Solid Waste Update

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City Council Workshop
Monday, August 14, 2023

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Agenda

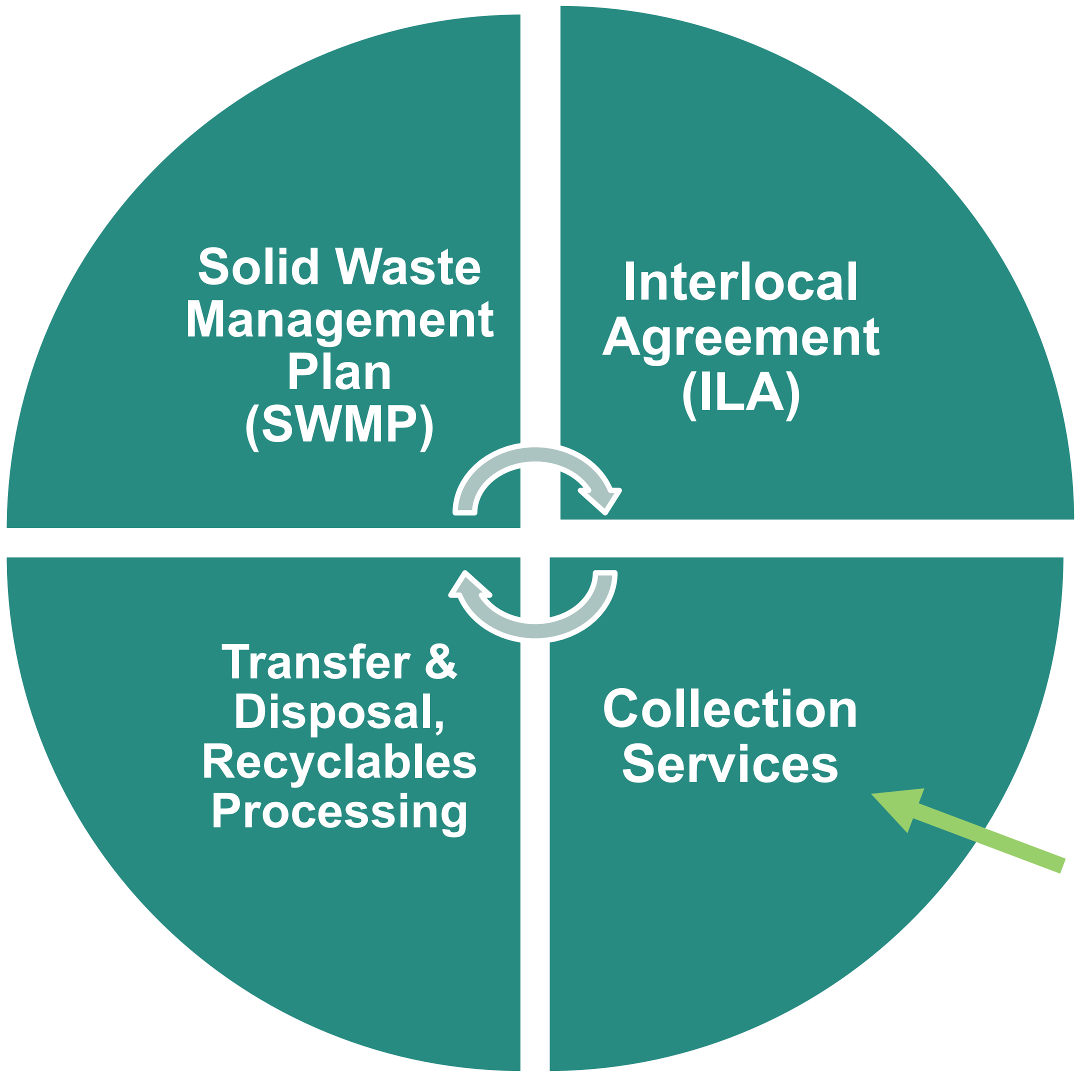
- Overview of Solid Waste System
- Planning Options for Solid Waste
- ILA with Clark County

  Pause for Discussion
- Disposal Contract
- Agreement In Principle

  Pause for Discussion
- Next Steps

Overview of Solid Waste System

Below: Visual depicting four (4) core components of the present solid waste system.

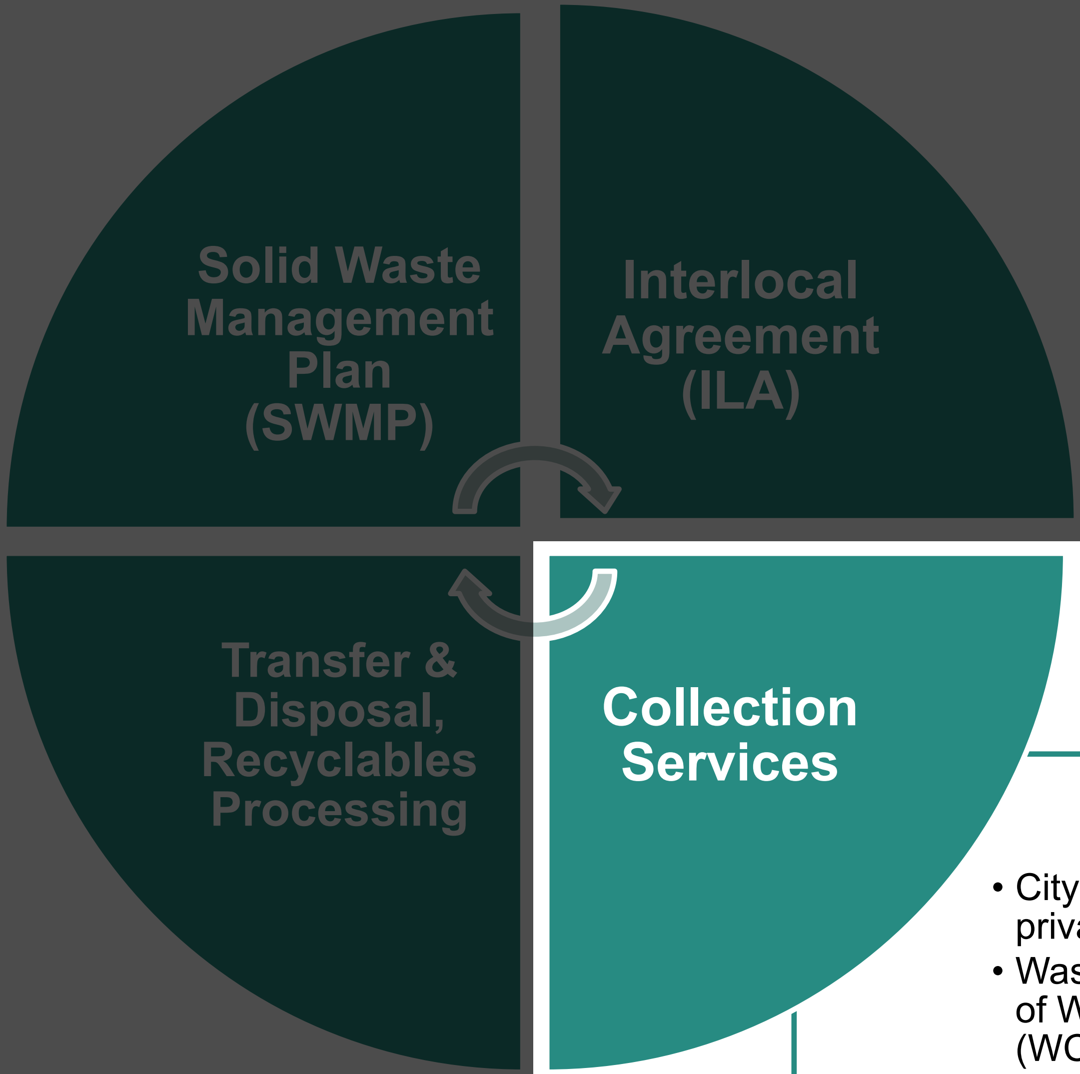


Note: No policy action in this quadrant at this time

Overview

Collection Services

- Comprehensive garbage, recycling & organics collection services for residents and commercial customers
- Services managed by the City through a long-term contract with a private operator, Waste Connections of Washington (WCW)
- Rates set and adopted by City Council annually
- Programs and services for Vancouver ratepayers administered through the City's Solid Waste utility
- **No policy action at this time**



Note: No policy action in this quadrant at this time

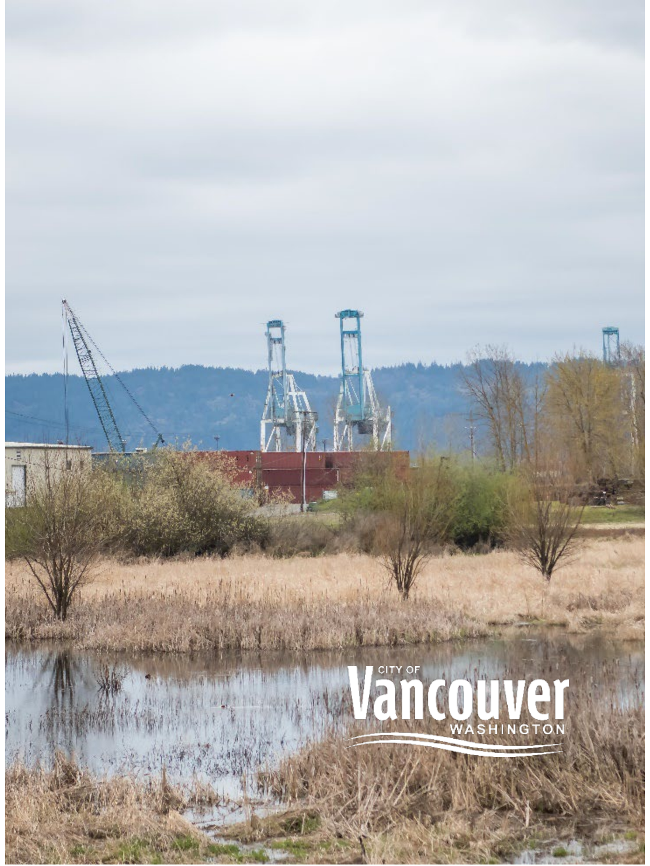
- City contract with private operator
- Waste Connections of Washington (WCW)

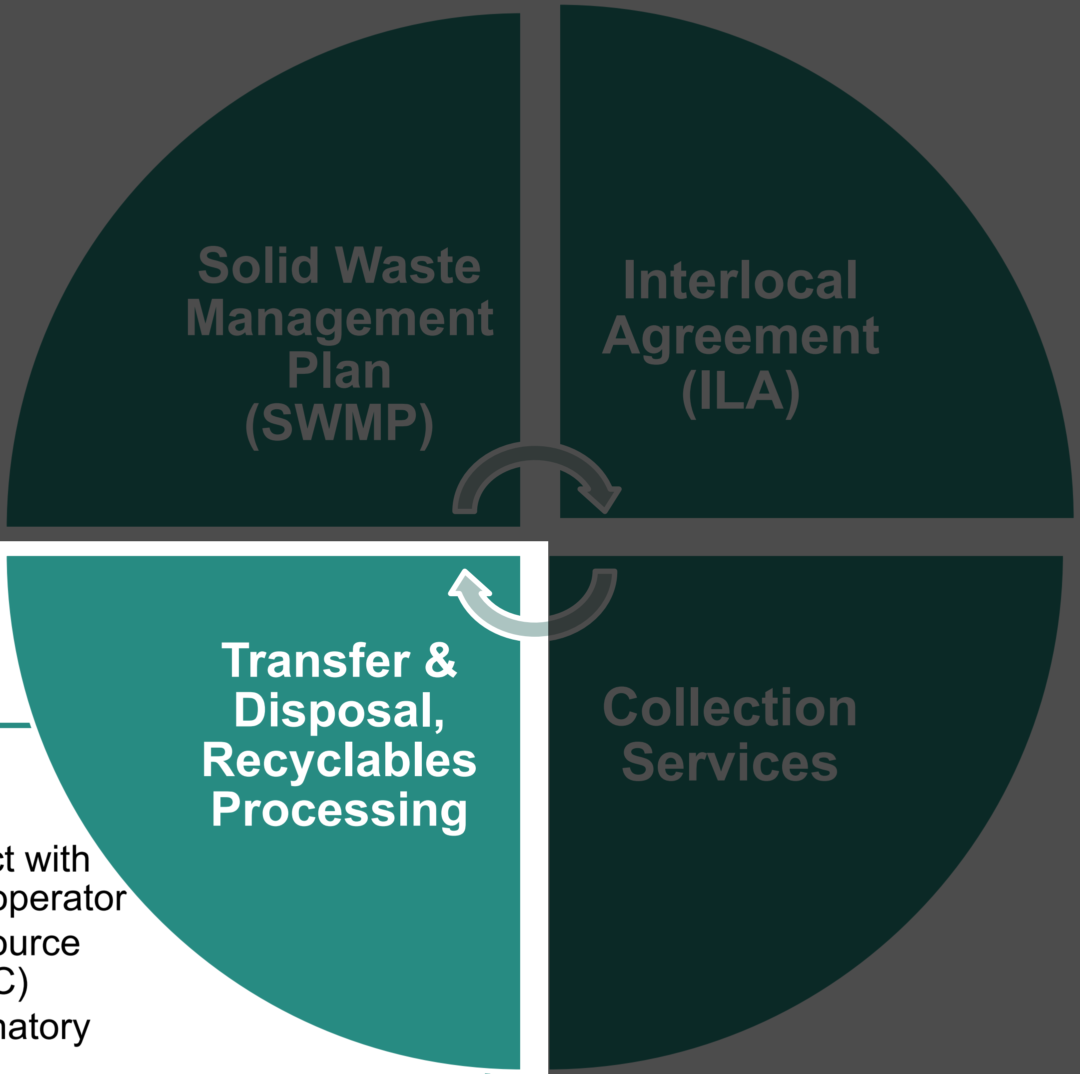
Overview

Transfer & Disposal Services

Recyclables Processing

- Services managed by Clark County through a long-term contract with a private owner / operator Columbia Resource Company (CRC)
- Administration & oversight by County, fees approved annually by County, Vancouver is signatory
- Long term transfer station operations services contract includes transportation landfill disposal and specified wastes (yard debris, organics, C&D, etc.)
- Includes recyclables processing (MRF) services within one transfer station





- County contract with private owner/operator
- Columbia Resource Company (CRC)
- Vancouver signatory

- County led, 20-year plan, with ~5-year updates
- Administration, operations, capital planning, enforcement & education
- Solid Waste Advisory Commission (SWAC)
- State grant funding tied to plan

Solid Waste Management Plan (SWMP)

Interlocal Agreement (ILA)

- Ties Vancouver to County solid waste system
- Establishes roles for system
  - Required by Ecology for SWMP updates & grants

Transfer & Disposal, Recyclables Processing

Collection Services

Solid Waste Planning & ILA

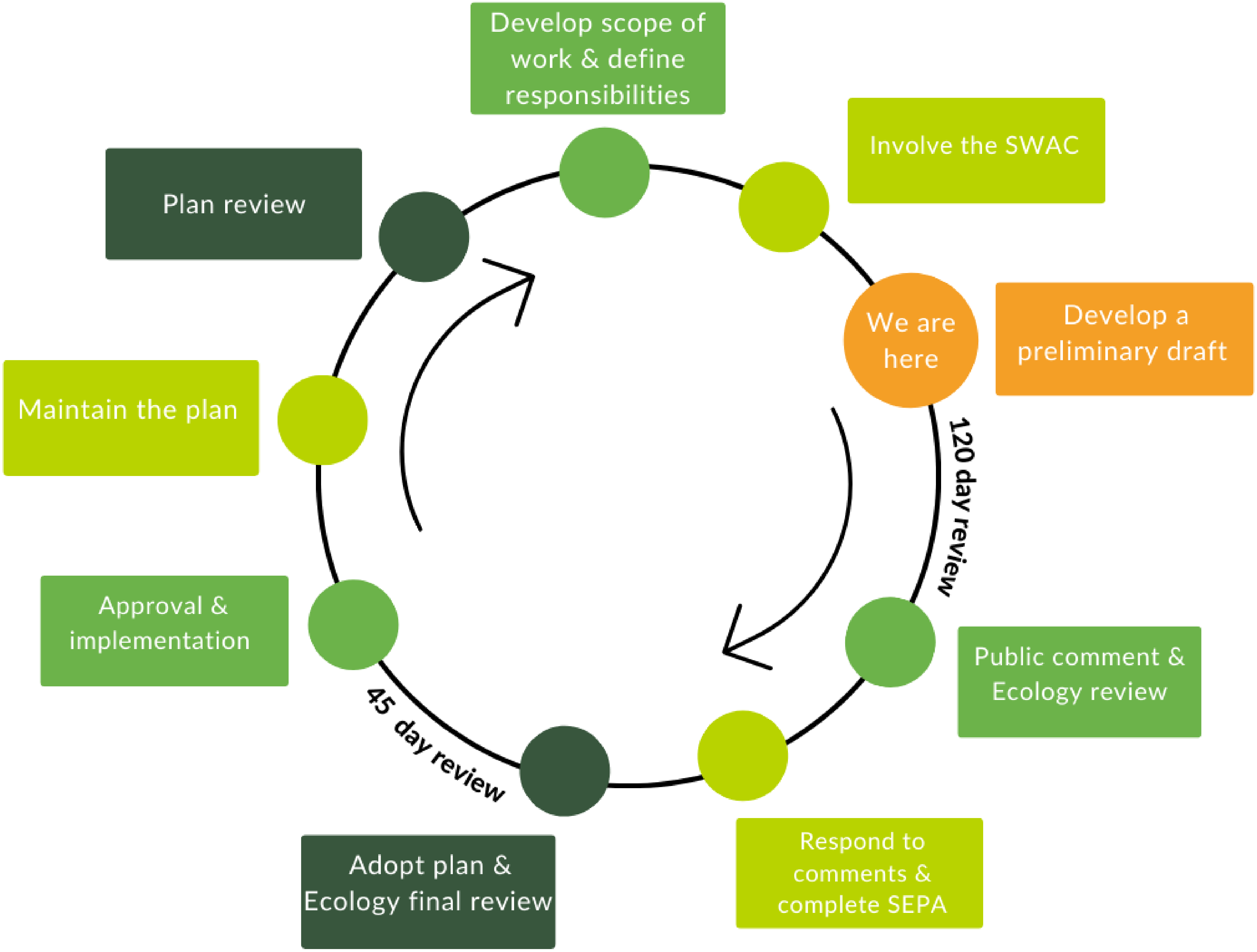
Current Status & Law

Vision & Policy Options for Vancouver

Timeline & Next Steps

Current SWMP Status

*Under review & comment by SWAC



Solid Waste Management Plan

Vancouver has three options per [RCW 70A.205.040](RCW 70A.205.040) in relation to the development of a Solid Waste Management Plan (SWMP)

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PDF RCW 70A.205.040

County comprehensive solid waste management plan—Joint plans—Requirements when updating—Duties of cities

(4) Each city shall:

(a) Prepare and deliver to the county auditor of the county in which it is located its plan for its own solid waste management for integration into the comprehensive county plan;

(b) Enter into an agreement with the county pursuant to which the city shall participate in preparing a joint city-county plan for solid waste management; or

(c) Authorize the county to prepare a plan for the city's solid waste management for inclusion in the comprehensive county plan.

(2) When updating a solid waste management plan developed under this chapter, after June 10, 2010, each local comprehensive plan must, at a minimum, consider methods that will be used to address the following:

(a) Construction and demolition waste for recycling or reuse;

(b) Organic material including yard debris, food waste, and food contaminated paper products for organic materials management;

Planning Options

Option a) City system

- **Benefits:** Autonomy; independent City system
- **Constraints:** No existing framework, requires additional resources (time, admin & funds), possible loss of economies of scale
- **Other:** Timeline impacts to SWMP unknown, ripple impact to County system, now directly regulated by ECY, City SWAC

Option b) City-County

- **Benefits:** Co-lead; potential for more influence in plan recommendations
- **Constraints:** No existing framework, requires additional resources (time, admin & funds), role for other cities/town
- **Other:** Unknown impact to SWMP & ILA, regulatory oversight

Option c) County system

- **Benefits:** Existing framework, economies of scale, retain long term investments already made by Vancouver rate payers
- **Constraints:** City influence is advisory
- **Other:** Status quo, maintains regulatory structures, requires entering into to ILA

Staff Recommendation

ILA with Clark County

Policy Objectives & Considerations for future ILA

- Affirm **long-term strategic vision for solid waste system**;
  - Public ownership (option to purchase transfer stations)
  - Formation of regional entity
  - Vancouver’s role as a successor

- Alignment with **Vancouver Council’s Policies**
  - Climate Action Framework, Equity resolution, etc.
  - Establish timelines for key decisions/deliverables

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ILA with Clark County

…continued

Policy Objectives & Considerations for future ILA

- **ILA Timeframe Options**
  - Short term (3 years) – allows for SWMP completion, flexibility to adjust after Comp Plan finalized and/or based on Vancouver’s future growth
  - Align with SWMP Update (5+ years)
  - Align with future Disposal Contract (9+ years)

- **Concerns**: if goes beyond planning, could impact SWMP update(s), future funding

Pause for Council Questions & Discussion

Question 1: What level of involvement in system planning does Council want?

Recommendation: Plan as a county-led system (Option c, status quo)

Question 2: What policy concepts for future ILA(s) does Council want?

Recommendation: ILA planning focused, define Vancouver’s partner role, pursue public ownership.

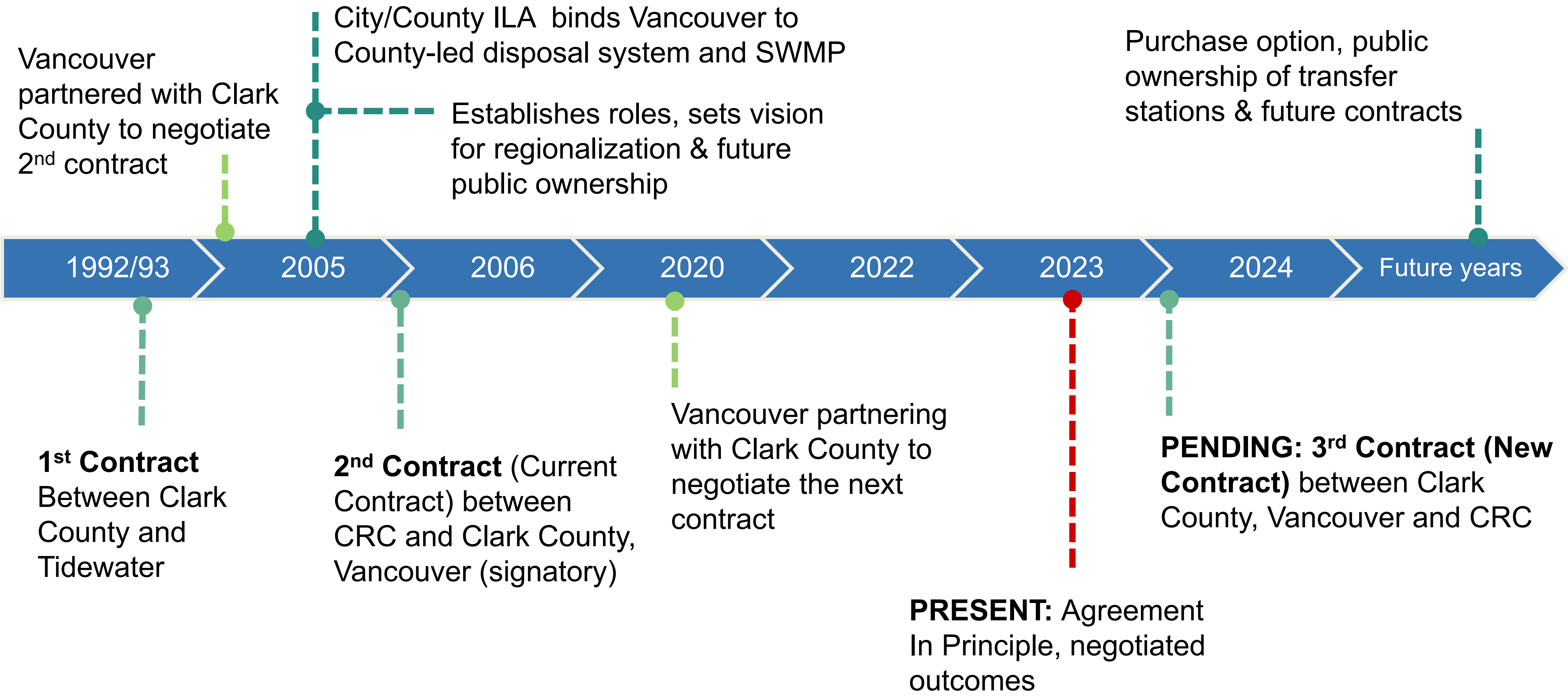
Disposal Contract

History & Timeline

Agreement in Principle

Next Steps

History of Transfer & Disposal Contracts



Work to Date

- Establish County and Vancouver team
- Solicit negotiations consultant (Parametrix)
- Identify priorities and themes for outcomes in the future contract
- Review findings of Regional System Study for existing services, unmet needs and potential risks
- Negotiations with private owner/operator (CRC)
- Memorialize agreements to date
- Draft contracts

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Agreement In Principle

Key outcomes negotiated between Clark County, Vancouver and CRC

Key Outcomes

- Financials
  - $50 million commitment in first 4 years
  - Adtl. $13 million (est.) remaining years
- Defined Capital Improvement & Maintenance program
- Resiliency & Sustainability
- Preserves Option for Public Ownership

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Pause for Council Questions & Discussion

Question 3: Does the Agreement in Principle align with Council’s expectations?

Recommendation: Execute Agreement in Principle with Clark County and CRC.

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Next Steps

Summarize City Council policy direction for staff on the following:

SWMP OPTION

ILA OPTION

Next Steps

Future Council updates and follow up

Future ILA framework

Policy vision, key items

AIP VISION

New Contract

Next Steps

Council Consent item

***Anticipated* Timeline**

Thank You

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Traditional Warehouse Developments vs. Modern E-commerce Facilities

Prepared for:
The City of Vancouver

June 2023 (Revised July 2023)

PT23-0086

FEHR PEERS

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Executive Summary

Warehousing, broadly described as the storage of bulk inventory in large facilities, has undergone substantial evolution, from the introduction of forklifts and pallets in the 1920s to automation and cloud computing today. As a result of advances in technology and proliferation of trucking, warehouses are a critical intermediate step between supplier and consumer. Additionally, trends like e-commerce and online shopping, near-shoring and reshoring[1] of manufacturing have increased global demand for industrial warehousing, resulting in unprecedented warehouse development in recent years. These factors have been accelerated by the COVID-19 global pandemic.

Given Vancouver's location near a major airport, seaport, and population center, warehousing demand in the Vancouver/Portland region is particularly robust. Over the past year, the City of Vancouver received five applications to develop large industrial warehouses (>250,000 square feet), which are expected to store and repackage e-commerce goods intended for various purposes including retail home delivery. In response to this regional trend, the City seeks to better understand key characteristics of these larger, typically e-commerce-oriented facilities in comparison to smaller-sized, more traditional warehouses, and how these differences might impact the local economy, street capacity, the environment, and overall quality of life for Vancouver residents.

This report details physical, operational, and economic differences between traditional and modern industrial warehouses, including e-commerce facilities. The report includes strategies for the City of Vancouver to consider in ensuring that future warehouse developments support the City's economic vision, have adequate transportation infrastructure, and align with climate goals and priorities. Given the relevant newness of the e-commerce sector, data about its impacts are evolving and incomplete. This report summarizes insights from a high-level analysis of available literature, data from the US Census Bureau and the Bureau of Economic Analysis, previously collected empirical warehouse traffic data from California[2], correspondence with developers, and a review of peer cities. This serves as an initial step towards understanding the how Vancouver might respond to the growth of e-commerce-oriented facilities.

Warehousing Trends

The size, design, function, level of automation, and siting of warehouses has evolved considerably over the years in response to market changes and in support of supply chain efficiencies. There has been a

[1] Reshoring describes the process of returning domestic product manufacturing from a foreign country back to the home country of where a business' products are sold. Near-shoring focuses on moving manufacturing operations to nearby countries or close to the point of use.

[2] The previously collected empirical warehouse traffic data from California is assumed to provide general insights of the differences in traffic impacts between traditional warehouses and e-commerce facilities. An in-depth review of local warehouse developments sites in the Vancouver/Portland region would help inform more representative trends that are context sensitive.

recent trend toward high-tech warehousing that supports e-commerce and Just-in-Time (JIT)[3] inventory practices aimed at businesses saving costs by using less space to hold both consumer goods and inputs to production. These are the top three factors influencing warehousing demand in Vancouver today:

- **E-commerce** (electronic commerce), defined as the process of buying and selling goods or services via the internet, has garnered popularity over the past years, particularly due to the COVID-19 pandemic. Growth in e-commerce has impacted supply chain management and increased the demand for industrial property development.
- **Just-in-Time (JIT) versus Just-in-Case (JIC) inventory management**[3] played a significant role in the shortages for basic household goods, such as toilet paper and cleaning supplies, over the past years. JIT offers cost savings because less space is needed for storage, but JIC is trending back due to the hardships the lack of inventory created for many companies. Both practices are anticipated to continue, and more warehousing space is needed to support this.
- **Market Need** – warehouse sites near logistics hubs, such as intermodal rail yards, airports and seaports are in high demand. As a City surrounded a major airport and seaport, and population center, there is a market need for warehouse developments in Vancouver to support e-commerce and online shopping. Due to the absence of e-commerce facilities within City limits, households and businesses currently rely on facilities/warehouses in Portland.

Warehouse Characteristics

Various warehouse types support retail, commercial, and industrial supply chains. Virtually all industries rely directly or indirectly on warehousing services. Directly related to e-commerce, distribution and fulfillment centers typically provide value-added logistics services, allowing operators to efficiently meet varying customer demands streamlining supply chains. These facilities differ from traditional warehouses from a physical, operational, and economic standpoint.

Key Physical Differences

Physical characteristics of warehouses include warehousing design (building size, lot coverage, loading bays, and parking spaces) and siting. Key physical differences that distinguish e-commerce facilities from traditional warehouses include:

- **More varied building sizes/footprints.** While traditional warehouses are typically less than 100,000 square feet, e-commerce facilities range from about 100,000 square feet to over 1 million square feet.
- **E-commerce warehouses tend to be taller.** Building clear height, defined as the height of a building from the floor to the bottom of the lowest hanging item on the ceiling, is typically less than 32 feet for traditional warehouses, but often greater than 36 feet for e-commerce facilities.
- **More loading dock doors.** Operations at e-commerce facilities require more loading docks.

[3] JIT inventory practices are strategies in which commerce companies receive the exact amount of inventory they need, right when they need it. A contrasting approach is Just-in-Case (JIC) inventory management which centered around keeping a lot of stock/ inventory on hand to reduce the risk of stock-out.

- **Different siting locations.** Traditional warehouses are typically situated close to other industrial uses, whereas e-commerce facilities tend to be proposed near population centers and ports.

Key Operational Differences

Recent technological improvements have resulted in increasingly efficient use of warehouse space and consolidation of facilities. Modern warehouses operate differently than traditional warehouses, particularly regarding hours of operation and the flow of goods:

- **24-7 operations.** Typical hours of operation for e-commerce facilities span 24 hours a day, seven days per week. The non-stop activity in modern warehouses is made possible by shift workers and automation. In contrast, traditional warehouses with slower inventory turnover are typically limited to normal business hours, i.e., 8-hour shifts, five days per week.
- **More constant flow of goods.** E-commerce facilities typically focus less on long-term storage and more on the flow of goods and services. Modern industrial warehouse facilities are often driven by demand, compared to traditional warehouses, where operations are related to storing the largest amount of goods possible.

