for electrical, mechanical and plumbing permits including the payment of fees. Saves paper and allows applicants to view status of permits and reviews online.					
Sustainable Development Code (2009 Draft Sustainability Plan)	Community & Economic Development Land Use	Incorporated sustainability provisions in Development Code including: electric charging stations; provisions for the protection of wetlands, fish and wildlife conservation areas, geological hazard areas and frequently flooded areas; encouraging the use of water efficient landscaping; implementation of the low impact development goals					

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Commute Trip Reduction (2009 Draft Sustainability Plan)	Community & Economic Development Economic Development	The Commute Trip Reduction (CTR) program supports the livability and sustainability of our region by encouraging commuters to utilize other transportation options rather than driving alone. By encouraging commuters to carpool or vanpool, use transit, walk or cycle to work we can reduce congestion thus reducing our dependency on fossil fuels and reducing our carbon footprint.					
Destination Downtown	Community & Economic Development Economic Development	Destination Downtown is a transportation demand management (TDM) program that focuses on Downtown Vancouver. It addresses downtown congestion by incentivizing employers, workers, businesses and business patrons to carpool, walk, bike and take transit to get to and from work and to access downtown amenities.					
CBDG Energy Requirements	Community & Economic Development Economic Development	Our homeowner rehab program requires the use of materials that meet or exceed current code requiremens for energy savings, energy efficiency and longevity for building materials including but not limited to insulation, windows, appliances, roofing, plumbing and light fixtures.					
Green Business Award Program	Community & Economic Development Economic Development	This is a regional partnership with Clark County Public Health (Solid Waste) that annually recognizes Green Businesses					
Parking for Alternative Vehicles (2009 Draft Sustainability Plan)	Community & Economic Development Parking	Parking, Equipment Services, Facilities and the Water Center have participated with Clark Public Utilities in offering proposals to the Electrify America program that would provide Electric Vehicle charging stations around the community where they would be accessible for the public an/or employees (funding provided by Volkswagon). Next round of funding anticipated in 2018/2019.					
Server Virtualization	Information Technology	The City has migrated from physical servers to virtual servers. 94% of all City servers are now virtual. Virtualizing servers significantly reduces the energy and cooling required by the City Hall data center.					
Parks Maintenance Standards (2009 Draft Sustainability Plan)	Parks & Recreation	New Parks Maintenance Standards will provide economically sustainable, environmentally responsible and well-maintained properties.					
Parks Maintenance - Landscaping (2009 Draft Sustainability Plan)	Parks & Recreation	Focus irrigation on turf and ornamental areas to minimize water use and mowing needs. LED lighting to reduce energy use.					
Community Gardens (2009 Draft Sustainability Plan)	Parks & Recreation	287 individual plots or planters in 5 community gardens, providing familes with an opportunity to connect with nature and produce healthy food.					
Energy Efficient Construction (2009 Draft Sustainability Plan)	Public Works Construction Services & Facilities	All new construction and renovations of City facilities incorporates energy efficient technologies and materials. The new Fire Stations use Variable Refrigerant Flow (VRF) systems wich are more energy efficient than standard HVAC. The building's thermal envelopes exceeds current design standards which reduces heating and cooling costs.					
Fleet Maintenance and Stability (2009 Draft Sustainability Plan)	Public Works Equipment Services	Updating our fleet over the next 5 years to take advantage of new technology, create a more reliable and energy efficient fleet and reduce maintenance requirements					

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Anti-Idling Policy (2009 Draft Sustainability Plan)	Public Works Equipment Services	The City adopted an anti-idling policy, used by Fire, Police and Operations, that saves in both fuel and maintenance plus reduces emissions.					
Motor Pool (2009 Draft Sustainability Plan)	Public Works Equipment Services	Motor pools have been established at City Hall, Marine Park/WREC and Operations which encourages shared use and alternative forms of transportation.					
Vehicle Fueling System Replacement	Public Works Equipment Services	Fleet fueling system is being upgraded and will include improved metrics for better performance measures. Automated data collection including miles, hours, engine codes for early diagnostics, etc.					
City Hall (2009 Draft Sustainability Plan)	Public Works- Facilities	City Hall, purchased in 2010, is a LEED Gold certified building. The City continues to strive for energy efficiency and cost savings as systems in the building are replaced or updated. Facilities recently replaced a larger chiller with a smaller, high efficiency chiller which is able to handle 90% of the heating and cooling needs. Where geothermal wells supplement the heating and cooling system.					
Household Hazardous Waste (HHW) Disposal	Public Works -Solid Waste	The City and County offer a safe disposal program for paints, poisons, pesticides and petroleum products. Residents may drop off these products at the three transfer stations in our area. Hours of operation have expanded to provide more opportunities for residents.					
Commercial Recycling	Public Works -Solid Waste	The City participated in a project with Urban Sustainability Directors Network (led by City of Denver) to develop an effective commercial waste reduction strategy. Resulted in expanded commercial recycling services offered to businesses in the City with some participating in a pilot organics program as well.					
Residential Recycling	Public Works -Solid Waste	The big blue cart curbside recycling program offered to City residents beginning in late 2009 provides for every-other-week collection using a larger cart and this reduces the number of trucks required, traffic volumes on local streets, and also saves cost. The City is currently coordinating with our partners to emphasize "Recycling Done Right" to reduce contamination and support the development of long-term domestic markets for high quality commodities.					
WRAP Program (2009 Draft Sustainability Plan)	Public Works -Solid Waste	City took the lead in developing a region-wide campaign to educate consumers about the importance of recycling plastic bags and other wrap or plastic film materials by returning them to retail. Has had impact beyond our own region for other communities.					
"Recycle Right", Online and Mobile Friendly Resources for Garbage and Recycling Schedules	Public Works -Solid Waste	This App provides residents with convenient reminder about cart pick-up days and other handy recycling information.					
Internal Recycling System (2009 Draft Sustainability Plan)	Public Works -Solid Waste	With the move to City Hall, employees were provided with convenient desk side recycling containers, branded/consistent signage for proper waste, recyclables and food waste/organics sorting at stations on each floor as well as opportunities to recycle batteries and techno-trash. Response has been positive and sorting behaviors were improved."					

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Promote Recycling of E-Waste (2009 Draft Sustainability Plan)	Public Works - Solid Waste	Product Stewardship Legislation in Washington State has been enacted for <u>E-Cycle</u> (www.ecyclewashington.org) and <u>LightRecycle</u> (https://www.lightrecycle.org/) programs that are funded through industry support. The City promotes these options as part of our "Recycling A-Z Directory" included on the website and in our RecycleRight App. The City IT department recycles used electronics and in-house recycling is also offered for "Techno Trash"					
Recycling in Neighborhood Parks (2009 Draft Sustainability Plan)	Public Works - Solid Waste	Permanent recycling stations have been paired with litter barrels in select (but limited number) of parks and greenway or trail areas. For large and small events in public or private spaces, Waste Connections offers recycling (clear stream containers), composting and reusable service ware options are available for check-out.					
Single Use Water Bottle Reduction (2009 Draft Sustainability Plan)	Public Works - Water Center	The City has installed reusable water bottle filling stations at the Water Center for use by meeting room visitors, bottled water is not offered in the vending machine and a flyer was developed (2011) for "Thinking Outside the Bottle". The City's Water Wagon is used for some City events, including the City Picnic, as alternative to single use water bottles.					
Educational Exhibits on the Environment	Public Works - Water Center	The Water Center has recently added new interactive exhibits that encourage visitors to consider how they can contribute to a healthy environment: -- the <u>Magic Planet</u> offers a globe with selections related to climate change, El Niño and other earth resource features, the <u>Jump on Board with Clean Water</u> exhibit provides a fun game where children of all ages can help reduce and clean up litter in the environment.					
Share Grant for downtown Litter Collection	Public Works -Solid Waste	Partnering with Share to provide for consistent litter collection in downtown and jobs for individuals in shelter.					
Ecology Stormwater Retrofit Grant	Public Works -Stormwater	In the last six years, the city has received millions from the Department of Ecology in Stormwater Retrofit Grant Projects. These projects treat stormwater to protect and improve both groundwater and surface waters in the city. The projects typically consist of construction of rain gardens and underground vaults, which treat stormwater runoff and improve water quality.					
Burnt Bridge Creek Greenway	Public Works -Stormwater	Burnt Bridge Creek Greenway (PW – Stormwater, Parks) The BBC Greenway is located in the heart of the city. The city owned properties that comprise the greenway were restored over 10 years ago with a multi-million dollar project. Since that time city crews have carefully managed the Greenway improvements to achieve the original project goals of a natural resource, providing recreation, water quality and control, fish and wildlife habitat, and a community asset that can be enjoyed along the Discovery Trail.					

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Water Resources Protection & Source Control Program	Public Works- Stormwater Engineering	Stormwater Engineering) Source Control for existing development is a proactive, preventative, inspection-based program that is focused on addressing pollution from existing land use and activities that have potential to release pollutants into the environment. This new permit regulation relies on the city as the local authority to inspect businesses and properties, educating, enforcing and requiring improvements to prevent pollution and protect the city's water resources.					
LED Streetlights (2016-2021 Strategic Plan Action) (2009 Draft Sustainability Plan)	Public Works - Streets	The City has applied for a Public Works Trust Fund (PWTF) loan through the state to convert 12,000 of the City's 17,500 street lights to LED. The funding is in the currently unapproved state capital budget.					
Water Center Green Initiatives (2009 Draft Sustainability Plan)	Public Works- Water Center	Opened in 1996, the Water Resources Education Center provides environmental education as a primary function of our mission. Green initiatives include- participation in the Clark PUD "Green Lights" program (purchasing renewable energy since 2007); solar panel and kiosk tell the renewable energy and conservation story; upgrade exhibit floor lights to LED's; upgrade HVAC systems; install hydration stations for visitors; annual participation in World Water Day (March 22); service learning opportunities regarding wetland maintenance					
Energy Efficiency Equipment Projects (2009 Draft Sustainability Plan)	Public Works Water and Wastewater	Upgraded pumps and wastewater process equipment resulting in higher electrical and process efficiencies and by participating in Clark Public Utilities financial incentive programs.					
Water Operations Energy Efficiency	Public Works Water and Wastewater	In partnership with Ch2M, water and wastewater groups participated in a 5-year training and implementation program for energy management designed to systematically and continuously improve on operational efficiencies.					
Fats Oil & Grease (FOG) program for sewers combine with "Flushable Wipes"	Public Works - Sewer/Wastewater	With more than 20 years of program success, Vancouver remains the best program in the Northwest with its 2 FTE dedicated staff to ensuring FOG is controlled and captured at food establishments, thereby reducing risk for sewer overflows and reducing costly organic loading to the treatment plants.					
Sewer Interceptor Evaluation	Public Works Sewer Asset Management	City uses a data-driven, systematic evaluation of large pipe sewer interceptor to guide strategies of minimizing risks of failures and extending life.					
Land Application of Lagoon Food Waste Solids	Public Works Wastewater -Pretreatment	Lagoon wastewater solids are applied to nearby City park lands for beneficial soil enhancement for hay and grass growing. 600 - 800 tons every two years are applied to about 100 acres of lands.					

Environmental Sustainability Initiatives		Projects in shaded green cells are focus of 8/20/18 presentation	Energy Efficiency	Cost Savings	Environ. Impact	Green Policy	Education
Project / Initiative	City Department / Function	Description					
Complete Streets Program (2016-2021 Strategic Plan Action) (2009 Draft Sustainability Plan)	Community & Economic Development Public Works - Transportation	In 2017, the City adopted a Complete Streets Policy. It lays out a vision for a safe and accessible transportation system that provides safe mobility for all users, ages and abilities, regardless of mode of travel. It requires a complete streets approach for all public and private street design, construction and retrofit projects, and requires the development of a Complete Streets program that includes performance measures and ongoing training. The policy is design to help build a more balanced transportation system and provide facilities that provide a choice in mode of transportation.					
Recycled Asphalt Pavement	Public Works - Transportation	Use of Recycled Asphalt Pavement (RAP) - 20% content on most pavement projects. Can go as high as 40% if contractor does additional lab testing.					
Tree Canopy Assessment (2009 Draft Sustainability Plan)	Public Works -Urban Forestry	Provided a comparison of 2002 data with 2010 data to update a key benchmark for the City. The assessment identified a 1% decrease in canopy, for an end result of 18.6 %, despite ongoing development pressures. The assessment confirmed a clear potential for achieving the citywide goal of 28% in the future through active management, preservation and planting initiatives to maximize the benefits of trees.					
Treefund Program (2009 Draft Sustainability Plan)	Public Works -Urban Forestry	Treefund encourages the planting of quality, long lived trees that will benefit the community for generations to come. In participation with local nurseries, homeowners can select an approved tree, plant it on their property, and submit an application to receive a refund.					
Proactive Pruning Cycle (2009 Draft Sustainability Plan)	Public Works - Urban Forestry	Implemented a seven-year pruning cycle for parks properties. This pruning cycle moves the City from reactively to proactively maintaining public trees to improve tree health, increase longevity, reduce hazards and emergency care, and to maximize the benefits of trees. Healthy, long lived trees maximize pollution removal while also providing savings due to reduced storm damage and response					
Project Restore	Public Works - Urban Forestry Greenway Sensitive Lands Solid Waste	The City, with partners, has been pro-actively restoring publicly owned riparian buffers. The Watershed's Alliance of SW Washington is spearheading the restoration of private riparian parcels. The goal of this program is to educate riparian landowner on the benefits of a restored buffer and partner with them in an effort to restore a natural riparian ecosystem along continuous stream segments. Most recently the program has added a Backyard Habitat focus which is engaging a growing number of residents in positive action.					
Water Station 1 (2016-2021 Strategic Plan Action)	Public Works Utilities	New Water Station will enhance the long-term viability of the City's water system. Project includes replacement of all site lighting with efficient LED lighting. Project will replace five existing booster pumps with high efficiency pumps that include energy use monitoring equipment, with a portion of this being paid for by Clark Public Utilities.					

Environmental Sustainability Initiatives



August 20, 2018

Vancouver City Council Workshop

Jeanette (Jan) Bader, Program & Policy
Development Manager
And Citywide Team

Presentation Overview

- Previous Sustainability Efforts
- The Philosophy
- Overarching Initiatives
- Featured Projects
 - Community & Economic Development
 - Public Works
 - Parks
- Recent Council Actions

Previous Sustainability Efforts

- Kyoto Protocol - 2005
- Green Ribbon Panel - 2008
- Draft Sustainability Plan- 2009
- Climate Solutions “New Energy City”- 2011
- Adopted voluntary Green Building Standards- 2015



The Philosophy

An organization-wide commitment that makes sustainable practices the responsibility of every employee

Overarching Initiatives

- Paperless Organization
- Energy Efficiency in Construction and Renovations
- Low Impact Development Standards
- Complete Streets Program
- GPS in CED & Public Works vehicles
- Mobile Work Stations



Featured Projects – ePlans and ePermits

ePlans

- Electronic plan review – rolled out in 2016
- Available to any type of development application with goal to go 100% electronic
- Incrementally requiring all permit types be submitted electronically starting with pre-application requests (June 2016) and land use applications (May 2018)

Featured Projects – ePlans and ePermits

Program Benefits

- Applicants - reduces need to make copies and make a physical trip to drop off/pick up plans or make payments
- City- reduces amount of paper in the office, eliminates need to route plans to departments, saves on storage space and reduces plan review turnaround times

Featured Projects – ePlans and ePermits

ePermits

- Allows customers to apply for electrical, mechanical and plumbing permits on-line
- Fees can be paid on-line
- Status of permits and reviews can be done on-line

Program Benefits- Saves paper, time and money for applicants as well as trips to the City

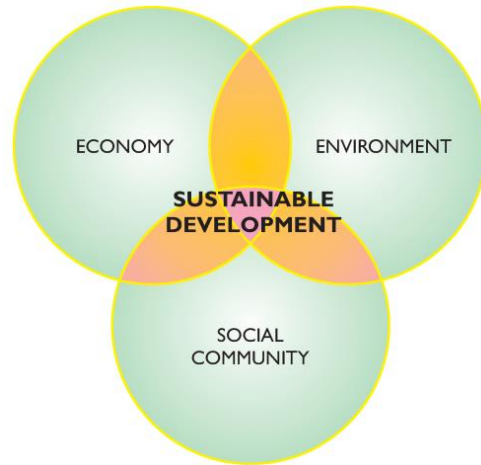
Featured Projects – Development Code

Incorporated sustainability focus into development code:

- Provisions for electric charging stations
- Provisions for the protection of wetlands, fish and wildlife conservation areas, geological hazard areas and frequently flooded areas through the critical areas ordinance
- Encouraging the use of water efficient landscaping through the landscape ordinance

Featured Projects – Development Code

- Adopted low impact development code which requires protection, preservation, replacement and proper maintenance and use of trees, vegetation and soils



Featured Projects – Development Code



HAPO CREDIT UNION

- Project is pursuing certification through the International WELL Building Institute
- Tall windows provide natural daylight to perimeter offices while clerestory glazing illuminates portions of the main floor.
- Roof structure is made from innovated engineered wood products
- Rain water run-off is controlled by a bioswale fed by an artistic gutter that drains water from the upper roofs

Featured Projects – Development Code



GRAND CENTRAL STATION

- Pervious pavers and permeable concrete reduce runoff and help manage stormwater
- Maximize the use of native/drought-tolerant plants to minimize need for supplemental water
- Rainwater harvest tank
- Enhanced access to existing pedestrian and bike trails

Featured Projects – Development Code



WATERFRONT DEVELOPMENT

- State-of-the-art green spaces - walking and biking trails, public park, and natural habitat
- Maximize the use of native/drought-tolerant plants to minimize need for supplemental water
- Rooftop gardens
- Sustainable elements in buildings to attain LEED certifications including LEED for Homes

Featured Project- Proactive Pruning Cycle

Green Infrastructure

- Improve air and water quality
- Moderate heat island
- Decrease erosion
- Extend life of pavement
- Wildlife habitat
- Enhance quality of life