Traffic Impacts

Warehouses generate some level of traffic (passenger cars and trucks), but this varies significantly based on the operations of the facilities. In addition, the type of trucks (medium- vs. heavy-duty trucks[4]) also varies. Traffic impacts differ between e-commerce and traditional warehouses in the following ways:

- **Much higher vehicle activity.** Based on data from the Institute of Transportation Engineers (ITE) Trip Generation Manual, e-commerce facilities generate up to four times more daily vehicle trips than traditional warehouses, particularly for fulfillment centers that require extensive sorting.
- **Smaller delivery vehicles are more common.** Whereas traditional warehouses generate mostly medium-duty and heavy-duty truck trips, light-duty trucks and vans play a substantial role in the transport of goods from today's e-commerce facilities.

Key Economic Differences

Industrial warehouses generate jobs and tax revenue (property, sales and use, and utility taxes). Warehousing jobs provide two important community benefits: 1) pay rates that start above minimum wage, and 2) on-the-job-training for career advancement. Warehouses also generate indirect jobs[5] that benefit local and regional economies. Regionally, the U.S. Bureau of Economic Analysis (BEA) estimates that 10 new warehouse jobs create about 14 jobs in other industries.[6] For every $1.00 of earnings paid to

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[4] Trucks are placed into classifications based on the gross vehicle weight rating (GWVR). The Federal Highway Administration (FHWA) categorizes medium duty trucks as classes 3-6, with GWVR range of 10,001- 26,000 lbs. and heavy-duty trucks as classes 6-7, with GWVR greater than 26,001 lbs.

[5] Indirect jobs are jobs generated in supporting industries; these include repair and maintenance jobs, service jobs and third-party vendors.

the new warehouse workers, an additional $1.50 in earnings is generated throughout the economy.[6] Key distinctions in the economic impact of e-commerce versus traditional warehouses include:

- **Higher-skilled labor.** While traditional warehouses rely on unskilled labor and managerial jobs, highly automated e-commerce facilities offer high-paying jobs such as automation engineers with average salaries over $100,000 annually. With companies such as Amazon investing more in warehouse automation and on-the-job training for skilled labor, the prominence of these high-paying jobs is likely to grow.
- **More ripple effects on the local economy.** Based on building size/footprint and warehouse jobs created, e-commerce facilities typically entail more local and regional economic impacts (tax revenue, indirect jobs, and new dollars circulating in the economy) than traditional warehouses.

Key Takeaways

From a physical, operational, and economic standpoint, there are pronounced differences between traditional warehouses and e-commerce facilities. With the evolving warehousing industry and a market need for e-commerce facilities in Vancouver, the City may benefit from new warehouse developments targeted to store and repackage e-commerce goods intended for various purposes, including retail home delivery. The development of e-commerce facilities will support the growth of the local economy in Vancouver through job creation and tax revenue. Regulatory amendments are needed to ensure that any new development supports the City's economic growth, has adequate transportation infrastructure, and aligns with climate goals and priorities.

Regulatory Recommendations

Recent best practices focus on understanding the operations of industrial warehousing and taking a performance-based zoning approach directly addresses the potential impacts of modern warehouse facilities. The following provides some potential conditions of approval for the City's consideration:

General

- **Update conditional use permitting (CUP) requirements** to make applicants describe their proposed operations, such as hours of operation, number of employees per shift, number of shifts, daily and AM/PM peak hour trips by vehicle type, number of dock doors, number of parking spaces for employees, trailers, tractor-trailers, and/or tractors, and anticipated water/sewer usage in volume, and power requirements in megawatts.
- **Address impacts early in the entitlement process.** There are several measures that the City can take to mitigate impacts related to traffic congestion, air and noise pollution, such as identifying

[6] The region discussed is the Portland-Vancouver-Hillsboro Metropolitan Statistical Area. The provided estimates are based on U.S. Bureau of Economic Analysis (BEA) RIMS II multipliers: 1.408 for each new job and 1.508 for earnings in the Portland/Vancouver/Hillsboro MSA. The multipliers estimate the impact from changes in final demand on one or more regional industries in terms of output, employment, and labor earnings. These multipliers are based on estimates of local area personal income and on the national input-output (I-O) accounts.

truck routes and access, right sizing the employee, truck and trailer parking requirements, and requiring sustainable development standards specific to each facility's anticipated impacts.

Traffic Impacts

- **Develop a traffic impact assessment/analysis (TIA) template** to guide the assumptions to use in preparing TIAs.
- **Update the City's parking and circulation regulations** to address parking and queueing concerns that often arise with warehouse developments. Specifications of truck parking for long duration or overnight parking, trailer storage, and dock spaces in length and width, should accommodate the largest commercial motor vehicle that is anticipated to utilize a facility. The number of spaces offered and their dimensions should be consistent with the proposed use and potential future re-uses of the site.
- **Consider trails, sidewalks, and access to transit facilities** when planning for the location of freight-based operations. This infrastructure serves both drivers and employees accessing the site.
- **Require tenants to establish and promote rideshare programs** that discourage single-occupancy vehicle trips and provide financial incentives for modes like carpooling, public transit, and biking.

Adaptive Reuse

- **Require design features that support broader uses** to accommodate potential future adaptive reuse of warehousing sites. Warehouses have been converted to "ghost" kitchens, segmented artist studios, start-up office space, and production or testing facilities for industries like biotech.

Environment and Climate

- **Further the City's Climate Action Plan** to reduce greenhouse gas emissions and build resiliency to climate change impacts by providing incentives or codifying sustainable design features or business practices, where applicable. Example features include bicycle, hybrid/electric, and carpool vehicle parking for employees, auxiliary power/electric truck charging, alternative energy sources like solar, water conservation measures, dedicated area for onsite recycling, and environmentally friendly building materials.

Introduction

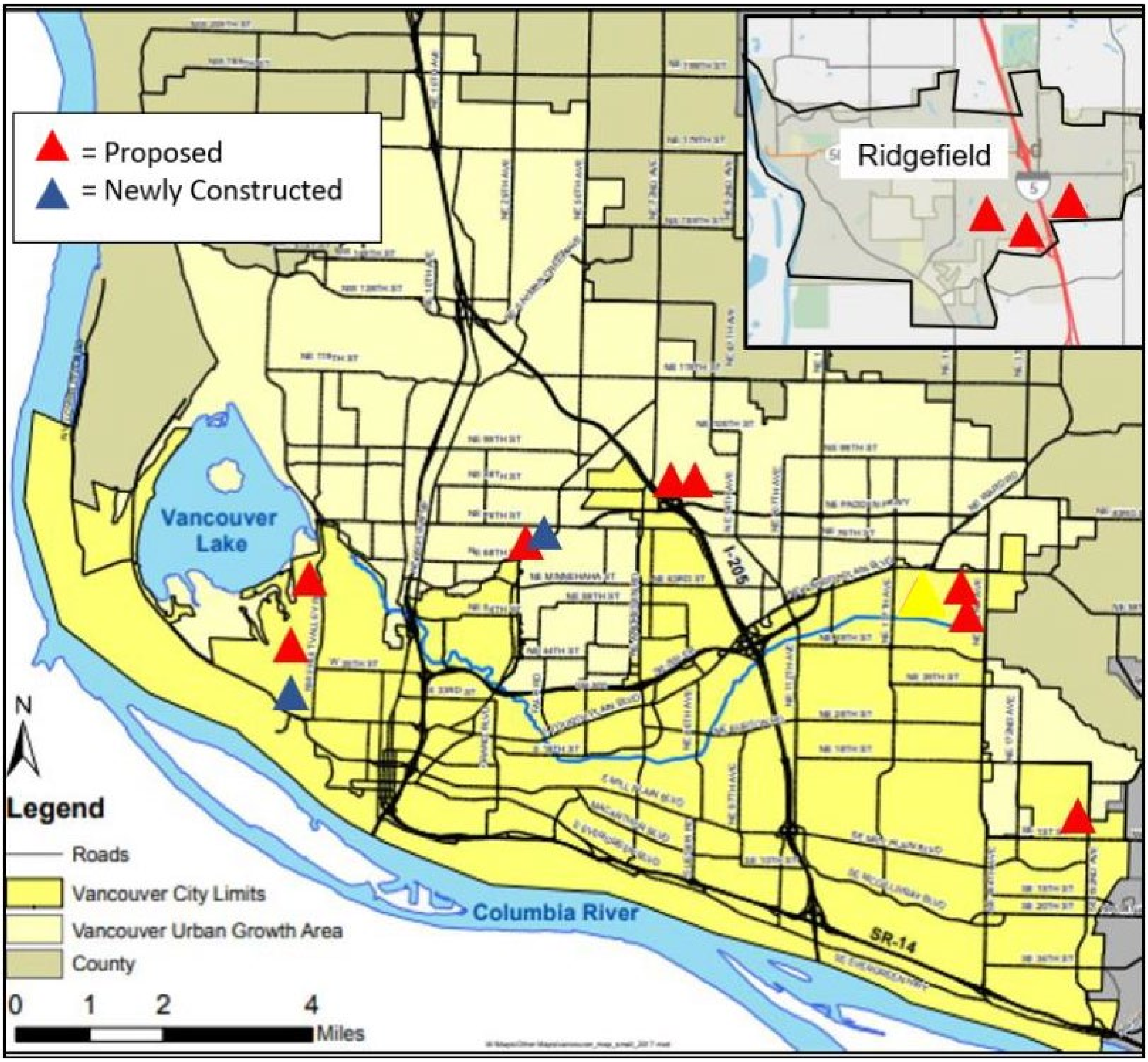
In recent years, the rapid growth in e-commerce and online shopping, near-shoring and reshoring of manufacturing, demand for industrial warehousing, and aging warehouse inventory, has resulted in unprecedented warehouse development.[7,8] Between March 2020 and November 2021, warehouse space purchases were up 300 percent among the five biggest retailers (Amazon, Walmart, Costco, Target, and TJX companies) compared to the 2019 to 2020 period.[7] This was largely accelerated by the COVID-19 global pandemic. The nearly two-year boom in warehouse development is being followed by a slow-down in new development as economic factors including inflation and increases in borrowing rates have resulted in a pivot to optimization of available space. In the first part of 2023, only 6,700 warehouses were added to the global building stock, a decline of 35 percent compared to the same time period in 2022.[8] With warehouse vacancy rates at three percent, a 30-year low, this slowdown in development appears to be more of a reflection of capitalization than decreasing demand.

Despite the indication that demand for new warehousing space is slowing at the global level, warehousing demand in the Vancouver/Portland region remains strong. Over the past year, the City of Vancouver received five applications for the development of new industrial warehouses with gross floor areas greater than 250,000 square feet, shown in **Figure 1**. While the intended use or expected tenants for the proposed warehouses are not known, these developments are expected to be operated as high-tech industrial warehousing facilities, which are likely to include e-commerce operators. This use, along with the size of these proposed developments compared to the size of existing warehouse uses in Vancouver has resulted in a desire to better understand several key characteristics of these larger, frequently e-commerce-oriented facilities. This report will explore:

- The typical number of employees per acre compared to more traditional warehouses, as the City has limited buildable land remaining that is zoned for industrial uses
- Anticipated local and regional economic impacts and tax revenue generation associated with these facilities
- How travel associated with these warehouses, specifically by trucks, may impact roadway maintenance costs
- How these warehouses result in increases in heavy truck traffic that adversely impacts air quality, noise, congestion and safety, which are noted community concerns
- If development of these warehouses would conflict with the City's newly adopted Climate Action Plan based on their travel patterns or other factors[9]

[7] Bloomberg. Covid E-commerce Boom Sees US Retailers Hunt for Warehouses. 2022
[8] Freight Waves. Global Warehouse, Fulfillment Construction Seen Waning. 2023
[9] City of Vancouver. Climate Action Framework. 2022

Figure 1: Proposed Warehouse Developments with GFA greater than 100 KSF



Source: City of Vancouver. 2023

On December 12, 2023, Vancouver City Council enacted a six-month moratorium on new applications for the development of warehouses and distribution facilities totaling more than 100,000 square feet (100 KSF) in the Light Industrial (IL) and Heavy Industrial (IH) zoning districts, as defined in Vancouver Municipal Code Title 20.[10] This is consistent with Washington State law (RCW 36.70A.390 and RCW 35.63.200), which allows for a six-month maximum moratorium on land uses, with one six-month extension, if necessary. The moratorium has since been amended to increase the threshold to only include developments that exceed 250 KSF. The City's moratorium exempts warehouses supplying storage for

[10] City of Vancouver. Six-month Moratorium. 2022

traded sector goods, as defined in the Clark County Comprehensive Economic Development Plan, and a bulk storage exemption for the Port of Vancouver on property owned by the Port in Vancouver.

The moratorium was put in place to provide the City with the necessary time to closely study the emerging trend of applications for warehouse and distribution facilities, understand how those trends may impact the City's economy and transportation system, and develop appropriate land use regulations. This report documents the physical, operational, economic, and environmental/quality of life differences between traditional warehouses that store goods for delivery to businesses and larger, modern industrial warehouses that support today's just-in-time (JIT) inventory practices by storing and repackaging goods intended for retail home delivery or business to business delivery (including e-commerce facilities, grocers, and high-pace manufacturing/assembly).

This report is split into two sections. The first section, **Warehouse Characteristics**, describes the differences in physical, operational, and economic characteristics between traditional warehouses and modern, high-tech industrial warehouse facilities. This section also discusses sustainable warehousing practices which touch on environmental sustainability and adaptive re-use feasibility of warehouses. The second section, **Recommendations,** includes key takeaways from the comparison and strategies the City could consider to ensure that these developments support the City's economic, transportation, and climate goals and priorities. A summary table of the differences between traditional warehouses and e-commerce facilities is provided in **Appendix A**. Additional supporting documentation that informed report findings is included in **Appendix B**.

Warehouse Characteristics

Having space available in a large building, often referred to as a warehouse, where physical goods or inventory can be stored prior to selling has long been a critical piece of the supply chain. Traditionally, warehouses have been used for the prolonged storage of bulk inventory or business-to-business (B2B) orders. In recent years, changing consumer habits have led to the emergence of high-tech warehousing that support e-commerce and Just-in-Time (JIT) inventory practices aimed at saving costs by using less space to hold both consumer goods and inputs to production.

Directly related to e-commerce, distribution centers (DCs) and fulfillment centers (FCs) are designed to provide value-added logistics services, which allow operators to efficiently meet varying customer demand using technology and processes to streamline the supply chain. Even though FCs and DCs have become a prevalent use of warehousing space, modern high-tech facilities are still being utilized for other uses. The subsequent section describes the different types of warehouses which serve different parts of the supply chain process.

Facility Types

There are various warehouse types and functions that support retail, commercial, and industrial supply chains. Virtually all industries rely directly or indirectly on warehousing services.

Traditional warehouses receive goods, store them for prolonged periods, and then send them out again. In contrast, distribution centers (DCs) take in different bulk goods from a variety of vendors, store those products in ways that allow for quickly filling orders, then repack the products to meet multiple customer orders.[11] This includes labeling the orders accurately, packing orders together for shipment out of the center, then loading trucks that take orders on the next leg of their journey or to their final destination.

Modern distribution centers are not traditional warehouses. They are high-tech distribution hubs that require significant investment, including building design and construction, as well as advanced technological, safety, and logistical equipment.

The main role of a DC is to store products in bulk and shipped in bulk to a retailer, whereas the main role of a fulfillment center (FC) is to pick, pack and ship the products directly to the consumer.[12] While DC and FC are frequently used interchangeably, they are quite different in design and operation. The main difference in fulfillment centers versus distribution centers is that DCs rarely offer small parcel order fulfillment. Instead, warehouse space for DCs moves large quantities of items in and out quickly. Fulfillment center operations typically work best for e-commerce companies who need small parcel order processing.

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[11] ShipBob. Distribution Center Benefits and Key Processes Explained. 2021

[12] ShipBob. Fulfillment Center: What Is It, Why It's Important, & How Does It Compare to Warehousing. 2018

A distinguishing feature of a DC is that it acts as a hub for shipments. These businesses may take large volumes and redistribute the products into smaller shipments that will be sent to various destinations, including warehouses and fulfillment companies. Another key factor is how products are transported. A DC will often handle multiple modes of transportation when receiving and shipping inventory. A product may arrive by rail but leave the facility by air transport to a fulfillment center. DC Services are as follows:

- **Receiving Inventory:** Materials come on pallets or floor loaded in containers. The distribution center's job is to document and categorize all inbound materials. This way they can be sent to their proper destination such as a fulfillment center or big box retail store.
- **Replenishing Retailers:** One major service that distribution centers provide is restocking or replenishment of inventory for retailers. Considering a store like Target or Walmart as an example, there are thousands of individual SKUs in any given store and thus need a process that ensures inventory replenishes to the store before it runs out of stock.
- **Just-in-Time Materials:** A useful service that distribution centers provide is just-in-time inventory replenishment. Manufacturers use a lot of parts to assemble and build their various products. These parts require storage space. But manufacturers only need a limited number of parts for their output in a particular period. A distribution center can send materials on a regular basis to the manufacturer so they can maintain production. At the same time, the manufacturer can dedicate their warehouse space to their manufacturing activities.
- **Wholesale Marketing:** Wholesale distributors usually operate within a single industry like plumbing, construction, or electronics and offer their own marketing, sales, and product fulfillment. These distributors sell to resellers (and sometimes the general public) at discounted prices. Manufacturers choose to work with them at a lower price point because they come with a larger customer base.

FCs usually rely on a third-party logistics provider (3PL) to handle the storage, packaging, and shipping of products to be sent directly to the consumer (business-to-consumer or B2C) or directly to a business (business-to-business or B2B). Typically, an FC stores all of the products from a web site that are to be individually picked and packaged to be sent out to the consumer. Fulfillment centers are typically used by industries that require fast inventory turnaround and order fulfillment, such as e-commerce businesses. FCs may be used for time-critical and time-sensitive products — including food and pharmaceutical commodities — to fill orders quickly for businesses and consumers. A fulfillment center has three important functions in the supply process. These include:

1. Receiving and storing inventory
2. Fulfilling orders for customers
3. Packing and shipping goods to their final destination

Fulfillment centers are ideal for e-commerce businesses because their warehouse locations are closer to their customers. Fulfillment center services may include:

- **Pick and pack fulfillment services**, which are typically the core component of every fulfillment center. When customers place orders, the fulfillment center generates pick lists for all the items. A warehouse employee collects the items on the list and places the item(s) in shipping packages.
- **Kitting and Assembly**: A kit is a collection of items that your customers order together like a bundle. Fulfillment center services may prepackage and bundle these items beforehand. This assigns each group of merchandise a new stock keeping unit (SKU). Kitting is critical for a business offering products like subscription boxes.
- **Freight Shipping:** Some warehouse fulfillment services include shipping goods in bulk. An example is B2B orders going to big box stores, or retailers. A fulfillment warehouse may also transport oversized goods with less-than-truckload (LTL) service.
- **Cross-docking** is useful in the supply chain when a business needs to transfer cargo from 40-foot marine shipping containers into larger 53-foot over-the-road shipping containers. Not only does this reduce the number of trucks on the road and overall shipping costs, but this is also an efficient means for combining multiple goods that are destined for the same location, such as a local big box retail store. Both distribution centers and fulfillment centers perform this service.

The following sections summarize the differences between traditional warehouses and modern e-commerce facilities[13] with respect to physical, operational, and economic characteristics.

Physical Characteristics

For the purpose of this comparison, physical characteristics include warehousing siting and design (building size, lot coverage, loading bays, and parking spaces).

City of Vancouver - Code Requirements

Within City limits, warehouse developments are required to adhere to Vancouver's Municipal Code (VMC). Warehouses are only permitted in the IL (Light Industrial) and IH (Heavy Industrial) zones. The siting of warehouses in the IL zone requires that all activities, except outdoor storage of materials, are completely contained within building(s). The IH zone is exempt from this condition. For both zones, setbacks determined by adjacent zone as follows:[14]

- When IL and IH zones are adjacent to nonresidential districts, buffering and screening standards are contained in VMC Tables 20.925.030-1 and 20.925.030-2.
- When adjacent to residential districts, buffering and screening standards are also pursuant to standards in VMC Tables 20.925.030-1 and 20.925.030-2, plus an additional 1/2 foot for each foot the building exceeds 20 feet in height to a maximum setback requirement of 40 feet. Buildings in excess of 20 feet may be stepped.

[13] This report focuses on comparisons between traditional warehouses and e-commerce facilities. However, it should be noted that e-commerce is not the only freight sector that relies on modern industrial warehouse design and operations.
[14] City of Vancouver. Municipal Codes: Minimum Landscaping and Buffer Setback Standards

Lot coverage, defined as the footprint of a building in relation to the development site, is set to the following requirements for warehouse developments:

- IL: maximum lot coverage of 75%; maximum height of 45 feet
- IH: maximum lot coverage of 100%; no maximum height

VMC 20.945.080 outlines the off-street loading requirements based on the gross floor area of a building. The minimum number of loading berths or off-street loading spaces based on varying floor area thresholds are provided in **Table 1**.

Table 1: Loading Dock Requirements

Gross Floor Area	Required Number of Loading Docks
5,000 sq. ft. up to 25,000 sq. ft.	1
25,000 sq. ft. up to 50,000 sq. ft.	2
50,000 sq. ft. up to 100,000 sq. ft.	3
Each 50,000 sq. ft. in excess of 100,000 sq. ft.	1

Source: City of Vancouver. Municipal Codes: Off-street Loading Requirements.

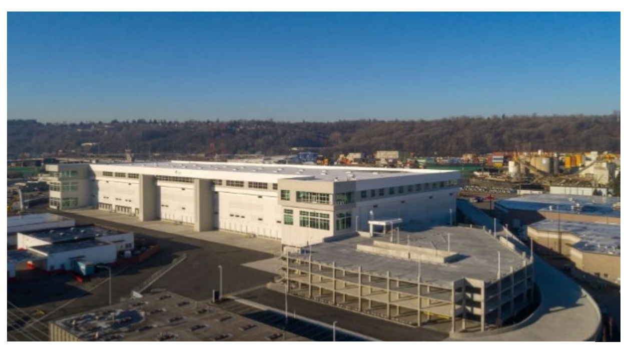
Physical Differences between Traditional Warehouses and E-commerce Facilities

Based on the 250 KSF threshold outlined in the City's amended warehouse moratorium, only a subset of the proposed warehouse developments that exceed this threshold were selected for this study. The building footprints for these selected developments range from 280 KSF to about 570 KSF, while traditional warehouses within City limits are typically under 100 KSF. This variation in size and footprint is depicted in the images below. While size and footprint are typically reliable indicators of the type of warehousing that is occurring, in urban in-fill locations with higher land values and therefore, higher barriers to entry, e-commerce facilities may be closer in size to traditional warehouses.

Example of Existing Warehouse in Vancouver, WA (70 KSF)

Source: LoopNet Commercial Property. 2023

Example of Prologis Georgetown Crossroads Facility in Seattle, WA (590 KSF)

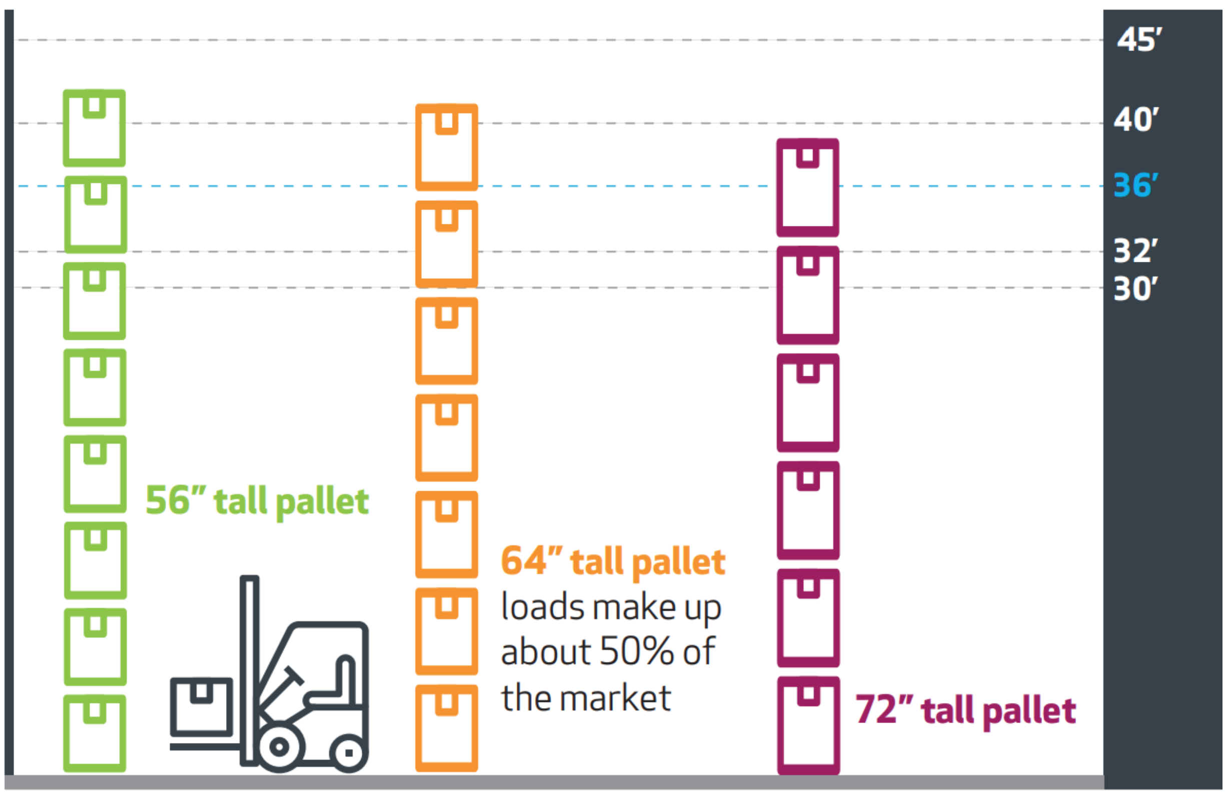


Source: NELSON Worldwide. 2023.

Another notable physical difference between traditional warehouses and modern e-commerce facilities is building clear height. In industrial real estate, building clear height is defined as the height of a building from the floor to the bottom of the lowest hanging item on the ceiling (i.e., sprinklers, lights, etc.). Building clear height dictates the height to which inventory can be safely stored. CBRE Group, Inc, one of the world's largest commercial real estate services and investment firms, noted that e-commerce trends have resulted in an ongoing shift towards increased building clear heights for warehouses and distribution centers. Between 2010 and 2016, the average clear height for all warehouses built by CBRE rose from 30.19 feet to 32.95 feet.[15] Other research indicates that at the national level, the industrial market is moving toward a 36-feet clear height standard for new developments. In comparison, traditional warehouses often have a clear height well under 30 feet. As illustrated in **Figure 2**, taller clear heights allow tenants to store more palletized product, which translates to lower occupancy costs per square foot[16].

In addition to higher clear height, e-commerce facilities have more space for staging and queuing as a result of the operational characteristics, which will be discussed in the subsequent section.

Figure 2: Warehousing Capacity Based on Clear Height



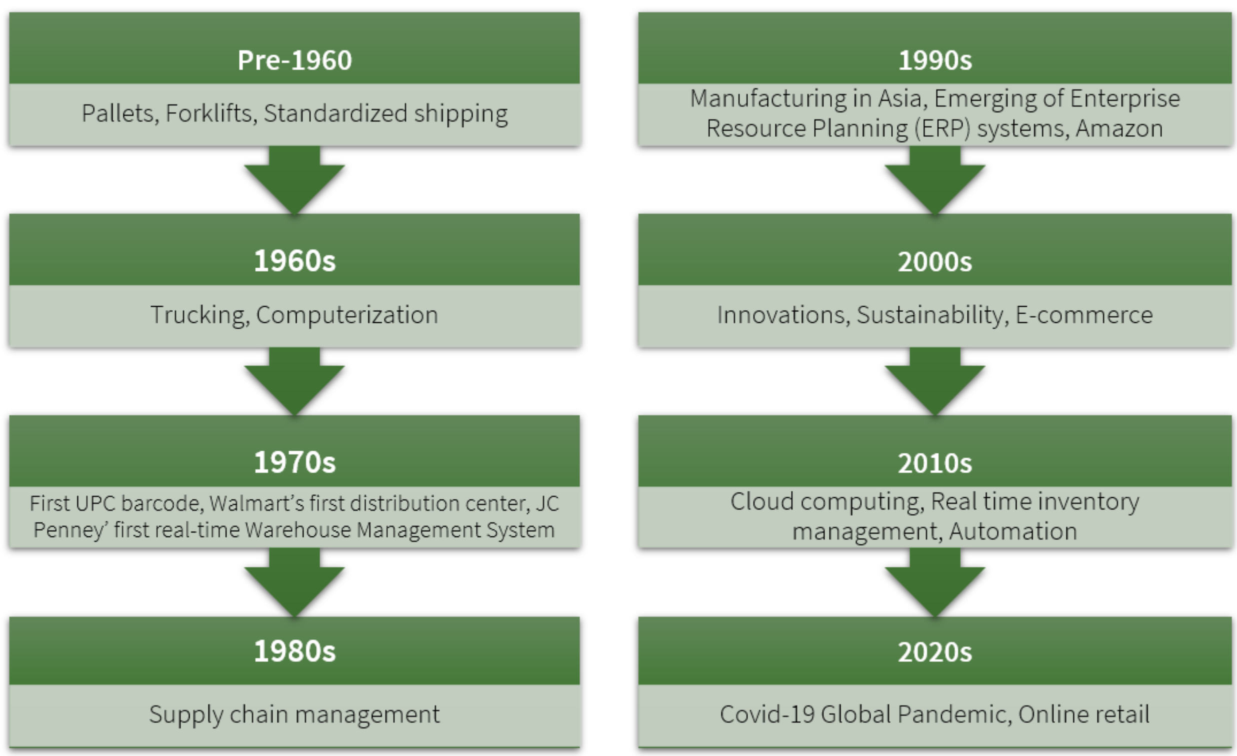
Source: Modern Architecture. 2020.

[15] RoofLifters. As e-commerce grows, so does the clear height of warehouses. 2020
[16] Method Architecture. 36 is the new 32: Increasing Clear Height for Maximum Efficiency. 2020

Operational Characteristics

Warehousing has undergone operational evolution over the past decades, leveraging technology and adapting to trends as depicted in **Figure 3**. Recent improvements in technology have resulted in increasingly efficient use of warehouse space resulting in an increased consolidation of facilities. Technology, such as barcoding and radio-frequency identification (RFID), coupled with automated warehouse inventory and sortation practices, has resulted in significant efficiency gains and cost savings. In addition to better managing inventory, these systems make it possible to store more goods under one roof, improve safety, and reduce the number of automobile trips and parking demand. As a result of warehouse automation, these new facilities require fewer unskilled workers to drive forklifts and manage inventory and create high-tech jobs to operate and maintain the automated systems, as well as value-added services that are occurring in some facilities.

Figure 3: Evolution of Warehousing

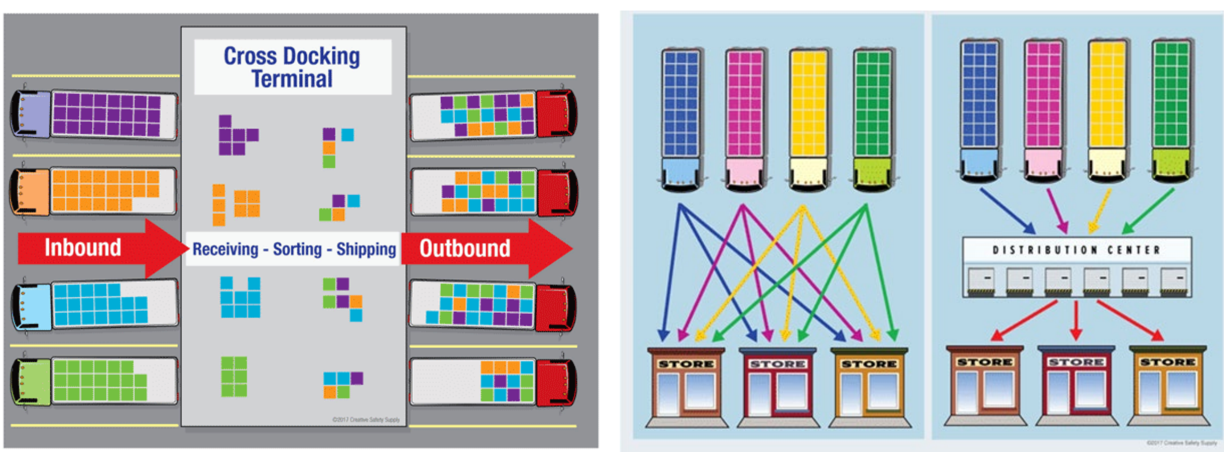


As a result of the advances in logistics operations to support e-commerce and advances in business-to-business supply chains, modern warehouses operate differently than traditional warehouses, particularly regarding hours of operation, the flow of goods, types of vehicles utilized, vehicle trips generated, and related traffic operations.

E-commerce facilities are intended for streamlined and efficient logistics services with typical hours of operation spanning 24 hours a day, seven days per week. The non-stop activity in modern warehouses is made possible by shift workers and automation. Automation has replaced outdated processes, such as digital bills of lading versus handwritten, use of RFID versus manual paperwork by gate attendants, automated stacking, and retrieval systems instead of forklifts. These modern innovations benefit all industrial and retail sectors because they allow beneficial cargo owners to meet customer (both consumers and businesses) expectations for quick delivery of goods either purchased online, purchased by a retail store, or required as an input to production. To meet those demands, warehouses must operate around the clock.[17] In contrast, hours of operation at traditional warehouses with slower turnover of inventory are typically limited to normal business hours, i.e., 8-hour shifts, five days per week. The noted differences are directly linked to the flow of goods and storage duration.

As described in previous sections, there are several industrial warehouse typologies including distribution centers and fulfilment centers among others. These facilities typically focus less on long-term storage and more on flow of goods and services compared to traditional warehouses. Another key difference is that operations at modern industrial warehouse facilities are often driven by demand, compared to traditional warehouses, where operations are related to storing the largest amount of goods possible. Typical operations at a distribution center, including the combination of similar sized goods with similar destinations, are depicted in **Figure 4**. While the figure depicts distribution to stores, e-commerce has altered supply chains whereby goods flow to fulfillment centers by truck to be moved into a delivery van and delivered directly to the consumer. Transload facilities and distribution centers often both participate in the sorting and combining of truckloads of goods to reduce travel time, vehicle miles of travel, and fuel consumption.

Figure 4: Visual Depiction of Cross Docking at a Fulfilment Center and Operations at a Distribution Center



Source: Creative Safety Supply.

[17] Multibriefs. Do warehouses still need 8-hour work shifts? 2014

Traffic Impacts

Efficient logistics in warehousing facilities entail higher vehicle activity than traditional warehouses. The Institute of Transportation Engineers (ITE) Trip Generation Manual offers trip generation estimates associated with land use developments and the database includes a breakdown of vehicle types. **Table 2** presents trips generation estimates for warehouse developments per 1,000 square foot of gross floor area. In practice, traditional warehouse developments are assumed to be ITE land use code 150 and e-commerce facilities range from ITE land use codes 154 to 155 and 130 is used for industrial parks. As shown in **Table 2**, e-commerce facilities generate more daily vehicles particularly for fulfillment centers that require extensive sorting (ITE land use code 155). These are estimated to generate almost four times the number of vehicle trips than traditional warehouses.

Because ITE trip generation data is limited regarding the breakdown between vehicle types, the project team relied on an assessment of recently collected data to provide insight into this[18]. As highlighted in **Table 3** and **Table** 4, e-commerce facilities such as Amazon generate more medium-duty and heavy-duty truck trips as compared to passenger cars, but these trends are not universal. Notably, the magnitude of trips at an Amazon facility is substantially higher than those at a UPS facility. This illustrates the variation in trip generation at e-commerce facilities. It is also important to note that while the collected data provides general insights, the data are from sites in California. Therefore, reviewing local warehouse developments sites in the Vancouver/Portland region may help inform more representative trends.

[18] Based on extensive comparisons between ITE trip generation estimates and observed traffic data, ITE is limited in capturing the breakdown in vehicle types. Because of this, the team opted for previously collected empirical warehouse traffic data from California which is assumed to provide general insights. Local data would need to be collected to provide context sensitive insights.

Table 2: Warehousing Trip Rate Comparison (Trips per 1,000 square feet of GFA)

Warehouse Type	Daily Average Rate		AM Peak Hour Average Rate		PM Peak Hour Average Rate	
	Truck	Total Vehicles	Truck	Total Vehicles	Truck	Total Vehicles
ITE Land Use: 130 Industrial Park	0.57	3.37	0.03	0.41	0.05	0.40
ITE Land Use: 150 Warehousing	0.60	1.71	0.02	0.17	0.03	0.18
ITE Land Use: 154 High-Cube Transload and Short-Term Storage Warehouse	0.22	1.40	0.02	0.08	0.01	0.10
ITE Land Use: 155 High-Cube Transload and Short-Term Storage Warehouse (Non-sort Facility)	0.23	1.81	0.02	0.15	0.01	0.16
ITE Land Use: 155 High-Cube Transload and Short-Term Storage Warehouse (Sort Facility)	0.19	6.44	0.02	0.87	0.02	1.20
ITE Land Use: 156 High-Cube Parcel Hub Warehouse	0.58	4.63	0.09	0.70	0.06	0.64
ITE Land Use: 157 High-Cube Cold Storage Warehouse	0.75	2.12	0.03	0.11	0.03	0.12

Source: ITE Trip Generation Manual, 11th Edition.
Notes:
ITE Trip Generation provides the following definitions for the tabulated warehouse types:

- An industrial park contains several individual industrial or related facilities. It is characterized by a mix of manufacturing, service, and warehouse facilities with a wide variation in the proportion of each type of use from one location to another. Many industrial parks contain highly diversified facilities.
- A warehouse is primarily devoted to the storage of materials, but it may also include office and maintenance areas.
- A high-cube warehouse (HCW) is a building that typically has at least 200,000 gross square feet of floor area, has a ceiling height of 24 feet or more, and is used primarily for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials) prior to their distribution to retail locations or other warehouses.
- A high-cube fulfillment center warehouse is subcategorized into sort or non-sort. A sort facility is a fulfillment center that ships out smaller items, requiring extensive sorting, typically by manual means. A non-sort facility is a fulfillment center that ships large box items that are processed primarily with automation rather than through manual means.
- A high-cube parcel hub warehouse typically serves as a regional and local freight-forwarder facility for time sensitive shipments via airfreight and ground carriers. A site can also include truck maintenance, wash, or fueling facilities. Some limited assembly and repackaging may occur within the facility.
- A high-cube cold store warehouse has substantial temperature-controlled environments for frozen food and other perishable products.

Table 3: Observed Trip Activity at Comparable Sites in California (Distribution by Vehicle Type per Time Period)

Customer	Building Size (sf)	Daily			AM Peak Hour			PM Peak Hour		
		Passenger Car	Medium-duty Trucks	Heavy-duty Trucks	Passenger Car	Medium-duty Trucks	Heavy-duty Trucks	Passenger Car	Medium-duty Trucks	Heavy-duty Trucks
Pratt Corrugated Holdings	350,892	309	13	216	21	1	15	47	2	21
HJ Heinz	**500,199**	**208**	**13**	**155**	**25**	**0**	**2**	**48**	**1**	**13**
Prism Team Services, Inc.	443,640	113	15	142	4	2	15	14	3	12
Orchard Supply Company	346,524	113	54	22	13	2	1	9	1	1
Fox Head, Inc.	388,000	183	19	15	34	0	0	49	2	0
Amazon.com Services, Inc.	**388,183**	**69**	**214**	**241**	**9**	**5**	**12**	**12**	**5**	**11**
Niagara Bottling, LLC	512,000	59	5	153	7	0	5	18	0	7
Kraft Foods Group, Inc.	351,788	117	7	169	4	2	11	32	1	13
Coastal Pacific Food	**500,004**	**581**	**37**	**283**	**66**	**1**	**21**	**76**	**1**	**7**
Restoration Hardware	283,712	540	16	42	47	1	6	60	1	2
Dart Container	340,000	200	13	50	21	2	4	30	1	2
Lowes	570,000	277	11	164	36	0	6	78	0	16
UPS	**560,000**	**70**	**10**	**11**	**8**	**2**	**1**	**9**	**0**	**0**
Cargill Food	350,000	457	19	311	39	0	17	44	2	19
International Paper	375,000	312	16	133	70	0	10	75	0	5
IPC Smucker's	403,560	205	12	149	25	0	10	39	4	10

Source: Fehr & Peers. 2022.
Notes: Sites with bold text inform the trip activity comparison discussion.

Table 4: Observed Trip Activity at Comparable Sites in California (% Distribution by Vehicle Type per Time Period)

Customer	Building Size (sf)	Daily			AM Peak Hour			PM Peak Hour		
		Passenger Car	Medium-duty Trucks	Heavy-duty Trucks	Passenger Car	Medium-duty Trucks	Heavy-duty Trucks	Passenger Car	Medium-duty Trucks	Heavy-duty Trucks
Pratt Corrugated Holdings	350,892	57%	3%	40%	58%	2%	40%	68%	2%	30%
HJ Heinz	**500,199**	**55%**	**3%**	**41%**	**92%**	**0%**	**8%**	**78%**	**2%**	**20%**
Prism Team Services, Inc.	443,640	42%	5%	53%	21%	8%	71%	49%	9%	41%
Orchard Supply Company	346,524	60%	29%	12%	81%	15%	4%	82%	6%	12%
Fox Head, Inc.	388,000	84%	9%	7%	98%	1%	1%	97%	3%	0%
Amazon.com Services, Inc.	**388,183**	**13%**	**41%**	**46%**	**35%**	**18%**	**47%**	**43%**	**18%**	**39%**
Niagara Bottling, LLC	512,000	27%	2%	70%	58%	0%	42%	71%	0%	29%
Kraft Foods Group, Inc.	351,788	40%	2%	58%	24%	10%	65%	69%	3%	28%
Coastal Pacific Food	**500,004**	**65%**	**4%**	**31%**	**76%**	**1%**	**24%**	**91%**	**1%**	**8%**
Restoration Hardware	283,712	90%	3%	7%	87%	1%	12%	95%	2%	3%
Dart Container	340,000	76%	5%	19%	78%	9%	13%	89%	4%	7%
Lowes	570,000	61%	2%	36%	85%	0%	15%	83%	0%	17%
UPS	**560,000**	**77%**	**11%**	**12%**	**73%**	**15%**	**12%**	**97%**	**0%**	**3%**
Cargill Food	350,000	58%	2%	40%	69%	0%	31%	68%	3%	30%
International Paper	375,000	68%	3%	29%	87%	0%	13%	94%	0%	6%
IPC Smucker's	403,560	56%	3%	41%	71%	0%	29%	74%	8%	18%

Source: Fehr & Peers. 2022.
Notes: Sites with bold text inform the trip activity comparison discussion.

On a vehicle-type basis, medium-duty and heavy-duty trucks tend to be the main mode of transportation for goods in and out of traditional warehouses. Whereas, in today's logistics operations, light-duty trucks and vans play a substantial role in goods transportation via e-commerce facilities. Based on the collected data from warehouse sites in California tabulated in **Table 4**, peak activity of these trucks is generally observed between 4 am to 7 am and around 12 pm to 1 pm. This is also indicated by the magnitude of peak hour trips in comparison to daily trips reported in **Table 4**.

Summary of Proposed Development Traffic Impact Analyses

One of the most challenging issues associated with analyzing impacts of industrial land uses is understanding their operations. The National Academies of Science's Transportation Research Board and the Institute of Transportation Engineers have attempted to standardize trip generation rates (**Table 2**) associated with a variety of land uses, including industrial uses, for over 50 years. Unlike many land uses, such as residential and retail uses, the big box design of industrial warehouses makes them flexible, meaning the trip generation is difficult to estimate. For example, two common reuses are mega-churches and indoor trampoline parks. For this reason, many cities are using the conditional use permit (CUP) mechanism for requiring operational data, dictating assumptions for use in traffic impact analysis, and identifying conditions of approval to mitigate potential impacts. In the 11th Edition of the ITE Trip Generation Manual, there are currently ten categories that an industrial warehouse could fit into, and the categories most closely related to the proposed facilities in Vancouver are defined in the industrial trip generation assumptions section. A cursory review of the intersections that have been analyzed in the traffic studies for four of the proposed projects is described herein, as well.

In reviewing the ITE industrial trip generation rates, the variance in size and footprints do not easily translate to the amount of auto, van, and truck traffic that is generated by these facilities. What is needed is more information about the intended operations of the facilities. This can be challenging to obtain, especially when buildings are constructed without knowledge of who the future tenant may be (e.g., spec buildings). In the absence of the necessary information to discern operations of the proposed development, assuming the highest trip generation (ITE land use code 550) presents a conservative approach to address potential traffic impacts.

Table 5 contains data that was abstracted from the traffic studies associated with the proposed projects, as well as trip generation estimates calculated using the ITE Trip Generation web-based app (based on the 11th Edition). ITE provides both average rates and fitted curve rates. And for AM and PM peak rates, analysts are provided with two more options: peak of the site or peak of the adjacent street. It is common to perform impact analysis using data for the peak of the adjacent street, but in the case of major industrial facilities that generate large volumes of trips and could overwhelm the local system, considering peak trip generation of the site may be the more appropriate rate to use. In addition to the effects of these two assumptions on trip generation rates, the validity of the rates in 2023 is questionable considering the small sample of sites that this data is based on and the old age of some of the surveys. More recent, empirical data should be used when available and feasible.

Table 5: Estimated Trip Activity related to Proposed Industrial Warehouse Developments

Development	Building Size (sf)	ITE Trip Generation Code	Daily Truck Trips	Daily Total Trips	AM Peak Hour Truck Trips	AM Peak Total Trips	PM Peak Hour Truck Trips	PM Peak Total Trips
Panattoni Fruit Valley Rd PDC Seattle LPIV BB/TH, LLC	60,050	150	36* 40**	103* **134****	4* 5**	13* **35****	2	34
Harmony Industrial project	460,000	150	**787*** 765**	787* **765****	28* 29**	97* **79****	28* 24**	106* **89****
Vancouver Wellons Prologis, Inc.	566,527	130	323*	1909* 2134**	17*	232*	28*	227*
Vancouver Innovation Center Building North	200,700	110	50*	977* 805**	6*	183* 153**	10*	161* 137**

* Average Rate
** Fitted Curve Rate
Notes:
Tabulated rates are based on the ITE Trip Generation data on AM/PM peak of adjacent streets
Numbers in bold are assumed rates provided in the traffic studies. None of the traffic impact studies used Passenger Car Equivalents (PCE) factors to assess the potential impacts of trucks at intersections. In general, trucks are assumed to equal 1.5 to 3 passenger cars for the purposes of intersection analysis due to their lengths and slower starting and stopping abilities. None of the four studies appeared to consider this in their analysis. The following section identifies the intersections analyzed by each of the studies.

Intersection Analysis

A list of the analyzed intersections for each of the proposed industrial developments is provided in this section. There is only one identified intersection that is shared by two of the proposed developments, the intersection of Fruit Valley Road and W. 39th Street. Both studies indicate that this intersection will operate at Level of Service (LOS) C in the future. It is unclear if the projects assumed each other as related projects in the analysis, however, the City does have a preproposal process that it could use to collect additional data about the proposed facilities, confirm trip generation rates to use, and identify related projects to consider.

Panattoni Fruit Valley Project

1. NW Lakeshore Ave/NW 78th Street
2. NW Whitney Rd/NW 61st Street
3. Fruit Valley Rd/NW 61st Street
4. **Fruit Valley Rd/W 39th Street**

Vancouver Innovation Center

1. SR-14/SE 192nd Avenue
2. SE 176th Avenue/SE 20th Street
3. SE 34th Street/SE 192nd Avenue

Harmony

1. 137th Ave – 49th St to Fourth Plain Blvd
2. 192nd Ave & SR 14 Ramps
3. Fourth Plain Blvd & 152nd Ave
4. Lieser/St. Helens/MacArthur
5. 192nd Ave & NE 13th Street
6. 192nd Ave & SE 34th Street
7. 176th Ave & SE 20th Street
8. Grove St/Columbia House Blvd/SR-14 WB Off-Ramp
9. NE 172nd Ave/NE 18th Street
10. NE 179th Place/NE 18th Street
11. NE 187th Ave/NE 18th Street
12. NE 172nd Ave/NE 9th Street
13. NE 9th Street/NE 162nd Ave
14. NE 192nd Ave/NE 9th Street
15. NE 187th Ave/SE 1st Street
16. SE 192nd Ave/Mill Plain Blvd

Prologis

1. 32nd Avenue/La Frambois Road

2. 32nd Avenue/Lower River Road
3. **Fruit Valley Road/39th Street**
4. Fruit Valley Road/Firestone Lane

As discussed in the subsequent sections, warehouse facilities generate truck and passenger car traffic which results in wear and tear of roads, noise pollution, light pollution, and safety concerns. Examples of measures to mitigate the resulting impacts are summarized in **Table 6**.

Table 6: Potential Mitigation Measures[19]

Impact	Measure
Truck traffic impacts	• Design, construct, and clearly mark truck routes that provide direct access to freight-served facilities and avoid residential neighborhoods and other sensitive receptors (schools, hospitals, etc.).
Truck parking demand	• Review and update zoning that is consistent with the state of industry operations, such as performance zoning that customizes loading, parking, curb returns, on-site recycling, etc., based on the intended operations of the facility. • Require the provision of adequate areas for on-site parking, on-site queuing or staging, and truck check-in to avoid trucks queuing in travel lanes or parking in undesignated areas.
Truck emissions	• Promote fleet electrification by requiring electric charging stations at each warehouse development, so trucks can get recharged while loading/unloading and incentivizing zero-emission vehicles in business operations. • Encourage tenants to enroll in the US Environmental Protection Agency's SmartWay[20] program to help companies advance supply chain sustainability by measuring, benchmarking, and improving freight transportation efficiency.
Congestion management	• Nexus impact fee to support funding for capacity expansion projects. • Incentives for off-peak delivery; an example is the Off-Hour Deliveries program in New York City that offers participants financial incentives.[21] • Right-size on-site employee parking and encourage alternative modes of transportation for employees (e.g., bicycle parking, transit passes, carpool spaces).

[19] Department of Justice, State of California. Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act. 2022
[20] SmartWay is an EPA program that helps the freight transportation sector improve supply chain efficiency. SmartWay reduces transportation-related emissions by accelerating the use of advanced fuel-saving technologies.
[21] New York City. Off-Hour Deliveries.

Impact	Measure
Noise pollution	• Face dock doors and trash receptacles away from residential uses and sensitive receptors. • Limit hours of operations if a facility is within one-quarter mile of a sensitive receptor. • Require all combustion-powered construction equipment to be surrounded by a noise protection barrier. • Paving roads where high truck traffic is anticipated with low-noise asphalt.
Roadway wear and tear	• Require the siting of warehouse developments to be within a mile of the City's designated freight routes. These routes are typically well designed to accommodate truck traffic.
Safety	• Provide off-street or buffered bikeways on shared truck routes to ensure employees working in the industrial areas can safely bike to work. • Provide adequate curb return radii at intersections and driveways into freight generators to avoid trucks overtaking the curb/sidewalk. • Review truck routes designation periodically and modify as needed. Ideally, truck routes should not conflict with major transit and bicycle and pedestrian corridors unless properly designed to serve employees working at freight generators.
Visual impacts	• Require buildings to be dark colored • Provide vegetative buffers

Source: Department of Justice, State of California. 2022.

Economic Characteristics

Warehousing Trends

Global and National Supply Chain System Trends

A range of supply chain logistics system factors influence changes that we are experiencing today. These factors are important to understand as they impact local economics, such as tax revenue and employment rates, and worker salaries. Below is a summarized list of global supply chain trends that are contributing to industrial warehouse development demand in Vancouver:

- **E-commerce:** The emergence of the e-commerce sector from its inception in the 1990s to a major factor in global supply chain management and industrial property development. The e-commerce supply chain requires up to three times more warehouse space than a traditional brick and mortar retail facility. For example, for every $1 billion in incremental e-commerce growth, 1.2 million square feet of facility demand is generated. Based on this, the U.S. will need up to 330 million square feet of additional space to support e-commerce growth through 2025.
- **Market need:** Sites near logistics hubs, such as intermodal rail yards, airports and seaports are in high-demand. As a City surrounded a major airport and seaport, and population center, there is a market need for warehouse developments in Vancouver to support e-commerce and online shopping. Due to the absence of e-commerce facilities within City limits, households and businesses currently rely on facilities/warehouses in surrounding jurisdictions such as Portland.
- **Just-in-Time (JIT) versus Just-in-Case (JIC) inventory management** played a significant role in the shortages for basic household goods, such as toilet paper and cleaning supplies. JIT offered cost savings because less space was needed for storage, but JIC is trending back due to the hardships the lack of inventory created for many companies.
- **Trucking and equipment shortages** have resulted in more food product production moving nearer to consumption markets.
- **Sector-specific competitive factors**, such as the Apparel sector's focus on fast fashion (e.g., Shein).
- **Highly developed integrated technologies** in support of supply chain efficiencies allow for more products to be stored, retrieved, and sold expeditiously. Large advances like in-building automation, yard automation and expected point-to-point location automation improve storage and retrieval reducing time to market. Integrated inventory tracking systems connecting in-warehouse robotic cargo handling/inventory management equipment, warehouse staff, trucking services, terminal operators, ocean carriers and shippers support same-day shipping to e-commerce consumers, as well as other customers, such as manufacturers. More recent and expected advances in zero emission vehicle and equipment powertrains; in some cases, requiring new distance intervals between inventory and shipment points.

- **Facility Trends**: The size, design, and function of warehouses has evolved considerably in past two decades – so much so that the Institute of Transportation Engineers (ITE) embarked on a study of warehouse trip generation characteristics to add to its Trip Generation Handbook (as shown in **Table 2**). Not only have the size and design of warehouses changed, but the locations for developing new facilities has also changed. In general, warehouse operators need sites closer to consumers, such as in some high-value markets like Seattle. In high-cost urban areas, these facilities are going vertical when land becomes expensive and scarce requiring more sophistication and a smaller footprint on multiple floors. In markets like Vancouver and Portland, region-specific sites may be required. These include small- to mid-sized facilities within the urban areas and larger facilities on the outskirts to serve primary markets.

Warehousing Jobs

Industrial warehouses typically generate both jobs and tax revenue. Warehousing jobs, while often perceived as inferior to manufacturing jobs, provide two important community benefits: 1) pay rates that start above minimum wage, 2) and on-the-job-training that provide opportunities for employees with no college education to make over $80,000 a year. The salary for automation engineers (a job associated with highly automated warehouses) starts in the high $80,000s and pay on average over $100,000 a year with experienced engineers earning closer to $140,000 annually. US Census County Business Patterns (CBP) provides subnational economic data by industry, including the number of establishments, employment, and annual payroll. This provides insight into the average wage and employees per establishment for "Warehousing and Storage" sector in Clark County and other surrounding or comparable counties in the region (**Table 8** through **Table 13)** [22]:

- At a high-level, Clark County's industrial sector average number of jobs per establishment is up by 50% and average annual wage has increased by 10% over the past six years. This is considerably higher than comparable counties, where jobs per establishment increased by only 17%.
- As of 2021, in Clark County, there are more employees per establishment (approx. 42) for "Warehousing and Storage" than other industrial types of employment: "Manufacturing" (approx. 31) and "Scientific Research and Development Services" (approx. 21). At a high-level this is also consistent with other comparable counties in the region. The limitation of this dataset is that it doesn't provide establishment acreage, however, at a high-level, warehouses generate more jobs per establishment than competing uses (**Table 8**, **Table 9,** and **Table 10**). From conversations with warehouse developers, jobs per acre vary depending on the specific use, i.e., distribution center versus sorting, or consolidation versus fulfillment center.
- The average annual wages per employee in 2021 for "Warehousing and Storage" is less than those for "Manufacturing" and both are outpaced by "Scientific Research and Development

[22] Data from US Census County Business Patterns (CBP) reports aggregated and averaged data for all warehouse and storage types. Therefore, the warehousing and storage jobs and salaries reported will not highlight any specific warehouse facilities with high employment or high paying jobs.

Services". It is worth noting that this average bundle up management and non-management staff (**Table 11**, **Table 12**, and **Table 13**).

Types of Warehouse Jobs

Safety Manager: This person's responsibilities include oversight of a safety-minded culture in the warehouse through OSHA training and education, investigating onsite accidents to determine the cause and recommend preventative measures, managing the employee health and safety guidelines set forth by both the company and local/state/federal laws, and implementing and creating programs that promote safety and security of warehouse employees.

Warehouse Supervisors: This role supervises, organizes, and monitors inventory receiving, storage, and distribution. They oversee the facility workforce, with management of performance metrics and train new employees.

Operations/Warehouse Manager: The warehouse manager position monitors all day-to-day warehouse activities, including receiving, order filling, shipping, and inventory control. Their responsibilities involve scheduling tasks for personnel, helping negotiate rates with carriers, creating daily work logs, collecting actionable data related to labor, shrinkage, fill rate, etc., planning more efficient operations, and supervising and training warehouse employees and their supervisors.

Inventory Clerk: The inventory clerk is responsible for various clerical duties for warehousing, receiving, and shipping materials. In most cases, this person handles relationships with vendors and/or suppliers and is responsible for monitoring inventory performance and assists in creating purchase orders to replenish stock before it runs out. They are also heavily involved with keeping inventory counts in check.

Material Handlers: Depending on the size of the operation and operator, a fulfillment center may have employees who do only one job or are cross-trained for multiple jobs, as follows:

- <u>Pickers</u> – this role receives orders that drop to the warehouse floor, then collect the item(s) for each order to prepare for shipment.
- <u>Packers</u> – this role takes the picked orders, scan them in as 'ordered', then pack them into appropriate packaging for shipment. They also include any package inserts, custom packaging, and the packing slip in the order.
- <u>Receivers</u> – this role unloads inbound freight from carrier trucks, processing it into inventory.
- <u>Stockers</u> (replenishment) – this role takes inventoried items from receiving and move them to either a storage area or to the warehouse floor. They are also responsible for replenishing products that are out or low.
- <u>Assemblers or value-adders</u> – this role pieces kits of items together, wrap gifts, and personalize orders.

- Returns – this role processes inbound returned orders, removes items from packaging, and conducts visual inspections. They document returns, then refurbish or return it to replenishment for restocking or work with the retailer/manufacturer to have the product returned to them.

Emerging Tech-elated Positions: Highly automated warehousing facilities require skilled labor such as automation engineers to monitor and repair control systems and sensors within a building to ensure efficient handling of goods. These jobs entail average salaries over $100,000 annually.

Based upon the manner in which the US Bureau of Labor Statistics compiles their data, there are four kinds of employees that work in warehouse/storage positions. In the Portland-Vancouver-Hillsboro MSA there are 47,480 people employed in these positions with 97% of them being in categories A and D, as listed below.

A. Laborers and freight, stock, and material movers – manually move freight, stock, luggage, or other materials, or perform other general labor. There are 16,960 people employed in this position in the MSA, with an average mean wage of $41,260.
B. Machine feeders and off bearers – feed materials into or remove materials from machines or equipment that is automatic or tended by other workers. There are 640 people employed in this position in the MSA with an average mean wage of $41,890.
C. Packers and packagers – pack or package by hand a wide variety of products and materials. There are 330 people employed in this position in the MSA with an average mean salary of $37,120.
D. Stock and order fillers – receive, store, and issue merchandise, materials, equipment, and other items from stockroom, warehouse, or storage yard to fill shelves, racks, tables, or customers' orders. May operate power equipment to fill orders. May mark prices on merchandise and set up sales displays. There are 29,880 people employed in this position with an average mean salary of $38,710.

Warehousing Regional Economic Impacts

The modern distribution centers discussed herein generate more than direct jobs. These facilities also generate and support a number of other industries in a region, such as food and supplies for restaurants and grocery stores, retail goods for brick-and-mortar retail stores, third-party vendors (e.g., Etsy producers), and inputs to local manufacturing and service providers (e.g., auto repair, beauty salons, etc.).

For the purposes of comparison, the following provides detailed employment figures, salary information, cost of new construction (another indirect economic benefit), tax revenue, and the indirect benefits of various existing Amazon facility types and a food redistribution warehouse which is assumed to be representative of traditional warehouses.[23] The comparison highlights that e-commerce facilities typically entail more local and regional economic impacts (tax revenue, indirect jobs, and new dollars circulating in the economy) than traditional warehouses.

Sortable fulfillment centers

These facilities are approximately 800,000 square-feet in size and employ about 1,500 full-time associates. In these buildings, employees pick, pack, and ship customer orders. Depending on the location, facilities are partly automated, with workers and robots working alongside each other. Facilities employ approximately one employee per 1,000 square feet over a multi-shift workday.

- 800,000 sq ft
- 1500 full time employees at an average wage of $39,980 annually = annual payroll of $59,970,000
- Average cost per sq ft of new construction: $175/ sq ft
- Estimated valuation of development = $140,000,000
- Property tax in the MSA at $2.06 per $1000 of valuation = $288,400 annually
- Multiplier for the total change in number of jobs in all industries within the MSA for each additional job in the warehouse/storage industry = 1.4082. 1,500 x 1.4082 = 2,112 new jobs will be created in the regional economy
- Multiplier for the total dollar change in earnings of all households in the MSA for each additional dollar of earnings paid directly to households employed by the warehouse/storage industry = 1.5080. $39,980 x 1.5080 =$60,290. Each new job in the MSA created by the warehouse/storage sector creates $60,290 in the regional economy for a total of $90,434,760 annually (1,500 x $60,290)

Non-sortable fulfillment centers

With sizes ranging from 600,000 to 1 million SF, these facilities employ more than 1,000 full-time workers. In these centers, associates pick, pack, and ship bulky or larger-sized customer items such as patio

[23] The analysis was conducted using U.S. Bureau of Economic Analysis (BEA) RIMS II multipliers. The multipliers estimate the impact from changes in final demand on one or more regional industries in terms of output, employment, and labor earnings. These multipliers are based on estimates of local area personal income and on the national input-output (I-O) accounts.

furniture, outdoor equipment, or rugs. Approximately 1500/sq ft per employee over a multi-shift workday.