Featured Project- Proactive Pruning Cycle

Sustainable Approach

- Historically reactive program
- Move to a proactive program
- 12-14 Parks annually
- Inspection, pruning, removal
- Out of cycle emergency pruning
- Succession planning



Featured Project- Proactive Pruning Cycle

Program Benefits

- Reduce storm damage response
- Reduce hazards and emergency care
- Improve tree health and longevity
- Reduction in fossil fuel



Featured Project- Proactive Pruning Cycle

Outcomes

- Healthy, long lived trees
- Preserving tree cover
- Grand trees
- Evergreen trees
- Reuse arborist chips



Featured Projects- Water / Wastewater / Streetlights



> 9 billion
gallons water
\$1.44M



> 8 billion gallons
wastewater
\$1.46M



> 16,000
streetlights
\$1.3M

Total City Electrical
\$5.84M
Year 2017



\$4.20M



72% of City's Electrical Costs

Sustainability Update - 18

Featured Project- Water / WW Operations Energy Efficiency

Water Supply

- 3rd Largest Utility in Washington
- 72-square-miles serving approx. 248,000 people
- 40 wells - 52 booster pumps - over 1,000 miles pipe



Wastewater Treatment

- 72-square-miles serving approx. 220,000 people
- 26,800 tons (dewatered) solids processed per year
- 40 pump stations – 770 miles pipe



Featured Project- Water /WW Operations Energy Efficiency

High Performance Energy Management (HPEM)

- Five-Year program (2010-2015)
- Behavioral changes / Operation & Maintenance
- Continuous Improvement Model
- Metrics (Measurements, monitoring)
- Incentive payments \$0.025 / kWh saved annually



Featured Project- Water / WW Operations Energy Efficiency

HPEM – Results at Year 5 for WATER (for 5-year period)

- 17% reduction electricity
- \$407,550 electrical savings + \$239,000 incentive payments
= \$646,550 financial benefit
- Projects included small equipment upgrades and running a computer model to determine best efficiency

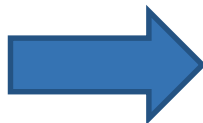
Featured Project- Water / WW Operations Energy Efficiency

Custom Capital Incentive Program

- Energy efficiency equipment upgrades
 - Technical & administrative assistance
 - Incentive payment \$0.25 / kWh saved on annual basis
-
- Pumps, aeration blowers, mixers, centrifuge
 - Over \$500,000 incentive payments
 - Over \$140,000 electrical savings annually

Featured Project- Water / WW Operations Energy Efficiency

Custom Capital Incentive Program – Westside UV Upgrade - 2016



**\$1.7 M
Project**



\$163,600 incentive check

\$ 30,000 electrical savings annually

Featured Project- Streetlights

LED Streetlight Upgrade

- 18,000 High Pressure Sodium (HPS) lamps
- 13,000 will upgrade to LED lamps
- \$4.8M low interest loan / 20 yr. payment
- Anticipated \$1M incentive check
- \$500,000 electrical savings annually



Featured Project- Water / Wastewater / Streetlights

Savings described in the presentation

- \$850,000 electrical savings annually
- \$1.9 million in incentive payments from CPU
- 18,000,000 kilowatt-hours (kWh) electrical energy
- 1,800 homes equivalent



Featured Project- Water Resources Protection

Water Resources Protection Ordinance

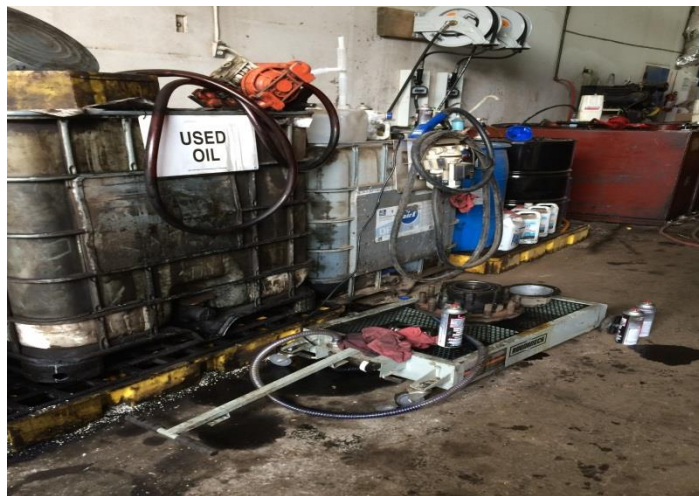
NPDES Phase II Municipal Stormwater Permit

- Source Control
(new component of the Permit in 2019)
- Illicit Discharge Detection & Elimination (IDDE)
(existing Permit requirement)



Featured Project- Water Resources Protection

NPDES Phase II Municipal Stormwater Permit - Source Control



Featured Project- Water Resources Protection

NPDES Phase II Municipal Stormwater Permit - IDDE



Featured Project- Equipment Services

- Green Fleet - purchase alternative technology when practicable, when reasonably available and at the end of the units useful life
- Alternative technology and fuels i.e. hybrid, electric, propane, ethanol, bio and renewable diesel
- Reduce Greenhouse Gas Emissions
- Fleet update - bio-diesel, ethanol fuel, hybrid units currently used
- Complies with Washington RCW 43.19.168

Recent Council Sustainability Action

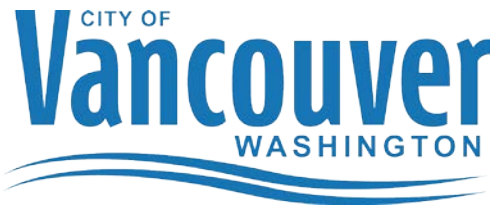
- Approved Street Funding Initiative
- Approved Low Impact Development Code- 2017
- Adopted Complete Streets Policy- 2017
- Joined the Climate Mayors in supporting the Paris Agreement- 2017



Questions and Discussion

Rich McConaghy, Solid Waste Manager
(360) 487-7165
rich.mcconaghy@cityofvancouver.us





DATE: 08/14/2018

RE: List of Current City Council Policies & Procedures

- 100-06 [Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces](#)
- 100-31(A) [City Manager Evaluation Process](#)
- 100-32 [City Council Meetings](#)
- 100-33 [City Council Appointment to Boards and Commissions](#)
- 100-34 [City Council Relations with City Staff](#)
- 100-35 [City Council Miscellaneous Procedures](#)
- 100-36 [City Council Code of Ethics and Conduct](#)
- 100-37 [City Council Electronic Mail \(e-mail\) Policy](#)
- 100-38 [Filling City Council Vacancies](#)
- 100-39 [City Council Appearance of Fairness Standards and Procedures](#)
- 100-40 [Social Media Policy](#)

[City Council Compact](#)
(adopted July 15, 2013)

Council Policies Updates Preview

VANCOUVER
CITY HALL



August 20, 2018

Vancouver City Council Workshop

E. Bronson Potter, City Attorney
Amanda Delapena, Council Assistant

8/14/2018 4:30 PM

Presentation Overview

- Why are we here?
- 2018 Policy Review Timeline
- Policies Overview
- Proposed Updates
- Council Feedback
- Next Steps

Why are we here?

- Periodic review necessary and appropriate – majority last updated 2011; some updates in 2014 and 2016
- Recent events highlighted need for updates
- Councilmember interest

2018 Review of Policies

Aug. 20

- Preview & Council feedback

Aug. 27

- Detailed review of proposed text edits

September

- Council action via resolution on Consent

Policy No.	Title	Last update
100-06	Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces	2011
100-31(A)	City Manager Evaluation Process	2014
100-32	City Council Meetings	2016
100-33	City Council Appointment to Boards and Commissions	2014
100-34	City Council Relations with Staff	2011
100-35	City Council Miscellaneous Procedures	2011
100-36	City Council Code of Ethics and Conduct	2011
100-37	City Council Electronic Mail (email) Policy	2011
100-38	Filling City Council Vacancies	2011
100-39	City Council Appearance of Fairness Standards and Procedures	2007
100-40	Social Media Policy	2014
	Council Compact	2013

Policy No.	Title	Last update
100-06	Council Appointment of Citizens to Boards, Commissions, Advisory Committees and Task Forces	2011
100-31(A)	City Manager Evaluation Process	2014
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100-35	City Council Miscellaneous Procedures	2011
100-36	City Council Code of Ethics and Conduct	2011
100-37	City Council Electronic Mail (email) Policy	2011
100-38	Filling City Council Vacancies	2011
100-39	City Council Appearance of Fairness Standards and Procedures	2007
100-40	Social Media Policy	2014
	Council Compact	2013

100-06: Advisory Boards & Commissions

Suggested Updates & Additions to Policy

- City Manager oversight of process
- Updated reappointment process
- Addition of recruitment timeline / benchmarks
- Clarification of: process steps; staff & Council expectations; notification & communication points
- Updated interview process & resources
- Addition of periodic review of effectiveness
- General text edits

Establishes policies and procedures for selection of citizens to serve on city boards, commissions, advisory committees and task forces

100-32: Council Meetings

Suggested Updates & Additions to Policy

- Clarifications related to workshop, public hearing & executive session scheduling
- Expanded definition of & procedures relating to the triggering of special meetings & associated public notice requirements
- General text edits

Establishes formal procedures for the conduct of City Council meetings.

100-35: Miscellaneous Procedures

Suggested Updates & Additions to Policy

- New section outlining Council Sunshine Fund

Establishes formal procedures for miscellaneous Council activities

100-37: E-Mail Policy & 100-40: Social Media

Suggested Updates & Additions to Policy

- Proposal: Combine policies into one, new policy on electronic communications
- New section pertaining to text messaging
- Addresses: ethics and elections rules of compliance; retention requirements; applicability to Open Public Meetings Act and appearance of fairness doctrine; process relating to legal holds

100-37: Establishes a formal process for e-mail communications by Vancouver City Council.

100-40: Establishes a formal process for the use of social media/new media by individual Councilmembers in their capacity as elected officials.

100-38: Filling Council Vacancies

Suggested Updates & Additions to Policy

- Clarification of the triggering & declaration of a vacancy
- Additional detail re: notification of vacancy & appointment process; public communication points throughout process
- Clarification of applicant qualifications, requirements & application materials
- General text edits

Provides 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 election.

100-38: Filling Council Vacancies

Questions for Council:

- Do you want the vacancy appointment process to be spelled out in detail in the policy, or leave the process more general and allow for the sitting Council at the time of any given vacancy to determine the details of the process?
- Do you want to make any adjustments to materials required of candidates? Currently: Application, resume, WA PDC F-1; additional materials (letters of reference/endorsement, etc.) are considered optional.
- Do you support posting redacted versions of all candidate applications online for public viewing after the application period closes?

NEW: Proposed Policy re: Health Insurance Opt-Out

Proposed Provisions

- Would allow for Councilmembers to receive an opt-out payment equal to the rate offered to non-represented employees
- Would rescind Section 2 of Resolution M-3734 (adopted Jan. 2011), which precluded Councilmember eligibility for the opt-out benefit

Would establish the option for a councilmember to receive a payment in lieu of participating in the City's health insurance program.

Council Compact

- Adopted July 15, 2013, following 2012 and 2013 Council discussions
- Stands as an expression of norms and values of the City Council as a corporate body comprising individual members with a diversity of views and perspectives
- NOT a formal policy, but rather articulation of shared and mutual expectations

OPTIONS:

- 1) Review & revise;
Adopt updated version
- 2) No action

Questions for Council

- Do you support combining the e-mail and social media policies into one all-encompassing electronic communication policy?
- Do you want to consider adopting a new Health Insurance Opt-Out policy?
- Are there additional policy changes you would like to consider not highlighted here?

Next Steps/Timeline

Aug. 20

- Preview & Council feedback

Aug. 27

- Detailed review of proposed text edits

September

- Council action via resolution on Consent

Questions and Discussion

- Bronson Potter, City Attorney
bronson.potter@cityofvancouver.us
- Amanda Delapena, Council Assistant
amanda.delapena@cityofvancouver.us



Staff Report 122-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/20/2018

SUBJECT Approval to Purchase From Sewer Equipment Co. of America

Key Points

- Staff has greatly benefited from using the Sourcwell (formerly NJPA) Cooperative contract #122017-SCA to purchase high pressure sewer cleaning equipment, parts and accessories, and other related equipment from Sewer Equipment Company of America.
- Purchases from this contract will exceed the City's \$300,000 threshold.
- Staff is requesting approval to exceed the threshold up to a maximum of \$1,000,000 over the life of the contract.
- The City has current replacement needs of two high pressure sewer cleaners within its fleet, and staff is recommending that the City Council approve the use of this 4-year contract, February 20, 2018, to February 20, 2022.

Strategic Plan Alignment

Goal 1, Objective 1.2: Ensure our infrastructure, including buildings and utilities, is safe, environmentally responsible and well maintained.

Present Situation

Currently, the City purchases truck-mounted high pressure sewer cleaning equipment, catch basin cleaners, combination sewer cleaners, easement machines, parts, accessories, and related equipment utilizing the Sourcwell Cooperative Contract. The 2018 purchases of two high pressure sewer cleaners are expected to rise above the \$300,000 threshold requiring approval of Council.

In an ongoing effort to standardize and streamline the City's fleet, staff is requesting the ability to purchase from this contract and take advantage of the contract pricing. Equipment Services is requesting Council approve the increased spending at Sewer Equipment Company of America up to a \$1,000,000 threshold against this contract.

Advantage(s)

Utilizes an existing cooperative contract through Sourcewell that is good through February 20, 2022.

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

None

Action Requested

Approve purchases from the Sourcewell Cooperative Contract #122017-SCA with Sewer Equipment Company of America based in Dixon, IL, in an amount not to exceed \$1,000,000 over the life of the contract.

Dan Zenger, Equipment Services Superintendent, 487-8205

ATTACHMENTS:

- ▢ Sewer Equipment Contract 122017

**EXCEPTIONS TO PROPOSAL, TERMS, CONDITIONS,
AND SOLUTIONS REQUEST**



Company Name: Sewer Equipment Co. of America

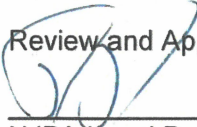
Any exceptions to the terms, conditions, specifications, or proposal forms contained in this RFP must be noted in writing and included with the Proposer's response. The Proposer acknowledges that the exceptions listed may or may not be accepted by NJPA or included in the final contract. NJPA will make reasonable efforts to accommodate the listed exceptions and may clarify the exceptions in the appropriate section below.

Section/page	Term, Condition, or Specification	Exception	NJPA ACCEPTS

Proposer's Signature:  Date: 12/15/17

NJPA's clarification on exceptions listed above:

No exceptions taken.

Review and Approved:  2/6/18
NJPA Legal Department

Contract Award
RFP #122017

FORM D



Formal Offering of Proposal
(To be completed only by the Proposer)

SEWER VACUUM, HYDRO-EXCAVATION, AND STREET SWEEPER EQUIPMENT, WITH RELATED ACCESSORIES AND SUPPLIES

In compliance with the Request for Proposal (RFP) for SEWER VACUUM, HYDRO-EXCAVATION, AND STREET SWEEPER EQUIPMENT, WITH RELATED ACCESSORIES AND SUPPLIES, the undersigned warrants that the Proposer has examined this RFP and, being familiar with all of the instructions, terms and conditions, general and technical specifications, sales and service expectations, and any special terms, agrees to furnish the defined products and related services in full compliance with all terms and conditions of this RFP, any applicable amendments of this RFP, and all Proposer's response documentation. The Proposer further understands that it accepts the full responsibility as the sole source of solutions proposed in this RFP response and that the Proposer accepts responsibility for any subcontractors used to fulfill this proposal.

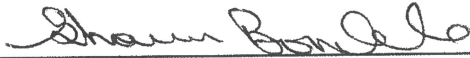
Company Name: Sewer Equipment Company of America Date: 12/13/17

Company Address: 1590 Dutch Rd

City: Dixon State: IL Zip: 61021

CAGE Code/Duns & Bradstreet Number: GLENVIEW-64138

Contact Person: Shawn Bondele Title: Inside Sales Manager

Authorized Signature:  Shawn Bondele
(Name printed or typed)

FORM E
CONTRACT ACCEPTANCE AND AWARD



(Top portion of this form will be completed by NJPA if the vendor is awarded a contract. The vendor should complete the vendor authorized signatures as part of the RFP response.)

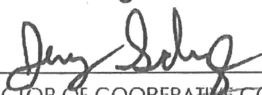
NJPA Contract #: 122017-SCA

Proposer's full legal name: Sewer Equipment Company of America

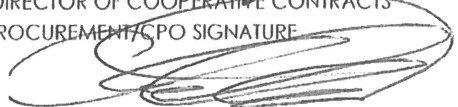
Based on NJPA's evaluation of your proposal, you have been awarded a contract. As an awarded vendor, you agree to provide the products and services contained in your proposal and to meet all of the terms and conditions set forth in this RFP, in any amendments to this RFP, and in any exceptions that are accepted by NJPA.

The effective date of the Contract will be February 20, 2018 and will expire on February 20, 2022 (no later than the later of four years from the expiration date of the currently awarded contract or four years from the date that the NJPA Chief Procurement Officer awards the Contract). This Contract may be extended for a fifth year at NJPA's discretion.

NJPA Authorized Signatures:



NJPA DIRECTOR OF COOPERATIVE CONTRACTS
AND PROCUREMENT/CPO SIGNATURE



NJPA EXECUTIVE DIRECTOR/CEO SIGNATURE

Jeremy Schwartz
(NAME PRINTED OR TYPED)

Chad Coquette
(NAME PRINTED OR TYPED)

Awarded on February 19, 2018

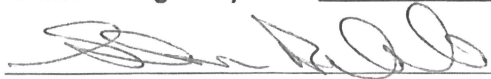
NJPA Contract # 122017-SCA

Vendor Authorized Signatures:

The Vendor hereby accepts this Contract award, including all accepted exceptions and amendments.

Vendor Name Sewer Equipment Co. of America

Authorized Signatory's Title Inside Sales Manager



VENDOR AUTHORIZED SIGNATURE

Shawn Bende

(NAME PRINTED OR TYPED)

Executed on 2/20, 2018

NJPA Contract # 122017-SCA

PROPOSER ASSURANCE OF COMPLIANCE



Proposal Affidavit Signature Page

PROPOSER'S AFFIDAVIT

The undersigned, authorized representative of the entity submitting the foregoing proposal (the "Proposer"), swears that the following statements are true to the best of his or her knowledge.

1. The Proposer is submitting its proposal under its true and correct name, the Proposer has been properly originated and legally exists in good standing in its state of residence, the Proposer possesses, or will possess before delivering any products and related services, all applicable licenses necessary for such delivery to NJPA members agencies. The undersigned affirms that he or she is authorized to act on behalf of, and to legally bind the Proposer to the terms in this Contract.
2. The Proposer, or any person representing the Proposer, has not directly or indirectly entered into any agreement or arrangement with any other vendor or supplier, any official or employee of NJPA, or any person, firm, or corporation under contract with NJPA, in an effort to influence the pricing, terms, or conditions relating to this RFP in any way that adversely affects the free and open competition for a Contract award under this RFP.
3. The Proposer has examined and understands the terms, conditions, scope, contract opportunity, specifications request, and other documents in this solicitation and affirms that any and all exceptions have been noted in writing and have been included with the Proposer's RFP response.
4. The Proposer will, if awarded a Contract, provide to NJPA Members the /products and services in accordance with the terms, conditions, and scope of this RFP, with the Proposer-offered specifications, and with the other documents in this solicitation.
5. The Proposer agrees to deliver products and services through valid contracts, purchase orders, or means that are acceptable to NJPA Members. Unless otherwise agreed to, the Proposer must provide only new and first-quality products and related services to NJPA Members under an awarded Contract.
6. The Proposer will comply with all applicable provisions of federal, state, and local laws, regulations, rules, and orders.
7. The Proposer understands that NJPA will reject RFP proposals that are marked "confidential" (or "nonpublic," etc.), either substantially or in their entirety. Under Minnesota Statute §13.591, Subd. 4, all proposals are considered nonpublic data until the evaluation is complete and a Contract is awarded. At that point, proposals generally become public data. Minnesota Statute §13.37 permits only certain narrowly defined data to be considered a "trade secret," and thus nonpublic data under Minnesota's Data Practices Act.
8. The Proposer understands that it is the Proposer's duty to protect information that it considers nonpublic, and it agrees to defend and indemnify NJPA for reasonable measures that NJPA takes to uphold such a data designation.

[The rest of this page has been left intentionally blank. Signature page below]

By signing below, Proposer is acknowledging that he or she has read, understands, and agrees to comply with the terms and conditions specified above.

Company Name: Sewer Equipment Co. of America

Address: 1590 Dutch Rd

City/State/Zip: Dixon, IL 61021

Telephone Number: 815-835-5623

E-mail Address: ShawnBondele@Sewerequipment.com

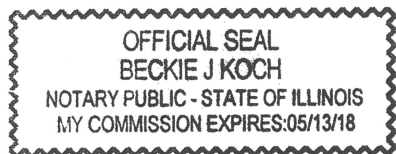
Authorized Signature: *Shawn Bondele*

Authorized Name (printed): Shawn Bondele

Title: Inside Sales Manager

Date: 12/15/17

Notarized



Subscribed and sworn to before me this 15th day of December, 20 17

Notary Public in and for the County of Carroll State of Illinois

My commission expires: 05/13/2018

Signature: *Beckie J. Koch*



PROPOSER QUESTIONNAIRE

Payment Terms, Warranty, Products and Services, Pricing and Delivery, and Industry-Specific Questions

Proposer Name: Sewer Equipment Company of America

Questionnaire completed by: Tom Hochmuth

Payment Terms and Financing Options

- 1) What are your payment terms (e.g., net 10, net 30)? Net 30
- 2) Do you provide leasing or financing options, especially those options that schools and governmental entities may need to use in order to make certain acquisitions?. See supporting document: 20 Rental
- 3) Briefly describe your proposed order process. Please include enough detail to support your ability to report quarterly sales to NJPA. For example, indicate whether your dealer network is included in your response and whether each dealer (or some other entity) will process the NJPA Members' purchase orders.

Sewer Equipment Company handles all contract administration and order entry functions with NJPA. Our dealer network is a very important part of this proposal, as they present the NJPA opportunity to end user customers. They accept purchase orders from their end user customers as they customarily would with any order, and in turn enter a dealer purchase order with Sewer Equipment Company. The end user purchase order must be submitted to us along with the distributor PO in order to confirm the proper NJPA admin fee. All of our dealers are a part of the network, and will provide a list of said dealers to NJPA if necessary.

- 4) Do you accept the P-card procurement and payment process? If so, is there any additional cost to NJPA Members for using this process?

Not at this time

Warranty

- 5) Describe in detail your manufacturer warranty program, including conditions and requirements to qualify, claims procedure, and overall structure. You may include in your response a copy of your warranties, but at a minimum please also answer the following questions.

See supporting documents: 21a and 21c

Do your warranties cover all products, parts, and labor? Standard wear items are excluded as detailed in the

As previously stated, our equipment is simple and non-proprietary in nature. It is not unusual for us to issue warranty reimbursement directly to a city that uses their own technicians for a repair or to partner with a local third party repair shop of the city's choosing.

- Will you cover warranty service for items made by other manufacturers that are part of your proposal, or are these warranties issues typically passed on to the original equipment manufacturer? Yes we do. The exception is auxiliary engines and chassis from manufacturers such as Caterpillar, Ford, Freightliner, Kenworth, etc which are serviced by their respective, local warranty centers. We are available to facilitate claims with these third parties if the customer desires our assistance. Also, we do recognize warranties that exceed ours on items such as Caterpillar engines that are covered for 2yrs/2000hrs.
 - What are your proposed exchange and return programs and policies? No exchange or restocking charges will be applied on parts and nozzles purchased on the contract. The customer is responsible for return freight assuming the situation was not precipitated by a Sewer Equipment error.
- 6) Describe any service contract options for the items included in your proposal. We do offer on site service contracts that can cover both our module and the chassis if a customer desires. A typical package on a combination truck would include a quarterly visit from our mobile service tech (more often or less frequently as dictated by expected usage in hours). The package includes all fluids, filters, adjustments, and wear items. We also treat this as an opportunity to offer hands on training to customer fleet departments that wish to transition the service in-house. These packages are highly variable based on chassis, option content, and usage rate differences and are thus priced on a case by case basis. These package would carry our normal big equipment NJPA discount rate.

Pricing, Delivery, Audits, and Administrative Fee

- 7) Provide a general narrative description of the equipment/products and related services you are offering in your proposal.

We are offering all of the products from our 3 brands; Sewer Equipment Company of America. Mongoose, and RamVac. Combination jet/vacs, enclosed and heated jet trucks, open style jet trucks, and jet trailers used for high pressure water cleaning of Sewers. Our complete line of proprietary nozzles compliment these jet systems. All replacement parts and accessories will also be available. Rodder trucks and trailers offer a means of cleaning roots and other debris from sewers in a water free manner. Sewer rodders are also popular in areas with extreme geography where jet technologies are unable to climb steep hills. Bucket machines are another mechanical (waterless) means of cleaning sewer pipes, particularly those that are heavily laden with sediment. Our vacuum trailers can be used in conjunction with an existing jet truck to offer the same benefits and performance as a combination jet vac trucks. Easement machines allow combination and jet truck users to more easily access remote manholes for cleaning activities. A complete line of trailer and truck mounted Hydro Excavators from 3 yard to 15 yard capacity is also offered.

- 8) Describe your pricing model (e.g., line-item discounts or product-category discounts). Provide detailed pricing data (including standard or list pricing and the NJPA discounted price) on all of the items that you want NJPA to consider as part of your RFP response. Provide a SKU for each item in your proposal. (Keep in mind that reasonable price and product adjustments can be made during the term of an awarded Contract. See the body of the RFP and the Price and Product Change Request Form for more detail.) Our pricing is very simply a discount off of MSRP. See attached price pages and answers to #9 for clarification. We do not utilize SCU's; all models are easily identifiable by our model numbering system.
- 9) Please quantify the discount range presented in this response. For example, indicate that the pricing in your response represents is a 50% percent discount from the MSRP or your published list.
- a. All systems/machines that we refer to as big equipment (combination trucks, jetters, rodders, bucket machines, easement machines, & hydro excavators) will be discounted at 3% off of MSRP.
 - b. Nozzles will be discounted at 5% off of MSRP
 - c. Parts and accessories will be discounted at 5% off of MSRP. Due to the sheer number of items, we have

- not included line item pricing, but prices are listed at our web site: sewershop.com
- d. Chassis are passed through to the customer at cost, so a discount will not be offered
 - e. Rental / rent to own payments will carry a 3% discount off of our published prices. The buyout price will be calculated per (a) and (d) above.
 - f. Discount levels above are the minimum that will be used for the contract. Situationally, Sewer Equipment and its distributors may extend additional discounts, which are clearly represented on the quote as an additional manufacturer/distributor discount.

10) The pricing offered in this proposal is

- ☐ a. the same as the Proposer typically offers to an individual municipality, university, or school district.
- ☐ b. the same as the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- ☒ c. better than the Proposer typically offers to GPOs, cooperative procurement organizations, or state purchasing departments.
- ☐ d. other than what the Proposer typically offers (please describe).

11) Describe any quantity or volume discounts or rebate programs that you offer. Distributors will have latitude to offer extended volume discounts as they see fit, but we will not offer a set volume rebate.

12) Propose a method of facilitating "sourced" products or related services, which may be referred to as "open market" items or "nonstandard options". For example, you may supply such items "at cost" or "at cost plus a percentage," or you may supply a quote for each such request.

In our business, 90+% of these instances are accounted for by customers wanting a substitute or non-standard option on their truck or trailer

- a. If it is a like substitute in regards to cost and amount of labor, no additional charge is applied, and the substitute is simply noted in the order text
- b. If it is an addition or a non-like substitute in regards to price and labor involved, the following formula is applied. Customer would be given credit for item being substituted. The dollar amount would simply be added to the pricing sheet and the substitute/addition described as needed on the customer order
- c. Formula
 - o Customer price = $(1.75 \times \text{Sewer Equipment cost}) - 3\% \text{ NJPA discount}$
 - o Labor or additional labor = $\$110.00/\text{hr} - 3\% \text{ NJPA discount}$

13) Identify any total cost of acquisition costs that are **NOT** included in the pricing submitted with your response. This cost includes all additional charges that are not directly identified as freight or shipping charges. For example, list costs for items like installation, set up, mandatory training, or initial inspection. Identify any parties that impose such costs and their relationship to the Proposer. A pre-delivery inspection may be provided at the discretion of the dealer and/or customer, particularly with vehicle that cover long distances for delivery. It is our desire to facilitate the charge for these inspections via a line item that would carry the 3% big equipment discount.

14) If delivery or shipping is an additional cost to the NJPA Member, describe in detail the complete shipping and delivery program. To keep shipping charges to the customer as low as possible, we provide an estimate at time of order and then invoice the actual amount. Different customers prefer different methods of shipment, so it is impossible to have a blanket rate or policy. Some customers allow the trucks to be driven or trailers to be towed, some want them delivered on a flatbed, and some prefer to pick up. Sewer Equipment Company does make all shipping arrangements unless otherwise requested and prepays and adds freight to the invoice. All shipments are FOB origin in regards to the transfer of responsibility for shipped goods.

15) Specifically describe those shipping and delivery programs for Alaska, Hawaii, Canada, or any offshore delivery. As with other deliveries, the charges would be passed through to the customer without markup. We recommend that

shipments by sea include a rust inhibiting spray coating that we apply. This varies by size and shape of equipment and is disclosed to the customer during the quote process.

- 16) Describe any unique distribution and/or delivery methods or options offered in your proposal. N/A
- 17) Please specifically describe any self-audit process or program that you plan to employ to verify compliance with your proposed Contract with NJPA. This process includes ensuring that NJPA Members obtain the proper pricing, that the Vendor reports all sales under the Contract each quarter, and that the Vendor remits the proper administrative fee to NJPA.

The audit/checks and balances procedure is quite simple. All orders from distributors must include our quotation form (pricing sheet) that will assure the product has been properly priced and the proper discount applied. One point person processes all NJPA orders that we receive. That person will maintain a simple spreadsheet on our company hard drive listing distributor, end user customer, gross dollar amount of transaction, and NJPA fee due. When the order is entered, a commission (admin fee) document is submitted to accounting, for recording of the admin fee in our order data base. When we send our quarterly check to NJPA to cover admin fees, the spreadsheet from the order entry department must match the dollar amount shown in our accounting data base.

- 18) Identify a proposed administrative fee that you will pay to NJPA for facilitating, managing, and promoting the NJPA Contract in the event that you are awarded a Contract. This fee is typically calculated as a percentage of Vendor's sales under the Contract or as a per-unit fee; it is not a line-item addition to the Member's cost of goods. (See RFP Section 6.29 and following for details.)

We will pay a fee to NJPA calculated as 2% of the NJPA sell price on all big equipment, nozzles, parts and accessories.

As chassis are passed through at cost to our customers, we are not offering a discount or an administrative fee on the chassis portion of the sale

We will offer a 2% administrative fee on rental for up to 18 months. If the customer exercises the buyout option during the 18 month period, we will pay a 2% administrative fee on the buyout amount. The total fee that we pay NJPA will be capped at 2% of the total value of the system at inception of the rental (calculated at MSRP-3% NJPA Discount. Described in another way, the maximum fee paid to NJPA will have a cap equal to the fee paid if the customer simply purchased the system outright on a traditional purchase order.

Industry-Specific Questions

- 19) Describe the top three market differentiators of your products/services relative to the industry.

Simplicity: We truly do stand out among the competition, particularly on our larger/higher end products such as our combination truck, truck mounted hydroexcavators, and truck mounted jetters. Nearly every other manufacturer has moved to computer controlled modules that utilize the CANbus communication protocol to piggyback on the chassis computer. Our customers share stories with us every day of the frustration of trying to diagnose and repair a very high tech system that can be upset by something as simple as getting an oil change at a chassis dealer in which the chassis ECU is reflashed or "Upgraded". All of our truck mounted units and trailers utilize a traditional 12 volt wiring architecture that is easily understood by anyone who has an understanding of basic electrical systems. This equates to the most simple and intuitive operator interface in the industry also, increasing safety and eliminating the need for extensive operator and mechanic training. A simple and non proprietary system also increases trade value and eliminates the obsolescence associated with computers and circuit boards. This ideology is represented by our Sewer Equipment Company of America Brand tagline: "Driven by our customers, not our competition" Another saying coined by a new distributor is that you don't need a computer to run a log splitter.

Breadth of product: Sewer Equipment stands alone as the only manufacturer in our market that builds a \$23,000 trailer jet rated at 12 gallons per minute, a \$450,000 15 yard truck mounted hydro-excavator, and everything in between. Because of this, we engage in consultative selling that starts with a dialogue about the customers successes, challenges, desires, budget, and a description of what their needs look like, and then offering an unbiased suggestion of the best solution. It is typical to find that the last 5 salesmen through the door were pushing a \$350,000 solution that exceeded the customers budget and needs because that was all they had to offer, while we could offer a \$150,00-\$200,000 truck jet that can fulfill their needs.

The most intensive demonstration program in the business: We currently maintain a \$4.2 million demonstrator fleet consisting of 4 900-ECO combination trucks, 2 HX hydro-excavation trucks, 5 800-ECO jet trucks, 4 JAJ easement machines, 3 747 trailer jets, 1 747 truck jet, 5 mongoose 184 trailers, and one RamVac 2000 vacuum trailer. Three factory trained demonstration specialist cover the US and Canada with these units and they are also made available to distributors for their own demonstrations, trade shows, etc. While many manufacturers spend marketing dollars on co-oping with dealers on trade show booths and advertising, we choose to let the dealers pay for their own trade shows, print ads, and promo give aways. A majority of our marketing dollars are spent on putting our equipment in front of customers where we can clearly illustrate our superior build quality and simplicity. Our success rate on securing sales after demonstrations illustrates that this is a very successful model. These demonstrations are also an excellent opportunity for us to delivery the NJPA message in a face to face context. Another important aspect of this program is that it gives us a constant supply of units in the event that a customer requires immediate delivery. We also incentivize our dealers to procure their own demo units by offering 6 months free financing on up to 2 units per year for each dealer.

20) Identify how your products, services and supplies address the scope of this RFP.

SEWER VACUUM, HYDRO-EXCAVATION, AND ~~STREET SWEEPER~~ EQUIPMENT, WITH RELATED ACCESSORIES AND SUPPLIES Very simply, the title of this RFP is an exact description of our products and marketplace with the exception of street sweepers.

Signature:  Date: 12/15/17



Staff Report 123-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/20/2018

SUBJECT Renewal of Residential Lease for two park properties (East Biddle Lake and Lynch)

Key Points

- East Biddle Lake and Lynch were purchased for future neighborhood park purposes.
- Development funds are not currently available for park development.
- Leasing the existing residences will insure a caretaker presence and reduce interim maintenance expenses pending a potential long-term lease agreement with Columbia Springs for joint use at East Biddle Lake, and future park development at Lynch.
- The City owns park property on the west (Henry J. Biddle Natural Area) and east sides of the Columbia Springs complex (East Biddle Lake).

Strategic Plan Alignment

Goal 4: Ensure that Vancouver's parks and trails system is the highest quality and most complete in the region.

Present Situation

East Biddle Lake (Graham) - The City of Vancouver purchased an in-holding of 1.61 acres from Mr. and Mrs. Graham in 2013 adjoining the eastern boundary of Columbia Springs utilizing Park Impact Fee funding. The Grahams continued to reside on the property under a life tenancy agreement until 2016 when possession transitioned to the City after formal termination of the life tenancy. The intent of the purchase was to provide urban park opportunities for the surrounding neighborhood as well as expand opportunities for environmental education in partnership with Columbia Springs.