- 1,000,000 sq ft
- 675 fulltime employees at an average wage of $39,980 annually = $26,986,500 annual payroll
- Average cost per sq ft of new construction: $175/sq ft
- Estimated valuation of development = $175,000,000
- Property tax at $2.06 per $1000 of valuation = $360,500 annually
- Multiplier for new job creation creates 951 new jobs
- Each new job in the MSA created by the warehouse/storage sector adds $60,290 to the regional economy for a total of $40,695,642 annually

Receive centers

Amazon's receive centers support customer fulfillment by taking in large orders of the types of inventories that are expected to quickly sell and allocating it to fulfillment centers within the network. They also receive and consolidate items from vendors. These buildings are about 600,000 square feet in size. Approximately 1500 SF/employee

- 600,000 sq ft
- 400 full time employees at an average wage of $39,980 annually = $15,992,000 annual payroll
- Average cost per sq ft: $175/sq ft
- Estimated valuation of development = $105,000,000
- Property tax at $2.06 per $1000 of valuation = $216,300 annually
- Multiplier for new job creation creates 563 new jobs
- Each new job in the MSA created by the warehouse/storage sector adds $60,290 to the regional economy for a total of $24,115,936

Last mile delivery centers

These facilities operate 24/7. Tractor trailers arrive from fulfillment centers; orders are processed and loaded onto delivery vans. The vans leave the warehouses outside of peak hours with the departure times scheduled in waves. If demand is especially high third-party partners/drivers can make deliveries in their personal vehicles. These facilities generate a large amount of new traffic activity.

- 100,000 sq ft
- 100 full time employees at an average wage of $39,980 annually = $3,998,000 annual payroll
- Average cost per sq ft: $92/sq ft
- Estimated valuation of development = $9,200,000
- Property tax at $2.06 per $1000 of valuation = $18,952 annually
- Multiplier for new job creation creates 141 new jobs
- Each new job in the MSA created by the warehouse/storage sector adds $60,290 to the regional economy for a total of $6,028,984 annually

Food service redistribution warehouse

A food service redistribution company, which offers over 112,000 products from over 800 food industry manufacturers built a new distribution center to serve Southern California, Arizona, New Mexico, Southern Nevada, and Utah. The company consolidates these products and delivers them in less than truckload quantities to distributors on a weekly basis. They have 11 distribution centers nationally.

- 165,000 sq ft distribution center space which includes 20,000 sq ft of refrigerated space
- 126 full time employees at an average of $39,980 annually = $5,037,480 payroll
- $45,000,000 of project costs which includes refrigerated and dry storage areas, installation of new equipment and infrastructure improvements
- City property tax of $2.06 per $1,000 valuation = $92,700 annually
- With a multiplier of 1.4082, the 126 jobs will create 177 new jobs in the MSA
- With a multiplier of 1.5080, each new job in the MSA created by the warehouse/storage sector adds $60,290 to the regional economy for a total of $7,596,519 annually

Background Economic Data Specific to Vancouver

The Portland/Vancouver/Hillsboro Metropolitan Statistical Area (MSA) saw an increase of 4.8 percent in Warehouse/Storage employment from September 2021 to 2022. The average weekly wage in that period was $1,315, which ranked 66th in MSAs in the nation out of 395 MSAs. During the same period of time, Washington State was second in the nation for weekly wages paid to the Warehousing/Storage sector at $1,657 while Oregon's was $1,301. This difference is in part due to the higher cost of living in the Seattle region, which requires higher wages to attract and retain warehouse workers. The top five states for highest warehousing job wages include District of Columbia, Washington, Massachusetts, New York, and California. The cost of living in these states ranks equally high.

Based upon 2022 year-end employment numbers in the Warehousing/Storage sector in the MSA:

- 47,830 employees in the Portland, Vancouver, Hillsboro MSA
- 121,950 employees in Washington State
- 80,610 employees in Oregon

In 2022, overall statewide employment growth was 1.1 percent in Oregon (lowest nationally) and 4.4 percent in Washington. Applicable taxes in Vancouver consist of property tax, sales and use tax, and utility taxes. Vancouver property tax levy rate is $2.06 per $1,000 assessed value. Washington State law requires that county assessors appraise all property at its true market value in dollars, according to the highest and best use of the property. Washington State sales and use tax is 6.5 percent, whereas Vancouver's sales and use tax is 2.2 percent. Washington State uses a Destination Sales Tax system which means that the sales tax is applied at the destination. A Washington State Department of Revenue exemption is available for warehouses of 200,000 or more square feet. Sales tax on the construction costs for new warehouses (or an expansion of an existing warehouse that meets the 200,000 square feet requirement) qualify for 100 percent exemption. Material-handling equipment and racking equipment in warehouses are eligible for a 50 percent exemption. This applies to the state portion of the tax.

Sustainable Practices

With the significant post-pandemic increase in e-commerce and recent near-shoring and reshoring of manufacturing, the demand for industrial warehousing has grown significantly and shows little signs of waning despite capitalization concerns related to interest rate hikes. This creates both challenges and opportunities for Vancouver to ensure that the development is sustainable – both from an environmental perspective, as well as long-term economic perspective. This section discusses opportunities for applying sustainable building and operations practices to the freight industry to reduce energy and water consumption, as well as emissions, landfill waste, and urban stormwater runoff.[24] This section will also discuss flexible re-use designs that support long-term, productive use of large industrial structures.

Environmental Sustainability

As part of the trend toward greener warehouses, businesses are seeking not only energy savings but also more efficient materials handling. Automated storage and retrieval systems (AS/RS), the robotic handling system, and warehouse management systems (WMS), help achieve significant efficiencies by maximizing storage space while reducing operating costs. The WMS has the added benefit of increasing the speed of delivery and deployment of goods, which reduces truck queues and idling, particularly during peak seasons or immediately following a supply chain disruption. Flexible, hybrid AS/RS designs use one or more cranes in an aisle that only need to be as wide as the largest commodities – a substantial space saving in comparison with forklift-operated facilities. Automated racking systems can store products single-deep, double-deep, or up to 12 loads deep in the rack structure. AS/RS systems can be customized based on the warehouse's inventory mix of high, intermediate, and slow-moving products to minimize the cubic space required for storage and handling. Unmanned rack entry vehicles quickly, smoothly, and accurately transport pallets and containers in and out of the storage rack, resulting in faster throughput. These systems benefit small and large warehouses alike. Although the following example focuses on a very large-scale warehouse, it demonstrates the ability of systems like this to perform a vast amount of work in a very small space – a potential opportunity for Vancouver.

Automated systems also deliver the following environmental benefits:

1. Less land usage: A warehouse with an AS/RS uses up to 40 percent less space than a conventional warehouse to store the same number of products.

[24] Green building is the practice of creating structures and using processes that are environmentally responsible and resource- efficient throughout a building's life cycle from siting to design, construction, operation, maintenance, renovation, and deconstruction. This practice expands and complements the classical building design concerns of economy, utility, durability, and comfort. Green building is also known as a sustainable or high-performance building. http://www.epa.gov/greenbuilding/

2. Less energy consumption: Automated warehouses require less lighting and cooling; regenerative braking on storage/ retrieval machines produce energy for assisting with powering the system; the warehouse maintenance system controls all product flows and optimizes product movements.
3. Less product waste: Automated warehouses reduce product damage caused by human error; require less shrink wrapping to secure pallets; improve accuracy of fulfillment through technology like RFID.
4. Reduced maintenance: Maintenance costs for AS/RS are lower than for forklift operations; automated facilities require less space resulting in facility leasing savings.
5. Safety benefits: Automated facilities have fewer workers moving goods, thus resulting in fewer injuries that are typically inherent in warehouses, such as back and neck injuries and forklift accidents.
6. Result in fewer employees on site and therefore require fewer parking spaces (typically 40 percent less employee parking demand than a typical warehouse).

One of the challenges with AS/RS is the cost and return on investment. AS/RS is most commonly used by tenants who intend to operate a facility for a minimum of ten years. AS/RS also requires minimum ceiling height of 40 feet and perfectly level floors.

Adaptive Re-use Feasibility

The growth rate for warehousing space is flattening due to changing economic trends and optimization of available space (e.g., automation). Therefore, it is important that warehousing properties are adaptive to reuse for different tenants with varying purposes. Over the years, warehouses in several parts of the country have been successfully reused for the following:

- Commercial kitchens to support local food trucks, segmented artist studios, or start-up office space for entrepreneurs or small businesses. Properties with high ceilings and abundant natural light can be converted into attractive office space.
- Production or testing facilities for a range of technology, such as biotech industries, automobile parts, aviation, and 3D printing.
- Gyms and indoor sports spaces.

As an example, St. Ann's warehouse in New York which was initially utilized for tobacco processing was repurposed into a theater for live performances in 2015.[25]

[25] BIM Smith. Functional and Creative: 5 Inspiring Adaptive Reuse Projects. 2022

The feasibility of reuse or multi-use of warehouses is highly dependent on the design nature of a development:

- Warehouse developments that typically work for both warehousing and manufacturing include flexible, dock-high, high-clear height buildings with provisions to expand power in the future, including under slab conduits so that power can be delivered to different ends of a building.
- To accommodate a use that may have more trucking, 185 ft truck courts may be necessary to accommodate trailer storage or truck courts that are 135 ft deep if no trailer storage is anticipated.

The multi-story warehouse concept, centered on building vertically rather than horizontally, is garnering traction. Building vertically helps overcome the limits of property lot sizes. Small trucks are able to easily navigate ramps to upper floors, while the main loading dock accommodates the conventional 53-foot trailers typically used in the US. This concept offers developers and property owners the ability to maximize profit potential. However, multi-story warehouses can be substantially more expensive to build than a standard warehouse.[26] An example warehouse is the 590 KSF multi-story warehouse in the Georgetown Crossroads district of south Seattle near the Port of Seattle.

[26] Prologis. The Future is Multistory. 2021

Recommendations

As demonstrated in this report, industrial warehouses can vary significantly based on the types of activities occurring within them. Recent best practices that our team has identified focus on understanding the operations of industrial warehousing and taking a performance-based zoning approach. This type of zoning fosters the creation of a set of conditions of approval that best address the potential impacts of their operations. The following provides some potential conditions of approval for the City's consideration.

Potential Conditional Use Permit (CUP) Requirements

The City could consider updating CUP requirements to require applications for new warehouses or distribution centers to describe the proposed operations, such as hours of operation, number of employees per shift, number of shifts, hours of shifts, daily and AM/PM peak hour medium- and heavy-duty truck volumes, number of dock doors, number of parking spaces for employees, trailers, tractor-trailers, and/or tractors, and anticipated water/sewer usage in volume, and power requirements in megawatts.

Transportation and Parking Analysis

Traffic Impact Review Guidelines and Process

The City may want to consider developing a traffic impact assessment/analysis (TIA) template to guide the assumptions to use in preparing TIAs. As a starting point, the City could request that the following information be submitted by the applicant and approved by the City prior to collecting traffic data and initiating the TIA:

- Trip generation rate (ITE-based rates for both peak hour generator and peak hour of adjacent streets, or other based on empirical evidence)
- Trip distribution
- Parking demand (ITE or other based on empirical evidence)
- Study intersections
- Annual ambient traffic growth rate
- Related projects

Off-Street Parking and Site Access

The City's parking and circulation regulations were adopted before the advent of modern warehouses and distribution centers, which are now serviced by larger trucks. Specifications and design of truck parking for long duration or overnight parking, trailer storage, as well as dock spaces in length and width, should accommodate the largest commercial motor vehicle. In addition, sufficient truck parking spaces or designated areas for staging may be needed to prevent queuing onto public streets. The number of spaces and dimensions should be consistent with the proposed use and potential future re-uses of the site. Today’s standard over-the-road heavy-duty trucks carry 53-foot trailers with a total length (tractor and trailer) of 65 feet. These trucks are typically 8.5 feet wide and 13.5 feet tall. Below are some examples of off-street truck parking provisions developed to reflect the increase in truck sizes and changing parking uses:

- **Staging Spaces:** Two 12-foot-by-75-foot truck staging spaces for each loading dock. A minimum of five percent of required truck staging spaces shall be reserved for outbound trucks which are required to layover or rest due to hours-of-service regulations. Such spaces must be accessible during and after the facility's operating hours as necessary.
- **Loading Spaces:** One 12-foot-by-75-foot truck loading space for each loading dock.
- **Loading Docks:** The minimum number of loading docks shall be determined using the following calculation: *Number of trucks per hour* (at the peak hour of the use) multiplied by the *turnaround time per truck* (in hours). The number of docks determined by the above formula shall be rounded up to the next whole number. For example: 17 trucks are required to be serviced during the peak hour of use, each requiring 45 minutes (0.75 hours) to service. This equates to 17 trucks per hour multiplied 0.75 hours per truck, resulting in the need for 12.75 docks, which would be rounded up to 13 docks. If a particular tenant has not been identified for the facility, a minimum of one loading dock shall be provided per 5,000 square feet of building gross floor area.
- **Reserved Spaces:** Reserve a minimum of 5% of the proposed total tractor-trailer parking spaces for trucks that are required to arrive early or to layover or rest due to hours-of-service regulations. Such spaces must be made available to tractor-trailers 24 hours a day, seven days a week.

Dimensional Requirements and Emergency Response

Industrial warehouses are often characterized by their substantial size relative to other buildings in a community. Today, regional freight facilities typically range between 400 KSF and 1 million square feet. These facilities are often greater than four stories tall, to provide as much space as possible to store goods prior to movement. The combination of square footage and building height can pose visual impacts and potential challenges to emergency responders. Examples of codes from other jurisdictions to address height and building coverage and emergency access:

- Structures higher than a certain height may be permitted as a conditional use, provided that fire protection measures above and beyond those normally required would be provided as the Supervisors determine are necessary, after providing the Township Fire Commissioner with an opportunity for a review.
- Total Impervious Coverage — 50% (At least 30% of the total lot area shall be lawns and/ or vegetation land cover).
- An exterior access stair tower shall be provided to allow public safety personnel direct emergency access to the roof of the building from the ground level. Steps, guiderails, handrails, brackets, gates, and other components shall meet or exceed applicable Uniform Construction Code and Occupational Safety and Health Administration (OSHA) standards. The final location and

specifications for the exterior access stair tower shall be subject to review and approval by the Emergency Services Coordinator and/or Fire Marshall.

- Commercial Knox Boxes[27] are required to provide public safety personnel access to any secured areas of the site, the principal building structure, and any accessory structures. The final location(s) and specifications for Knox Boxes shall be subject to review and approval by the Emergency Services Coordinator and/or Fire Marshall.
- Plans that accompany special exception or conditional use applications, or subdivision or land development applications, should clearly identify the location, design, and capacity of water storage facilities intended for fire suppression.
- Municipalities should require requests for special exceptions and conditional uses, as well as all subdivision and land development applications for freight-based development, be submitted to emergency service providers for their comment and review. Thresholds for review, such as a minimum square footage of principal building and trip generation rate, can be used to determine which applications should be reviewed.

Driver and Facility Amenities

Land development plans for freight centric or freight movement dependent operations need to provide accommodations at their facilities to enable the truck drivers essential to their operations to comply with federal laws regulating the hours a driver may operate a commercial vehicle. At federal level, the Federal Motor Carrier Safety Administration (FMCSA) regulates the maximum amount of time drivers are permitted to be on duty including driving time, and specifies number and length of rest periods, to help ensure that drivers stay awake and alert.[28] Freight land uses and facilities should incorporate onsite parking for the commercial vehicles that are essential to the operations of the building or use.

It should be noted that drivers of a commercial motor vehicle (CMV) or commercial trucks that fall under the hours of service (HOS) regulations are defined as being used as part of a business, is involved in interstate commerce, and fits any of the following descriptions:

- Weighs 10,001 pounds or more
- Has a gross vehicle weight rating or gross combination weight rating of 10,001 pounds or more
- Is designed or used to transport 16 or more passengers (including the driver) not for compensation
- Is designed or used to transport nine or more passengers (including the driver) for compensation
- Is transporting hazardous materials in a quantity requiring placards. There are special exemptions from these HOS requirements such as:
    - Short-Haul: Driving within 150 miles of the origin and destination and must start and end within 14 hours at the same starting location.

[27] Knox Emergency Boxes provide onsite, high security storage for pre-fire plans, key storage, elevator drop keys, Haz-Mat data and other emergency items.
[28] Code of Federal Regulations (CFR). Title 49 – CFR 395.3

- <u>Adverse Driving Conditions:</u> Drivers can extend their duty day and driving time by up to two hours when adverse driving conditions are encountered. Adverse driving conditions include snow, ice, sleet, fog, or other weather conditions or unusual road or traffic conditions that were not known, or could not reasonably be known, to:
    - A driver immediately beginning the duty day or immediately before driving after a qualifying rest break or sleeper berth period, or:
    - A motor carrier immediately before dispatching a driver

Long-term or overnight truck parking amenities should provide or enable trucks to:

- Have easy access to trash receptacles
- Adequate lighting to provide security for drivers while sleeping or resting
- Directional signage to major interstates or common freight destinations

Additionally, it is important that the freight-based land use also provide amenities for the driver to utilize while restricted from driving. These amenities may include:

- Driver Lounges with vending machines
- Rest Rooms
- Showers
- Wi-Fi Internet access
- Dog walking
- Multimodal trails

Multimodal Access

Municipalities should plan for the availability of trails, sidewalks, and access to transit facilities when planning for the location of freight-based operations. This infrastructure serves both drivers accessing the site as well as providing employees options for commute trips. The subdivision and land development approval process should require consultation with transit providers on the optimal location for transit stops. Sidewalks and trails should also be required to connect with existing and proposed trail and sidewalk systems.

Dedicated parking spaces for alternative modes of transportation encourage choices that support the City's greenhouse gas (GHG) reduction goals and promote health and well-being. In addition, the City may require tenants to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.

Possible Project Conditions or Standards to Address Climate Action Goals

Warehouse developments offer opportunities to further the City's Climate Action Plan by providing incentives or codifying sustainable design features or business practices, where applicable. Generally, there are industry efforts to address climate change. From fleet owners to policymakers, various stakeholders are taking the initiative to reduce the impact of e-commerce on GHG emissions. Examples of e-commerce platforms and shippers with climate-related commitments to ensure zero emission deliveries include Amazon, IKEA, Nestle, and Walmart.[29] Additionally, developers are also incorporating sustainable design features in their warehouse developments. **Figure 5** illustrates how Prologis developers are incorporating sustainable practices in warehouse developments. The design features the City can incorporate to address climate action goals include the following[30]:

Energy Provisions & Conservation

Power Requirements: The City should consider requiring the installation of adequate electric infrastructure for charging electric vehicles, charging trucks at loading docks, powering refrigeration units of temperature-controlled trailers, and providing auxiliary power for diesel trucks to allow climate control and use of in-cab electronics without idling.

Auxiliary power/ electric truck charging: Locate plug-ins at dock doors.[31]

Solar, storage, and wind power: Warehouses are viable candidates for alternative energy systems, including photovoltaic solar cells and battery storage. In particular, warehouses have huge, flat, unobstructed roofs that are ideal for solar arrays capable of pumping out torrents of clean, renewable energy. The City should consider requiring warehouse developers and tenants to install alternative energy systems.

As an example, the City of Seattle regulates renewable energy and solar-ready roofs for commercial buildings as outlined in the 2018 Seattle Energy Code (Section C411 and Section C412).[32, 33] The regulatory requirements centered around solar readiness are based on roof area and electrical service as indicated below. As a general requirement for on-site renewable energy systems, each new building larger than 5,000 sf of gross conditioned floor area is required to include a renewable energy generation system consisting of not less than 0.25 watts rated peak photovoltaic energy production per square foot of conditioned space.[33]

[29] Nowlan, A., and Usmani, S. Accelerating Zero-Emissions Delivery: An innovative approach to transforming the last mile. Environmental Defense Fund, 2021

[30] Prologis. Sustainable Design Features & Benefits. 2023

[31] SafeConnect. Docking Stations.

[32] City of Seattle. Renewable Energy and Solar-Ready Roofs for Commercial Buildings. 2021

[33] City of Seattle. 2018 Seattle Energy Code. 2021

Solar Readiness Example

Example: A building with a 10,000 SF total roof area, 1,000 SF skylight area, and a 400 Amp, 240-volt single phase electrical service is required to provide a solar zone area of the smaller of the following:

1. [40% x (10,000 SF roof area – 1,000 SF skylights)] = 3,600 SF; or
2. [400 Amp x 240 Volts x 20% / 10 watts per SF] = 1,920 SF

Therefore, a *solar zone* of 1,920 square feet is required.

Source: 2018 Seattle Energy Code (Section C411)

Motion sensors: Use of motion sensors to turn on lights for workers when natural light is not sufficient.

Skylights and clerestory windows: Utilize natural light to lower electricity use and associated greenhouse gas emissions and improve indoor environmental quality for warehouse personnel.

High-reflectance roof membranes: Traditionally, warehouse roofing has black ethylene propylene diene terpolymer (EPDM) rubber membranes that absorb heat from sunlight. White thermoplastic polyolefin (TPO) roofing, also known as "cool roofs," offers equal performance at similar costs while comparatively reducing heat absorption and often providing a more comfortable work environment. This design feature can also lower operating costs by reducing energy use in air-conditioned spaces.

Climate control: Ventilation system that utilizes outside air drawn through louvers facing the prevailing winds, supplemented by energy efficient heating and cooling systems.

Water Conservation & Waste Management

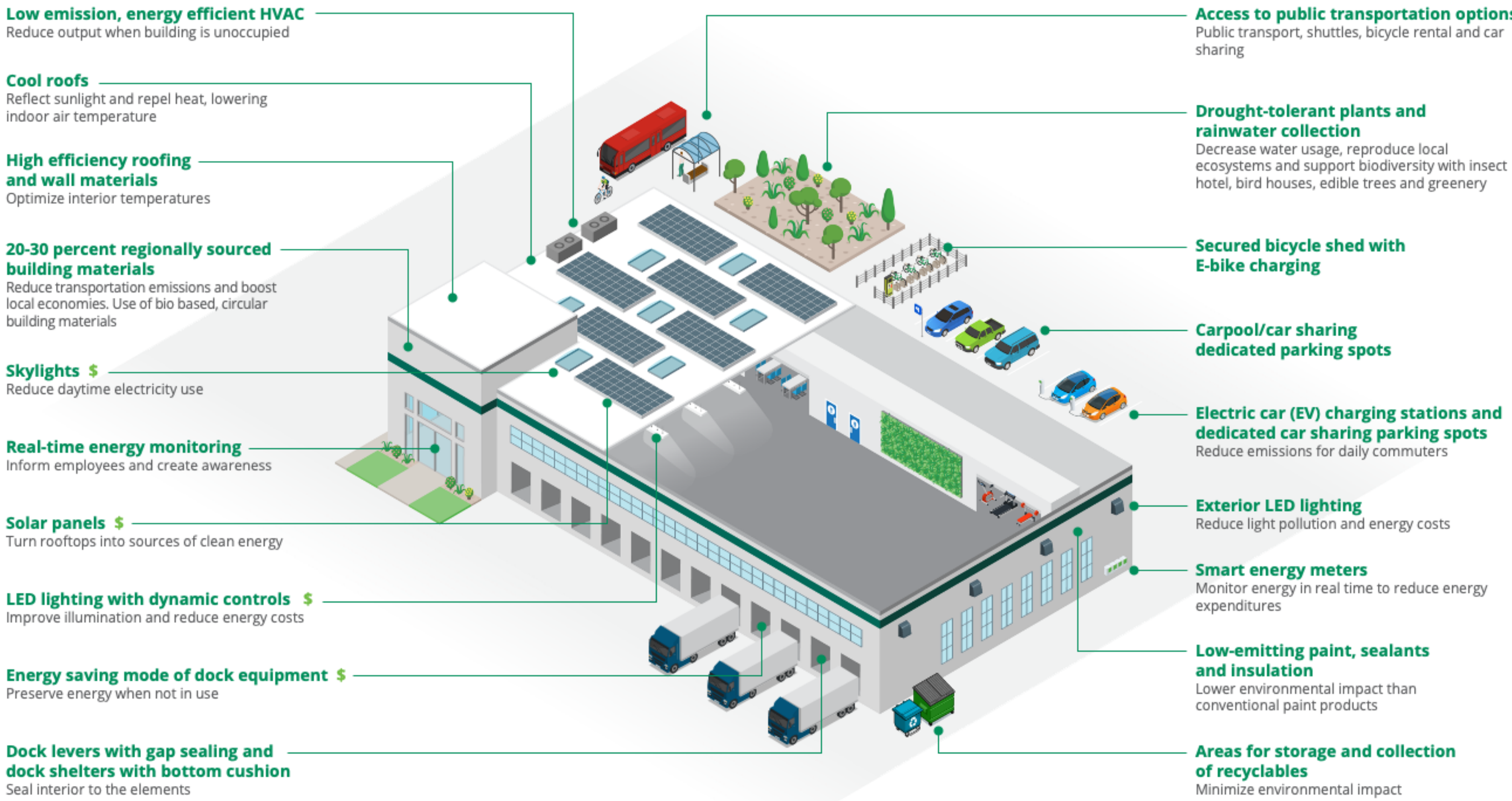
Water conservation measures: Exterior landscaping, motion-activated faucets, low-flow toilets, waterless urinals, and captured rainwater for irrigation all reduce the use of fresh water. Use native plant species and drip irrigation.

Dedicated area for onsite recycling: Support water and waste recycling efforts, such as onsite shredding and compaction of recyclable cardboard and other materials on site.

Physical, structural, and/or vegetative buffers that adequately prevent or substantially reduce pollutant dispersal between warehouses and any areas such as homes, schools, daycare centers, hospitals, community centers, and parks.

Environmentally Friendly Building Materials: Use low emitting VOC materials, such as glues, adhesives, paints etc.; use recycled construction materials to construct buildings.

Figure 5: An Example Warehouse Development that Advances Sustainability



$ = Direct occupational cost savings

BREEAM CASBEE WELL DGNB HQE BOMA

BUILDING CERTIFICATIONS
Demonstrate that we build to the top sustainability standards

ISO

PROJECT MANAGEMENT CERTIFIED
ISO 14001

Source: Prologis, Prologis Buildings, A Story of Sustainability. 2023.

Appendix A

Table 7: Differences between Traditional Warehouses and E-commerce Facilities

Characteristics	Traditional Warehouse	E-commerce Facilities
Physical	• Smaller building footprint • Lower clear heights[34] under 30 feet • Fewer dock doors • Typically located close to other industrial uses (targeted clients)	• Variation in building footprint; emphasis is on space utilization • Higher clear heights (over 36 feet) to allow for storing multiple stock keeping unit (SKUs) • More dock doors, especially at transload facilities • Near population centers, ports, and/or intermodal railyards with easy freeway access to serve consumers (front porch)
Operational	• Slower turnover of stored goods • Goods are stored in bulk for usually more than a day then distributed • Operations are typically limited to normal business hours, i.e., 8-hour day shifts, five days per week • Fewer employees, primarily unskilled labor • Fewer daily vehicle trips, (includes medium- and heavy-duty truck trips) - limited to less than two total vehicles per 1,000 square feet of building gross floor area	• High turnover of goods • Goods may be sorted, consolidated, and repackaged in less than a day before distribution • More likely to have automation, such as Radio Frequency Identification (RFID) to manage inventory and fully automated sortation, stocking and retrieval • Around-the-clock operations • Fewer unskilled workers; creates high-tech jobs • More daily vehicle trips (ranges from 1.40 to 6.44 total vehicles per 1,000 square feet of building gross floor area) • More van trips for first/last mile deliveries
Economic	• Limited to unskilled labor and managerial jobs with lesser earnings than in high-tech warehouses • Generates less indirect jobs • Less local and regional economic impacts	• May entail some high paying jobs such as automation engineers with average salaries over $100,000 a year • Generates more indirect jobs as these facilities support several other industries • More local and regional economic impacts

Source: Fehr & Peers. 2023

[34] In industrial real estate, building clear height dictates the height to which inventory can be safely stored.

Appendix B

County Business Patterns Data

Table 8: Average Employees per Establishment for Warehousing and Storage

Counties	Employees per Establishment						Change
	2016	2017	2018	2019	2020	2021	2016-2021
Clark County, Washington	28	24	27	33	38	42	50%
Yakima County, Washington	91	89	86	81	80	82	-10%
Lewis County, Washington	97	100	107	108	105	109	12%
Multnomah County, Oregon	34	37	35	36	46	43	26%
Washington County, Oregon	13	36	31	35	59	66	408%
Clackamas County, Oregon	36	41	22	16	16	43	19%
Spokane County, Washington	24	26	29	25	24	25	4%
Pierce County, Washington	75	50	49	50	57	49	-35%
King County, Washington	35	41	42	43	50	49	40%
Average	48	49	48	47	53	56	17%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.

Table 9: Average Employees per Establishment for Manufacturing

Counties	Employees per Establishment						Change
	2016	2017	2018	2019	2020	2021	2016-2021
Clark County, Washington	33	33	32	34	33	31	-6%
Yakima County, Washington	39	41	42	39	37	36	-8%
Lewis County, Washington	28	30	31	34	34	32	14%
Multnomah County, Oregon	29	28	30	31	31	27	-7%
Washington County, Oregon	40	55	54	58	59	55	38%
Clackamas County, Oregon	33	30	29	29	30	30	-9%
Spokane County, Washington	29	28	29	30	31	29	0%
Pierce County, Washington	32	32	33	33	35	33	3%
King County, Washington	39	39	39	41	41	38	-3%
Average	34	35	35	37	37	35	3%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.

Table 10: Employees per Establishment for Scientific Research and Development Services

Counties	Employees per Establishment						Change 2016-2021
	2016	2017	2018	2019	2020	2021	
Clark County, Washington	14	17	20	20	17	21	50%
Yakima County, Washington	-	-	-	-	-	-	-
Lewis County, Washington	-	-	-	-	-	-	-
Multnomah County, Oregon	14	10	12	13	13	15	7%
Washington County, Oregon	140	-*	162	165	143	138	-1%
Clackamas County, Oregon	6	3	4	3	3	3	-50%
Spokane County, Washington	4	5	5	6	7	7	75%
Pierce County, Washington	30	39	38	28	30	37	23%
King County, Washington	32	33	37	37	37	38	19%
Average	34	18	40	39	36	37	8%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.
Notes:
"-"No available data

Table 11: Average Annual Wage for Warehousing and Storage

Counties	Average Annual Wage						Change 2016-2021
	2016	2017	2018	2019	2020	2021	
Clark County, Washington	$52,774	$42,494	$50,093	$55,299	$58,491	$58,146	10%
Yakima County, Washington	$40,470	$40,167	$42,877	$46,486	$45,682	$47,851	18%
Lewis County, Washington	$43,390	$37,655	$38,493	$40,248	$42,177	$43,615	1%
Multnomah County, Oregon	$59,454	$56,566	$58,630	$56,863	$53,792	$55,249	-7%
Washington County, Oregon	$50,743	$35,884	$44,432	$35,778	$22,358	$24,441	-52%
Clackamas County, Oregon	$49,618	$48,033	$37,162	$42,837	$46,170	$55,070	11%
Spokane County, Washington	$47,417	$49,716	$56,143	$51,159	$49,452	$52,692	11%
Pierce County, Washington	$47,458	$46,965	$50,019	$55,488	$52,580	$48,903	3%
King County, Washington	$60,198	$54,053	$54,934	$58,092	$55,381	$59,708	-1%
Average (excluding Washington, Oregon)	$ 50,097	$ 46,956	$ 48,544	$ 50,809	$ 50,466	$52,654	5%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.