Concurrent with the land acquisition, the City and Columbia Springs entered into a Memorandum of Understanding (MOU) detailing potential transition of site management and maintenance to Columbia Springs upon entering into a long-term lease agreement. Implementation of a future lease agreement requires demonstration of plans for interim and long-term use (including how the

site will serve neighborhood park purposes), how both City properties will be incorporated into the Columbia Springs master plan, as well as proposed site improvements, management, operations, maintenance and funding.

Columbia Springs continues their planning processes to update their master plan, determine a sustainable use for the property, and secure funding for site improvements, maintenance and operations consistent with the intent of the MOU; however, Columbia Springs is not yet in a position to take over management of this site. In order to provide continued caretaker presence, grounds maintenance, and prevent vagrancy and vandalism issues, staff recommends an additional 12-month lease of the East Biddle Lake residence and associated property. The residential lease is for \$1,200 per month for a 12-month period and includes the responsibilities for site maintenance.

Lynch - The Lynch property was purchased in 2002 in coordination with Columbia Land Trust for a future neighborhood park. Park Impact Fees and a state grant supported the land acquisition. The residence and .6 acres of the 9.56 acres have been managed through a residential lease since the original purchase.

In order to provide continued caretaker presence, grounds maintenance, and prevent vagrancy and vandalism issues, staff recommends an additional 12-month lease of the Lynch residence and associated property. The residential lease is for \$1,500 per month for a 12-month period and includes responsibilities for site maintenance.

Advantage(s)

1. City of Vancouver Parks & Recreations Department will continue to receive rent revenue for this property.
2. On site caretakers provide security and reduced maintenance expenses.
3. Rent revenues support any necessary residential structure repairs.

Disadvantage(s)

None

Budget Impact

Revenue has been accounted for in the 2017-2018 budget.

Prior Council Review

None

Action Requested

Authorize the City Manager, or his designee, to execute documents for a Real Estate Lease for East Biddle Lake, located at 12700 SE Evergreen Highway, and Lynch, located at 4900 NW Franklin Street.

Monica Tubberville, Park Planner, 487-8353

ATTACHMENTS:

- ▣ East Biddle Lake Real Estate Lease
- ▣ Lynch Real Estate Lease

REAL ESTATE LEASE

East Biddle Lake – Graham Property

This Lease Agreement ("Lease") is made effective as of August 15, 2018 by and between City of Vancouver, a municipal corporation formed under the laws of the State of Washington ("Lessor"), and Nic Koepke ("Lessee"). The parties agree as follows:

WITNESSETH:

For the rental and upon the terms, conditions and stipulations hereinafter set forth, the Lessor hereby leases to the Lessee the following described property situated in the City of Vancouver, County of Clark, State of Washington. The parties agree as follows:

PREMISES: Lessor, in consideration of the lease payments provided in this Lease, leases to Lessee a single family residence, including 1.61 acres of property, (the "Premises") located at 12700 SE Evergreen Hwy. Vancouver, WA 98668. An aerial print defining the lease area of the Premises is attached as Exhibit A.

TERM: The Lease term shall be for approximately twelve and one-half (12 ½) months beginning upon final execution of this Lease agreement, and ending on August 31, 2019.

RENEWAL TERMS: Notwithstanding the provisions of the preceding paragraph, Lessee may, with written consent of Lessor, renew this Lease in one year increments provided that Lessee gives written notice of the intent to renew within 60 days of termination of the Lease. Lease payments and conditions of this Real Estate Lease are subject to revision at the time of such renewals.

LEASE PAYMENTS: The monthly rental rate shall be \$1,200 which includes all applicable taxes.

TAX: In accordance with RCW Chapter 82.29A, the Lessor agrees to pay the required Leasehold Excise Tax (presently assessed at 12.84% of contract rent), which is calculated into the monthly rental rate.

Rent shall be due to the Lessor on the 15th day of each month. If at any time during the term of this Lease, or any extensions thereof, the Lessee is delinquent in the payment of rent in an amount equal or greater than one (1) times the amount of a single month's rent, this Lease shall automatically terminate 30 days following the date such rent arrearage accrued. Lessee shall then be required to vacate the Premises immediately, without further notice from Lessor.

DELIVERY OF POSSESSION: Should Lessor be unable to deliver possession of the Premises on the date fixed for the commencement of the term, commencement will be deferred and Lessee shall owe no rent until notice from Lessor tendering possession to Lessee. If possession is not so tendered within 90 days following commencement of the term, then Lessee may elect to cancel this Lease by notice to Lessor within 10 days following expiration of the 90-day period. Lessor shall have no liability to Lessee for delay in delivering possession, nor shall such delay extend the term of this Lease in any manner unless the parties execute a written extension agreement.

TERMINATION: The Lessee may terminate this lease on 20 days written notice. Lessor may terminate this lease on 20 days written notice if Lessee is found in violation of any term of this lease.

SURRENDER/HOLDOVER: On expiration or early termination of this Lease Lessee shall deliver all keys to Lessor and surrender the Premises vacuumed, swept, and free of debris and in the same condition as at the commencement of the term subject only to reasonable wear from ordinary use. Lessee shall remove all of its furnishings. Failure to remove shall be an abandonment of the property, and Lessor may dispose of it in any manner without liability. If Lessee fails to vacate the Premises when required, including failure to remove all its personal property, Lessor may elect either: (i) to treat Lessee as a Tenant from month to month, subject to the provisions of this Lease except that rent shall be one-and one-half times the total rent being charged when the Lease term expired, and any option or other rights regarding extension of the term or expansion of the Premises shall no longer apply; or (ii) to eject Lessee from the premises and recover damages caused by wrongful holdover.

NOTIFICATION: The Lessor shall provide 60 day notice of any changes in regards to number of acres, access to outbuildings, lease payments, and/or intention to not renew the lease.

MAINTENANCE: Lessee shall have the responsibility to maintain the Premises in good repair at all times. The Lessor shall be responsible for certain maintenance functions performed by licensed trade union workers, including, but not limited to, certified carpentry, plumbing, and electrical work. Lessee will contact Monica Tubberville, City of Vancouver Parks & Recreation, at 360-487-8353 to arrange for needed maintenance. Lessor shall have no liability for failure to perform required maintenance and repair unless written notice of such maintenance or repair is given by Lessee and Lessor fails to commence efforts to remedy the problem in a reasonable time and manner. Lessor shall have no liability for interference with Lessee's use because of repairs and installations.

LAWN/SHRUB BED CARE: Lessee shall be responsible for adequately maintaining the lawn, shrubs and shrub beds in a park like manner consistent with the move in level of care. If the Lessee fails to adequately maintain the lawn, shrubs and shrub beds, the Lessor may, after providing notice to Lessee, mow the lawn and provide maintenance to the shrubs and shrub bed areas and Lessee shall be responsible for the cost of this work.

PLUMBING: Lessee acknowledges that all toilets are flushing properly, all drains are draining properly, and the septic system is in working condition at time of move-in. It is the Lessee's responsibility to repair drains and toilets if they become clogged. If it is determined the clog is outside the walls of the residence, the repair will be the responsibility of the Lessor.

APPLIANCES: The appliances currently provided (stove/oven and dishwasher) are in AS IS condition. Should these appliances need repair and/or replacing, the repair and replacement will be the responsibility of the Lessee. Any new appliances purchased will become the property of the Lessee at termination of the Lease

WINDOWS: Lessee acknowledges the condition of all windows at time of move-in. Lessee is responsible for the repair of any broken windows during the time of residency.

HEAT: Lessee acknowledges the proper operation of the forced air furnace at time of move-in. The Lessor will repair the furnace in the event of failure.

MISC: Lessee shall not accumulate waste, scrap, or inoperable vehicles on the Premises. The Lessor may undertake the responsibility for removal of waste, scrap, or inoperable vehicles and bill the Lessee for the expense thereof, if the Lessee fails to remove said items after having been provided written notice by the Lessor.

REMODELING OR STRUCTURAL IMPROVEMENTS: Lessee may paint, remodel and/or construct new or improved fixtures on the Premises (at Lessee's expense) that appropriately facilitate its use. Such work shall be undertaken and such fixtures may be erected only with the prior written consent of the Lessor. Any improvements made shall become part of the leased premises and shall not be removed at the termination of this lease, unless agreed upon by Lessor.

POSSESSION: Lessee shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Lessor on the last day of the term of this Lease, unless otherwise agreed by both parties in writing.

USE OF PREMISES/ABSENCES: Lessee shall occupy and use the Premises as a dwelling unit. Lessee shall notify Lessor of any anticipated extended absence from the Premises not later than the first day of the extended absence. Lessee shall be responsible to observe the adjoining City property and notify Lessor of any damage, illegal use, or potentially dangerous conditions on the adjoining city property.

ASSIGNABILITY/SUBLETTING: Lessee may not assign or sublease any interest in the Premises.

KEYS: Two (2) keys shall be provided to Lessee and are to be returned to the Lessor on the last day of the term of the Lease.

PETS: Pets shall not be allowed without the prior written consent of the Lessor. Lessor reserves the right to deny a pet request of the Lessee if it deems it to be in the best interest of the City.

ACCESS BY LESSOR TO PREMISES: Subject to Lessee's consent, which shall not be unreasonably withheld, Lessor shall have the right to enter the Premises to make inspections, provide necessary services, or show the unit to prospective buyers, mortgagees, Lessees or workers. Prior to entry, Lessor shall, when possible, provide Lessee 48 hour notice prior to entry and will work with Lessee to minimize any inconvenience created by the entry. As provided by law, in the case of an emergency, Lessor may enter the Premises without Lessee's consent.

UTILITIES AND SERVICES: Lessee shall be responsible for all utilities and services in connection with the Premises.

PROPERTY INSURANCE: Lessor and Lessee shall each be responsible to maintain appropriate insurance for their respective interests in the Premises and property located on the Premises. Lessee shall obtain renter's insurance. The liability coverage, per person, shall not be less than \$300,000. The Lessor must be added as additional insured on such renter's insurance with respect to this lease. All liability insurance policies will be endorsed to show this additional coverage.

There shall be no cancellation, material change, exhaustion of aggregate limits or intent not to renew insurance coverage without thirty (30) days written notice.

As evidence of the insurance coverage required by this lease, the Lessee shall furnish a Certificate of Insurance to City of Vancouver, Attn: Monica Tubberville, PO Box 1995, Vancouver, Washington 98668-1995 within ten (10) days of execution of this lease.

HOLD HARMLESS: Lessee shall not allow any liens to attach to the Building or Lessee's interest in the Premises as a result of its activities. Lessee shall indemnify, defend, and hold harmless Lessor and its officers, agents, employees and assigns from any claim, liability, damage, or loss of any nature occurring on or about the Premises, arising out of any activity by Lessee, its agents, or invitees or resulting from Lessee's failure to comply with any term of this Lease. Neither Lessor, nor its officers, agents, employees and assigns, shall have any liability to Lessee because of loss or damage to Lessee's property or for death or bodily injury caused by the

acts or omissions of third parties (including criminal acts). Provided, that this paragraph shall not apply to injuries, damages or death caused by sole negligence of the Lessor.

DANGEROUS MATERIALS: Lessee shall not keep or have on the Premises any article or thing of a dangerous inflammable, or explosive character that might substantially increase the danger of fire on the Premises, or that might be considered hazardous by a responsible insurance company, unless the prior written consent of Lessor is obtained and proof of adequate insurance protection is provided b Lessee to Lessor.

LIENS: Lessee shall keep premises and every part thereof free and clear of any and all mechanic, materialman's, sewer and other liens.

DESTRUCTION OR CONDEMNATION OF PREMISES: If the Premises are partially destroyed in a manner that prevents the conducting of Lessee's use of the Premises in a normal manner, and if the damage is reasonably repairable within sixty days after the occurrence of the destruction, and if the cost of repair is less than \$1,000.00, Lessor shall repair the Premises and lease payments shall abate during the period of the repair. However, if the damage is not repairable within sixty days, or if the cost of repair is \$1,000.00 or more, or if Lessor is prevented from repairing the damage by forces beyond Lessor's control, or if the property is condemned, this Lease shall terminate upon thirty days written notice of such event or condition by either party.

HABITABILITY: Lessee has inspected the Premises and fixtures (or has had the premises inspected on behalf of Lessee), and acknowledges that the Premises are in a reasonable and acceptable condition of habitability for their intended use, and the agreed lease payments are fair and reasonable. If the condition changes so that, in Lessee's opinion, the habitability and rental value of the Premises are adversely affected, Lessee shall promptly provide reasonable notice to Lessor.

NOTICE: Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed as follows:

LESSOR: City of Vancouver
Attn: Linda Carlson
PO Box 1995
Vancouver, WA 98668-1995

LESSEE: Nic Koepke
12700 SE Evergreen Hwy.
Vancouver, WA 98668

STATUS OF PARTIES: It is agreed that for any maintenance work called for in this lease, Lessee is an independent contractor and not an employee of Lessor. Lessor is only interested in the result of the maintenance and will not supervise the manner performing the maintenance. Lessee shall be liable for any and all taxes relating to any maintenance performed.

SPACE LEASED "AS IS": Unless otherwise stated in this Lease, the Premises are leased AS IS in the condition now existing with no alterations or other work to be performed by Lessor.

ENTIRE AGREEMENT: This Lease Agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

SEVERABILITY: If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provisions it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

GOVERNING LAW & VENUE: This Lease shall be construed in accordance with the laws of the State of Washington, and any action brought under this agreement shall be brought in Clark County, Washington Superior Court.

By: _____
Eric J. Holmes, City Manager

By: Nic Koepke
Nic Koepke, Lessee

Approved As to Form:

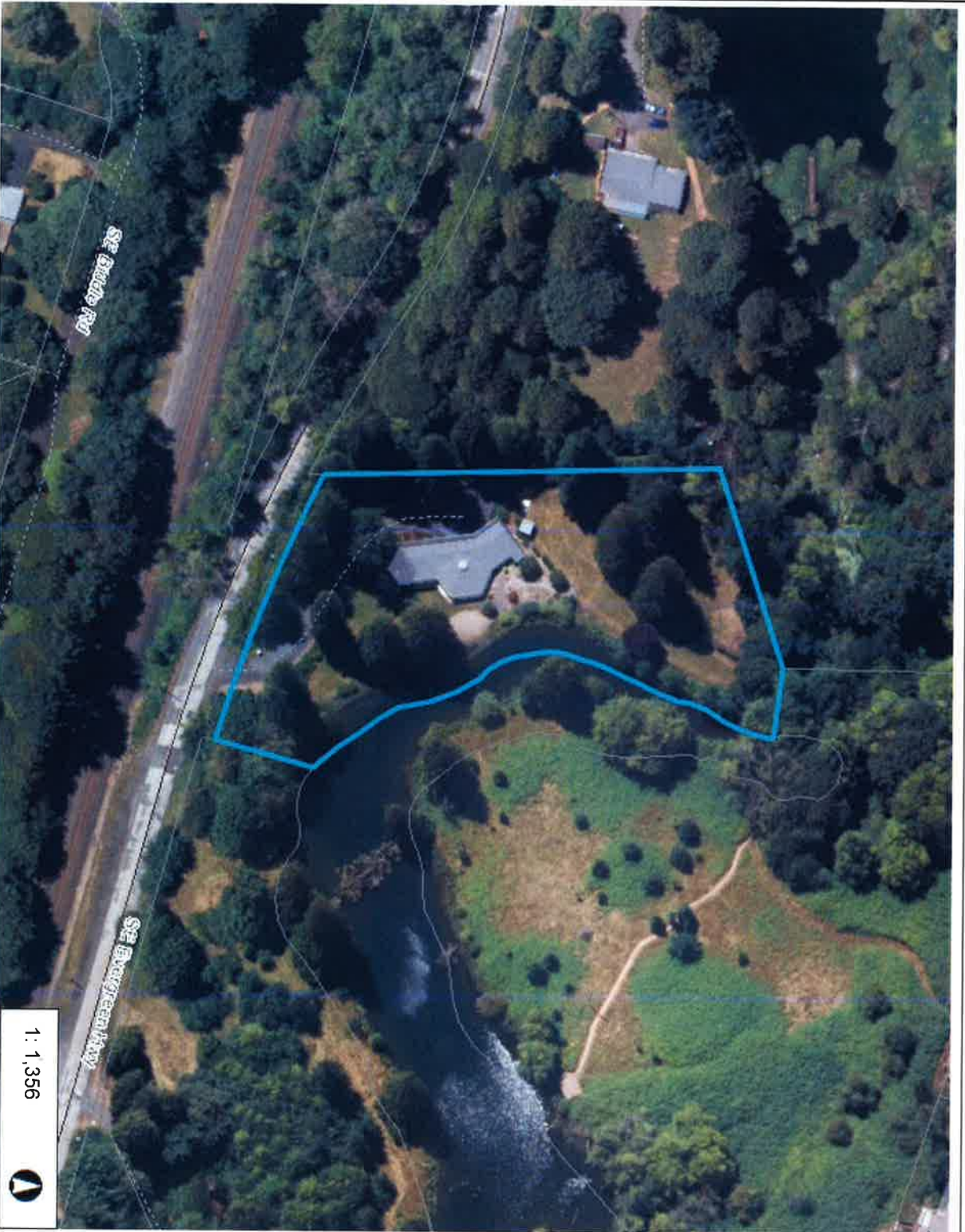
E. Bronson Potter, City Attorney

Attest:

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



12700 SE Evergreen Hwy



225.9 0 112.97 225.9 Feet

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

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

1 : 1,356



Legend

- Building Footprints
- Taxlots
- Highway
 - Interstate
 - State Route
 - Interstate Ramp
 - State Ramp
- Arterial
 - Arterial
 - Forest Arterial
- Collector
 - Minor
 - Forest
- Other
 - Private, Other
 - Proposed
 - Unknown
- Cities Boundaries
- Urban Growth Boundaries

Notes:

REAL ESTATE LEASE

This Lease Agreement ("Lease") is made effective as of August 1, 2018, by and between City of Vancouver ("Lessor"), and Louis LaPierre and Pamela Wright ("Lessee"). The parties agree as follows:

WITNESSETH:

For the rental and upon the terms, conditions and stipulations hereinafter set forth, the Lessor hereby leases to the Lessee the following described property situated in the City of Vancouver, County of Clark, State of Washington. The parties agree as follows:

PREMISES: Lessor, in consideration of the lease payments provided in this Lease, leases to Lessee a single family residence, including 0.6 acres of property, (the "Premises") located at 4900 NW Franklin St. Vancouver, WA 98683. An aerial print defining the lease area of the Premises is attached as Exhibit A.

TERM: The Lease term shall be for one year beginning on August 1, 2018 and ending on July 31, 2019.

RENEWAL TERMS: Notwithstanding the provisions of the preceding paragraph, after July 31, 2019, Lessee may, with written consent of Lessor, renew this Lease in one year increments provided that Lessee gives written notice of the intent to renew within 60 days of termination of the Lease. Lease payments and conditions of this Real Estate Lease are subject to revision at the time of such renewals.

HOLDOVER: If Lessee maintains possession of the Premises for any period after the termination of this Lease ("Holdover Period"), Lessee shall pay to Lessor a pro-rated lease payment for the Holdover Period based on the terms of the following Lease Payments paragraph.

LEASE PAYMENTS: The monthly rental rate shall be \$1,500.00, which includes the Leasehold Excise Tax.

TAX: In accordance with RCW Chapter 82.29A, the Lessor agrees to pay the required Leasehold Excise Tax (presently assessed at 12.84% of contract rent), which is calculated into the monthly rental rate.

Rent shall be due to the Lessor on the 15th day of each month. If at any time during the term of this Lease, or any extensions thereof, the Lessee is delinquent in the payment of rent in an amount equal or greater than one (1) times the amount of a single month's rent, this Lease shall automatically terminate 30 days following the date such rent arrearage accrued. Lessee shall then be required to vacate the Premises immediately, without further notice from Lessor.

TERMINATION: The Lessee may terminate this lease on 20 days written notice. Lessor may terminate this lease on 20 days written notice if Lessee is found in violation of any term of this lease.

NOTIFICATION: The Lessor shall provide 60 day notice of any changes in regards to number of acres, access to outbuildings, lease payments, and/or intention to not renew the lease.

MAINTENANCE: Lessee shall have the responsibility to maintain the Premises in good repair at all times. The Lessor shall be responsible for certain maintenance functions performed by licensees trade union workers, including, but not limited to, certified carpentry, plumbing, and electrical work. Lessee will contact Terry Snyder, City of Vancouver Parks & Recreation, at 360-487-8317 to arrange for maintenance.

LAWN/PASTURE/SHRUB BED CARE: Lessee shall be responsible for adequately maintaining the lawn, shrubs and shrub beds. If the Lessee fails to adequately maintain the lawn, shrubs and shrub beds, the Lessor may, after providing notice to Lessee, mow the lawn and provide maintenance to the shrubs and shrub bed areas and Lessee shall be responsible for the cost of this work.

PLUMBING: Lessee acknowledges that all toilets are flushing properly, all drains are draining properly, and the sanitary sewer is in working condition at time of move-in. It is the Lessee's responsibility to repair drains and toilets if they become clogged. If it is determined the clog is outside the walls of the residence, the repair will be the responsibility of the Lessor.

APPLIANCES: The appliances currently provided are in AS IS condition. Should these appliances need repair and/or replacing, the repair and replacement will be the responsibility of the Lessee. Any new appliances purchased will become the property of the Lessee at termination of the Lease

WINDOWS: Lessee acknowledges the condition of all windows at time of move-in. Lessee is responsible for the repair of any broken windows during the time of residency.

HEAT: Lessee acknowledges the proper operation of the forced air furnace at time of move-in. The Lessor will repair the furnace in the event of failure.

MISC: Lessee shall not accumulate waste, scrap, or inoperable vehicles on the Premises. The Lessor may undertake the responsibility for removal of waste, scrap, or inoperable vehicles and bill the Lessee for the expense thereof, if the Lessee fails to remove said items after having been provided written notice by the Lessor. The Lessee agrees to remove any invasive, non-native weeds in adjoining city owned property. Fences around the property will be maintained to not allow vegetation to grow into fabric.

REMODELING OR STRUCTURAL IMPROVEMENTS: Lessee may paint, remodel and/or construct new or improved fixtures on the Premises (at Lessee's expense) that appropriately facilitates its use. Such work shall be undertaken and such fixtures may be erected only with the prior written consent of the Lessor. Any improvements made shall become part of the leased premises and shall not be removed at the termination of this lease, unless agreed upon by Lessor.

POSSESSION: Lessee shall be entitled to possession on the first day of the term of this Lease, and shall yield possession to Lessor on the last day of the term of this Lease, unless otherwise agreed by both parties in writing.

USE OF PREMISES/ABENCES: Lessee shall occupy and use the Premises as a dwelling unit. Lessee shall notify Lessor of any anticipated extended absence from the Premises not later than the first day of the extended absence. Lessee shall be responsible to observe the adjoining City property and notify Lessor of any damage, illegal use, or potentially dangerous conditions on the adjoining city property.

ASSIGNABILITY/SUBLETTING: Lessee may not assign or sublease any interest in the Premises.

KEYS: Two (2) keys shall be provided to Lessee and are to be returned to the Lessor on the last day of the term of the Lease.

PETS: Pets shall not be allowed without the prior written consent of the Lessor. The Lessee Pet Agreement must be signed, dated and returned to the Lessor prior to pet occupancy.

ACCESS BY LESSOR TO PREMISES: Subject to Lessee's consent, which shall not be unreasonably withheld, Lessor shall have the right to enter the Premises to make inspections, provide necessary services, or show the unit to prospective buyers, mortgagees, Lessees or workers. As provided by law, in the case of an emergency, Lessor may enter the Premises without Lessee's consent.

UTILITIES AND SERVICES: Lessee shall be responsible for all utilities and services in connection with the Premises.

PROPERTY INSURANCE: Lessor and Lessee shall each be responsible to maintain appropriate insurance for their respective interests in the Premises and property located on the Premises. Lessee shall obtain renter's insurance. The liability coverage, per person, shall not be less than \$300,000. The Lessor must be added as additional insured on such renter's insurance with respect to this lease. All liability insurance policies will be endorsed to show this additional coverage.

There shall be no cancellation, material change, exhaustion of aggregate limits or intent not to renew insurance coverage without thirty (30) days written notice.

As evidence of the insurance coverage required by this lease, the Lessee shall furnish a Certificate of Insurance to City of Vancouver, Attn: Terry Snyder, PO Box 1995, Vancouver, Washington 98668-1995 within ten (10) days of execution of this lease.

HOLD HARMLESS: Lessee shall hold harmless the Lessor from all damages of every kind and nature whatsoever that may be claimed or accrued by reason of any accident on or about the leased premises. It is agreed that neither the Lessor nor the Lessor's agents shall be liable for the death or injury to any person in or about the premises or for the loss of or damage to any property of the Lessee. Provided, that this paragraph shall not apply to injuries, damages or death caused by sole negligence of the Lessor.

DANGEROUS MATERIALS: Lessee shall not keep or have on the Premises any article or thing of a dangerous inflammable, or explosive character that might substantially increase the danger of fire on the Premises, or that might be considered hazardous by a responsible insurance company, unless the prior written consent of Lessor is obtained and proof of adequate insurance protection is provided b Lessee to Lessor.

LIENS: Lessee shall keep premises and every part thereof free and clear of any and all mechanic, materialman's, sewer and other liens.

DESTRUCTION OR CONDEMNATION OF PREMISES: If the Premises are partially destroyed in a manner that prevents the conducting of Lessee's use of the Premises in a normal manner, and if the damage is reasonably repairable within sixty days after the occurrence of the destruction, and if the cost of repair is less than \$1,000.00, Lessor shall repair the Premises and lease payments shall abate during the period of the repair. However, if the damage is not repairable within sixty days, or if the cost of repair is \$1,000.00 or more, or if Lessor is prevented from repairing the damage by forces beyond Lessor's control, or if the property is condemned, this Lease shall terminate upon thirty days written notice of such event or condition by either party.

HABITABILITY: Lessee has inspected the Premises and fixtures (or has had the premises inspected on behalf of Lessee), and acknowledges that the Premises are in a reasonable and acceptable condition of habitability for their intended use, and the agreed lease payments are fair and reasonable. If the condition changes so that, in Lessee's opinion, the habitability and rental value of the Premises are adversely affected, Lessee shall promptly provide reasonable notice to Lessor.

NOTICE: Notices under this Lease shall not be deemed valid unless given or served in writing and forwarded by mail, postage prepaid, addressed as follows:

LESSOR: City of Vancouver
ATTN: Linda Carlson
PO Box 1995
Vancouver, WA 98668-1995

LESSEE: Louis LaPierre
Pamela Wright
4900 NW Franklin St.
Vancouver, WA 98663

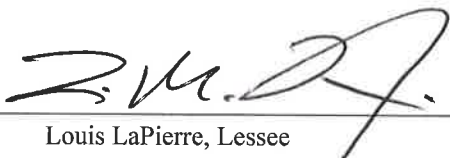
STATUS OF PARTIES: It is agreed that for any maintenance work called for in this lease, Lessee is an independent contractor and not an employee of Lessor. Lessor is only interested in the result of the maintenance and will not supervise the manner performing the maintenance. Lessee shall be liable for any and all taxes relating to any maintenance performed.

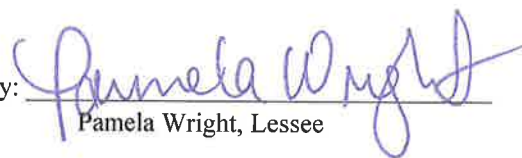
ENTIRE AGREEMENT: This Lease Agreement contains the entire agreement of the parties and there are no other promises or conditions in any other agreement whether oral or written. This Lease may be modified or amended in writing, if the writing is signed by the party obligated under the amendment.

SEVERABILITY: If any portion of this Lease shall be held to be invalid or unenforceable for any reason, the remaining provisions shall continue to be valid and enforceable. If a court finds that any provision of this Lease is invalid or unenforceable, but that by limiting such provisions it would become valid and enforceable, then such provision shall be deemed to be written, construed, and enforced as so limited.

GOVERNING LAW: This Lease shall be construed in accordance with the laws of the State of Washington.

By: _____
Eric J. Holmes, City Manager

By: 
Louis LaPierre, Lessee

By: 
Pamela Wright, Lessee

Approved As to Form:

E. Bronson Potter, City Attorney

Attest:

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

Exhibit A

Lynch Rental

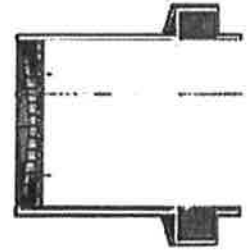


514 NW 49th St, Vancouver, WA 98663



Legend

- roads
- Taxlots
- Arterial
- Interstate
- State Route
- Interstate Ramp
- State Ramp



VANCOUVER-CLARK
PARKS & Recreation



Item #3.

TO: Mayor and City Council

FROM: Natasha Ramras, Chief Financial Officer

DATE: 8/20/2018

SUBJECT Approval of Claim Vouchers

Action Requested

Approve claim vouchers for August 20, 2018.

(Copy available upon request.)

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:

\$ **7,226,820.92** this 20th day of August 2018.

MAYOR



AUDITING OFFICER

COUNCILMEMBER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
August 7 - August 13	Accounts Payable Checks (see attached)	\$ 4,177,401.39
August 7 - August 13	Visa Refunds (see attached)	\$ 4,197.22
August 7 - August 13	Payroll Checks (see attached)	\$ 3,045,222.31
TOTAL		\$ 7,226,820.92

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
119724	07-Aug-2018	21,942.79	BANK OF AMERICA	***WIRE*** UTILITY POSTAGE IMPREST ACCT FOR JUL 2018 - UTILITIES
119725	07-Aug-2018	2,169.87	HEALTH SMART BENEFITS SOLUTIONS INC	***WIRE*** WEEKLY CLAIMS WEEK 1 OF AUGUST
119726	10-Aug-2018	6,213.53	ICMA 401A	***WIRE*** PAYROLL
119727	10-Aug-2018	675.00	VANCOUVER FIRE COMMAND OFFICERS	***WIRE*** PAYROLL
119728	10-Aug-2018	12,156.58	WESTERN STATES HEALTH &	***WIRE*** PAYROLL
119729	10-Aug-2018	13,355.76	ALLEGIANCE BENEFIT PLAN MANAGEMENT	***WIRE*** PAYROLL
119730	10-Aug-2018	24,916.26	VANCOUVER FIREFIGHTERS UNION HEALTH	***WIRE*** PAYROLL
119731	10-Aug-2018	53,826.44	STATE OF WASHINGTON 457	***WIRE*** PAYROLL
119732	10-Aug-2018	17,400.00	WASHINGTON STATE FIREFIGHTERS	***WIRE*** PAYROLL
119733	10-Aug-2018	21,948.68	ING	***WIRE*** PAYROLL
119734	10-Aug-2018	75.00	HRA VEBA PLAN	***WIRE*** PAYROLL
119735	10-Aug-2018	6,147.49	WASHINGTON SDU	***WIRE*** PAYROLL
119736	10-Aug-2018	148,731.95	ICMA CORP	***WIRE*** PAYROLL
119737	10-Aug-2018	375.00	OREGON SDU	***WIRE*** PAYROLL
119738	10-Aug-2018	381,387.12	VANCOUVER FIREFIGHTERS UNION HEALTH	***WIRE*** FIRE HEALTH TRUST AUGUST PREMIUMS
119739	10-Aug-2018	194,443.75	WESTERN STATES HEALTH &	***WIRE*** OPEIU HEALTH TRUST AUGUST PREMIUMS
119740	10-Aug-2018	46,364.88	RELIASTAR LIFE INSURANCE CO	***WIRE*** STOPLOSS PREMIUMS FOR AUGUST
119741	10-Aug-2018	269.00	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS PART TIME
119742	10-Aug-2018	22,596.00	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS FT
119743	10-Aug-2018	2,367.20	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS VHA
119744	10-Aug-2018	430.40	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS COBRA
119745	10-Aug-2018	591.80	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS RETIREES
119746	10-Aug-2018	56,235.00	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS AUGUST PREMIUMS MED ADV PLAN
119747	10-Aug-2018	945.23	WASHINGTON DENTAL SERVICE	***WIRE*** WDS AUGUST PREMIUMS COBRA
119748	10-Aug-2018	4,444.37	WASHINGTON DENTAL SERVICE	***WIRE*** WDS AUGUST PREMIUMS RETIREES
119749	10-Aug-2018	65,997.40	WASHINGTON DENTAL SERVICE	***WIRE*** WDS AUGUST PREMIUMS ACTIVES
119750	10-Aug-2018	648.06	WASHINGTON DENTAL SERVICE	***WIRE*** WDS AUGUST PREMIUMS PT
119751	10-Aug-2018	14,812.82	KAISER PERMANENTE	***WIRE*** KAISER MEDICAL COBRA AUGUST PREMIUMS
119752	10-Aug-2018	107.26	KAISER PERMANENTE	***WIRE*** KAISER DENTAL COBRA AUGUST PREMIUMS
119753	10-Aug-2018	267,049.49	KAISER PERMANENTE	***WIRE*** KAISER MEDICAL ACTIVES/RETIREES AUGUST PREMIUMS
119754	10-Aug-2018	12,602.99	KAISER PERMANENTE	***WIRE*** KAISER DENTAL ACTIVE AUGUST PREMIUMS
119755	10-Aug-2018	4,790.70	LYNN WITTWER MD PC	***WIRE*** 18JUL - VANCOUVER FIRE DEPT SERVICES - FINANCE/FIRE
119756	10-Aug-2018	14,751.20	LYNN WITTWER MD PC	***WIRE*** 18JUL - AMERICAN MEDICAL RESPONSE SERVICES - FINANCE
119757	10-Aug-2018	543,568.73	OPERATIONS MANAGEMENT INTERNATIONAL INC	***WIRE*** - 18JUN - PROJ 664927.03 L3 P2 S0 S1 & UV - CUST 003143 - REF VANC - OPERATION OF THE VANCOUVER WASTEWATER TREATMENT FACILITIES - MP ENG
119758	10-Aug-2018	636,735.19	OPERATIONS MANAGEMENT INTERNATIONAL INC	***WIRE*** - 18JUL - PROJ 664927.03 L3 P2 S0 S1 & UV - CUST 003143 - REF VANC - OPERATION OF THE VANCOUVER WASTEWATER TREATMENT FACILITIES - MP ENG
119759	13-Aug-2018	115.68	HEALTH SMART BENEFITS SOLUTIONS INC	***WIRE*** HEALTH SMART WEEKLY CLAIMS WEEK 2 OF AUGUST
119760	13-Aug-2018	143,346.95	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** BLUE CROSS WEEKLY CLAIMS WEEK 1 OF AUGUST
119762	13-Aug-2018	112,390.96	US BANK TRUST	***WIRE*** TAX REVENUES - TREASURY
200005	08-Aug-2018	802.13	KEYBANK NATIONAL ASSOCIATION	***WIRE*** JULY 2018 ACCOUNT ANALYSIS - PARKING
593722	08-Aug-2018	3,353.01	ABM ON-SITE SERVICES WEST INC	JOB 31062242 - CUST 6631793 - EXTRA JANITORIAL SERVICES - MULTIPLE CITY LOCATIONS - THRU 06/30/18 - OP CENTER
593723	08-Aug-2018	295.19	ADVANCE STORES CO INC	SUMMARY: CUST 071370 - PARTS FOR REPAIR AND MAINTENANCE - EQUIP SERVICES
593724	08-Aug-2018	49.28	AIRGAS NOR PAC INC	PAYER 2363679 - SHIP TO 2335879 - COMPRESSED GAS - 07/10/18 - FIRE STATION 5