Table 12: Average Annual Wage for Manufacturing

Counties	Average Annual Wage						Change 2016-2021
	2016	2017	2018	2019	2020	2021	
Clark County, Washington	$57,339	$58,211	$60,167	$59,664	$62,305	$67,683	18%
Yakima County, Washington	$46,421	$45,401	$46,602	$52,751	$56,223	$52,461	13%
Lewis County, Washington	$47,506	$51,955	$53,442	$55,593	$55,101	$61,710	30%
Multnomah County, Oregon	$52,737	$56,749	$61,720	$61,337	$57,421	$64,269	22%
Washington County, Oregon	$67,890	$93,612	$95,915	$100,181	$98,181	$112,930	66%
Clackamas County, Oregon	$60,528	$60,813	$61,615	$63,875	$63,122	$70,637	17%
Spokane County, Washington	$51,858	$51,936	$52,285	$54,265	$53,598	$57,287	10%
Pierce County, Washington	$54,729	$55,551	$57,429	$59,635	$56,289	$62,867	15%
King County, Washington	$70,054	$74,031	$75,578	$81,671	$77,961	$84,535	21%
Average	$56,562	$60,918	$62,750	$65,441	$64,467	$70,487	25%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.

Table 13: Average Annual Wage for Scientific Research and Development Services

Counties	Average Annual Wage						Change 2016-2021
	2016	2017	2018	2019	2020	2021	
Clark County, Washington	$99,175	$88,833	$85,088	$100,811	$262,809	$154,401	56%
Yakima County, Washington	-	-	-	-	-	-	
Lewis County, Washington	-	-	-	-	-	-	
Multnomah County, Oregon	$80,865	$79,689	$83,813	$88,613	$94,260	$96,140	19%
Washington County, Oregon	$156,485	-	$172,566	$185,406	$187,757	$184,753	18%
Clackamas County, Oregon	$107,356	$62,833	$44,300	$61,452	$98,972	$103,028	-4%
Spokane County, Washington	$82,134	$71,500	$87,275	$80,366	$89,741	$91,474	11%
Pierce County, Washington	$64,474	$69,053	$70,543	$72,708	$78,525	$69,384	8%
King County, Washington	$107,026	$110,600	$114,221	$132,973	$142,585	$154,854	45%
Average	$99,645	$80,418	$93,972	$103,190	$136,378	$122,005	22%

Source: US Census Bureau, 2016 – 2021. Fehr & Peers, 2023.
Notes:
"-"No available data

Memorandum

DATE: August 14, 2022

TO: Mayor and City Council

FROM: Chad Eiken, Director, Community Development Department
Becky Coutinho, Associate Planner, Community Development Department

RE: Proposed Warehouse Code Amendments

Problem Statement/Moratorium Background

Toward the end of 2022, city planning staff noticed a trend of very large (as large as 600,000 square feet) warehouses being submitted for development approvals. At the time, there were as many as eight warehouses larger than 100,000 square feet being proposed or under construction, with a cumulative building area of 3.34 million square feet, the equivalent of 58 football fields. Other cities were (and are) experiencing a similar surge in large warehouse projects, and staff was hearing reports of mega-warehouses elsewhere, such as a 2.5 million square foot warehouse in Tacoma.

These extremely large facilities appear to be a growing trend nationally in response to the increasing demand for online retail shopping and parcel delivery as well as supply chain logistics issues and consume significant swaths of limited industrial land with typically lower jobs per acre ratio than many other industrial uses.

Staff became concerned that if the trend continued, limited industrial lands would be consumed by low-wage, low jobs per acre uses that could otherwise be developed for higher wage skilled manufacturing or research and development jobs. Additional concerns with large warehouses that were identified by staff included an increase in truck traffic and pollution, energy consumption/climate impacts from such large building footprints, visual impacts, and the potential for adaptive re-use of such structures if in the future they are no longer needed for storage of goods.

In December of 2022, planning and economic development staff took their concerns to City Council and recommended that an emergency six-month moratorium be adopted to prevent the submission of any new pre-applications or land use applications for warehouses larger than 100,000 square feet to allow staff time to study these new types of warehouses and understand the physical, operational, and economic differences from traditional wholesale warehouses - as well as key differences in impacts - to inform possible new use and development standards. Because state law only allows land use moratoriums for six months at a time, staff indicated that one six-month extension would be needed to ensure sufficient time to complete needed analysis, public engagement, and development of code amendments.

On December 12 following an executive session, City Council at their regular meeting adopted an emergency ordinance on new large warehouse applications, and the emergency ordinance was affirmed by City Council following a public hearing as required by state law, on January 23, 2023. Three amendments to the initial moratorium ordinance were requested by City Council, which were adopted by ordinance on February 6, 2023, including: 1) an exemption from the moratorium for the Port of Vancouver; 2) increase in the size of warehouses subject to the moratorium from 100,000 square feet to 250,000 square feet and larger; and 3) an exemption from the moratorium for any storage for a publicly-traded product, if formalized through a development agreement.

On June 5, 2023, following a public hearing, City Council approved a six-month extension of the moratorium but also encouraged staff to propose any code amendments as soon as possible so the moratorium may be terminated sooner. The moratorium will end on December 6, 2023, unless code amendments are adopted sooner. Staff's work plan anticipates taking a set of code amendments to City Council for their approval in early October.

In April 2023, the City selected Fehr & Peers, a transportation planning and engineering consulting firm based in Seattle, to assist staff with the warehouse study. Together with GLD Partners, a logistics and supply chain consulting firm, Fehr & Peers have prepared a report that analyzes major differences between "e-commerce warehouses" and traditional warehouses to help staff understand impacts and formulate code amendments to Vancouver Municipal Code (VMC) 20, Land Use and Development Code (See Exhibit A).

Local and National Context: Increase in Need for Warehouse and Distribution Facilities

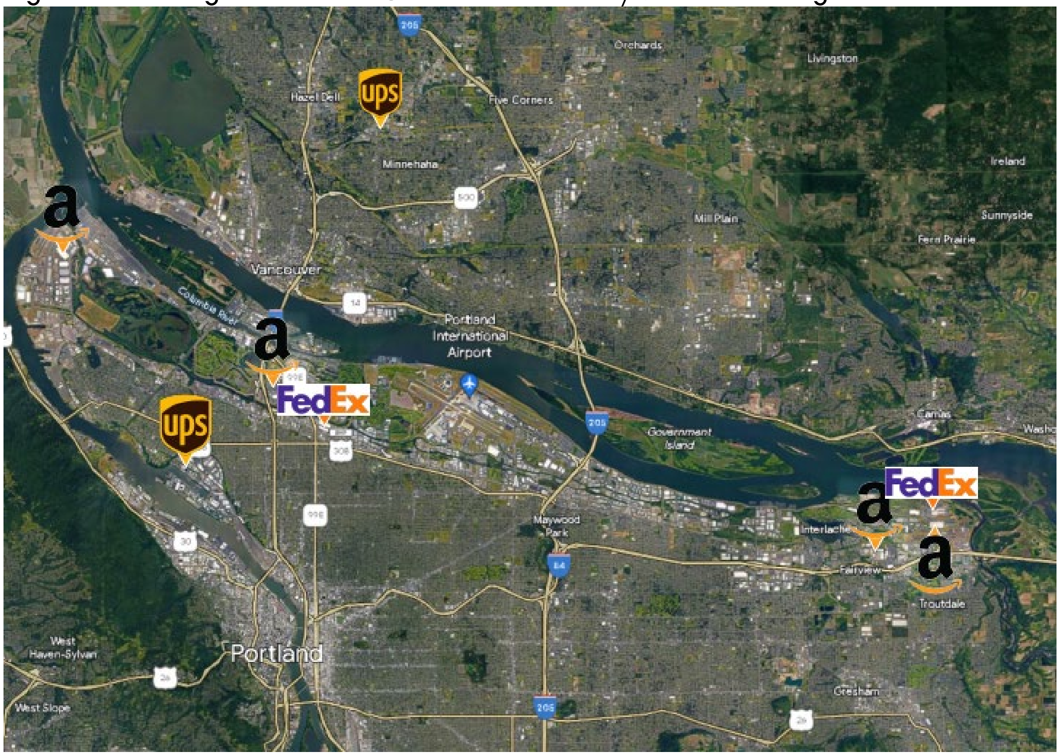
Warehousing, broadly described as the storage of bulk inventory in large facilities, has undergone substantial evolution, from the introduction of forklifts and pallets in the 1920's to automation and cloud computing today. As a result of advances in technology and proliferation of trucking, warehouses are a critical intermediate step between the supplier and consumer. Additionally, trends like e-commerce and online shopping, near-shoring and reshoring of manufacturing have increased global demand for industrial warehousing, resulting in unprecedented warehouse development in recent years.[1] Changes in shopping behavior during the global pandemic have created further demand for warehouse space.

Nationally, warehouse capacity is reportedly at a premium, with almost 96 percent of existing warehouse space in use. E-commerce, with its direct shipments to consumers, represents a fundamental shift in warehouse logistics. CBRE estimates that the U.S. alone needs 330 million more square feet of warehouse space to meet e-commerce demand into 2025; to meet total demand, another firm, JLL, put that number at one billion square feet.[2] CBRE further indicates that every $1 billion in new e-commerce sales requires one million square feet of new warehouse space.

In addition to these national trends, one reason for the surge locally in large warehouses is, aside from a single UPS facility, there is no warehouse/distribution facility in Clark County that specifically stores and repackages individual goods intended for direct delivery to residential or business customers. Home deliveries of goods from Amazon and FedEx to Clark County, for example, originate from the Portland side of the river. (See Figure 1)

[1]Fehr & Peers, 'Traditional Warehouse Developments vs. Modern E-commerce Facilities,' 2023
[2]"The Warehouse Space Race," www.Prospect.org

Figure 1: Existing Distribution Centers in Portland/Vancouver Region

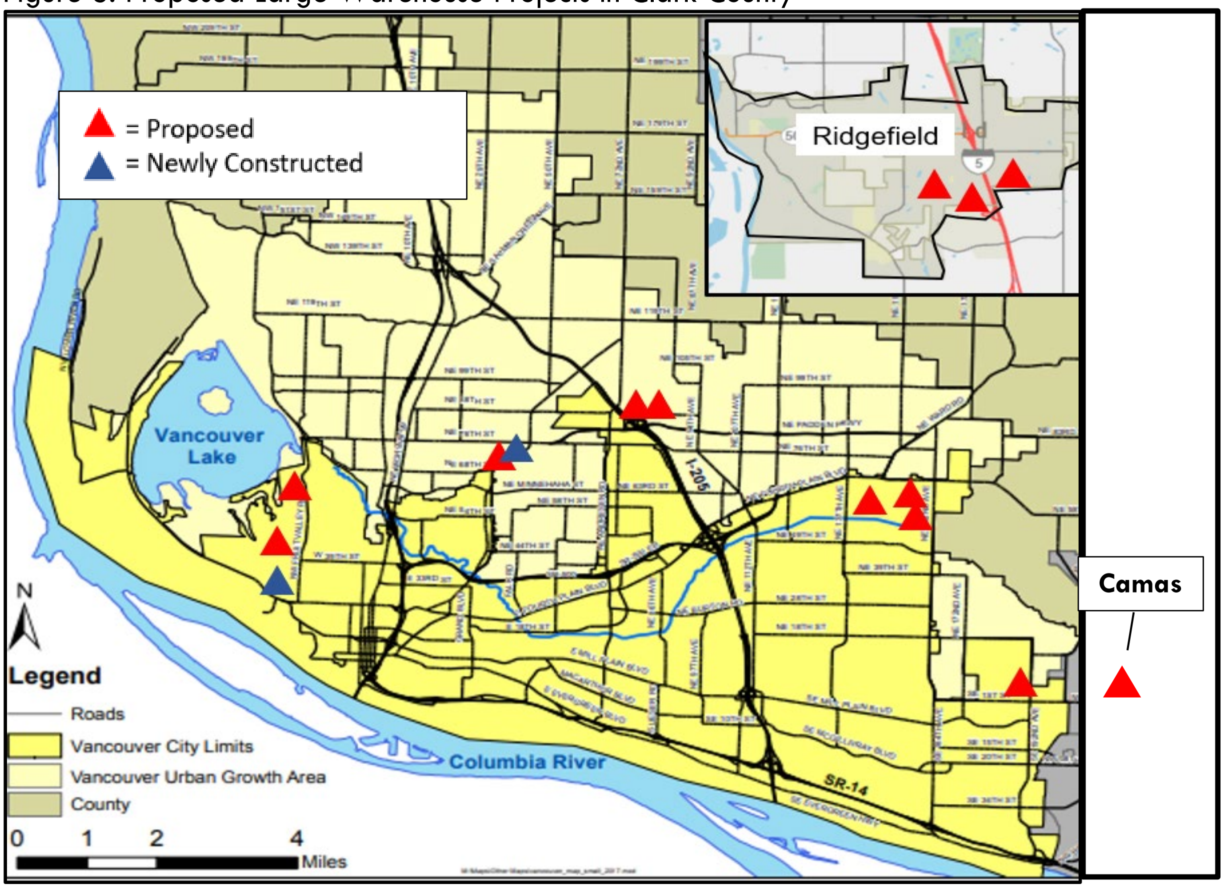


As documented in a [Columbian article](#) last year, there has been a surge of significant recent development of large scale warehouses and distribution centers in Vancouver and elsewhere in Clark County. Planning staff gathered data from Clark County, Ridgefield, Camas, and Vancouver, all of which have one or more large (>250,000 s.f.) warehouses in their development review process or under construction. While initially staff identified eight warehouse pre-applications or applications of concern in Vancouver alone, this was subsequently reduced to five active projects as one that was under construction was completed, one was only 80,000 square feet, and a third required a comprehensive plan amendment and zone change and was therefore not vested to existing use and development standards. The five warehouses, which are vested to current use and development standards, total 2.8 million square feet and will utilize 156 acres of industrial land. (See Figures 2 and 3)

Figure 2: Current Large Warehouse Applications in Vancouver

Project Name	**Location**	**Owner/Applicant**	**Building SF**	**Acres**
Prologis Park	Tax lot 152382000 (Fruit Valley)	Wellons Group	560,000	30.22
Harmon Logistics Center	NW corner of SE 1st /192nd Ave	DIRG LLC	450,000	24.2
Bridge Development	5500 NE 162nd Avenue	Bridge Dvpmt Partners LLC	640,000	36.45
Burnt Bridge Creek Logistics	5920 NE 162nd Avenue	Defenbaugh LLC	681,000	38.48
Fruit Valley Logistics	6112 NW Fruit Valley Road	Wilson Oil	365,000	26.74
TOTAL / AVG			**2,776,000**	**156**

Figure 3: Proposed Large Warehouse Projects in Clark County



Current Zoning and Land Availability Analysis

Warehouses are classified as "Warehouse/Freight Movement" in the City's Land Use and Development Code, VMC Title 20. This use is allowed as a permitted use in the Heavy Industrial (IH) zoning district, and as a limited use in the Light Industrial (IL) zoning district so long as all activities, except outdoor storage of materials, are wholly contained within building(s). Pre-existing development agreements apply to certain properties, such as in the Section 30 area of the City, and these agreements would allow new warehouse facilities to be built even though the current zoning would not otherwise allow such uses (vesting to regulations in effect at the time of the agreement). Development rights established by such development agreements would similarly not be superseded by any new use or development regulations that are adopted.

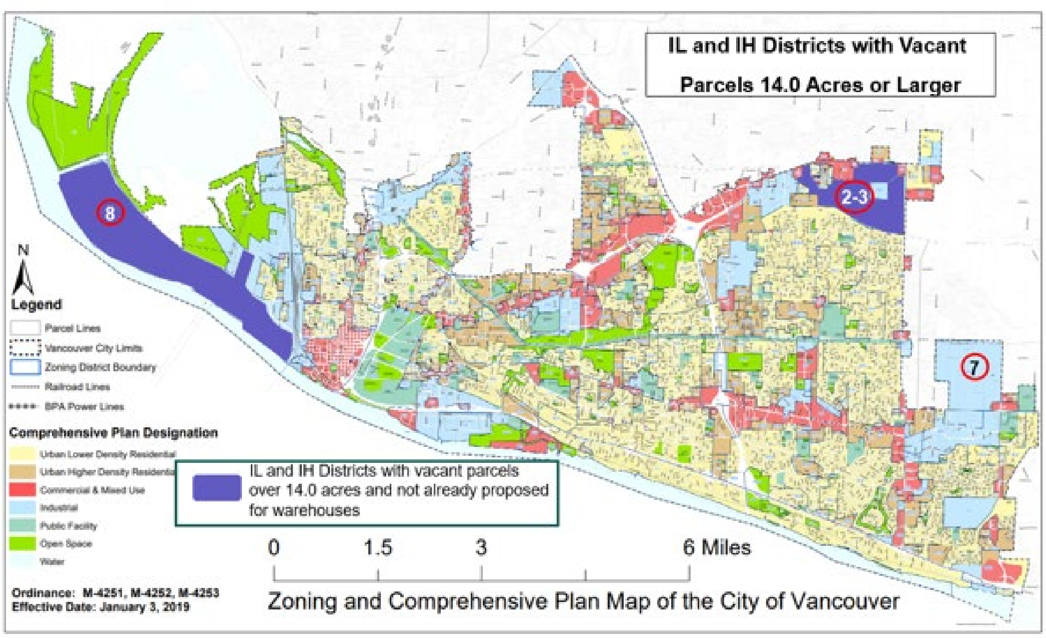
In order to estimate the minimum parcel size needed for a 250,000 square foot building, staff reviewed twelve proposed warehouse projects in Clark County and divided the parcel size by the stated building footprint for each to determine the approximate lot coverage, which were then totaled and averaged. The result of this calculation is that, on average, warehouse buildings occupy about 40% of the parcel that they occupy and so a 14-acre parcel would typically be needed to accommodate a 250,000 square foot building.

Planning staff analyzed every parcel within the IL and IH Districts using aerial photos and Clark County Assessor's property records to determine how many parcels that are vacant or mostly vacant would be large enough to accommodate a 250,000 square foot warehouse, which is the threshold for a large warehouse that Council established in the moratorium. Additionally, staff looked at parcel data in the Employment Center Mixed Use District (ECX) (Section 30) to see how many parcels might feasibly be converted to large warehouse uses if developed under existing development agreement allowances. Staff then looked at every parcel in the IL, IH, and ECX Districts using Assessor's property records and aerial photos and discovered that there are surprisingly few 14 acre or larger parcels that are not already developed.

As shown in Figure 4, only three industrial areas have vacant or underdeveloped parcels large enough to accommodate a large warehouse: 1) the Port of Vancouver, 2) 'East Orchards,' and 3) Section 30. The Port has eight parcels larger than 14 acres of developable industrial land, East Orchards in the northeast corner of the City (labeled as such by staff for this analysis) has 2-3 qualifying parcels (the third parcel requires a zone change to allow warehouses, but such a request is currently pending). A total of seven parcels could be developed for large warehouses in Section 30, where warehouses are allowed only if previously vested under a development agreement. While warehouses could be developed elsewhere in the City, no warehouse larger than 250,000 square feet is likely to be developed in any other industrial district.

One of the key takeaways from this analysis is that the City simply does not have many large vacant industrial parcels capable of handling such large facilities, therefore unavailability of suitable land may in some ways serve to curtail the trend of more new and very large warehouse facilities. However, this does raise a potentially larger issue: *What are the implications on the remaining capacity of Vancouver's industrial land to support future manufacturing and high-tech sectors?* Unfortunately, this is a question that will need to be evaluated separately as part of the City's update to the Comprehensive Plan, which is currently underway.

Figure 4. Industrial Districts Capable of Accommodating a 250,000 SF Warehouse



Note: Circled numbers in each of the three identified industrial areas represent the number of undeveloped parcels larger than 14 acres.

Equity and Locational Considerations

Large scale warehouse facilities can pose an environmental justice risk, as these facilities often have truck traffic noise and air pollution, visual impacts and light pollution, and are located in industrial zones that are often adjacent to equity priority communities. Planning staff overlaid the three areas most able to accommodate large e-commerce warehouses (from Figure 4) onto the City's Equity Index Mapping Tool (Figure 5) to determine if the location could potentially impact vulnerable and marginalized communities. The Equity Index Mapping Tool uses Census data at the census tract level to identify priority equity areas. These are areas that have a high equity index score which means the census tract has a comparatively higher rate of people of color, renters, people ages 65+, households with children, a smaller proportion with a bachelor's degree or higher, a lower median family income, a lower percentage of English-proficient households, and a higher percent of people with disabilities.

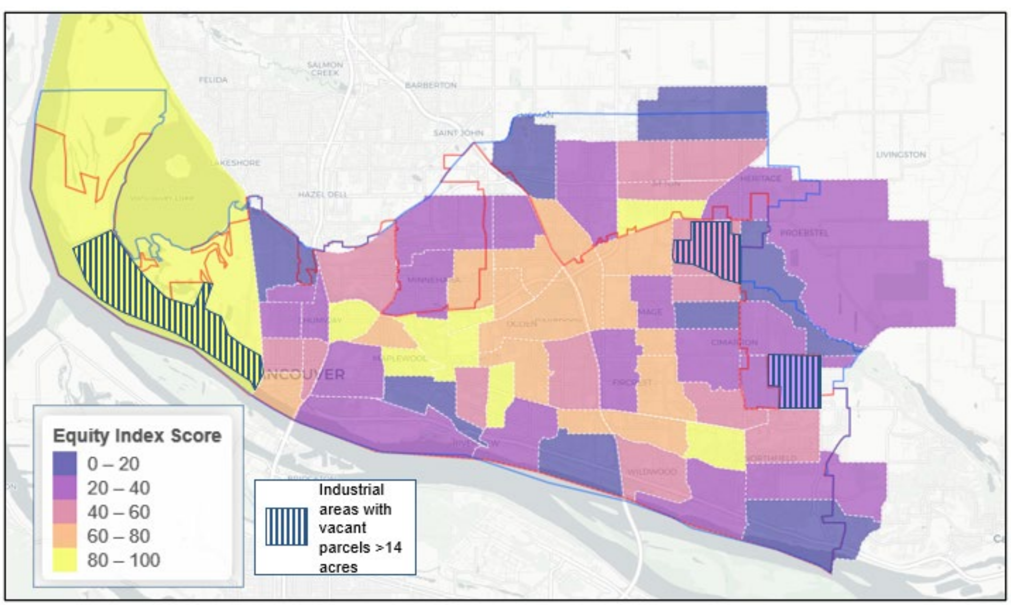
In the below figure, the Port of Vancouver is shown as being located in the Fruit Valley Neighborhood, a high priority equity area (score of 80-100), where the residential population may be more susceptible to adverse impacts (such as to health and safety) from external sources. Two warehouses are already proposed in the Fruit Valley Road corridor and there no other undeveloped parcels large enough to accommodate a 250,000 square foot or larger warehouses outside of the Port of Vancouver.

The "East Orchards" industrial cluster is mostly in the North Image and Burnt Bridge Neighborhoods and is identified as a moderate priority equity area (score of 40-60).

Section 30 is entirely within a low priority equity area (score of 20-40).

Recommended code amendments will take into account the potential for disparate impacts to high priority equity areas and any measures that may serve to minimize such impacts.

Figure 5: Vancouver's Equity Index Mapping Tool and Areas Capable of Accommodating Large Warehouses



Key Operational, Physical, and Economic Differences between E-Commerce and Traditional Warehouses

E-commerce is, relatively speaking, a newer sector of the global economy, and detailed studies of how warehouses and associated operations may impact communities (either positively or negatively) are fairly limited. City consultants Fehr and Peers and GLD Partners prepared an analysis of the above characteristics from available data and specific projects to help decision-makers understand the differences between traditional business-to-business warehouses and larger warehouses intended for e-commerce shipping.

Key differences between the two types of warehouses are outlined in the consultant's report (See also Exhibit A), as follows:

> Various types of warehouse support retail, commercial, and industrial supply chains. Virtually all industries rely directly or indirectly on warehousing services. Directly related to e-commerce, distribution and fulfillment centers typically provide value-added logistics services, allowing operators to efficiently meet varying customer demands and streamlining supply chains. These facilities differ from traditional warehouses from a physical, operational, and economic standpoint.
>
> 1. *Key Physical Differences*
>
> Physical characteristics of warehouses include warehousing design (building size, lot coverage, loading bays, and parking spaces) and siting. Key physical differences that distinguish e-commerce facilities from traditional warehouses include:
>
> - *More varied building sizes/footprints*. While traditional warehouses are typically less than 100,000 square feet, e-commerce facilities range from about 100,000 square feet to over 1 million square feet.
> - *E-commerce warehouses tend to be taller*. Building clear height, defined as the height of a building from the floor to the bottom of the lowest hanging item on the ceiling, is typically less than 32 feet for traditional warehouses, but often greater than 36 feet for e-commerce facilities.
> - *More loading dock doors*. Operations at e-commerce facilities require more loading docks.
> - *Different siting locations*. Traditional warehouses are typically situated close to other industrial uses, whereas e-commerce facilities tend to be proposed near population centers and ports.
>
> 2. *Key Operational Differences*
>
> Recent technological improvements have resulted in increasingly efficient use of warehouse space and consolidation of facilities. Modern warehouses operate differently than traditional warehouses, particularly regarding hours of operation and the flow of goods:

- *24-7 operations*. Typical hours of operation for e-commerce facilities span 24 hours a day, seven days per week. The non-stop activity in modern warehouses is made possible by shift workers and automation. In contrast, traditional warehouses with slower inventory turnover are typically limited to normal business hours, i.e., 8-hour shifts, five days per week.

- *More constant flow of goods*. E-commerce facilities typically focus less on long-term storage and more on the flow of goods and services. Modern industrial warehouse facilities are often driven by demand, compared to traditional warehouses, where operations are related to storing the largest amount of goods possible.

3. *Traffic Impacts*

Warehouses generate some level of traffic (passenger cars and trucks), but this varies significantly based on the operations of the facilities. In addition, the type of trucks (medium- vs. heavy-duty trucks[4]) also varies. Traffic impacts differ between e-commerce and traditional warehouses in the following ways:

- *Much higher vehicle activity*. Based on data from the Institute of Transportation Engineers (ITE) Trip Generation Manual, e-commerce facilities generate up to four times more daily vehicle trips than traditional warehouses, particularly for fulfillment centers that require extensive sorting.

- *Smaller delivery vehicles are more common*. Whereas traditional warehouses generate mostly medium-duty and heavy-duty truck trips, light-duty trucks and vans play a substantial role in the transport of goods from today's e-commerce facilities.

4. *Key Economic Differences*

Industrial warehouses generate jobs and tax revenue (property, sales and use, and utility taxes). Warehousing jobs provide two important community benefits: 1) pay rates that start above minimum wage, and 2) on-the-job-training for career advancement. Warehouses also generate indirect jobs[5] that benefit local and regional economies. Regionally, the U.S. Bureau of Economic Analysis (BEA) estimates that 10 new warehouse jobs create about 14 jobs in other industries.[6] For every $1.00 of earnings paid to the new warehouse workers, an additional $1.50 in earnings is generated throughout the economy. Key distinctions in the economic impact of e-commerce versus traditional warehouses include:

- *Higher-skilled labor*. While traditional warehouses rely on unskilled labor and managerial jobs, highly automated e-commerce facilities offer high-paying jobs such as automation engineers with average salaries over $100,000 annually. With companies such as Amazon investing more in warehouse automation and on-the-job training for skilled labor, the prominence of these high-paying jobs is likely to grow.

- *More ripple effects on the local economy*. Based on building size/footprint and warehouse jobs created, e-commerce facilities typically entail more local and regional economic impacts (tax revenue, indirect jobs, and new dollars circulating in the economy) than traditional warehouses.

Key Takeaways
From a physical, operational, and economic standpoint, there are pronounced differences between traditional warehouses and e-commerce facilities. With the evolving warehousing industry and a market need for e-commerce facilities in Vancouver, the City may benefit from new warehouse developments targeted to store and repackage e-commerce goods intended for various purposes, including retail home delivery. The development of e-commerce facilities will support the growth of the local economy in Vancouver through job creation and tax revenue. Regulatory amendments are needed to ensure that any new development supports the City's economic growth, has adequate transportation infrastructure, and aligns with climate and equity goals and priorities.

For the full analysis, see Fehr and Peer's report, entitled "*Traditional Warehouse Developments vs. Modern E-commerce Facilities,*" dated revised July 2023, which is attached as Exhibit A.

Possible Code Amendments to Address Identified Impacts and Climate Action Policy

Planning staff has identified a number of possible code amendments that could help to mitigate impacts from very large warehouses, based on the analysis prepared by Fehr and Peers. Additionally, measures that can further the City Council's stated climate action policy goals have been identified by staff and the city's consultants. Staff will ask Planning Commission for feedback at the July 25 workshop about the below list of possible code amendments, which will be further refined for discussion at a future workshop.

Issue	Proposed Fix
Use Limitations	Make warehouses ≥250,000 s.f. conditional uses ('C' in use table) IL/IH Districts
	Make warehouses <250,000 s.f. limited uses with specific standards ('L' in use table)
Locational Concerns	Require access from a primary arterial (or via an industrial street); larger warehouses to be within 1.0 mile of a state or interstate highway to reduce truck traffic through neighborhoods
Traffic impacts	Base traffic generation on ITE Manual Land Use Category 155 (high cube transload storage) unless specific type of warehouse is identified early on; use SEPA/CUP to address specific off-site impacts

	Prohibit large trucks from utilizing non-truck routes, and use conditional use permit process to attach additional restrictions on traffic (such as through areas of high equity concern)
Parking/Loading Min.	Decrease parking and loading minimums so surface lots are not over-sized
Loading Bays	Prohibit loading bays facing residentially-zoned property
Lot Coverage	Reduce maximum allowed lot coverage to increase vegetative buffers
Visual Impacts	Require building elevations longer than 300' to be medium-to-dark shade (e.g. no white or light-colored building);
	Treed buffer (25-30' deep) adjacent to public street or residentially-zoned property
Climate Action (Energy)	Require 75% onsite energy to be from renewable sources, to be audited prior to occupancy permit
	EV charging ports at all loading docks
	EV charging stations at 20% of parking spaces
	Rooftop skylights for natural light; use of LEDs
	Light-colored roofing material to reduce heat absorption
Recycling of Packaging	Warehouse-specific waste-reduction measures being developed by staff (may be VMC Title 6)

Council and Public Engagement to-date

- Council Executive Session (moratorium): December 2023
- Council Workshops (moratorium): January, May 2023
- Council Public Hearings (moratorium): January, February, June 2023
- Project information posted to City's BeHeard webpage
- Environmental Roundtables with Alliance for Community Engagement (3)
- Business Roundtables with Identity Clark County and Port of Vancouver (4)
- Planning Commission Workshop (background, code amendnents): July 25, 2023

Next Steps

Following the City Council workshop, planning staff will refine the set of proposed code amendments to be more specific and responsive to Council feedback. After an internal review by city planners, draft code amendments will be circulated to persons and groups that have expressed interest in or commented on the project to-date, and will be posted to the City's BeHeard webpage where the public may ask questions or leave comments for staff to follow up on.

Additional engagement which may consist of in-person or remote meetings will be scheduled with specific stakeholders such as Alliance for Citizen Engagement, Identity Clark County, Port of Vancouver, Fruit Valley Neighborhood Association, North Image Neighborhood Association, and Burnt Bridge Creek Neighborhood Association, as well as any other associations or groups that express interest in staff attending their meeting.

Staff has tentatively reserved workshop time with the Planning Commission in September to review more specific code amendments. Public hearings with the Planning Commission and City Council are anticipated in late September and early October.