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
593725	08-Aug-2018	3,077.70	ALBINA FUEL	SUMMARY: CSS-1 TACK OIL - OPS CENTER
593726	08-Aug-2018	396.25	ALL ABOUT FUN INC	08/06/18 - JUNGLE COMBO/STAFFING - SPARK CAMP - FIRCREST ELEMENTARY - PARKS
593727	08-Aug-2018	35.00	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF 1 POLICE MEDICAL CLAIMS
593728	08-Aug-2018	90.68	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF 1 FIRE MEDICAL CLAIMS
593729	08-Aug-2018	57.75	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF FIRE ADMIN CLAIMS FEES - HR
593729	08-Aug-2018	134.75	ALLEGIANCE BENEFIT PLAN MANAGEMENT	RETIRED LEOFF POLICE ADMIN CLAIMS FEES - HR
593730	08-Aug-2018	600.00	AMERICAN MEDICAL RESPONSE NORTHWEST INC	TRIPS: 6 TOTAL - MEDICAL SERVICE/BLOOD DRAW - 18JUL - VPD
593731	08-Aug-2018	140.00	ANISA BABAR	REF ALARM
593732	08-Aug-2018	217.87	ARAMARK UNIFORM SERVICES INC	SUMMARY: MAT/TOWEL/COVERALL/UNIFORM CLEANING SERVICES
593733	08-Aug-2018	260.00	BAKER CREW CONSULTING	CDR SUPPORT PROJECT - POST GO-LIVE SUPPORT - THRU 06/01/18 - CDD - RECEIPT 136025 BY B THOMAS
593734	08-Aug-2018	4,730.00	BARRAN LIEBMAN LLP	CLIENT 707505 - RE: 0010-INVESTIGATION FOSTER/HAMLIN - THRU 06/21/18 - VPD
593735	08-Aug-2018	855.24	BHC CONSULTANTS LLC	PROJ 18-10560.01 - ON-CALL SANITARY SYSTEM PLANNING/DESIGN SERVICES - THRU 06/22/18 - MP ENG
593736	08-Aug-2018	35.52	Blocker, Jude J	JULY MILEAGE
593737	08-Aug-2018	3,320.00	BRENDAN ADDIS & LORRAINE RAU	18JUN - WREC SECOND SATURDAY DESIGN ZONE DAY - CITY - WREC
593738	08-Aug-2018	200.00	BRETLEY CHRISTIE DBA BJ THE CLOWN	08/03/18 - CLOWN PERFORMANCE - YOUTH ADVENTURES - MARSHALL CENTER - PARKS
593738	08-Aug-2018	200.00	BRETLEY CHRISTIE DBA BJ THE CLOWN	08/06/18 - CLOWN PERFORMANCE - PRESCHOOL CAMP - FIRSTENBURG CENTER - PARKS
593739	08-Aug-2018	54.81	Brum, Teresa L	ATTEND PIPTA CONFERENCE/SPEAKER
593740	08-Aug-2018	275.00	BSK ASSOCIATES	CLIENT VANC08428 - WO V8G0143 - SAMPLE TESTING SERVICES - PCE & TCE ONLY - 07/10/18 - OP CENTER - RECEIPT 136020 BY M CORRELL PER E-MAIL
593741	08-Aug-2018	2,992.92	CASCADE COLUMBIA DISTRIBUTION	CUST 03481 - SODIUM FLORIDE - OPS CENTER
593742	08-Aug-2018	100.00	CASCADE HIGHLANDS NEIGHBORHOOD ASSN	2018 PARTICIPATION IN THE RESOURCE CONSERVATION CHALLENGE - SOLIS WASTE
593743	08-Aug-2018	21,732.18	CENTENNIAL CONTRACTORS ENTERPRISES, INC.	FIRE STATION 1 FUEL TANK REMOVAL - EST 1 - THRU 05/07/18
593744	08-Aug-2018	33,078.92	CH2M HILL INC	CUST 003143 - PROJ 694155 - DESIGN SCADA IMPROVEMENTS/DOH REPORTING - WATER STN 1 PH 2 - THRU 05/25/18 - MP ENG - RECEIPT 136047 & 136138 BY MP ENG
593745	08-Aug-2018	1,507.10	CINTAS CORP	ACCT 463-11151 - TOWEL CLEANING SERVICES - ALL 18MAR INVS ON 08/10/18 STMT - FIRE
593746	08-Aug-2018	46.00	CLARK COLLEGE	REF CIVICGOV
593747	08-Aug-2018	14.00	CLARK COUNTY	APPEALS 51545-8-II - SUPPLEMENTAL CLERK'S PAPERS RE: MENDOZA - 07/26/18 - CLARK CO 16-2-05451-3 - RISK
593748	08-Aug-2018	537.60	CLARK COUNTY	PARCEL 165912-000 - REAL PROPERTY VOUCHER - MILL PLAIN BLVD-104TH AVE TO CHKLOV DR - 10409 SE MILL PLAIN BLVD - PROPERTY TAXES DUE FROM CREDIT IN 2017 AT CLOSING - 18JUL - CONSTRUCTION
593748	08-Aug-2018	364.66	CLARK COUNTY	PARCEL 165946-000 - REAL PROPERTY VOUCHER - MILL PLAIN BLVD-104TH AVE TO CHKLOV DR - 10321 SE MILL PLAIN BLVD - PROPERTY TAXES DUE FROM CREDIT IN 2017 AT CLOSING - 18JUL - CONSTRUCTION
593749	08-Aug-2018	1,016.27	CLARK COUNTY	CUST 1811 - JURY FEES - THRU 06/29/18 - BUDGET
593750	08-Aug-2018	6,000.00	CLARK COUNTY	CUST 1811 - MENTAL HEALTH THERAPEUTIC COURT INDIGENT DEFENSE CONTRACT - 2018 QTR 3 - CMO
593751	08-Aug-2018	800.00	CLARK COUNTY TITLE CO	RECONVEYANCE FOR: JENNINGS; REDMOND; PULVER; BEATTY

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
593752	08-Aug-2018	3,200.00	COLLIERS INTL VALUATION & ADVISORY SERVICES LLC	JOB VAN180039 - APPRAISAL REPORT - 13720 NE 18TH ST - 07/10/18 - FACILITIES
593753	08-Aug-2018	4,949.42	COLUMBIA RESOURCE COMPANY	ACCT 450001 - 18JUN - DISPOSAL FEE FOR TIRE COUPONS/YARD DEBRIS - SOLID WASTE
593754	08-Aug-2018	15,000.00	COLUMBIA SPRINGS ENVIRONMENTAL	2018 QTR 3 - ENVIRONMENTAL EDUCATION OUTREACH SUPPORT/SUMMER
593755	08-Aug-2018	162.00	COLUMBIA TECH CENTER PARK	CAMP - WREC REF CIVICGOV
593756	08-Aug-2018	151.11	COMCAST CABLE COMMUNICATIONS INC	ACCT 8778101014784358 - CURRENT CHARGES AT 2800 NE STAPLETON RD (PENLINK) - 07/25/18-08/24/18 - VPD
593757	08-Aug-2018	7,152.46	COMMUNITY HOUSING RESOURCE CTR	PROJ 414739 - BUILDING FINANCIAL STABILITY - 04/01/17-06/30/18 - 2017 CDBG FUNDING
593757	08-Aug-2018	603.52	COMMUNITY HOUSING RESOURCE CTR	PROJ 414747 - REHAB CLIENT ELIGIBILITY/LOAN PROCESSING - 18JUL - CDBG FUNDING
593758	08-Aug-2018	2,093.96	CONSOLIDATED SUPPLY CO	CUST 23132 - OPERATING SUPPLIES - OPS CENTER
593759	08-Aug-2018	310.50	CORWIN BEVERAGE CO	ACCT 16786 - SOFT DRINK DELIVERY - FIRE
593760	08-Aug-2018	3,612.87	CUES INC	SUMMARY: REPAIR SERVICES - OP CENTER
593761	08-Aug-2018	975.00	DAVID COREY PHD PC	POST-OFFER EVALUATIONS - 3 EA - THRU 06/26/18 - VPD - RECEIPT 135971
593762	08-Aug-2018	46.00	DEA INVESTMENTS	BY A CARMAN PER E-MAIL
593763	08-Aug-2018	67.66	DEBORAH J PULVER	REF CIVICGOV
593764	08-Aug-2018	2,557.50	DEPT OF LABOR AND INDUSTRIES	REF 600 SCIP LOAN
593765	08-Aug-2018	8,973.82	DKS ASSOCIATES	ACCT 87543 - 2018 WORKER AND COMMUNITY RIGHT TO KNOW PROGRAM FEE ASSESSMENT - RISK
593766	08-Aug-2018	150.00	DOMINIC HUNTER DBA JOY ENTERTAINERS	PROJ 16117-007 - VANCOUVER MILL PLAIN SIGNAL TIMING - THRU 06/30/18 - TRANSPORTATION - RECEIPT 136361 BY L JONES
593767	08-Aug-2018	1,279.34	DSU PETERBILT & GMC INC	08/01/18 - BALLON ARTIST FOR 1.5 HRS - LITTLE CAMPERS - HAWAIIAN LUAU - FIRSTENBURG COMM CENTER - PARKS
593768	08-Aug-2018	1,766.81	DSU PETERBILT & GMC INC	ACCT 53317 - PARTS FOR VEHICLE REPAIR - EQUIP SERVICES
593769	08-Aug-2018	750.00	EMS TECHNOLOGY	ACCT 53317 - PARTS FOR VEHICLE REPAIR - EQUIP SERVICES
593770	08-Aug-2018	24,537.90	EPIC LAND SOLUTIONS INC	PART IQ10092 - QUARTERLY NARCOTICS TRACKING LICENSE - FIRE BY INFO TECH - RECEIPT 135845 BY J SCHOESSLER PER E-MAIL
593771	08-Aug-2018	275.00	ERF COMPANY INC	SUMMARY: ON-CALL RIGHT-OF-WAY SERVICES - TRANSPORTATION
593772	08-Aug-2018	55.10	ERIC OLSON ELECTRIC INC	18AUG - WEATHER FORECASTING SERVICES - OP CENTER - RECEIPT 136252
593773	08-Aug-2018	4,092.50	ENGINEERS PC	BY P NEWTON PER E-MAIL
593774	08-Aug-2018	226.50	ESIX SPORTSWEAR INC	PERMIT WITHDRAWN
593775	08-Aug-2018	490.00	EUROFINS EATON ANALYTICAL INC	SUMMARY: PLAN REVIEW SERVICES - CED
593776	08-Aug-2018	36,234.53	EVERGREEN HABITAT FOR HUMANITY	EQUIP SERVICES UNIFORMS/PROTECTIVE CLOTHING - OP CENTER
593777	08-Aug-2018	850.00	EXAMWORKS INC	FOLDER 744230 - SAMPLE TESTING SERVICES - 06/13/18 - MP ENG
593778	08-Aug-2018	56.37	EXPERIAN MARKETING SOLUTIONS	SUMMARY: MCKIBBIN COMMONS HOMES - AFFORDABLE HOUSING FUND
593779	08-Aug-2018	308.52	FERGUSON ENTERPRISES INC	CUST 1-BMWHT - MANDATORY INSURER REPORTING - 18JUL - RISK
593780	08-Aug-2018	54.04	Fields, James B	ACCT TBD1-1957212 - 18JUL - UTILITY COLLECTIONS ASSIST - UTILITIES
593781	08-Aug-2018	4,170.69	FIRE SYSTEMS WEST	CUST 51216 - OPERATING SUPPLIES - OPS CENTER
593782	08-Aug-2018	75.00	FIRST EVANGELICAL CHURCH	GAS REIMBURSEMENT
593783	08-Aug-2018	40.69	FRONTIER COMMUNICATIONS	SUMMARY: CUST VANC - 2018 ANNUAL FIRE SPRINKLER
593784	08-Aug-2018	1,827.63	GALLS LLC	INSPECTION/TESTING-FORWARD FLOW/BACKFLOW INSPECTION
593785	08-Aug-2018	2,807.56	GENERAL PACIFIC	REF CIVICGOV
				WESTRIDGE PUMP STATION
				ACCT 1001096190 - FIRE UNIFORM - FIRE
				CUST #101952 - ORDER 1169448 - OPS CENTER

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
593786	08-Aug-2018	525.37	GENUINE PARTS COMPANY	CUST 7970 - 18JUL - PARTS FOR VEHICLE AND EQUIPMENT REPAIRS - EQUIP SERVICES
593787	08-Aug-2018	2,523.28	GEORGE ELEVATOR SERVICE LLC	18JUL - MONTHLY ELEVATOR MAINTENANCE - MULTIPLE CITY LOCATIONS - OP CENTER - RECEIPT 136006 BY P NEWTON PER E-MAIL
593788	08-Aug-2018	3,250.00	GLP ATTORNEYS PLLC	SETTLEMENT RE: DAWN SETTLE - DOL: 01/03/17 - RISK
593789	08-Aug-2018	4,943.43	GORDIAN GROUP	SUMMARY: JOB ORDER CONTRACTING PROGRAM CONSULTANT
593790	08-Aug-2018	82.24	GORDON TRUCK CENTERS	CUST 96056 - 18JUL - PARTS FOR VEHICLE AND EQUIPMENT REPAIR - EQUIP SERVICES
593791	08-Aug-2018	125,126.90	HALBERT CONSTRUCTION LLC	SUMMARY: CONSTRUCTION
593792	08-Aug-2018	216.28	HASKIN ELECTRIC	PERMIT WITHDRAWN
593793	08-Aug-2018	849.43	HD FOWLER CO	SUMMARY: OPERATING SUPPLIES - OPS CENTER
593794	08-Aug-2018	1,072.00	HDJ DESIGN GROUP	PROJ HDJ3755-000 - NE 137TH AVE CORRIDOR - 18JUN - CONSTRUCTION - RECEIPT 136392 BY L PETERSEN PER E-MAIL
593795	08-Aug-2018	8,140.91	HDR ENGINEERING INC	PROJ 10038294 - NE 18TH ST: 87TH AVE TO 192ND AVE NEPA REEVAL - THRU 06/30/18 - CONSTRUCTION - RECEIPT 136234 BY L PETERSEN PER E-MAIL
593795	08-Aug-2018	26,848.33	HDR ENGINEERING INC	PROJ 10107594 - 32ND AVE/IND ACCESS FEASIBILITY STUDY - THRU 06/30/18 - CED - RECEIPT 136026 BY B THOMAS PER E-MAIL
593796	08-Aug-2018	8,612.40	HELMES DEVELOPMENT INC	SEWER REIMBURSEMENT CONTRACT
593797	08-Aug-2018	75.00	HUMAN SERVICES COUNCIL DBA VOLUNTEER CONNECTIONS	2018 SR WELLNESS CONNECTIONS EXPO EXHIBITOR REGISTRATION - VPD
593798	08-Aug-2018	3,500.00	JCI JONES CHEMICALS INC	ORDER 562249 - CHLORINE 150 LB CYLINDERS - 14 EA - OP CENTER
593799	08-Aug-2018	5.49	JOHNNY L VERBOUT	REF 600 SCIP LOAN
593800	08-Aug-2018	1,761.93	K F JACOBSEN & CO INC	SUMMARY: ACCT 13866 - FINE MIX ASPHALT - OPS CENTER
593801	08-Aug-2018	25.00	KARL ROTTMANN SR	REF OVERPMT PKG CIT 7201202482
593802	08-Aug-2018	54.07	Kaspan, Stephen Paul	UBER TRAVEL TO PIPTA CONFERENCE ON 7/29 TO PORTLAND
593803	08-Aug-2018	8.77	KATHY MONTGOMERY	REF PKG PERMIT COV04489
593804	08-Aug-2018	53.20	KIMBERLY HOLSTON	REF PKG PERM COV08029
593805	08-Aug-2018	69.00	KWIRELESS INC	REF CIVICGOV
593806	08-Aug-2018	47.68	LANDMARK FORD	ACCT 5294 - PARTS FOR CITY EQUIPMENT - EQUIP SERVICES
593807	08-Aug-2018	500.00	LAURA GILTON	PARTIAL SETTLEMENT RELEASE RE: LAURA GILTON - DOL: 07/29/18 - RISK
593808	08-Aug-2018	200.00	LEE NICHOLAS	07/15/18 - SUNDAY DANCE - MUSICAL ENTERTAINMENT - PARKS - RECEIPT 136102 BY A THOMPSON PER E-MAIL
593809	08-Aug-2018	205.95	Lewis, James Scott	BOOT REIMBURSEMENT
593810	08-Aug-2018	20.00	LIFETIME WINDOWS & DOORS	REF ALARM
593811	08-Aug-2018	2,027.04	LN CURTIS & SONS	CUST C32902 - ORDER 411004 - FIRE
593812	08-Aug-2018	16,432.83	MACKAY & SPOSITO INC	SUMMARY: RESURFACING - TRANSPORTATION
593813	08-Aug-2018	770.00	MAKHAN UPPAL	PARCEL 110291-032 - REAL PROPERTY VOUCHER - MILL PLAIN BLVD-104TH AVE TO CHKLOV DR - 10601 SE MILL PLAIN BLVD - PROTECTIVE RENT - 2 LOCATIONS @ \$385.00 PER MO - 18JUL - CONSTRUCTION
593814	08-Aug-2018	414.00	MARQUAM GROUP LTD	VPD SHAREPOINT SUPPORT - THRU 07/06/18 - INFO TECH - RECEIPT 136323 BY J SCHOESSLER PER E-MAIL
593815	08-Aug-2018	200.00	MATTHEW LEONARD	REF CIVICGOV
593816	08-Aug-2018	19,709.17	MISCELLANEOUS	SUMMARY: CITY UTILITIES REFUNDS, PARKS REFUNDS & OTHER MISC REFUNDS
593901				
593902	08-Aug-2018	180.48	Moore, Travis E	BOOT REIMBURSEMENT
593903	08-Aug-2018	46.53	Morley, Stuart Bruce	CLOTHING ALLOWANCE REIMBURSEMENT FOR STUART MORLEY
593904	08-Aug-2018	1,396.50	MOTUS RECRUITING & STAFFING INTL	MOORE ALAN - W/E 07/08/18 - PAYROLL WORK DAY PROJ

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
593905	08-Aug-2018	3,408.30	MUNICIPAL EMERGENCY SERVICES INC	CUST C63793 - POINT BLANK AXIIA AND ACCESSORIES - VPD
593906	08-Aug-2018	200.00	NIDA CARDIEL	REF CIVICGOV
593907	08-Aug-2018	415.07	NORTHWEST STAFFING RESOURCES	CITY WIDE TEMPORARY SERVICES - W/E 07/15/18
593908	08-Aug-2018	100.00	NORTHWOOD NEIGHBORHOOD ASSN	2018 PARTICIPATION IN THE RESOURCE CONSERVATION CHALLENGE - SOLID WASTE
593909	08-Aug-2018	102,847.83	NUTTER CORP	PREMIER ACRES SANITARY SEWER IMPROVEMENTS - EST 5 - THRU 06/14/18
593910	08-Aug-2018	683.75	OTAK INC	PROJ 018322.000 - STRUCTURAL ENGINEERING REVIEW OF STEEL COMPONENTS FOR GT-1 - WESTSIDE WASTEWATER PLANT - THRU 06/30/18 - MP ENG - RECEIPT 136055 BY L JONES PER E-MAIL
593911	08-Aug-2018	1,800.00	PACIFIC OUTDOOR ADVERTISING LLC	ACCT 2810 - CONTR 2692 - ADVERTISING SERVICES - BILLBOARD DUI CAMPAIGN ADS - NE ST JOHNS RD 75 FT N/O MIINNEHAHA RD & FOUTH PLAIN BLVD 260 FT E/O STAPLETON RD - 07/09/18-08/05/18 - VPD
593912	08-Aug-2018	1,394.71	PACIFIC POWER GROUP LLC	REPAIR ORDER 461961-000 - BATTERY REPLACEMENT - MODEL 150DGFA/SER A910368638 - FIRE STN 9 - THRU 07/12/18 - OP CENTER - RECEIPT 135985 BY P NEWTON PER E-MAIL
593913	08-Aug-2018	2,042.50	PBS ENGINEERING & ENVIRONMENTAL INC	PROJ HDJ4101.003 - WATERFRONT PARK LEASE AGREEMENT - THRU 18JUN - CONSTRUCTION/PARKS - RECEIPT 136349 BY C VOGELZANG PER E-MAIL
593914	08-Aug-2018	363.26	PETTY CASH CUSTODIAN	SUMMARY: PETTY CASH REPLENISHMENTS
593915	08-Aug-2018	120.30	POINT MONITOR CORP	DUPLICATE PERMIT
593916	08-Aug-2018	116.69	POTTER WEBSTER CO	CUST 8108500 - ORDER 269591 - PARTS FOR VEHICLE REPAIR AND EQUIPMENT - EQUIP SERVICES
593917	08-Aug-2018	56.03	PRAIRIE ELECTRIC INC	PERMIT WITHDRAWN
593918	08-Aug-2018	141.03	PRAXAIR DISTRIBUTION INC	CUST 72155065 - CO2 LIQUID BULK TANK 450# - THRU 07/11/18 - PARKS & REC AQUATICS
593918	08-Aug-2018	143.46	PRAXAIR DISTRIBUTION INC	CUST 73769060 - CO2 LIQUID BULK TANK 460# - THRU 07/10/18 - PARKS & REC FIRSTENBURG POOL
593919	08-Aug-2018	1,287.28	PROFESSIONAL CREDIT SERVICE	SUMMARY: MULTIPLE REFUNDS - EROSION CONTROL VIOLATION
593920	08-Aug-2018	101.49	Ramsby, Crystal L	BOOT REIMBURSEMENT
593921	08-Aug-2018	1,236.25	REID MIDDLETON INC	CLIENT 2703 - ON-CALL PLAN REVIEW SERVICES - THRU 06/29/18 - CDD
593922	08-Aug-2018	292.14	RENTOKIL NORTH AMERICA INC	SUMMARY: MONTHLY PEST CONTROL MAINTENANCE
593923	08-Aug-2018	1,268.28	ROBERT FULLER DBA QUALITY MACHINE	RECEIPT 135817 - PARTS - OPS
593924	08-Aug-2018	1,250.00	ROBERT GLEN CARPENTER DBA GLEN CARPENTER USE OF FORCE CONSULTING	07/11/18 - VNR TRAINING PRESENTATION - 2800 STAPLETON RD - VPD
593925	08-Aug-2018	672.00	ROTSCHY INC	CLIENT 59 - VAC TRUCK DUMP, FILL CLASS S
593926	08-Aug-2018	54,057.93	SAN DIEGO POLICE EQUIPMENT CO	CUST 52 - ORDER 90592- OPERATING SUPPLIES - VPD
593927	08-Aug-2018	67.28	Schmidt, Charles P.	STATION MOVES FULE
593928	08-Aug-2018	9.09	SHRED IT USA LLC	CUST 13630245 - DOCUMENT DESTRUCTION - 06/27/18 - UTILITIES
593929	08-Aug-2018	2,880.00	SIERRA-CEDAR INC	CUST 109266 - PROJ CITYVNCW_AMS_01 - HANSEN UTILITY BILLING SUPPORT - THRU 07/15/18 - INFO TECH - RECEIPT 136160 BY S COOLEY PER E-MAIL
593929	08-Aug-2018	6,295.39	SIERRA-CEDAR INC	CUST 109266 - PROJ CITYVNCW_IMP_01 - WORKDAY IMPLEMENTATION SERVICES - EXPENSE REIMBURSEMENT - THRU 07/15/18 - INFO TECH - RECEIPT 136162 BY S COOLEY PER E-MAIL
593929	08-Aug-2018	101,858.78	SIERRA-CEDAR INC	CUST 109266 - PROJ CITYVNCW_IMP_01 - WORKDAY IMPLEMENTATION SERVICES - THRU 07/15/18 - INFO TECH - RECEIPT 136161 BY S COOLEY PER E-MAIL
593930	08-Aug-2018	96.87	Slagle, Anthony J	STATION MOVES/ GEAR MOVES

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
593931	08-Aug-2018	340.69	SOFTWARE HOUSE INTERNATIONAL SHI	CUST 1072078 - SO S47934679 - ACROBAT PROFESSIONAL V2017 NEW LICENSE - 1 EA - AGREEMENT 4600014240 - INFO TECH - RECEIPT 135987 BY J SCHOESSLER PER E-MAIL
593932	08-Aug-2018	55.10	SOIL SOLUTIONS	SHOULD BE RES PERMIT-WITHDRAW
593933	08-Aug-2018	59,926.09	STATE OF WASHINGTON	AUDIT 45210 - MCAG 0247 - FINANCIAL/ACCOUNTABILITY AUDIT SERVICES - 18JUN - FINANCE - RECEIPT 1356043 BY C ALLEMANG PER E-MAIL
593933	08-Aug-2018	2,092.20	STATE OF WASHINGTON	AUDIT 47281 - MCAG 2792 - FINANCIAL/ACCOUNTABILITY AUDIT SERVICES - 18JUN - FINANCE - RECEIPT 1356044 BY C ALLEMANG PER E-MAIL
593934	08-Aug-2018	144,225.01	STATE OF WASHINGTON	2ND QTR 2018 SELF INSURANCE
593935	08-Aug-2018	466.03	STERICYCLE INC	SUMMARY: 18JUL - MEDICAL WASTE REMOVAL - FIRE
593936	08-Aug-2018	46.00	STEVE BECKER	REF CIVICGOV
593937	08-Aug-2018	22,500.00	STRATEGIC RESEARCH ASSOCIATES LLC	09/27/18 - GROUP PARTICIPANT RECRUITING ASSISTANCE - MOCK TRIAL - HONORARIUMS - RISK
593938	08-Aug-2018	5,337.39	SUMMIT LAW GROUP	SUMMARY: CLIENT 20147-12 ERK - LEGAL SERVICES - POLICE TRAINING - HR/LAW
593939	08-Aug-2018	78,697.05	TAPANI UNDERGROUND INC	NE 18TH ST IMPROVEMENTS SEGMENT 1B - EST 18 - THRU 07/15/18
593940	08-Aug-2018	8,470.00	TEKSYSTEMS	SUMMARY: W/E 07/21/18 - INFO TECH
593941	08-Aug-2018	200.00	TIDEWATER COVE CONDO	#4170/RENTAL DEPOSIT REFUND
593942	08-Aug-2018	108.40	TOWING & RECOVERY SERVICES INC	TOWING - '04 FORD F-250 - LIC YAIG133 OR - FROM 9210 NE 63RD ST TO WEST PRECINCT - VPD
593943	08-Aug-2018	135.50	TOWING & RECOVERY SERVICES INC	TOWING - '17 AUDI A6 - LIC 8BC5840 CA - FROM COSTCO @ 192ND TO EAST PRECINCT - VPD
593944	08-Aug-2018	94.85	TRIPLE J ENTERPRISES	06/29/18 - TOWING - '97 HONDA ACCORD - LIC 037-CYV - FROM THURSTON WAY & VAN MALL DR TO WEST PRECINCT - CASE NOT SPECIFIED - VPD
593945	08-Aug-2018	75.00	TROY VAN PIZZA	REF CIVICGOV
593946	08-Aug-2018	12.45	UNITED PARCEL SERVICE	SHIPPING CHARGES OPS
593947	08-Aug-2018	200.00	UNITED STATES POSTAL SERVICE	POSTAGE DUE 95004.000 FOR UTILITIES - 18JUL
593948	08-Aug-2018	10,000.00	UNITED STATES POSTAL SERVICE	ACCT 0000118261 - POSTAGE METER - MAILROOM
593949	08-Aug-2018	66.50	VANCOUVER AIRE LLC DBA FRESH AIRE AIR FRESHENERS	ROUTE 1-3 0 - DEODORIZING SERVICE - THRU 07/10/18 - FIRSTENBURG COMM CTR - RECEIPT 136092 BY P NEWTON PER E-MAIL
593950	08-Aug-2018	4,350.00	VANCOUVER SLOW PITCH UMPIRES ASSN	18JUL - SPORTS OFFICIATING - PARKS
593951	08-Aug-2018	11,430.78	VERITAS US INC	CUST 7001142352 - SO US000000120196 - ENTERPRISE VAULT LICENSE RENEWAL - 09/28/18-09/27/19 - INFO TECH
593951	08-Aug-2018	13,658.40	VERITAS US INC	CUST 7001142352 - SO US000000121440 - ENTERPRISE VAULT LICENSE RENEWAL - 09/28/18-09/27/19 - INFO TECH
593952	08-Aug-2018	2,559.08	VERIZON WIRELESS	SUMMARY: WIRELESS SERVICES
593959				
593960	08-Aug-2018	80.00	WALMART SUPERCENTER #2550	REF ALARM
593961	08-Aug-2018	5,177.40	WALTER E NELSON CO	SUMMARY: JANITORIAL SUPPLIES - FIRE & OPS CENTER
593962	08-Aug-2018	6,374.00	WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION	ACCT 20605-001 - TRAINING-BLEA - C BUTLER/C HEINZMAN - 06/26/18-10/31/18 - VPD
593963	08-Aug-2018	965.71	WILLIAM KITTLESAN	SETTLEMENT RE: WILLIAM KITTLESAN - DOL: 06/28/18 - RISK
593964	08-Aug-2018	9,756.91	WINTERBAUER & DIAMOND PLLC	ACCT 1987-00M - LEGAL SERVICES - INVOKE VMC 3.05.200(2) - THRU 06/27/18 - RISK
593965	08-Aug-2018	549.36	WW GRAINGER INC	ACCT 808802698 - SHOP SUPPLIES - EQUIP SERVICES
593966	08-Aug-2018	76.46	XPO ENTERPRISE SERVICES INC	WEEKLY POSTAGE SERVICES - THRU 07/07/18 - FINANCE/MAILROOM
593967	09-Aug-2018	1,089.84	WESTERN METAL IND PENSION FUND	PAYROLL
593968	09-Aug-2018	1,087.01	UNITED WAY OF THE COLUMBIA WILLAMETTE	PAYROLL
593969	09-Aug-2018	3,612.00	CHAPTER 13 - TRUSTEE	PAYROLL

*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
593970	09-Aug-2018	7,360.57	LIFE INSURANCE CO OF NORTH AMERICA	PAYROLL
593971	09-Aug-2018	9,344.77	AMERICAN FAMILY LIFE ASSURANCE	PAYROLL
593972	09-Aug-2018	722.50	IAM LOCAL #1374	PAYROLL
593973	09-Aug-2018	18,700.16	IAFF LOCAL #452	PAYROLL
593974	09-Aug-2018	14,639.24	VANCOUVER POLICE OFFICER GUILD	PAYROLL
593975	09-Aug-2018	5,248.24	AFSCME LOCAL #307	PAYROLL
593976	09-Aug-2018	5,104.28	OPEIU LOCAL #11	PAYROLL
593977	09-Aug-2018	3,376.20	WESTERN CONFERENCE OF TEAMSTERS	PAYROLL
593978	09-Aug-2018	550.00	MFS SERVICE CENTER INC	PAYROLL
593979	09-Aug-2018	672.00	TEAMSTERS LOCAL #58	PAYROLL
593980	09-Aug-2018	297.50	UA LOCAL #290	PAYROLL
593981	09-Aug-2018	72.36	LEGAL SHIELD	PAYROLL
593982	10-Aug-2018	73,580.00	WASHINGTON STATE DEPT OF ECOLOGY	PERMIT RS-WAR045022 - REGIONAL STORMWATER MONITORING PERMIT - 08/15/18-08/15/19 - MP ENG
20001440	13-Aug-2018	54,619.08	CITY OF VANCOUVER	SUMMARY: INFOR CITY PAYMENTS
	SUBTOTAL	4,177,401.39		
VISA	14-Aug-2018	2,174.10	MISCELLANEOUS	PARKS CLASS REFUNDS - FCC 08/7/18 - 08/13/18
VISA	14-Aug-2018	1,706.12	MISCELLANEOUS	PARKS CLASS REFUNDS - MCC 08/7/18 - 08/13/18
VISA	14-Aug-2018	-	MISCELLANEOUS	PARKS CLASS REFUNDS - SPECIAL EVENTS 08/7/18 - 08/13/18
VISA	14-Aug-2018	117.00	MISCELLANEOUS	PARKS CLASS REFUNDS - VTC 08/7/18 - 08/13/18
VISA	13-Aug-2018	200.00	MISCELLANEOUS	PARKS CLASS REFUNDS - WREC 08/7/18 - 08/13/18
	SUBTOTAL	4,197.22		
	TOTAL	4,181,598.61		

City of Vancouver
Payroll Council Report
August 7, 2018 - August 13, 2018

Check No.	Date	Explanation	Amount
91609 - 91738	8/10/2018	15 2018 Payroll	\$ 61,971.25
N/A	8/10/2018	15 2018 Direct Deposits	\$ 2,983,251.06

\$ 3,045,222.31



Staff Report 121A-18

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/20/2018

SUBJECT Declaration of Real Property as Surplus - Continuation of Public Hearing

Key Points

- Declaring this property as surplus will allow for future potential development.
- Revenue will be generated for the transportation capital fund and the property will be added to the tax rolls.

Strategic Plan Alignment

Goal 1, Objective 1.1: Develop and maintain a safe, balanced and innovative transportation system that will meet the needs of future generations.

Present Situation

The Subject Parcel is a 3,997-square-foot vacant parcel located at the SE corner of West Fourth Plain Boulevard and West Lincoln Avenue (Assessor Parcel 058823-000).

Public Works staff has determined that we need 15' of right-of-way along Fourth Plain Boulevard, but the remainder of the parcel can be surplus. Therefore, staff is proposing to convert the northerly 15' of the parcel to right-of-way and surplus the remaining approx. 2,498 square feet.

The City obtained this parcel in 2002, as part of the 4th Plain Ramp Project (Simpson to "E").

The parcel submitted for council review as surplus is attached in a detailed report and a map is also attached.

Declaration of surplus is the first of a two-step process as outlined in VMC 3.30 - Disposition of City-Owned Surplus Real Property, allowing the City to sell the subject property. The disposition step requires a separate hearing and action prior to actual sale of the property.

Advantage(s)

1. Declaring this parcel as surplus will all for potential sale of a remnant parcel
2. If the parcel is sold at this time:
 - The parcel will return to the county's tax database
 - Revenue from disposition will return approx. \$15,000 to the transportation capital fund
 - Cost savings to the City of Vancouver for maintenance of a remnant parcel

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

August 6, 2018 - surplus property public hearing continued to August 20, 2018.

Action Requested

On August 20, 2018, following a public hearing, adopt a resolution declaring certain real property located at 1111 W. 4th Plain Blvd. (Portion of Assessor parcel 058823-000) as surplus.

Linda Carlson, Property Management Specialist, 487-8423; Ryan Lopossa, Streets & Transportation Manager, 487-7706

ATTACHMENTS:

- ▣ Surplus Property Report
- ▣ Resolution
- ▣ Exhibit "B" - Legal Description of remnant parcel
- ▣ Exhibit "A" - Legal Description of ROW dedication
- ▣ Survey Map

SURPLUS PROPERTY REPORT

August 6, 2018

The City of Vancouver is requesting that a portion of the parcel (Subject parcel) below be declared as surplus property and approved for disposition by the City as per Ordinance M-3923.