Questions? Please contact:

Chad Eiken, Director, Community Development: chad.eiken@cityofvancouver.us

Becky Coutinho, Associate Planner, CDD: becky.coutinho@cityofvancouver.us

Exhibits

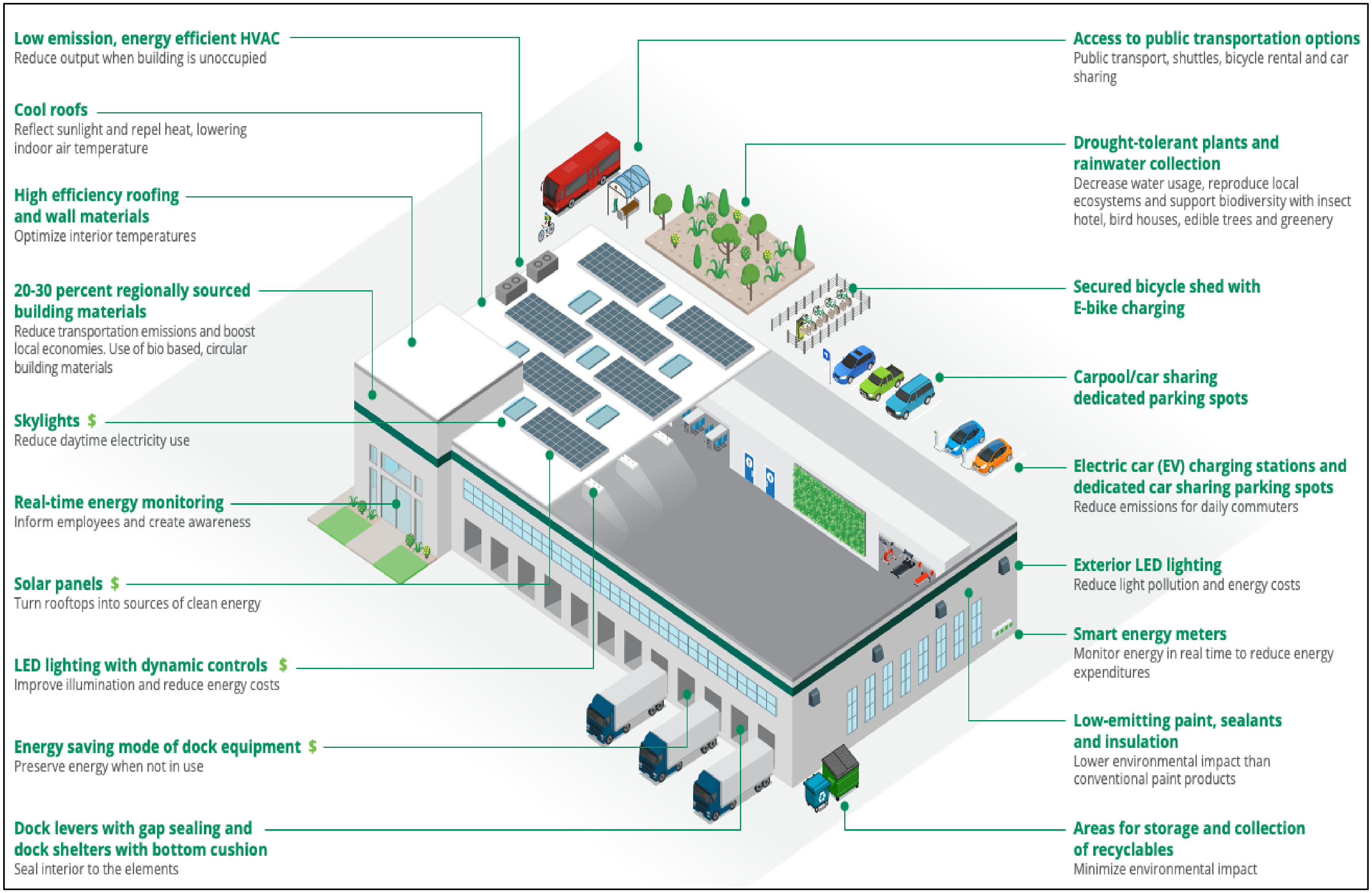
A. Warehouse Analysis Report by Fehr & Peers, Inc., dated July 2023
B. Staff Work Plan
C. Possible Climate Action Measures Graphic from Prologis

EXHIBIT B. Staff Work Plan: Warehouse/Distribution Center Moratorium

Phase	Time Period	Tasks/Outcomes
I. Information Gathering & Analysis	Jan. – May 2023	• Industrial Land Supply in Vancouver • Comparison of Local Warehouse vs. Large Distribution Center Characteristics • Examine regional and national warehouse market trends • Jobs/acre comparison to other industrial uses • Review of impacts from Distribution Centers (traffic, pollution, tax base, job creation, land consumption, etc.) • Equity disparities analysis • Analysis of areas where distribution centers may be most appropriate • Contact other jurisdictions regarding lessons learned, response to increase in large warehouses • Review of other jurisdiction codes and best practices • Outreach to key stakeholders (Port, industrial tenants, CREDC, etc.)
II. Moratorium Extension (6 month)	June 2023	• Council workshop to provide updates on background research and preliminary analysis • Council public hearing - approval of a six-month extension of moratorium to complete code development work
III. Code Development	June – Aug. 2023	• Develop use limitations and development standards as appropriate to mitigate concerns • Targeted engagement with Port, industrial stakeholders, CREDC, County, etc. to receive input on draft standards • Planning Commission Workshop(s) to review draft code changes
IV. Code Amendment Approval Process and Public Engagement	Aug. – Oct. 2023	• Complete SEPA Review/Determination • Neighborhood and general public information sharing and opportunities for input (Neighborhood newsletters, meetings, Be Heard webpage, etc.) • Planning Commission Workshops and Public Hearing • City Council Workshops and Public Hearing • Adoption of development code changes • Moratorium expires December 12, 2023

Exhibit C: Possible Climate Action Measures

Source: Prologis, courtesy of Fehr and Peers



$ = Direct occupational cost savings

Warehouse Study and Code Amendments

City Council Workshop
August 14, 2023

CITY OF Vancouver WASHINGTON

Chad Eiken, Director, CDD
Becky Coutinho, Associate Planner, CDD
Tinotenda Jonga, Fehr and Peers, Inc.

Warehouse Study Goals

Understand Differences & Impacts

Gather Public and Stakeholder Input

Propose Code Amendments

Types of Warehouses: Definitions

Source: LoopNet Commercial Property. 2023

Traditional Warehouse |
Long-term storage of bulk inventory or business-to-business (B2B) orders

Source: NELSON Worldwide. 2023.

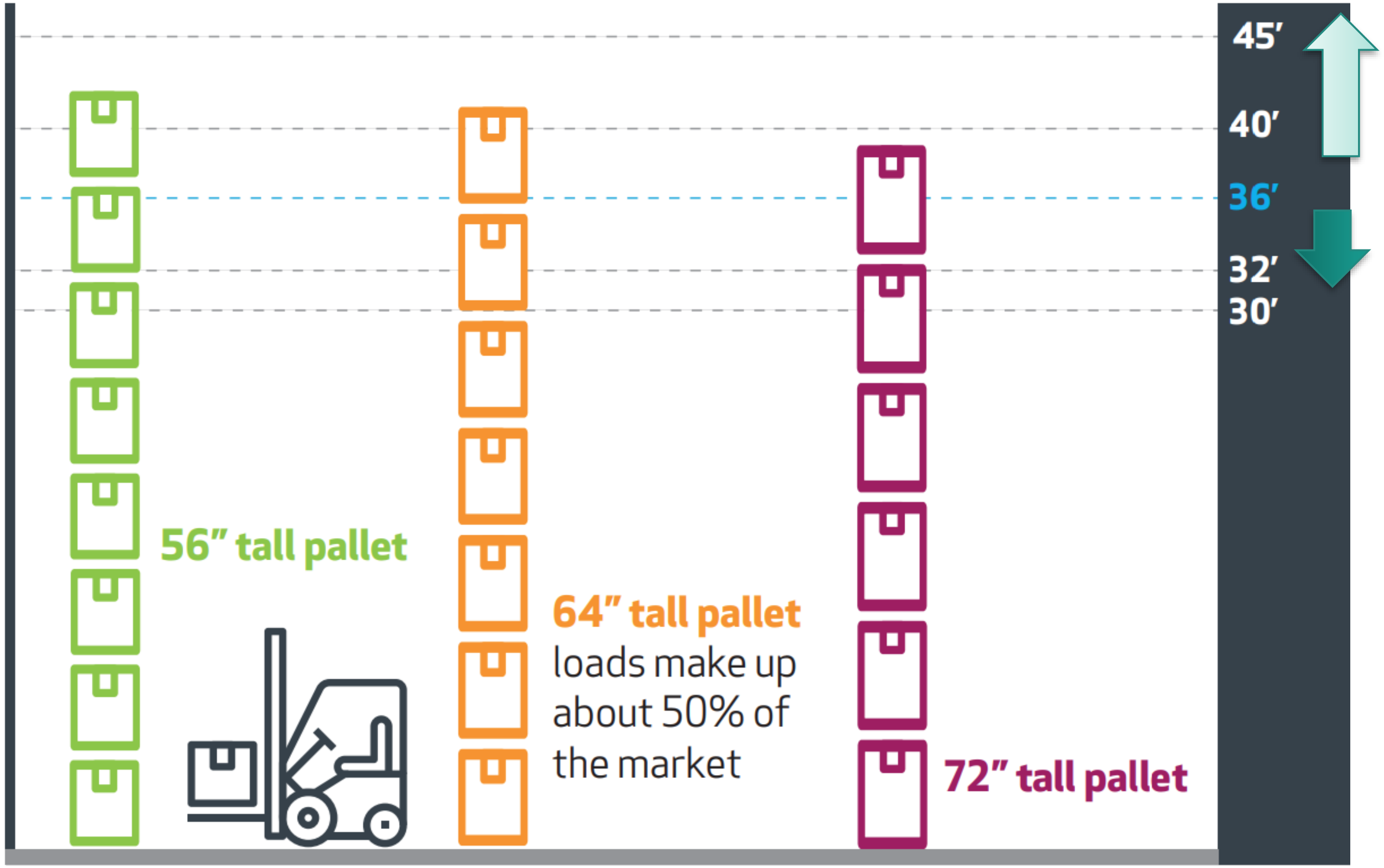
E-commerce Facilities |
Designed to provide value-added logistics services to streamline the supply chain; individualize parcel delivery

FEHR PEERS

City of Vancouver Washington

Key Physical Differences

Building Clear Height | Distance from floor to lowest hanging item on ceiling



Greater than 36 ft for e-commerce facilities

Less than 32 ft for traditional warehouses

Source: Modern Architecture

FEHR PEERS

City of Vancouver Washington

Key Physical Differences

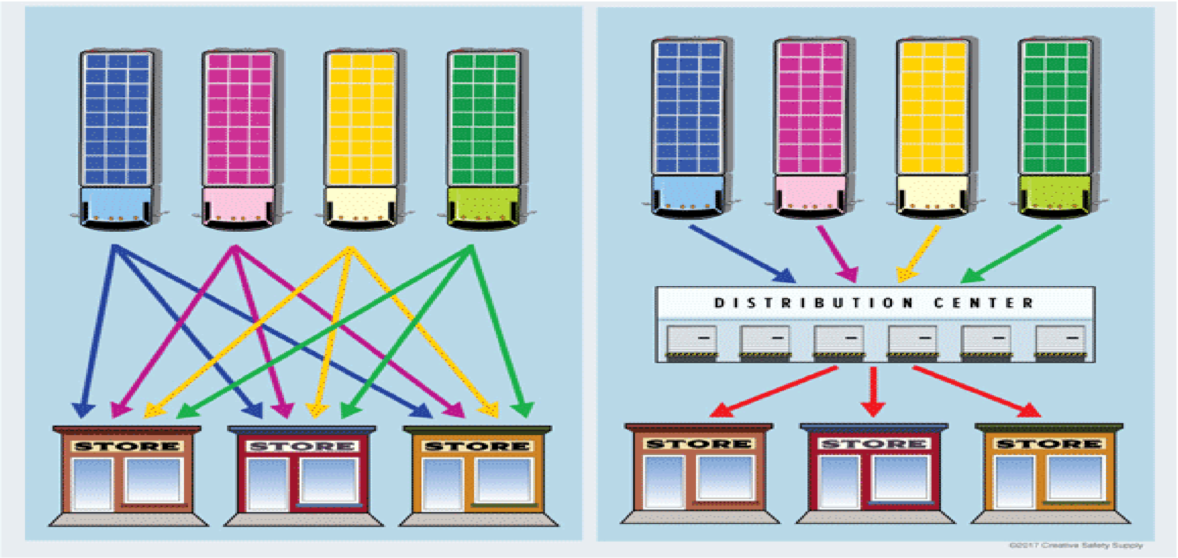
Traditional Warehouse	E-Commerce Facilities
• Typically less than100K square feet • Shorter buildings with clear height typically less than 32 feet • Fewer dock doors • Located near other industrial uses	• Building size varies from 100K to 1M square feet • Taller buildings with clear height greater than 36 feet • More dock doors • Located near population centers, ports, etc.

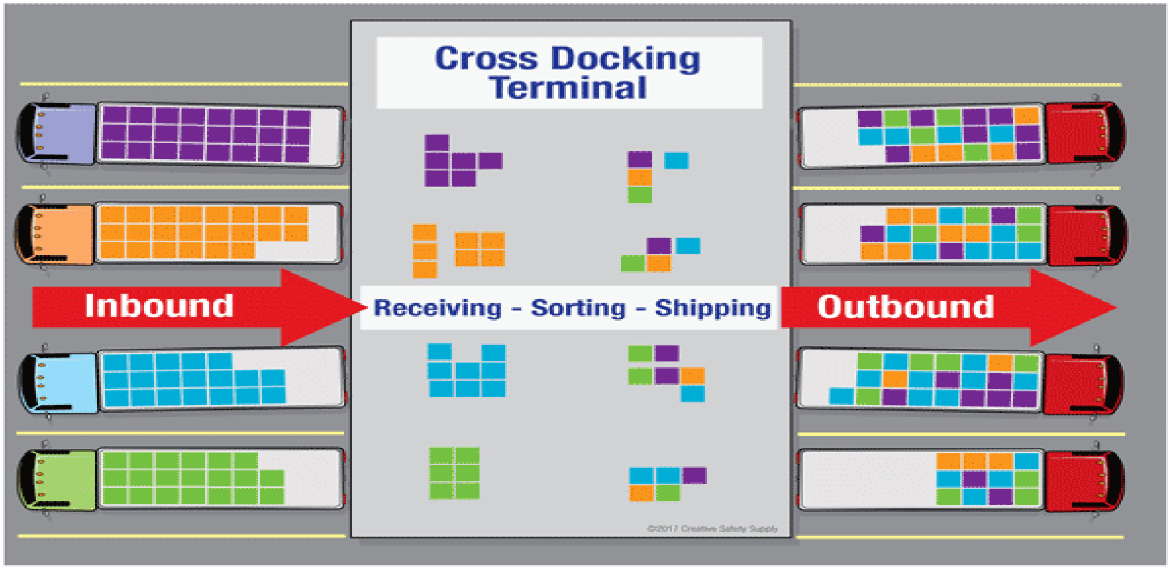
Key Operational Differences

Traditional Warehouse	E-Commerce Facilities
• Slower turnover of stored goods (> 1 day) • 8-hour day shifts, 5-day weeks • Fewer employees, primarily unskilled labor • Fewer daily truck trips	• High turnover of goods • Around-the-clock operations supported by automation • More employees; more technical jobs due to automation • Significantly more daily truck and van trips

Key Operational Differences

Traditional E-commerce





Source: Creative Safety Supply

FEHR PEERS

City of Vancouver Washington

Key Economic Differences

Traditional Warehouse	E-Commerce Facilities
• Primarily rely on unskilled labor with a few managerial jobs	• Often include higher paying jobs such as automation engineers
• Fewer employees result in fewer indirect support jobs and local spending	• More employees and technology results in more support jobs, local spending
• Typically generate less tax revenue	• Economic impact varies with type of facility; larger facilities generate more tax revenue

FEHR PEERS

GLDPARTNERS

CITY OF Vancouver WASHINGTON

Possible Climate Action Measures

FEHR PEERS

CITY OF Vancouver WASHINGTON

Energy Provisions & Conservation

- Energy from renewable sources
- EV and E-truck charging
- Solar panels; solar-ready connections
- Motion sensors, skylights and clerestory windows, climate control; LED lights
- Cool roofs (to reflect sunlight)

Water Conservation & Waste Management

- Water conservation measures/landscape
- Regionally-sourced building materials

**See also Exhibit C*

Possible Code Amendments

Issue	Proposed Fix
Use Limitations	Make warehouses ≥250,000 s.f. conditional uses (‘C’ in use table) IL/IH Districts
	Make warehouses <250,000 s.f. limited uses with specific standards (‘L’ in use table)
Locational Concerns	Require access from a primary arterial; larger warehouses to be within 1.0 miles of a state or interstate highway
Traffic impacts	Prohibit large trucks from utilizing non-truck routes
	Ensure traffic estimates are conservative (use high cube transload storage use) unless warehouse type is specifically identified by applicant

Possible Code Amendments (cont.)

Issue	Proposed Fix
Parking/Loading Min.	Decrease parking and loading minimums so surface lots are not over-sized
Loading Bays	Prohibit loading bays facing residentially-zoned property
Lot Coverage	Reduce max. lot coverage to increase vegetative buffers (currently 75-100% allowed)
Visual Impacts	Require building elevations longer than 300’ to be medium-to-dark shade (e.g. no white or light-colored building); Treed buffer (25-30’ deep) adjacent to public street or residentially-zoned property

Possible Code Amendments (cont.)

Issue	Proposed Fix
Climate Action	Require 75% of onsite energy to be from renewable sources
	Solar-ready roofs and electrical systems
	EV charging ports at all loading docks; charging stations at least at 20% of parking spaces
	Rooftop skylights for natural light; use of LEDs
	Light-colored roofing material to reduce heat absorption

Ongoing Outreach

City's BeHeard Webpage

Alliance for Community Engagement (ACE)

Identity Clark County (ICC)

Port of Vancouver

Neighborhood Associations

Next Steps

Develop Text Changes to Title 20 VMC

Additional Public/Stakeholder Input

PC/CC Workshops Public Hearings

Thank You

To learn more, visit: beheardvancouver.org/warehouse

CITY OF
Vancouver
WASHINGTON

CITY OF Vancouver WASHINGTON

Staff Report: 152-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/14/2023

SUBJECT Interagency Agreement with Washington Department of Ecology for Pollution Prevention Assistance

Key Points

This two-year grant for $140,430.18 will provide funding for staff time and materials to allow Vancouver to conduct site visits and provide pollution prevention technical assistance to Small Quantity Generators of dangerous waste, coordinate with neighboring jurisdictions on consistent messaging, and provide targeted outreach to automotive repair shops. Automotive shops commonly generate dangerous wastes, needs technical assistance, and are often located in areas of the city where access to materials and outreach in different languages will help fulfill equity and environmental justice concerns.

Strategic Plan Alignment

Climate and Natural Systems: – Environmental stewardship and efforts to address climate change to ensure a sustainable future.

Present Situation

Washington Department of Ecology recently awarded $140,430.18 to the City of Vancouver to participate in the Pollution Prevention Assistance Partnership overseen by the Washington Department of Ecology Hazardous Waste and Toxics Reduction Program.

In January 2023, The City of Vancouver Public Works Department expanded its business inspection program to comply with new state requirements and now includes businesses and facilities that use or store potentially harmful materials. These inspections help businesses comply with updated pollution prevention policies that were incorporated into the City's Phase II municipal stormwater permit and VMC 14.26.

These grant funds will be utilized to provide training and resources to City inspectors and help focus efforts on small generators who do not have in-house expertise by offering technical assistance, outreach & education, spill prevention planning, spill kits, and secondary containment.

The funds will also be used to conduct webinars and provide targeted outreach to automotive repair shops, coordinate with neighboring jurisdictions on pollution prevention issues, develop marketing materials for pollution prevention tips, and work with the Clark County Green Business program to design and start a green business incentive program.

Advantage(s)

1. This grant will fund work done by City staff and materials needed to provide technical assistance and education for pollution prevention for local businesses and citizens.
2. The 2-year grant requires no local match or on-going costs.

Disadvantage(s)

None

Budget Impact

There is no local funding match or ongoing costs required. Budget appropriation will be updated as needed in the Fall Supplemental of 2023 to allow for the expenditure of the grant funds.

Prior Council Review

None

Action Requested

Authorize the City Manager or designee to execute an Interagency Agreement with the State of Washington, Department of Ecology to disburse grant funds to conduct pollution prevention activities per the Agreement.

Kris Olinger, Engineering Program Manager 360-487-7188; Brett Raunig, Environmental Scientist 360-487-7195

ATTACHMENTS:

- Interagency Agreement

IAA No. C2400030

INTERAGENCY AGREEMENT (IAA)

BETWEEN

THE STATE OF WASHINGTON, DEPARTMENT OF ECOLOGY

AND

City of Vancouver

THIS INTERAGENCY AGREEMENT (“Agreement” or “IAA”) is made and entered into by and between the state of Washington, Department of Ecology, hereinafter referred to as “ECOLOGY,” and the City of Vancouver hereinafter referred to as the “CONTRACTOR,” pursuant to the authority granted by Chapter 39.34 of the Revised Code Washington, Interlocal Cooperation Act.

THE PURPOSE OF THIS AGREEMENT is for the CONTRACTOR to provide Pollution Prevention Assistance (PPA) Specialists who will provide technical assistance and education outreach to small businesses in an effort to prevent pollution of waters of the state as part of the Pollution Prevention Assistance Partnership (formerly known as the Local Source Control (LSC) Partnership).

WHEREAS, ECOLOGY has legal authority (RCW 70A.214 and RCW 70A.300) and the CONTRACTOR has legal authority (The City has a Water Resource Protection Ordinance, Vancouver Municipal Code (VMC) 14.26, that allows access for inspection of businesses under the minimum standards which apply to "all operations".) that allows each party to undertake the actions in this agreement.

THEREFORE, IT IS MUTUALLY AGREED THAT:

1. SCOPE OF WORK

The CONTRACTOR shall furnish the necessary personnel, equipment, material and/or service(s) and otherwise do all things necessary for or incidental to the performance of the work set forth in Appendix A, *Statement of Work,* and Appendix B, *Budget Detail,* attached hereto and incorporated herein.

2. PERIOD OF PERFORMANCE

The period of performance of this IAA will commence on **July 1, 2023**, and be completed by **June 30, 2025**, unless the Agreement is terminated sooner as provided herein. Amendments extending the period of performance, if any, shall be at the sole discretion of ECOLOGY.

3. COMPENSATION

Compensation for the work provided in accordance with this IAA has been established under the terms of RCW 39.34.130 and RCW 39.26.180(3). This is a performance-based agreement, under which payment is based on the successful completion of expected deliverables.

Compensation for this agreement will be released in two 1-year phases. Phase One is limited to 50 percent of the project budget and Phase Two can be up to the remaining percentage of the project budget. On or before August 15, 2024, Ecology will evaluate available funding and the CONTRACTOR's performance and progress towards meeting contract deliverables and spending. To release the second-year funding the CONTRACTOR, by June 30, 2024, must:

1. Complete a minimum of 40% of the total site visit deliverables, and
2. Utilize 40% of the total compensation award.

If performance obligations have been met and funding is available per ECOLOGY's determination, the full year 2 budget award will be considered available. Should the CONTRACTOR fail to make satisfactory progress or funding is limited, ECOLOGY will determine the appropriate additional funding to release for year 2 of the contract. ECOLOGY will consider various factors in determining year 2 funding including, but not limited to, available funding, performance to date, staff vacancies, time and costs spent on unique program elements, and potential circumstances beyond the CONTRACTOR's control.

The source of funds for this IAA is **Model Toxics Control Operating Account (23P), Model Toxics Capital Account (23N).** Both parties agree to comply with all applicable rules and regulations associated with these funds.

The parties have determined that the cost of accomplishing the work identified herein will not exceed One hundred forty thousand, four hundred thirty dollars and eighteen cents ($140,430.18), including any indirect charges. Payment for satisfactory performance of the work shall not exceed this amount unless the parties mutually agree via an amendment to a higher amount. Compensation for services shall be based on the terms and tasks set forth in Appendix A, *Statement of Work*. ECOLOGY will not make payment until it has reviewed and accepted the work.

Travel expenses (meals, lodging, and mileage) will be reimbursed according to current state rates at the time of travel, not to exceed the budget (see Appendix B, *Budget Detail*).

Purchase of source control tools or equipment (e.g., spill kits, plastic drum covers) and promotional items for distribution to businesses under this contract must be listed in *Goods and Services budget* or *Equipment budget* in Appendix B. Any purchases of equipment or good and services over $1,000.00 not specifically listed in Appendix B must be pre-approved by ECOLOGY. When the agreement expires, or when the equipment is no longer needed for the originally authorized purpose (whichever comes first) the disposition of equipment shall be at ECOLOGY's sole discretion.

Indirect rates will be paid as indicated in Appendix B, *Budget Detail*. Changes to the indirect rate may be considered by ECOLOGY. CONTRACTOR shall provide supporting documentation necessitating the change to ECOLOGY. ECOLOGY's approval will be communicated by e-mail. An increase in indirect rate does not increase the total contract award. Changes are handled by adjusting the budget between categories listed in Appendix B. Changes to the total budget cost of the contract shall require an amendment. The budget referenced in Appendix B may be adjusted between categories with ECOLOGY's preapproval, and if the total budget is not exceeded.

ECOLOGY may, at its sole discretion, terminate or suspend this Contract, or withhold payments claimed by the CONTRACTOR for services rendered, if the CONTRACTOR fails to satisfactorily comply with any term or condition of this Agreement.

4. BILLING AND PAYMENT PROCEDURE

Payment requests shall be submitted on state form, Invoice Voucher A19-1A. Invoice voucher shall reference the Agreement (IAA) number and clearly identify those items that relate to performance under this Agreement. Invoices shall describe and document to ECOLOGY's satisfaction a description of the work performed, the progress of the work, and related costs. Each invoice shall bill for actual hours worked during the quarter. The actual hours billed may be higher (if the total budget compensation award is not exceeded) or lower than the FTE estimate in Appendix A, *Statement of Work.* Attach supporting documentation to the invoice. See Appendix A, *Statement of Work*, Sections IV, V and X for additional information (and Section XI, Small Change Voucher Program if applicable).

Send invoices to:

State of Washington
Department of Ecology
Hazardous Waste & Toxics Reduction Program
Attn: Andrew Maher
4601 N. MONROE ST.
SPOKANE, WA 99205

OR

Electronically submit invoices to:
Andrew Maher at anma461@ecy.wa.gov **AND**
Kristine Ray at kray461@ecy.wa.gov

Payment requests will be submitted on a Quarterly basis. Invoices must be submitted by the dates outlined in Appendix A, *Statement of Work*, Section X, Table 8. Upon expiration of this Agreement, any claim for payment not already made shall be submitted to ECOLOGY within 30 days after the expiration date or the end of the fiscal year, whichever is earlier.

Payment will be made within thirty (30) days of submission of a properly completed invoice (form A19-1A) with supportive documentation. All expenses invoiced shall be supported with copies of invoices paid.

Payment will be issued through Washington State's Office of Financial Management's Statewide Payee Desk. To receive payment, CONTRACTOR must register as a statewide vendor by submitting a statewide vendor registration form and an IRS W-9 form at website, https://ofm.wa.gov/it-systems/statewide-vendorpayee-services. For questions about the vendor registration process, contact Statewide Payee Help Desk at (360) 407-8180 or email PayeeRegistration@ofm.wa.gov.

5. ALTERATIONS AND AMENDMENTS

This Agreement may be amended by mutual agreement of the parties. Such amendments shall not be binding unless they are in writing and signed by personnel authorized to bind each of the parties.

6. ASSIGNMENT

The work to be provided under this Agreement, and any claim arising thereunder, is not assignable or delegable by either party in whole or in part, without the express prior written consent of the other party, which consent shall not be unreasonably withheld.

7. ASSURANCES

Parties to this Agreement agree that all activity pursuant to this agreement will be in accordance with all the applicable current federal, state, and local laws, rules, and regulations.

8. CONFORMANCE

If any provision of this Agreement violates any statute or rule of law of the state of Washington, it is considered modified to conform to that statute or rule of law.

9. DISPUTES

Parties to this Agreement shall employ every effort to resolve a dispute themselves without resorting to litigation. In the event that a dispute arises under this Agreement that cannot be resolved among the parties, it shall be determined by a Dispute Board in the following manner. Each party to this Agreement shall appoint one member to the Dispute Board. The members so appointed shall jointly appoint an additional member to the Dispute Board. The Dispute Board shall review the facts, agreement terms, and applicable statutes and rules, and then make a determination of the dispute. The determination of the Dispute Board shall be final and binding on the parties hereto, unless restricted by law. The cost of resolution will be borne by each party paying its own cost. As an alternative to this process, if state agencies, either of the parties may request intervention by the Governor, as provided by RCW 43.17.330, in which event the Governor's process will control. The parties may mutually agree to a different dispute resolution process.

10. FUNDING AVAILABILITY

ECOLOGY's ability to make payments is contingent on availability of funding. In the event funding from state, federal, or other sources is withdrawn, reduced, or limited in any way after the effective date and prior to completion or expiration date of this Agreement, ECOLOGY, at its sole discretion, may elect to terminate the Agreement, in whole or part, for convenience or to renegotiate the Agreement subject to new funding limitations and conditions. ECOLOGY may also elect to suspend performance of the Agreement until ECOLOGY determines the funding insufficiency is resolved. ECOLOGY may exercise any of these options with no notification restrictions, although ECOLOGY will make a reasonable attempt to provide notice.

In the event of termination or suspension, ECOLOGY will reimburse eligible costs incurred by the CONTRACTOR through the effective date of termination or suspension. Reimbursed costs must be agreed to by ECOLOGY and the CONTRACTOR. In no event shall ECOLOGY's reimbursement exceed ECOLOGY's total responsibility under the agreement and any amendments.

11. GOVERNING LAW AND VENUE

This Agreement is entered into pursuant to and under the authority granted by the laws of the state of Washington and any applicable federal laws. The provisions of this Agreement shall be construed to conform to those laws. This Agreement shall be construed and interpreted in accordance with the laws of the state of Washington, and the venue of any action brought hereunder shall be the Superior Court for Thurston County.

12. INDEPENDENT CAPACITY

The employees or agents of each party who are engaged in the performance of this Agreement shall continue to be employees or agents of that party and shall not be considered for any purpose to be employees or agents of the other party.

13. ORDER OF PRECEDENCE

In the event of an inconsistency in the terms of this Agreement, or between its terms and any applicable statute or rule, the inconsistency shall be resolved by giving precedence in the following order:

a. Applicable federal and state of Washington statutes, regulations, and rules.

b. Mutually agreed upon written amendments to this Agreement.

c. This Agreement, number C2400030.

d. Appendix A, *Statement of Work*.

e. Appendix B, *Budget Detail.*

f. Appendix C, *Special Terms and Conditions.*

g. Any other provisions or term of this Agreement, including materials incorporated by reference or otherwise incorporated.