The parcel up for discussion is Assessor's Parcel 058823-000:

- The subject parcel is a 3,998 square foot vacant parcel located at West Fourth Plain Boulevard and West Lincoln Avenue. Staff is proposing to convert the northerly 15' of the parcel (1,499 SF) to right-of-way and surplus the remaining approximately 2,499 square feet. A map designating exact location is attached;
- The property is currently vacant. Current 2018 assessed value of the land is \$41,150.00. This parcel has not been on the tax rolls since 2002.
- To our knowledge, there are currently no deed restrictions on the Subject Parcel. However, the City will be maintaining at right-of-way dedication area of the northern 15' of the parcel that fronts West Fourth Plain Boulevard for future sidewalks.
- The funds utilized to purchase the real property were from the 2002 4th Plain Ramp Project – Simpson to "E".
- Proceeds from this sale should be utilized for future federally funded transportation projects.
- It has been determined that, outside of the 15' Right-of-way being maintained, no future municipal use for this parcel would be warranted. Declaration of surplus and future disposition of this site would provide the largest return to the City of Vancouver.
- Staff recommends that this Subject Parcel should be disposed of as surplus real property.
- Staff recommends that this Subject Parcel should be disposed of by negotiation with abutting property owner. This will put the parcel back on the tax rolls and decrease the City's maintenance responsibilities. Combining this parcel with the abutting parcel to the south will allow the bordering property owner the ability to achieve highest and best use of this Parcel in the future.
- The City previously procured an appraisal of the Subject Parcel in June of this year. The Subject site is zoned CC (Community Commercial). This zoning district has been designed to provide for a mix of commercial uses, including, but not limited to an office use. The site is generally rectangular in shape and has sloping topography down from West Fourth Plain Boulevard to the south, with good access. The topography shows a possible need for some fill material to bring the grade up for commercial development. The highest and best use of the subject site as-vacant is assemblage with adjoining property to the south for commercial office development. The right-of-way dedication of the northern 15 feet of the Subject's frontage along West Fourth Plain Boulevard (1,499 square feet) is considered unusable area; therefore the appraisal is based on the remainder of usable property, approximately 2,499 square feet. The appraised value of the property is **\$15,000**.

08/20/18

RESOLUTION NO. M-

A RESOLUTION of the City of Vancouver declaring certain real property as surplus, directing its disposal and method of disposition.

WHEREAS, the City of Vancouver acquired the real property listed on the attached Exhibit “B”: and

WHEREAS, City Council reviewed the surplus property report related to this real property; and

WHEREAS, the real property on Exhibit “B” is surplus to the needs of the City; and should be disposed of by means of a negotiated sale;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

The real property described on the attached Exhibit “B” is declared surplus to the needs of the City as described in Staff Report No. _____.

DATED this 6th day of August 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 - 1

EXHIBIT "B"
Legal Description
Tax Lot 58823000 parcel

That certain parcel described in Statutory Warranty Deed, Smarz to City of Vancouver recorded July 7th, 2002, under Auditor's File Number 3492971, records of Clark County, Washington, lying in the Northeast Quarter of the Southeast Quarter of Section 21, Township 2 North, Range 1 East of the Willamette Meridian, City of Vancouver, Clark County, Washington, more particularly described as follows;

Beginning at the intersection of the South right-of-way line of West 4th Plain Boulevard and the East right-of-way of line of West Lincoln Avenue, being 30' south of centerline as shown on Record of Survey Book 56, Page 160, records of Clark County, Washington;

Thence South 87° 07'41" East along said South right-of-way line a distance of 99.93;

Thence South 03° 00'07" West along a distance of 40.00 as shown on said survey;

Thence North 87° 07'41" West a distance of 99.93' to the East right-of way line of West Lincoln Avenue;

Thence North 02° 59'48" East along said East line a distance of 40.00' to the said South right-of way line also being the Point of beginning;

Except the North 15' of the subject parcel, additionally dedicated to the City of Vancouver for public right-of-way purposes;

Containing 2,498 square feet more or less.

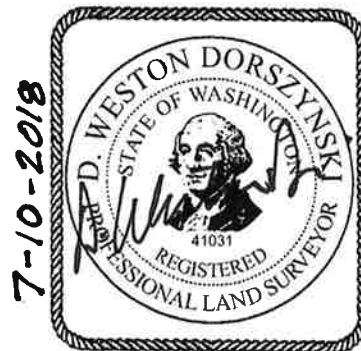


EXHIBIT "A"
Legal Description
Right-of-Way dedication-West 4th Plain Boulevard
Portion of Tax Lot 58823000

A portion of that certain parcel described in Statutory Warranty Deed, Smarz to City of Vancouver recorded July 7th, 2002, under Auditor's File Number 3492971, records of Clark County, Washington, lying in the Northeast Quarter of the Southeast Quarter of Section 21, Township 2 North, Range 1 East of the Willamette Meridian, City of Vancouver, Clark County, Washington, more particularly described as follows;

The North 15' of the following described parcel;

Beginning at the intersection of the South right-of-way line of West 4th Plain Boulevard and the East right-of-way of line of West Lincoln Avenue, being 30' south of centerline as shown on Record of Survey Book 56, Page 160, records of Clark County, Washington;

Thence South 87° 07'41" East along said South right-of-way line a distance of 99.93;

Thence South 03° 00'07" West along a distance of 40.00 as shown on said survey;

Thence North 87° 07'41" West a distance of 99.93' to the East right-of way line of West Lincoln Avenue;

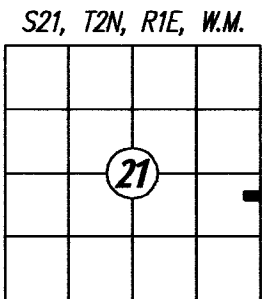
Thence North 02° 59'48" East along said East line a distance of 40.00' to the said South right-of way line also being the Point of beginning;

Containing 1,499 square feet more or less.



RECORD OF SURVEY

IN A PORTION OF THE AMOS SHORT D.L.C. NO. 51
LOCATED IN NE 1/4 OF THE SE 1/4 OF
SECTION 21, T.2N, R.1E, W.M.
CITY OF VANCOUVER, CLARK COUNTY,
WASHINGTON



LEGEND

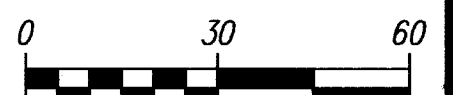
- SET 5/8" x 30" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "PLS 32448" UNLESS OTHERWISE NOTED
- FOUND MONUMENT AS NOTED
- () RECORD DISTANCE R.O.S. BK. 45, PG. 003
- { } RECORD DISTANCE R.O.S. BK. 38, PG. 034
- [] RECORD DISTANCE AF# 3492971
- Y.P.C. YELLOW PLASTIC CAP
- R.O.S. RECORD OF SURVEY
- ⊙ TRAFFIC SIGNAL POLE
- ⊕ POWER POLE

DEED REFERENCE

ROBERT S. SMARZ
TO
THE CITY OF VANCOUVER
AF# 3492971 (7/25/02)

* BASIS OF BEARINGS

THE BEARING OF S87°07'41"E ALONG THE CENTERLINE OF WEST FOURTH PLAIN BOULEVARD LINE, AS SHOWN ON R.O.S. BK. 45, PG. 003 ORIENTED BETWEEN EXISTING MONUMENTS SHOWN AS HELD HEREON. (SEE NARRATIVE)



SCALE: 1" = 30'

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, AT THE REQUEST OF TIM HALDEMAN WITH THE CITY OF VANCOUVER IN SEPTEMBER, 2006.



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 2ND DAY OF November, 2006.
AT 2:59 P.M. IN BOOK 56 OF SURVEYS AT PAGE 160 AT
THE REQUEST OF MACKAY & SPOSITO, INC.

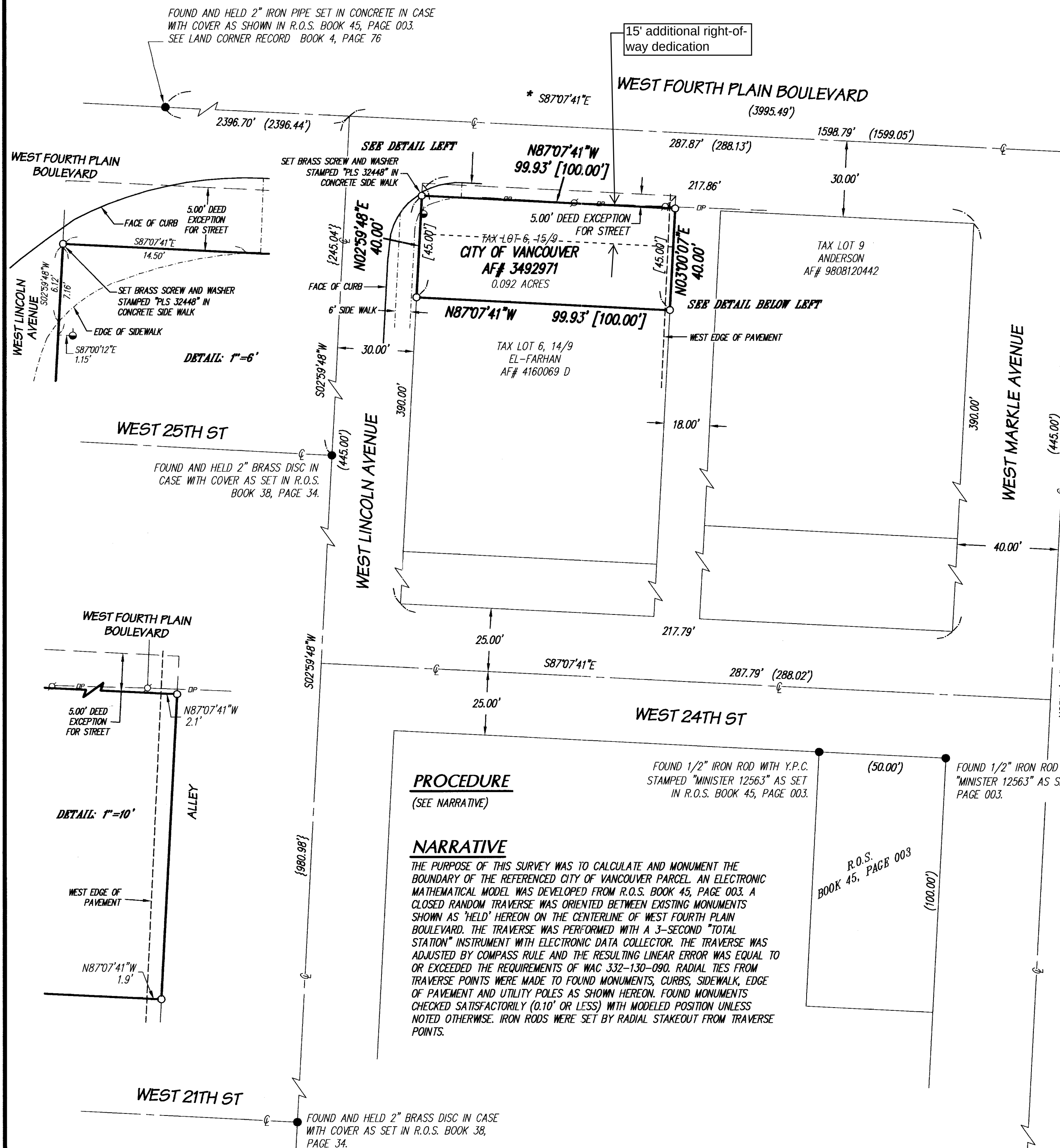
Shane C. Sposito
DEPUTY COUNTY AUDITOR

MacKay & Sposito, Inc.

ENGINEERS SURVEYORS PLANNERS

1325 SE TECH CENTER DRIVE, SUITE 140 VANCOUVER, WA 98683
(360) 695-3411 (503) 289-6726 PTLD FAX (360) 695-0833

CALC. BY: C.C.S. DRAWN BY: C.C.S. JOB NO.: 14518
CHECKED BY: N.J.B. DWG. NAME: 1451BRS1 SHEET 1 OF 1



PROCEDURE

(SEE NARRATIVE)

NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO CALCULATE AND MONUMENT THE BOUNDARY OF THE REFERENCED CITY OF VANCOUVER PARCEL. AN ELECTRONIC MATHEMATICAL MODEL WAS DEVELOPED FROM R.O.S. BOOK 45, PAGE 003. A CLOSED RANDOM TRAVERSE WAS ORIENTED BETWEEN EXISTING MONUMENTS SHOWN AS 'HELD' HEREON ON THE CENTERLINE OF WEST FOURTH PLAIN BOULEVARD. THE TRAVERSE WAS PERFORMED WITH A 3-SECOND 'TOTAL STATION' INSTRUMENT WITH ELECTRONIC DATA COLLECTOR. THE TRAVERSE WAS ADJUSTED BY COMPASS RULE AND THE RESULTING LINEAR ERROR WAS EQUAL TO OR EXCEEDED THE REQUIREMENTS OF WAC 332-130-090. RADIAL TIES FROM TRAVERSE POINTS WERE MADE TO FOUND MONUMENTS, CURBS, SIDEWALK, EDGE OF PAVEMENT AND UTILITY POLES AS SHOWN HEREON. FOUND MONUMENTS CHECKED SATISFACTORILY (0.10' OR LESS) WITH MODELED POSITION UNLESS NOTED OTHERWISE. IRON RODS WERE SET BY RADIAL STAKEOUT FROM TRAVERSE POINTS.

FOUND 1/2" IRON ROD WITH Y.P.C. STAMPED "MINISTER 12563" AS SET IN R.O.S. BOOK 45, PAGE 003.

FOUND 1/2" IRON ROD WITH Y.P.C. STAMPED "MINISTER 12563" AS SET IN R.O.S. BOOK 45, PAGE 003.

R.O.S. BOOK 45, PAGE 003

NOTE: MACKAY & SPOSITO INC. MAKES NO WARRANTIES AS TO MATTERS OF UNWRITTEN TITLE SUCH AS ACQUESCENCE, ESTOPPEL, ADVERSE POSSESSION, ETC.

BK 56 PG 160



MEMORANDUM

DATE: August 15, 2018

TO: Eric Holmes – City Manager

FROM: Ryan Lopossa, P.E. – Streets & Transportation Manager

RE: 1111 W. Fourth Plain Blvd – Parcel Surplus

CC: Brian Carlson, P.E. – Public Works Director
Linda Carlson – Real Estate Services

A handwritten signature in blue ink, likely belonging to Ryan Lopossa, is written over the "FROM:" line.

Pursuant to the Council discussion on August 6, 2018 regarding the subject property (Assessor Parcel #058823-000) being declared as surplus, this memo provides a summary of the issues associated the subject property valuation and the recent sale of a similar parcel located to the immediate south (Assessor Parcel #058722-000)

The City owned parcel is 3,920 SF in size with a 2017 assessed value equal to \$41,150.00, which equates to \$10.50/SF. The parcel to the south is 3,996 SF in size with a 2017 assessed value equal to \$70,666.00, which equates to \$17.68/SF. It is presumed that this parcel has a higher valuation due to it not being located adjacent to a busy arterial street.

According to the Assessor's office, parcel #058722-000 was sold on May 11, 2018 for \$120,000, a figure that well surpasses the assessed value for the property. City staff contacted the purchaser who indicated that he acquired the property for development purposes and was also interested in acquiring the City owned parcel. The purchaser freely admitted that he "overpaid" for the parcel as he was accustomed to developing property in the Portland area, where commercial property values are significantly higher.

Prior to initiating the surplus process, the City owned parcel was appraised by Colliers International, the City's contract appraiser. The City planned to reserve out a 15-foot strip of right-of-way along the parcel's Fourth Plain Blvd frontage so the appraiser was instructed to value the remaining portion of the property (approximately 2,499 square feet). The appraisal determined a value equal to \$30,000 or \$12.00/SF. However, given the small size of the remaining portion of the parcel and its commercial zone designation, the appraiser deemed the property undevelopable as a stand-alone parcel and recommended a 50% reduction in value. That brought the final appraised value down to \$15,000 or \$6.00/SF.

In addition, it should be noted that the current request before Council is for a surplus of the parcel. The appraised valuation is provided as information but pursuant to the City's Property Management Policy, as well as the resolution that accompanies the surplus request, the actual

disposal of the property will be by means of a negotiated sale. Once a sale amount has been negotiated with a perspective buyer, we would move into the disposition phase, which requires a separate hearing and action on the part of City Council prior to the sale of the property.

With regards to use of the proceeds from the sale of the property, the property was initially acquired using Federal Highway Administration (FHWA) funds in anticipation of a transportation improvement project that is no longer being considered for implementation. As such, proceeds from the sale of the property will be placed in the City's transportation capital fund and must be used for a FHWA funded project.

Let me know if you have any questions. Thank you.



MEMORANDUM

DATE: August 20, 2018

TO: Eric Holmes, City Manager

FROM: Brian Carlson, Public Works Director; Rich McConaghy, Env. Resources Manager;
Tanya Gray, Solid Waste Supervisor

RE: Follow up to Solid Waste Collection Contract Update

CC:

On Monday, February 12 this year, Council received a Solid Waste Collection Contract update during a Workshop. Staff presented the current situation and confirmed an acceptable strategy for next steps of contracting for garbage and recycling collection services, given the upcoming expiration date of January 31, 2020. The city's current contractor is Waste Connections of Washington (WCW).

After the update, staff explored a possible contract extension based on the specifications of adding residential food waste/organics collection to the existing subscription yard debris service. WCW agreed to add these services and to meet the other aspects of service delivery that the city requires in a new contract. Although WCW offered a couple of financial proposals that included slightly lower rates for customers in the city, those proposals only partially offset inflationary and other anticipated cost of service increases. And given that a 10-year contract extension was being sought by WCW, staff felt that it would be difficult to justify a no-bid contract extension coincident with a rate increase at the same time and that it is most appropriate that WCW, and any other qualified collection contractor, be offered the opportunity to bid a fair price for the services desired by the city in a competitive environment.

Since the initial Request for Proposals for this current contract was released (in 1996), the city has experienced ongoing growth in population, a change in the design of our community, significant changes to recycling collection systems and markets, and to the number of businesses providing collection services. Although our current contractor can add food waste collection to the existing program, too many unspecified aspects of the service and of the potential for incorporating new services to meet our future needs remained to be developed and negotiated. We also have an opportunity to coordinate with Clark County as it prepares to competitively bid its recycling collection contract within the next year. The County's contract is for services in the unincorporated urban areas, rural Clark County and the cities of Battle Ground, La Center and the town of Yacolt. It seems more appropriate to initiate the competitive bidding process so that all qualified service providers, as well as the current vendor, may present their best cost proposal and related offerings for services to the City for consideration and apples to apples comparison.

To that end, Solid Waste Staff will begin the procurement process to develop a Request For Proposals (RFP) to be issued later this year. The official expiration date of the contract is January 31, 2020 but specifications within the contract allow the City to extend for up to two years if needed to accommodate a potential transition. The City may exercise its option to extend if more time is needed for completing the RFP process or to at least move the expiration date from winter to a month with milder weather to make a possible transition in service providers easier.