14. RECORDS MAINTENANCE

The parties to this Agreement shall each maintain books, records, documents, and other evidence that sufficiently and properly reflect all direct and indirect costs expended by either party in the performance of the service(s) described herein. These materials shall be subject to inspection, review, or audit by personnel of both parties, other personnel duly authorized by either party, the Office of the State Auditor, and federal officials so authorized by law. All books, records, documents, and other materials relevant to this Agreement must be retained for six years after expiration of this Agreement. The Office of the State Auditor, federal auditors, and any persons duly authorized by the parties shall have full access and the right to examine any of these materials during this period. Each party will utilize reasonable security procedures and protections for all materials related to this Agreement. All materials are subject to state public disclosure laws.

15. RESPONSIBILITIES OF THE PARTIES

Each party of this Agreement hereby assumes responsibility for claims and/or damages to persons and/or property resulting from any act or omissions on the part of itself, its employees, its officers, and its agents. Neither party will be considered the agent of the other party to this Agreement.

16. RIGHTS IN DATA

Unless otherwise provided, data which originates from this Agreement shall be "work made for hire" as defined by the United States Copyright Act, Title 17 U.S.C. section 101 and shall be owned by state of Washington, ECOLOGY. Data shall include, but not be limited to, reports, documents, pamphlets, advertisements, books magazines, surveys, studies, computer programs, films, tapes, and/or sound reproductions. Ownership includes the right to copyright, patent, and register these items, and the ability to transfer these rights.

17. SEVERABILITY

If any provision of this Agreement or any provision of any document incorporated by reference shall be held invalid, such invalidity shall not affect the other provisions of this Agreement which can be given effect without the invalid provision, if such remainder conforms to the requirements of applicable law and the fundamental purpose of this Agreement, and to this end the provisions of this Agreement are declared to be severable.

18. SUBCONTRACTORS

CONTRACTOR agrees to take complete responsibility for all actions of any Subcontractor used under this Agreement for the performance. When federal funding is involved, there will be additional CONTRACTOR and subcontractor requirements and reporting.

Prior to performance, all subcontractors who will be performing services under this Agreement must be identified, including their name, the nature of services to be performed, address, telephone, WA State Department of Revenue Registration Tax number (UBI), federal tax identification number (TIN), and anticipated dollar value of each subcontract. Identify whether subcontractor is certified with OMWBE, WA Veterans, or is a WA small business. Provide such information to ECOLOGY’s Agreement manager.

19. SUSPENSION FOR CONVENIENCE

ECOLOGY may suspend this Agreement or any portion thereof for a temporary period by providing written notice to the CONTRACTOR a minimum of seven (7) calendar days before the suspension date. CONTRACTOR shall resume performance on the first business day following the suspension period unless another day is specified in writing by ECOLOGY prior to the expiration of the suspension period.

20. TERMINATION FOR CAUSE

If for any cause, either party does not fulfill in a timely and proper manner its obligations under this Agreement, or if either party violates any of these terms and conditions, the aggrieved party will give the other party written notice of such failure or violation. The responsible party will be given the opportunity to correct the violation or failure within fifteen (15) business days. If failure or violation is not corrected, this Agreement may be terminated immediately by written notice of the aggrieved party to the other.

21. TERMINATION FOR CONVENIENCE

Either party may terminate this Agreement without cause upon thirty (30) calendar day prior written notification to the other party. If this Agreement is so terminated, the parties shall be liable only for performance rendered or costs incurred in accordance with the terms of this Agreement prior to the effective date of termination.

22. WAIVER

A failure by either party to exercise its rights under this Agreement shall not preclude that party from subsequent exercise of such rights and shall not constitute a waiver of any other rights under this Agreement unless stated to be such in a written amendment to this Agreement signed by an authorized representative of the parties.

23. AGREEMENT MANAGEMENT

The representative for each of the parties shall be responsible for and shall be the contact person for all communications, notifications, and billings questions regarding the performance of this Agreement. The parties agree that if there is a change in representatives, they will promptly notify the other party in writing of such change, such changes do not need an amendment.

The ECOLOGY Representative is:

Name: Andrew Maher
Address: 4601 N. Monroe Street
Spokane, WA 99205
Phone: (509) 290-7806 cell
Email: anma461@ecy.wa.gov

The City of Vancouver Representative is:

Name: Kris Olinger
Address: PO Box 1995
Vancouver, WA 98668
Phone: (360) 487-7130
Email: kris.olinger@cityofvancouver.us

24. ALL WRITINGS CONTAINED HEREIN

This Agreement contains all the terms and conditions agreed upon by the parties. No other understandings, oral or otherwise, regarding the subject matter of this Agreement shall be deemed to exist or to bind any of the parties hereto.

The signatories to this Agreement represent that they have the authority to bind their respective organizations to this Agreement.

IN WITNESS WHEREOF, the parties below, having read this Agreement in its entirety, including all attachments, do agree in each and every particular as indicated by their signatures below.

State of Washington Department of Ecology	City of Vancouver
By:	By:
Signature Date	Signature Date
Katrina Lassiter	Eric J. Holmes
Print Name	Print Name
Hazardous Waste and Toxics Reduction Program Manager	City Manager
Title	Title

APPENDIX A

STATEMENT OF WORK

Section I. Introduction

This Statement of Work is for the 2023 – 2025 biennial Interagency Agreement (IAA) for the Pollution Prevention Assistance (PPA) Partnership, which is overseen by the Washington State Department of Ecology (ECOLOGY), Hazardous Waste & Toxic Reduction Program.

The mission of the Pollution Prevention Assistance (PPA) Partnership is:

"We protect Washington's residents and environment by helping small businesses reduce toxic chemical use, safely manage dangerous waste, and keep stormwater free of pollutants."

The CONTRACTOR, through their Pollution Prevention Assistance (PPA) program, will conduct multimedia source control site visits and pollution prevention activities to businesses that are small quantity generators (SQGs) of dangerous waste. In this context an SQG is any business, non-profit, facility, school, or other organization that generates less than 220 pounds of dangerous waste per calendar month and less than 2.2 pounds of extremely hazardous waste per calendar month. The site visits, along with other pollution prevention activities conducted by the CONTRACTOR, will be designed to reduce or eliminate dangerous waste and other pollutants at the source through best management practices that prevent spills and discharges to ground, air, and water (especially to industrial wastewater and stormwater).

To further facilitate the reduction or elimination of toxic chemical use at the source, the CONTRACTOR will seek and discuss opportunities to assist businesses with switching processes, products, or equipment to use effective safer alternatives. This program will be known as the "Product Replacement Program" or PRP.

PPA work is expected to fall within these general proportions:	
Technical Assistance (TA) Visits (Approximately 10 – 15% of TA Visits may involve PRP) (See Section III)	70%
Unique Program Elements (See Section II)	15%
Training (See Section VIII)	10%
Other (admin, staff meetings, etc.)	5%

The CONTRACTOR is expected to:

- Interact with other partners within the PPA Partnership to provide technical assistance and training and share resources and experiences.
- Set up alerts to receive notifications when requests for information have been made on the PPA Partnership SharePoint Discussion Board.
- Ensure at least one staff member is available to provide timely information and feedback to ECOLOGY's PPA Coordinator and to attend mandatory meetings and trainings. Feedback on Partnership goals, direction, and projects will occasionally be requested via online surveys and email requests.

- Act in a professional and ethical manner and shall avoid any conflict of interest that might influence the CONTRACTOR's actions or judgement.
- Disclose immediately to ECOLOGY any interest, direct or indirect, that might be construed as prejudicial in any way to the professional judgment of the CONTRACTOR in rendering service under this Agreement.

Key staff, estimated FTE, and their roles are identified in Table 1. Please note, this is an estimate of time dedicated to this contract over the full two years of the contract; quarterly invoicing must reflect actual hours worked even if hours are higher or lower than the FTE estimate.

Table 1: Key Staff

Staff Name	Estimated FTE	Role
Kris Olinger	0.1	Contract Management
Brett Raunig	0.25	Contract Management / PPA Specialist
Brooke Porter	0.1	Outreach & Social Marketing
Nicole Esposito	0.15	PPA Specialist
Sydney Wigle	0.15	PPA Specialist
Denver Taylor	0.15	PPA Specialist
LaVonne Steiner-Weigel	0.01	Billing
Erin Jacobson	0.01	Grant Management

Section II. Unique Program Elements

The CONTRACTOR will conduct the unique program elements for their PPA program as outlined in Table 2, below.

Table 2: Unique Program Elements

Unique Program Element	Description	Deliverable(s)
Automotive Sector Business Workshops (PPRC) and/or Automotive Sector Site Visits (PPRC)	Contract with Pollution Prevention Resource Center (PPRC) to host targeted workshops and/or site visits to the automotive repair sector on how to adopt best management practices they can use to protect the environment and get recognized for their efforts.	• If contracting for business sector workshops, works with PPRC to host 2 business workshops, one per year. • If contracting for business sector visits, visit 50 facilities over the course of the contract. • If contracting for a combination of workshops and sector visits, get approval from PPA coordinator for number of workshops and visits.

Green Business Coordination & Incentive Program	Work with the Clark County Green Business program coordinator to design and start a Green Business incentive program.	• In year one of the contract (July 1, 2023 – June 30, 2024) Generate the workplan / program plan for the Green Business incentive program. Provide a copy of this plan to Ecology. • In year one of the contract (July 1, 2023 – June 30, 2024) begin outreach or advertising efforts to the public. Provide copies of any publications or advertisements used to Ecology. • In year two of the contract (July 1, 2024 – June 30, 2025) Refer up to 20%of businesses visited to the Green Business incentive program in Clark County.
Resource Consistency Committee (RCC)	Participate on a team to enhance partnership branding and consistency across partners.	• Review and advise partners on logo and template use, material and website design, and other projects as needed. • Participate in 90% of scheduled meetings. • Review all assigned materials.
SW Washington Regional PPA Coordination Workgroup	Workgroup facilitated by PPA Partner Clark County Public Works will meet and collaborate quarterly with SW WA Regional PPA partners (City of Vancouver, Clark County Public Works, Clark County Public Health, City of Longview) to help with message consistency and to support regional partners on local issues related to pollution prevention, resource protection, and opportunities to collaborate.	**City of Vancouver** will: • Participate in drafting and finalizing a work plan / program plan for the workgroup. • Attend all scheduled meetings of the workgroup. • Actively participate in coordination meetings. Provide feedback on any documents being reviewed or generated by the workgroup. • All publications or guidance from this workgroup must be reviewed by Ecology before being provided to the public. • Submit updates on the progress and work done by the city as part of the workgroup with each quarterly report / invoice submittal. • Submit an overall update on the city's participation on the workgroup with each annual report.

Case Study	Present a case study at a PPA All-Staff or PPA Monthly Webinar. Provide lessons learned to the partnership. Plan on about thirty minutes total, depending on the case study, to present the case and then discuss with the partnership and answer questions.	Present a case study at either: • A.) PPA All-Staff meeting **AND/OR** • B.) PPA Monthly Webinar.

Section III. Technical Assistance Visits

The CONTRACTOR will conduct technical assistance site visits to small quantity generators of dangerous wastes, and to businesses or organizations that have the potential to pollute stormwater. Approximately 60% of the visits will be Initial Visits. If Initial Visits fall below 60%, combined Initial Visits and Follow-Up Visits must account for at least 80% of the total visits. While necessary, efforts should be made to minimize Screening Visits.

- An **Initial Visit** occurs at the actual site and results in a completed "Basic Checklist" (or enough data gathered to complete data entry into the LSC Database). It will either be the first complete visit to a site OR the first visit in two (2) or more years.
- A **Screening Visit** is an attempted visit to the site, but the business declined or put off the visit, **OR** you were interrupted during the visit and were unable to gather complete data, **OR** you discover that the facility does not exist anymore **OR** you discover that the business does not qualify for a visit under the PPA program (e.g., it is a medium or large quantity generator).
- A **Follow-Up Visit** should occur within 90 days of the Initial Visit. Follow-up should generally be done through an on-site visit. However, a phone conversation, mail or email exchange may count as a Follow-Up Visit if it includes confirmation that the issues that were identified in the initial visit were resolved. Follow-Up Visits must be conducted to resolve High Priority Environmental Issues (See Section Below).

Table 3: Total Number of Technical Assistance Visits

Number of Total Visits	**160**
Target for Initial Visits (60% of Total)	**96**

Business sectors, organizations, waste streams, and/or geographical area that will provide a focus for the 2023 – 2025 technical assistance visits are listed in Table 4.

ECOLOGY may direct a portion of technical assistance visits towards specific priority sources or contaminants.

Table 4: Technical Assistance Targets

Technical Assistance Targets	Rationale for Selection

Small quantity generators	These operations do not receive Ecology site visits and often have trouble understanding regulations and how to comply. The city will inspect approximately 800 businesses as part of its Source Control program and the city anticipates that at least 10% of those businesses need technical assistance on how to properly manage dangerous waste.
Automotive repair shops	This sector commonly generates dangerous wastes, needs technical assistance, and is in an area of the city where access to material and outreach in different languages will help fulfill equity and environmental justice concerns.
SW Washington	Coordination with neighboring jurisdictions is essential to delivering consistent messaging, problem solving, and outreach efforts.

High Priority Environmental Issues

The below list is ECOLOGY's High Priority Environmental Issues list because they have the potential to directly impact human health and/or the environment. If one or more of these issues are found during a site visit, a Follow-Up Visits is justified but not necessarily required. The severity of the issue will help determine if a Follow-Up Visit is necessary. A Follow-Up Visit to a business for other (non-high priority) issues is at the discretion of the CONTRACTOR.

When unable to resolve High Priority Environmental Issues, the Pollution Prevention Specialists will refer the issue to ECOLOGY or another appropriate agency. Serious concerns about impacts to human health and/or the environment warrant a consultation with ECOLOGY or other regulatory agencies to determine whether the issue needs to be referred.

High Priority Environmental Issues List:

- Hazardous waste being improperly designated.
- Hazardous waste being improperly disposed.
- Hazardous products / wastes being improperly stored.
- Compromised dangerous waste containers need to be repaired or replaced.
- Illegal plumbing connection.
- Illicit discharge of wastewater to storm drain.
- Improperly stored containerized materials.
- Improperly stored non-containerized materials.
- Leaks and spills in dangerous waste storage areas.

Visit Guidance

The following guidance applies to technical assistance visits, unless otherwise discussed with ECOLOGY:

Prior to the Visit:

- Coordinate with other entities that may be conducting business visits in the area to reduce potential "inspection fatigue".
- Check with ECOLOGY Urban Waters Staff (where applicable) to ensure that the business is not currently being visited by Urban Waters Staff.

- Research site and issues prior to the visit using a combination of data sources such as LSC Database for previous visits or visit to similar businesses, industry resources, news articles, etc.
- To the extent possible, verify the site is not a medium or large quantity generator.
- Check to see if a sector specific Checklist or Tip Sheet is available on the PPA Partnership SharePoint site to help guide the visit.

During the Visit:

- Provide technical assistance on proper management of dangerous waste, prevention of stormwater pollution, spill prevention, and reduction of hazardous substance use (when applicable).
- Ensure, at a minimum, all items on the Basic Checklist are reviewed.
- If while at the site, it becomes apparent the business is a medium or large quantity generator, either complete the visit and count it as a screening visit, OR formally refer the dangerous waste portion to ECOLOGY to count it as a full initial visit.
    - This site should not be scheduled for future visits, unless it is likely their generator status has changed to qualify as an SQG.
- If appropriate, encourage businesses to participate in local green business programs, such as the EnviroStars business certification program, EnviroCertified, or other green business programs.
- If a Product Replacement Program (PRP) opportunity exists for the business, discuss the opportunity, terms and conditions, and steps to qualify as outlined in Appendix A, *Statement of Work*, Section V, Product Replacement Program.
- Discuss spill response preparedness and offer spill kit for developing a plan. Funds can be used to purchase spill kits to provide to businesses. Occasionally, ECOLOGY will provide spill kits through a bulk order if funding is available.
- Photograph observed issues for before and after photos to use in writing up case studies.
- Activities that may be beneficial during the visit include, but are not limited to:
    - Walking the site (interior and exterior).
    - Checking storm drains.
    - Checking for illicit connections.
    - Checking dumpster and waste storage.
    - Providing handouts with technical information and guidance.
    - Ensuring necessary permits are in place.

End of Visit / After Visit:

- Provide written follow-up to the business to document the results of the visit. This can be done by leaving a copy of the checklist or other documentation with the business at the end of the visit, by using a commitment postcard (format available in Education & Outreach Documents on PPA Partnership SharePoint), or by sending follow-up letters/emails, or alternatively by sending a "thank you" postcard if no issues were identified.
- If necessary, coordinate with other agencies (e.g., the fire marshal, code enforcement, stormwater, wastewater treatment, and/or moderate risk waste staff) to ensure that the information you are providing is consistent with the other agency's regulations and/or best management practices.
- PPA Specialists will make referrals to ECOLOGY as needed and report results.

Section IV: Partnership Branding and Outreach

When unique outreach or education materials are developed by the CONTRACTOR using PPA Partnership funds, a draft must be sent to ECOLOGY for review and approval. To the extent feasible, the CONTRACTOR must utilize the Partnership's branding tools and templates available to produce these materials. The intent of this requirement is to facilitate a unified branding image and consistent messaging across the Partnership. The Partnership logo and other branding resources are available on the PPA Partnership SharePoint site.

It may be appropriate to include funding acknowledgement on some outreach materials. The CONTRACTOR will consult with ECOLOGY's PPA Partnership Coordinator to determine whether funding acknowledgement is required.

Finalized materials which may be useful to other Partnership contractors should be provided for upload to the Education & Outreach Document Library on the PPA Partnership SharePoint Site.

Each CONTRACTOR must maintain a PPA webpage which meets the minimum requirements. See PPA Partnership SharePoint site for requirements (Link in Appendix A, *Statement of Work* section XII Resources).

Section V: Product Replacement Program (PRP)

The Product Replacement Program (PRP) is designed to eliminate Persistent, Bio-accumulative, Toxic (PBT) chemicals from use in commerce. The PRP removes and replaces PBT chemicals present in products, processes, or technologies to help prevent toxics from entering the environment. One of the best and most effective ways to prevent further environmental contamination, protect water quality, and reduce human health risk, is to eliminate these toxic chemicals at the sources. The PRP assists businesses with switching to safer alternatives.

PPA contractors are integral to the PRP. The CONTRACTOR will seek and discuss opportunities to assist businesses with switching processes, products, or equipment to use effective safer alternatives.

The CONTRACTOR will assist ECOLOGY with the following programs:

- Replacement of dry-cleaning technology that uses perchloroethylene by visiting dry cleaners, discussing the program, assisting with required paperwork, and completing the final visit after new machine installations. Guidelines for this program are outlines in separate documents and posted on the PPA Partnership SharePoint.
- Degreasers in parts washing systems in the automotive repair sector by visiting automotive repair facilities, discussing the program, assisting with required paperwork, and completing the final visit after new machine installation. Guidelines for this program are outlines in separate documents and posted on the PPA Partnership SharePoint.
- Promoting proper management and recycling of mercury containing thermostats through the national program Thermostat-Recycle.Org

Additional takeback and replacement programs ECOLOGY is exploring for addition to the PRP include, but are not limited to:

- BPA Thermal receipts replacement program to replace thermal receipts which contain BPA.
- Flame retardants in foam and equipment at gymnasiums, play centers, and recreations facilities.
- PCB containing light ballasts in public schools.
- Public School Laboratory Clean-Outs
- PFAS-containing firefighting foam takeback program. Currently ECOLOGY is working directly with fire departments, but this program may be expanded to businesses with PFAS-containing fire suppression systems.

ECOLOGY, in collaboration with the PPA Partnership, will develop procedures and criteria, which must be met for a business to receive reimbursement for any of the chemicals or products included in the PRP. PRP payments for reimbursement to the business will come directly from ECOLOGY and are not included with the CONTRACTOR's funding compensation associated with this contract.

The PRP reimbursement payment will be made through direct disbursement from ECOLOGY to the business implementing the product or equipment replacement. To facilitate these payments, the CONTRACTOR must assist ECOLOGY in maintaining records indicating how the business qualified for the PRP reimbursement per the PRP program's eligibility criteria. Eligibility criteria will be developed by ECOLOGY and the Product Replacement Program Committee for each type of reimbursement offered.

The CONTRACTOR will provide technical assistance to the businesses to help ensure the business qualifies for a PRP reimbursement payment from ECOLOGY by completing the following steps, unless otherwise specified in guidelines developed specific to an individual reimbursement. Specific requirements for individual reimbursement programs will be maintained on the PPA Partnership SharePoint site.

- CONTRACTOR conducts technical assistance visit and provides business with recommendations to reduce or eliminate a qualifying chemical or product. These recommendations must be recorded in the LSC Database.
- CONTRACTOR must communicate to the businesses that it may take up to 4 months to receive payment from ECOLOGY after purchase and that the business must respond to inquiries from ECOLOGY or the Office of Financial Management (OFM) in a timely manner to avoid delays in payment.
- CONTRACTOR assists businesses as needed with paperwork required to apply for reimbursement, including a state payee registration form.
- Business purchases approved product or equipment and converts fully to utilization of new product or equipment in accordance with the eligibility criteria for the PRP reimbursement.
- Business submits receipts for the product or equipment purchase and installation to ECOLOGY's PRP Coordinator. This submittal may be facilitated through the CONTACTOR's representative for some PRP projects.
- CONTACTORS may be requested by ECOLOGY to verify through a site visit and review of records that product or equipment has been installed per PPA Specialist or ECOLOGY recommendations, old product or equipment has been legally disposed of or decommissioned, and all other eligibility criteria have been met.

For information about an optional voucher program that the CONTRACTOR can provide directly to a business, see Appendix A, *Statement of Work*, Section XI, Small Change Voucher Program.

Section VI: Timeline

Table 5: Timeline

Time Period	Goal for # of Site Visits	Unique Program Element Activities	Technical Assistance Target Activities
July 1, 2023 – December 31, 2023	40	Coordinate with Clark County Green Business & PPRC on Automotive outreach, Participate in SW	Screening, initial, and follow up site visits to SQGs

		Washington Regional PPA coordination and Resource Consistency Committee.	found during source control inspections.
January 1, 2024 – June 30, 2024	40	Prepare and host automotive outreach workshops with Clark County Green Business & PPRC, Participate in SW Washington Regional PPA coordination and Resource Consistency Committee.	Screening, initial, and follow up site visits to SQGs found during source control inspections.
July 1, 2024 – December 31, 2024	40	Host automotive outreach workshops with Clark County Green Business & PPRC, Participate in SW Washington Regional PPA coordination and Resource Consistency Committee.	Screening, initial, and follow up site visits to SQGs found during source control inspections.
January 1, 2025 – June 30, 2025	40	Continue to host automotive outreach workshops with Clark County Green Business & PPRC, Participate in SW Washington Regional PPA coordination and Resource Consistency Committee, present case study presentation at all month training or all staff.	Screening, initial, and follow up site visits to SQG found during source control inspections.

Section VII: Local Source Control (LSC) Database

Information gathered during technical assistance site visits by the CONTRACTOR must include all the elements that are listed in the most up to date PPA Basic Checklist (check PPA Partnership SharePoint site for details) and be entered into ECOLOGY's LSC database. The following guidance applies to all technical assistance visits, unless other discussed with ECOLOGY:

- Collect enough information to complete all the applicable fields in ECOLOGY's LSC database and enter it into the database ***within 15 workdays*** of the visit.
- If you make a referral to a regulatory agency, enter the information about the referral into the database ***within 15 workdays*** of the referral.
- Ensure that data entry is complete and accurate.
- At a minimum, all elements on the most recent version of ECOLOGY's PPA Basic Checklist must be checked at each business visit. Specialists must attest that they have verified all elements.
    - Additional sector specific checklists are available on the ECOLOGY PPA Partnership SharePoint Site.
    - CONTRACTOR may substitute use of their own version(s) of the checklist(s) if it contains all elements of ECOLOGY's PPA Basic Checklist and has been reviewed and approved by ECOLOGY.
- Refer to the LSC database instructions posted in the database interface or contact ECOLOGY PPA Staff for assistance with database entry.
- If using paper checklists or equivalent documentation, maintain originals in accordance with your local public disclosure laws.

Section VIII: Training

ECOLOGY expects that the CONTRACTOR will provide basic training to the Pollution Prevention Assistance Specialists on topics relevant to their position. ECOLOGY will provide additional training to ensure that CONTRACTOR's staff are properly trained and supported to conduct PPA activities, and that experienced staff are exposed to new information, and have opportunities to share their expertise for the benefit of the PPA Partnership.

ECOLOGY staff and experienced PPA Specialists will provide a variety of training support to new PPA staff. ECOLOGY will provide new hires a "welcome email" within the first two weeks of work as a PPA Specialist. This email will provide instructions for accessing the PPA Partnership SharePoint, LSC Database, and guidance on resources and training. All Specialists are expected to create an "alert" for the PPA Partnership SharePoint Discussion Board to receive email alerts at least once per week when topics are posted.

Table 7 below contains a tentative training schedule for monthly webinars and the twice annual All-Staff meetings; ECOLOGY will communicate the final schedule to the CONTACTOR.

New PPA Specialist Training & SharePoint Resources

New PPA specialist training is provided in the form of self-paced online modules available through ECOLOGY's Partnership SharePoint site, web-based new specialist discussion panels, and mentoring. The web-based new specialist discussion panels will be planned and conducted by ECOLOGY staff and include new specialists and experienced PPA specialists who can offer suggestions and feedback to new specialists. The discussion panels are scheduled for the second Thursday of every other month from 10:30 to 12:00. On occasion these meetings will need to be rescheduled to accommodate panelists or new specialists who cannot make the originally scheduled date. ECOLOGY staff will provide as much notice as possible when these panels are rescheduled.

Table 6: New Specialist Discussion Panel Schedule

2023	2024	2025
August 10, 2023	February 8, 2024	February 13, 2025
October 12, 2023	April 11, 2024	April 10, 2025
December 14, 2023	June 13, 2024	May 8, 2025
	August 8, 2024	June 12, 2025
	October 10, 2024	
	December 12, 2024	
Attendance Requirement: All new specialists who have not yet attended six (6) discussion panels are required to attend. Panelists are required to attend all discussion panels.		

Field Mentoring & Shadow Workday

The CONTRACTOR will provide training to their new staff to ensure they can perform field work. In addition, ECOLOGY will assign two experienced PPA Specialists as mentors to provide field training and support to a new hire. If available, one mentor will be from the CONTRACTOR's organization and the other mentor from another PPA contractor (partner) jurisdiction in as close a geography as possible. Mentors will be assigned within two weeks of notifying ECOLOGY of new staff hires.

Field mentoring will involve a series of accompanied field visits designed by the mentor and ECOLOGY staff to support the needs of the new hire. When the mentor and new hire determine they are ready, an ECOLOGY staff person will accompany the new hire on a few technical assistance visits in their jurisdiction on a shadow workday, to ensure that they are providing accurate information on proper waste management, spill prevention, storm water pollution prevention, and toxics reduction opportunities. See New Specialist Training Plan (link in Appendix A, *Statement of Work* section XII Resources) for additional details on mentoring and training resources provided to new specialists.

All-Staff Training for all PPA Specialists

All-Staff Trainings will be planned and conducted by teams of PPA Specialists from two or three PPA Partners, who have signed up to plan these trainings as a unique program element. When appropriate, these trainings will be held in-person to facilitate interaction and networking between PPA Specialists, ECOLOGY, and invited presenters.

Training topics at All-Staff Trainings are intended to help new staff become more competent in their work, and experienced staff to gain greater technical depth on relevant topics. ECOLOGY staff will determine the teams, provide initial guidance, review agendas, and provide support for planning and logistics.

Typically, these trainings are held the second Wednesday in September/October and March/April. The in-person trainings are typically scheduled to run between 8:30 a.m. and 3:30 p.m. with overnight travel allowed for jurisdictions if needed (see state travel rules). ECOLOGY must pre-approve overnight travel if it is being charged to the PPA partner budget.

When trainings are held virtually online, the training will typically be scheduled for 8:30 a.m. to 12:00 p.m. across two days, usually a Tuesday and Wednesday.

Attendance Requirement: Unless prior approval has been given by ECOLOGY, it is mandatory for at least one PPA Specialist per jurisdiction to attend the All-Staff Training. This person is responsible for disseminating information back to the PPA Specialists from that jurisdiction. Managers are welcome to attend the All-Staff Trainings but are not required to attend.

Generally, training substitutions are not allowed for the All-Staff Training, however, exceptions may apply. Ecology staff must approve non-emergency absences or training substitutions at least two weeks prior to the training.

Monthly Webinar Trainings

ECOLOGY conducts monthly webinar trainings during most of the months of the year. These sessions are intended to expose PPA Specialists to new information or technical topics relevant to their work. Suggestions on topics and speakers are welcomed from PPA Partners. ECOLOGY will also ask PPA Partners to present on case studies.

These meetings are one and a half hour (1.5 hours) sessions, held on the second Wednesday of the month. Occasionally these sessions will need to be scheduled at alternative times to accommodate speaker availability. Up to eight (8) webinars will be scheduled each year. See Table 7 for the tentative training schedule.

Attendance Requirement: Each PPA Specialist must attend at least six (6) of the eight (8) Webinars each year.

Other trainings, relevant to PPA Specialists' work, may be substituted for up to two of the Webinars. Notification of the substitution must be provided to and pre-approved by the PPA Coordinator at least two weeks in advance of the Webinar that will be missed by the Specialist.

Table 7: Tentative Training Schedule (Subject to Change)

Date	Training Type	Date	Training Type
July 2023	No Training	July 2024	No Training
August 9, 2023	Webinar	August 14, 2024	Webinar
September 13, 2023	Webinar or All-Staff	September 11, 2024	Webinar or All-Staff
October 11, 2023	Webinar or All-Staff	October 9, 2024	Webinar or All-Staff
November 8, 2023	Webinar	November 13, 2024	Webinar
December 13, 2023	Webinar	December 11, 2024	Webinar
January 10, 2024	Webinar	January 8, 2025	Webinar
February 14, 2024	Webinar	February 12, 2025	Webinar
March 13, 2024	Webinar or All-Staff	March 12, 2025	Webinar or All-Staff
April 10, 2024	Webinar or All-Staff	April 9, 2025	Webinar or All-Staff
May 8, 2024	Webinar	May 14, 2025	Webinar
June 12, 2024	Webinar	June 11, 2025	Webinar
Attendance Requirement: Each PPA Specialist must attend at least six (6) of the eight (8) scheduled Webinars each year. PPA Specialists must attend both All-Staff Trainings unless prior approval has been obtained from the PPA Coordinator.			

Section IX: Reporting and Contract Changes

Quarterly Progress Reports

A brief progress report shall be submitted quarterly with each invoice (See Schedule in Section X, Table 8, *Invoicing Schedule*). This report should indicate the work completed during the quarter and billed on the invoice, including the type and number of visits conducted, progress on unique program elements, and any other information regarding contract performance that should be brought to ECOLOGY's attention. The Quarterly Progress Report should **ONLY** include the status of the work conducted during the quarter and **NOT** include a roll-up of progress to-date since it serves as backup documentation for the expenses included in the quarterly invoicing. See Appendix A, *Statement of Work*, Section X, Invoicing.

Annual Reports

Annual Reports are used to briefly summarize contract status to-date including; number of site visits performed, unique program element activities conducted, Technical Assistance target activities conducted, lessons learned, and budget status. Annual reports shall be provided to ECOLOGY by ***July 31, 2024, and July 31, 2025***. The report shall include two to three "case studies" of a business or organization that benefitted from a PPA site visit. Photographs of the business before and after the visit, showing the beneficial changes should be provided, if possible. The second-year annual report should capture details for the full contract period as ECOLOGY will use these reports to create a biennial report on the Partnership. ECOLOGY will make report templates available on the PPA Partnership SharePoint. ECOLOGY will request, with advanced notice, that PPA CONTRACTORS provide presentations on their case studies at Webinars and/or All-Staff Trainings.

Contract Changes

Any of the following changes shall be reported to the ECOLOGY PPA Partnership Coordinator within **10 businesses days.**

- Key personnel changes (staff or manager leaving, new hires, etc.). Changes to key personnel must be documented with updated copies of the key staff table.
- Initiation of, or changes to, a subcontract. See Section 18 of the Interagency Agreement for specific information that is required regarding subcontractors.

Section X: Invoicing

Invoice (billing) procedures are outlined in the Interagency Agreement, (see Section 4). In addition, the following information is provided:

- See also Appendix A, *Statement of Work*, Section V.
- The Invoice Voucher (form A19-1A) must have a wet signature or scanned, if submitted electronically. An electronic signature is also allowed for electronic submittals. If submitting a scanned or electronic copy, the CONTRACTOR will retain the original signed A19-1A in CONTRACTOR's records, per record retention requirements.
- Supporting documentation may be submitted via email.
- Each invoice shall only bill for actual hours worked during the quarter, which may be higher or lower than the FTE estimate in Appendix A, *Statement of Work,* Section 1, Table 1 – Key Staff Table.
- Quarterly invoicing will follow the schedule in Table 8.

Table 8: Invoicing Schedule

Quarter in Contract Cycle	Months in Quarter	Invoice Due Date
1	July, August, September 2023	November 10, 2023
2	October, November, December 2023	February 9, 2024
3	January, February, March 2024	May 10, 2024
4	April, May, June 2024	July 31, 2024*

5	July, August, September 2024	November 8, 2024
6	October, November, December 2024	February 7, 2024
7	January, February, March 2025	May 9, 2025
8	April, May, June 2025	July 31, 2025*
* - Earlier due date during these quarters due to end of fiscal year requirements.		

Section XI: Small Change Voucher Program

The CONTRACTOR will offer businesses vouchers for the cost of pollution prevention equipment or other recommendations, in accordance with the procedures developed for this voucher program. Payments will be made directly by the CONTRACTOR to the business. Examples of qualifying equipment or costs include but are not limited to; secondary containment, drum covers, drum funnels with lids, infrastructure changes, substitution of less toxic products, and catch basin cleaning. The CONTRACTOR must maintain records for each of their voucher reimbursement payments, and ensure a business is limited to one voucher per calendar year. Each voucher payment will be capped at $500.00 or less. These reimbursements will come from the Small Change Voucher Program budget category (see Appendix B). Documentation of voucher payments will be submitted to ECOLOGY with the quarterly invoicing (See Section X).

The CONTRACTOR will follow the procedures approved by ECOLOGY and housed on the PPA Partnership SharePoint.

Section XII: Resources

The following are link to resources to materials referenced in this contract. Links and resources listed are subject to change.

- PPA Partnership SharePoint: https://partnerweb.ecy.wa.gov/sites/HWTR/LSC2016/SitePages/Home.aspx
- LSC Database: http://ecyaphwtr/lsc/Search.aspx
- Invoice Voucher A19-1A: https://des.wa.gov/sites/default/files/public/documents/HRPayroll/SACS/A-19-1AForm.doc?=5c82f
- Partnership Report Templates: https://partnerweb.ecy.wa.gov/sites/HWTR/LSC2016/Templates/Forms/AllItems.aspx
- Checklists & Tip Sheets: https://partnerweb.ecy.wa.gov/sites/HWTR/LSC2016/Checklist%20%20Tip%20Sheets/Forms/AllItems.aspx
- New Specialist Training Plan: https://partnerweb.ecy.wa.gov/sites/HWTR/LSC2016/_layouts/15/guestaccess.aspx?guestaccesstoken=sKGMtCuahLyLqRg3DVAtFJUEFUmri%2f47wAGdA%2bVUOdY%3d&docid=2_1d683e4662c1b424896349a0e1ead4150&rev=1

- New Specialist Training modules: https://partnerweb.ecy.wa.gov/sites/HWTR/LSC2016/New%20Specialist%20Training/Forms/By%20Training%20Type.aspx
- Travel Per Diem Rates:
    - Rate Tables - https://ofm.wa.gov/accounting/administrative-accounting-resources/travel/diem-rate-tables
    - Rate Map - https://ofm.wa.gov/sites/default/files/public/resources/travel/colormap.pdf

APPENDIX B
BUDGET DETAIL

See Section # 3, *Compensation* and Section # 4, *Billing and Payment Procedures*, for additional instructions.

Category		Amount
Salaries		$80,152.25
Benefits		$16,205.75
Subcontracts		$10,700
Goods & Services (see Table A Below)		$1,000.00
Equipment (see Table B Below)		$5,000.00
Travel / Training		$3,000.00
Small Change Voucher Program (See Section XI)		$0.00
	Subtotal Direct Costs	$116,058.00
Indirect Costs*	Rate (%)	21%
	Indirect Amount	24,372.18
	Total Award	**$140,430.18**

* ☐ **Applied to Salaries & Benefits, OR**
☒ **Applied to All Categories Except Small Change Voucher Program**

Table A: Goods & Services

Goods & Services over $1,000 must be listed here or approved by ECOLOGY PRIOR to reimbursement.	Estimated Cost

Table B: Equipment

Equipment over $1,000 must be listed here or approved by ECOLOGY PRIOR to reimbursement.	Estimated Cost

APPENDIX C

SPECIAL TERMS AND CONDITIONS

1) Certification Regarding Suspension, Debarment, Ineligibility or Voluntary Exclusion

a) CONTRACTOR, by signing this agreement, certifies that it is not suspended, debarred, proposed for debarment, declared ineligible or otherwise excluded from contracting with the federal government, or from receiving contracts paid for with federal funds. If the CONTRACTOR is unable to certify to the statements contained in the certification, they must provide an explanation as to why they cannot.

b) CONTRACTOR shall provide immediate written notice to ECOLOGY if at any time the CONTRACTOR learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.

c) The terms covered transaction, debarred, suspended, ineligible, lower tier covered transaction, participant, person, primary covered transaction, principal, proposal, and voluntarily excluded, as used in this clause, have the meaning set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact ECOLOGY for assistance in obtaining a copy of those regulations.

d) CONTRACTOR agrees it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under the applicable Code of Federal Regulations, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction.

e) CONTRACTOR further agrees by signing this agreement, that it will include this clause titled "CERTIFICATION REGARDING SUSPENSION, DEBARMENT, INELIGIBILITY OR VOLUNTARY EXCLUSION" without modification in all lower tier covered transactions and in all solicitations for lower tier covered transactions.

f) Pursuant to 2CFR180.330, the CONTRACTOR is responsible for ensuring that any lower tier covered transaction complies with certification of suspension and debarment requirements.

g) CONTRACTOR acknowledges that failing to disclose the information required in the Code of Federal Regulations may result in the delay or negation of this funding agreement, or pursuance of legal remedies, including suspension and debarment.

h) CONTRACTOR agrees to keep proof in its agreement file, that it, and all lower tier CONTRACTORS or subcontractors, are not suspended or debarred, and will make this proof available to ECOLOGY before requests for reimbursements will be approved for payment. CONTRACTOR must run a search in The System for Award Management and print a copy of completed searches to document proof of compliance.

CITY OF Vancouver WASHINGTON

Staff Report: 153-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/14/2023
8/21/2023

SUBJECT Dog Kennel Standards Update

Key Points

- City of Vancouver standards for dog kennels, shelters and day care facilities are currently addressed through a limited set of standards in Title 20 primarily related to land use and impacts to surrounding properties, and through a more extensive set of standards in VMC 8.24 primarily related to animal welfare and conduct. City code assigns a large administrative and enforcement role for these standards to Clark County Animal Control.
- Pursuant to City policy to review formal applications for zoning code text changes, changes are proposed to VMC Title 20 standards for kennels and shelters to allow inclusion of dog day care activities; to establish a maximum cap of 175 dogs allowed, which may be further lowered by Clark County Animal Control for individual facilities; and to explicitly prohibit breeding.
- Additional changes are proposed to VMC 8.24 standards for animals, some related to the proposed Title 20 kennel changes, and others to update other outdated provisions related to dogs as requested by County Animal Control.

Strategic Plan Alignment

Economic Opportunity: - a place where a wide variety of businesses of all sizes grow and thrive.

Present Situation

- Kennels/Shelters are currently defined by Title 20 to exclude dog day care and are allowed in most commercial and industrial zoning districts with no limit on facility size in terms of number of dogs allowed.
- Title 8 currently requires annual licensing and fees subject to review and approval by Clark County Animal Control. Kennel/shelter facilities must be structurally sound and maintained, designed to prevent injury, and provide adequate standing, resting, and turning space. Bedding, refrigeration, washrooms, waste removal, sickness, feeding and exercise provisions required. Indoor facilities require adequate heat, ventilation, light, drainage, and

overall cleanliness. Outdoor facilities require weather protection, space for exercise, and drainage.

- Proposed Title 20 changes were unanimously recommended for approval by the Planning Commission at a June 13 public hearing at which no public testimony was offered. No vote was taken on Title 8 changes which are outside of Commission review authority.

Advantage(s)

- Allows dog day care activities within kennels, allowing owners periodically needing day care and overnight boarding the opportunity to do so at a single destination.
- Establishes a maximum cap on the number of dogs allowed in a kennel, which may be lowered in individual cases by County Animal Control, and explicitly prohibits breeding.
- Updates select portions of VMC 8.24 related to dogs.

Disadvantage(s)

Continued reliance on Animal Control review of kennel facility standards that are expressed in terms of function, rather than numerical standards, may be viewed as subjective, but has resulted in no known problems to date, and recognizes the unique subject matter expertise of the agency, and the differing nature of individual facilities.

Budget Impact

No significant impacts anticipated.

Prior Council Review

The Council reviewed the proposal in communications discussions on July 10 and July 17. Individual questions raised focused on a desire for more numerical standards for kennel facilities and impacts of allowing dog day care activities in kennels.

Action Requested

On August 14, 2023, approve the attached ordinance, setting date of second reading and public hearing for August 21, 2023.

Bryan Snodgrass, Principal Planner, 360-487-7946

ATTACHMENTS:

- Ordinance
- Presentation

ATTACHMENT A - ORDINANCE

08/14/23
08/21/23

ORDINANCE NO. M_______

AN ORDINANCE relating to Vancouver Municipal Code (VMC) Title 8 and Title 20 concerning the regulation of dog kennels and related provisions; amending VMC 8.24, VMC 20.160, and VMC 20,895; providing for severability; and establishing an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, the Vancouver Planning Commission reviewed the proposed changes at duly advertised work session on May 23, 2023, and duly advertised public hearing on June 13, 2023, and at that hearing, pursuant to VMC 20.285.070, determined that the proposed changes are consistent with the policies and provisions of the Vancouver Comprehensive Plan, adopted the findings of fact presented in the June 13, 2023 staff report, and voted to unanimously recommend approval of the zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted duly advertised discussions during Council Communications on July 10 and July 17, a duly advertised first reading of the proposed ordinance and public hearing on August 14 and August 21, 2023, following which the Council agrees with the Planning Commission recommendations; and

WHEREAS, the cumulative environmental impacts of the proposed zoning change have been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy

Act (SEPA). A Determinations of Non-significance (DNS) was issued on May 26, 2023 for the proposed text changes, and no SEPA comments or appeals were received; and

WHEREAS, the City Council, in accordance with the Planning Commission recommendation, finds and concludes that the proposed changes are consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW; and

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the June 13, 2023, public hearing is hereby adopted as the City Council's findings of fact; and

Section 2. Zoning Code Text Changes.

a. VMC 8.24 is amended as indicated:

*i. **VMC 8.24.166 Potentially dangerous dogs and dangerous dogs***

a. Purpose. The purpose of this section is to work within the framework of Chapter 16.08 RCW to protect the public health, safety and welfare by regulating potentially dangerous dogs and dangerous dogs within the city, thereby encouraging responsible dog ownership.
b. Definitions. In addition to the definitions set forth in Section 8.24.010, as used in this subsection:

1. "Dangerous dog" means any dog that, when unprovoked:
a. inflicts severe injury on a human being without provocation on public or private property; or
b. kills a domestic animal or livestock without provocation while off the owner's property; or
c. has been previously found to be potentially dangerous and the owner having received notice of such and the dog again aggressively bites, attacks or endangers the safety of humans or domestic animals or livestock.

2. "Potentially dangerous dog" means any dog that, when unprovoked:
a. inflicts bites on a human, domestic animal or livestock either on public or private property; or

b. chases or approaches a person upon the streets, sidewalks, or any public grounds in a menacing fashion or apparent attitude of attack, or any dog with a known propensity, tendency or disposition to attack unprovoked, or to cause injury or otherwise to threaten the safety of humans or domestic animals.

3. "Proper enclosure of a dangerous dog" means, while on the owner's property, a dangerous dog shall be securely confined indoors or in a securely enclosed and locked pen or structure, suitable to prevent the entry of young children and designed to prevent the animal from escaping. Such pen or structure shall:

a. be six-sided with secure sides, secure bottom, and secure top, and

b. provide protection from the elements for the dog.

4. "Provocation" includes, but is not limited to situations where threat, injury, or damage is sustained by a person who, at the time, was committing a willful trespass or other tort upon the premises occupied by the owner of the dog, or was tormenting, abusing, or assaulting the dog or has, in the past, been observed or reported to have tormented, abused, or assaulted the dog or was committing or attempting to commit a crime.

5. "Severe injury" means any physical injury that results in broken bones or disfiguring lacerations requiring multiple sutures or cosmetic surgery.

c. Basis for declaration. The city's designated animal control agent may find and declare a dog potentially dangerous or dangerous if it has probable cause to believe that the dog falls within the definitions set forth in this section. Probable cause for declaration of a potentially dangerous or dangerous dog shall be based upon evidence of the definitions set forth in subsection (b) (1. "Dangerous Dog" or 2. "Potentially Dangerous Dog.") Examples establishing probable cause may include but are not limited to:

1. The written complaint of a citizen who is willing to testify that the animal has acted in a manner which causes it to fall within the definition in of potentially dangerous dog or dangerous dog, or

2. Reports regarding dog bites, other menacing behavior or propensity to attack filed with the designated animal control agent under this ordinance or state law; or

3. Actions of the dog witnessed by any animal control officer or law enforcement officer; or

4. The designation of the dog as dangerous by another animal control authority pursuant to Chapter 16.08 RCW or city or county ordinance enacted under Chapter 16.08 RCW; or

5. Other substantial evidence.

d. Impoundment, confinement, and/or control pending final determination. Pending the meeting and prior to issuing a final determination of dangerous dog, the designated animal control agent may, for the protection of persons or property, including other animals:

1. Impound the dog; or

2. Order that the dog be confined in a proper enclosure for a dangerous dog and if outside a proper *enclosure, controlled in accordance with this section.*

The costs of impoundment, confinement, or control shall be at the expense of the dog owner. Failure of the owner to comply, after notice, with the designated animal control agent's order to confine or control the dog, shall be a misdemeanor. The order to confine or control the dog shall include notice that the owner may appeal such order, imposition of costs, or both the order and imposition of costs, under VMC 8.24.280, that the owner may request that the appeal hearing be expedited, and that failure to comply with such order to control or confine is a misdemeanor.

6. Final determination of dangerous dog. Based on evidence to support a dangerous dog determination in writing, within fifteen (15) calendar days.

e. Appeal. If the owner of the dog wishes to object to the declaration of potentially dangerous or dangerous dog:

1. The owner may, within five (5) working days of receipt of the declaration, or within five (5) working days of the publication of the declaration, request a hearing by a hearing officer. A written appeal must be submitted to the animal control department.

2. If the hearing officer finds that the evidence contained in the declaration is not supported by a preponderance of the evidence, it shall be rescinded, and the restrictions imposed thereby annulled.

3. If the hearing officer finds the evidence in the declaration is supported by a preponderance of the evidence, it shall issue a Final Determination and may impose additional restrictions on the animal.

4. Failure to successfully appeal a declaration of potentially dangerous or dangerous dog shall automatically convert a declaration to a determination for purposes of this section.

f. Final determination of potentially dangerous or dangerous dog – service. The final determination of potentially dangerous or dangerous dog shall be in writing and shall be served on the owner in one of the following methods:

1. Certified mail, return receipt, to the owner or keeper's last known address, if known; or

2. Personally; or

3. If the owner cannot be located and served by one of the first two (2) methods, by publication in the city's official newspaper not less than twice for two (2) consecutive weeks, in which case service shall be deemed complete three (3) days after the last date of publication.

g. Final determination of potentially dangerous or dangerous dog – Contents.

1. The final determination of potentially dangerous or dangerous dog shall state at least:

a. A description of the dog;
b. The name and address of the owner or keeper of the dog, if known;

c. The whereabouts of the dog if it is not in the custody of the owner;

d. The facts upon which the determination is based;

e. The availability of an appeal from the determination hearing in case the owner objects to the determination, if a request is made within five (5) working days;

f. The restrictions, if any, placed on the dog as a result of the determination; and

g. The penalties for violation of the restrictions, including the possibility of destruction of the animal, and imprisonment or fining of the owner.

2. In addition, a final determination that a dog is potentially dangerous or dangerous shall state:

a. The basis in statute and city ordinance for the determination;

b. The reasons the city's designated animal control agent considers the dog dangerous and the findings by the hearing officer in support thereof;

c. A statement that the dog is subject as a dangerous dog to registration and controls required by Chapter 16.08 RCW and this chapter, including a recitation of the controls of this section; and

d. A dog owner's rights and of the proper procedure for appealing a final determination that the dog potentially dangerous or dangerous.

h. Keeping of potentially dangerous dogs.

1. Upon a final determination that a dog is a potentially dangerous dog, it shall be unlawful for the potentially dangerous dog to be kept within the city unless, within five (5) days of service upon the owner of the final determination that a dog is potentially dangerous:

a. the potentially dangerous dog is licensed under this chapter;

b. the potentially dangerous dog has been implanted with a microchip; and

c. the potentially dangerous dog has been and placed on the local and national registry.

2. The owner of the potentially dangerous dog shall provide proof satisfactory to the city's designated animal control agent of compliance with the requirements of this subsection within five (5) days of service upon the owner of the final determination that a dog is potentially dangerous; provided that the city's designated animal control agent may grant an extension for compliance upon a showing of good cause.

3. Meeting the requirements of this subjection shall be at the owner's expense.

4. The range of civil penalties for the first, second and subsequent violations of this subsection shall be assessed as set forth in VMC 8.24.250.

5. In addition to any other penalties under this ordinance, failure to comply with the requirements of this subsection shall be a misdemeanor.

6. Dogs declared "Potentially Dangerous" shall be subject to a one time $200 license fee. If after three years from the date of declaration, no additional violations or dangerous behavior has been reported the owner may petition to have the dog removed from the list.

i. Dangerous dogs - Keeping of dangerous dogs.

1. Licensing required. It is unlawful for any owner of a dog declared by the animal control department *to be dangerous to keep such dog within the city unless such owner has procured a special dangerous dog license from the animal control department. The special dangerous dog license shall be annual and shall expire one year from the date of issuance. The initial fee for a special dangerous dog license shall be three hundred ($300) dollars and the fee for annual renewals shall be one hundred ($100) dollars. No license shall issue without payment of the fee. The designated animal control agent shall issue a special dangerous dog license to the owner of a dangerous dog only if the owner presents to the designated animal control agent sufficient evidence of:*

a. A proper enclosure to confine a dangerous dog and the posting of the premises with a clearly visible warning sign that there is a dangerous dog on the property. In addition, the owner shall conspicuously display a sign with a warning symbol that informs children of the presence of a dangerous dog; and
b. A surety bond issued by a surety insurer qualified under Chapter 48.28 RCW in a form acceptable to the designated animal control agent in the sum of at least two hundred fifty thousand dollars ($250,000), payable to any person injured by the dangerous dog; or
c. A policy of liability insurance, such as homeowner's insurance, issued by an insurer qualified under RCW Title 48 in the amount of at least two hundred fifty thousand dollars ($250,000), insuring the owner for any personal injuries inflicted by the dangerous dog.
d. Evidence that the dog has been implanted with a microchip and placed on the local and national registry, at the owner's expense, must be submitted to the office of animal control.

2. Dangerous dogs – Deadline for compliance with licensing requirements. The special dangerous dog license shall be obtained within five (5) working days following the service of such department declaration or, if the declaration is timely appealed pursuant to Section 8.24.166(e), within seven (7) working days following the mailing of a decision affirming such determination by the hearing examiner; PROVIDED, that the director/manager of the animal control department may grant an extension upon a showing of good cause.

3. Dangerous dogs – Conditions to be outside proper enclosure. The owner of a dangerous dog shall not permit the dog to be outside the proper enclosure unless the dog is muzzled and restrained by a substantial chain or leash and under physical restraint of a responsible person. The muzzle shall be made in a manner that will not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.

4. Dangerous dogs – Civil penalties. The range of civil penalties for the first, second and subsequent violations of this subsection 8.24.166.i shall be assessed as set forth in VMC 8.24.250.

j. Additional penalties and remedies – dangerous dogs.

1. Notwithstanding any other provisions of this chapter, and in addition to any other penalties prescribed herein:

a. A dangerous dog may be immediately confiscated if:

i. The dog is not validly licensed as a dangerous dog as required by RCW 16.08.080 or this section; or
ii. The owner does not secure and maintain the surety bond or liability insurance coverage as required by RCW 16.08.080 or this section; or
iii. The dog is not maintained in a proper enclosure of a dangerous dog as defined by Section

8.24.166(i)(1)(a); or
iv. The dog is outside of the dwelling of the owner, or outside of the proper enclosure and not muzzled and restrained by a substantial chain or leash and under physical restraint of a responsible person.

2. In addition, the owner of the dangerous dog shall be guilty of a gross misdemeanor pursuant to Chapter 16.08 RCW.

3. The owner of any dangerous dog confiscated under this subsection shall pay the costs of the dangerous dog's confiscation, confinement or control. The city's designated animal control agent shall serve notice upon the dog owner in person or by regular and certified mail, return receipt requested, specifying the reason for the confiscation of the dangerous dog, that the owner is responsible for payment of the costs of confiscation, confinement and control, and that the dog may be destroyed in an expeditious and humane manner if the deficiencies for which the dog was confiscated are not corrected within ten (10) working days. The city's designated animal control authority may destroy the confiscated dangerous dog in an expeditious and humane manner if the deficiencies listed in the notice are not corrected within ten (10) working days of receipt of the confiscation notification.

k. Dangerous dog owner – Subsequent attack or bite – Consequences. If a dangerous dog without provocation attacks or bites a person or domestic animal, and the owner of the dangerous dog has a prior conviction under this chapter or Chapter 16.08 RCW, the matter may be referred to the Clark County Prosecutor for review for charging of a Class C felony, pursuant to Chapter 16.08 RCW. In addition, the dangerous dog shall be immediately impounded by the city's designated animal control agent, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner, subject to the appeal procedures provided for by this ordinance. Nothing in this section shall preclude the city from prosecuting the owner of the dangerous dog for other offenses arising from the attack or bite.

l. Dogs - Aggressive attacks without provocation – Severe injury or death. If the owner of any dog that without provocation aggressively attacks and causes severe injury or death of any human, regardless of whether there has been any previous determination of whether such dog is potentially dangerous or dangerous, the matter may be referred to the Clark County Prosecutor for review for charging a Class C felony pursuant to Chapter 16.08 RCW. In addition, the dog shall be immediately impounded by an animal control officer, placed in quarantine for the proper length of time, and thereafter destroyed in an expeditious and humane manner, subject to the appeal procedures provided for by this ordinance. Nothing in this section shall preclude the city from prosecuting the owner of the dangerous dog for other offenses arising from the attack.

m. Potentially dangerous and dangerous dog provisions – Not applicable to police dogs. This section 8.24.166 shall not apply to police dogs. (Ord. M-4123 §1, 2015; Ord. M-4072 §3, 2014; Ord. M-4043 §9, 2013)

ii. VMC 8.24.171 Rabies control

The purpose of this section is to work within the frame work, purpose, and definitions of Chapter 246-100 WAC, and Chapter 16.36 RCW, to protect the public and animals from rabies, a deadly disease.
1. An owner of a dog, cat, or ferret shall have it vaccinated against rabies and revaccinated following veterinary and vaccine manufacturer instructions. It shall be a violation of this chapter for any owner or

custodian of said dog, cat or ferret to knowingly, recklessly or willingly fail to vaccinate for rabies. The range of civil penalties for the first and subsequent violations of this section shall be assessed as set forth in VMC 8.24.250(3)(B). This requirement does not apply to animal shelters. A veterinarian performing a rabies vaccination of any dog or cat must transmit a copy of the vaccination certificate or written documentation that includes the owner and pet information contained on the certificate to Clark County Animal Protection & Control within 60 days. In the alternative, a veterinarian may issue a pet license in accordance with the rules adopted by the Clark County Animal Protection & Control, and submit proof of licensure to the manager within 60 days.

2. In the event that any animal has bitten a human being, the designated animal control agent may order quarantine of such animal for a period of ten (10) to fourteen (14) days. In the event that the agent has reason to suspect that an animal is rabid, the appropriate officials of the Washington State Department of Health and Clark County Department of Health shall be notified and the designated animal control agent shall coordinate any further activities with the agencies which have jurisdiction over rabies prevention and control. The provisions of Chapter 246-100 WAC, together with amendments thereto, are incorporated in this chapter by reference and prevail over any conflicting provision of this chapter in any suspected rabies matter.

3. "Quarantine" means the keeping of a biting animal or the suspected biting animal separate and apart from other animals and people for a period of ten (10) to fourteen (14) days. The animal must not be kept in any area that is accessible to other animals or persons, but may be kept indoors, caged or confined in a completely fenced yard by a chain or secure harness device. Should the order of quarantine be broken, the animal may be impounded and held by a designated custodian of animals at owner and/or custodian expense for the remainder of the quarantine period. Redemption is subject to payment of any fees allowable under this chapter. It shall be a violation of this chapter for any owner or custodian to whom an order of quarantine is issued to knowingly, recklessly or with criminal negligence permit the order of quarantine to be broken. (Ord. M-2656 § 20, 1986: Ord. M-2397 § 56, 1983; Ord. M-4072, Amended, 03/17/2014, Sec 4-Effective 04/17/2014; Ord. M-4043, Amended, 02/25/2013, Sec 11 - Effective 03/29/2013)

iii. VMC 8.24.410 Application for kennel, grooming parlor, pet shop, or dog day care license.

Any person making application for a kennel, grooming parlor, pet shop, or dog day care license shall submit to the designated animal control agent of the city of Vancouver the following information:

1. The name, address and phone number of the owner of such facility;

2. The name, address and phone number of the person having primary supervision of such facility;

3. The address or location and phone number of such facility;

4. The maximum number of animals which such facility will contain at any single time; The Animal Control agent shall have final approval on the maximum number of animals allowed at individual facilities at the time of application and subsequent operation as necessary to ensure full compliance with this chapter.

5. The name and address of the person designated by the applicant as agent for service of legal process or notice;

6. A statement giving permission for the inspection of such facility at any reasonable time;

7. An affidavit of zoning compliance signed by the owner of said facility and approved by the zoning administrator.
Add an additional requirement of a facility evacuation plan.

***8**. An emergency evacuation plan with emergency contact information including an emergency veterinarian and afterhours contact, a diagram of facility, and evacuation routes in the event of an unforeseen disaster*
(Ord. M-3667 § 2004: Ord. M-3089 § 6, 1993: Ord. M-2397 § 42, 1983; Ord. M-3667, Amended, 09/13/2004, Sec 12)

IV VMC 8.24.280 Appeal procedure

a. All appeals to the hearing officer made pursuant to this chapter shall be filed in writing within thirty days, or the period of time otherwise provided in this title, with the city clerk or such other person or agency as the city may designate and as is named on the notice of violation, order to abate or other notice issued to this chapter, and shall contain:

1. The names of all appellants participating in the appeal;

2. A brief statement setting forth the action protested and the reasons why it is claimed a protested action should be reversed, modified or otherwise set aside;

3. The signatures of all parties named and telephone numbers and mailing addresses;

4. Verification (by declaration under penalty of perjury) of at least one appellant of the truth of the matter stated in the appeal.

b. Upon filing an appeal, the City Clerk or other designated person or agency shall transmit the same to a designated hearing officer as provided in this title.

c. Failure of any person to file a timely appeal, or failure of any person who has filed an appeal to attend the scheduled hearing, shall constitute a waiver of his or her right to an administrative hearing and the decision of the designated animal control agent or designated custodian of animals shall be upheld.

d. Filing of an appeal shall stay the enforcement of any notice of civil violation, order to abate or of the disposal of any impounded animal during the pendency of such appeal; provided, that an animal owner or custodian who has been denied redemption based upon alleged cruelty or the animal's vicious behavior shall not obtain release of such animal from impoundment except upon order of the hearing officer upon good cause shown.

e. The person filing the appeal shall be personally liable for the cost of daily care and necessary veterinarian care, and/or humane destruction of any animal which remains impounded pending the result of the appeal unless otherwise ordered by the hearing officer upon good cause shown.

f. A copy of the final order of the hearing officer shall be mailed to the appellant(s) within three days (exclusive of Saturdays, Sundays and holidays) following the entering of a written order under this section. Unless otherwise stated in the order, such order shall be final and conclusive ten days from the date thereof unless any party of record makes application to a court of competent jurisdiction for judicial review and stay of enforcement

g. The hearings examiner may on recommendation of the Animal Control Agent assess the appellant the costs of an appeal hearing including, but not limited to, the hearings examiner's fees and reasonable costs of staff time, if the appeal is found to be frivolous by virtue that it cannot be supported by any rational argument of the law or facts. (Ord. M-2656 § 13, 1986; Ord. M-2397 § 29, 1983; Ord. M-4072, Amended, 03/17/2014, Sec 8-Effective 04/17/2014; Ord. M-4043, Amended, 02/25/2013, Sec 21 - Effective 03/29/2013; Ord. M-3981, Amended, 05/16/2011, Sec 4 - Effective 07/01/2011)

V VMC 8.24.420 License fees

The application for a kennel, grooming parlor, pet shop, or dog day care license shall be accompanied by a fee as follows:

Kennel, two hundred dollars for facilities housing 0-75 animals, and three hundred and fifty dollars for facilities housing 75 to 175 animals. Facilities that do not pass first or second inspections are required to pay a re-inspection fee of $150.00 per inspection until the facility passes.

Grooming parlor, one hundred dollars;

Pet shop, one hundred fifty dollars;

Dog Day Care, one hundred fifty dollars;

Transfer of current license to new owner, fifteen dollars.

The fee for any combination establishment shall not exceed two hundred fifty dollars. A penalty fee of fifty percent of the license fee shall be assessed if the license is not applied for within thirty days of commencement of operation or the license renewal date. Payment of this penalty shall not preclude the imposition of any additional penalties prescribed in this chapter. Payment of any outstanding civil penalties imposed under this chapter shall be a prerequisite to licensing. (Ord. M-3667 § 2004: Ord. M-2397 § 43, 1983; Ord. M-3667, Amended, 09/13/2004, Sec. 13)

b. VMC 20.160 is amended as indicated:

VMC 20.160.020
E.3 Animal Kennel/Shelters. Animal kennel and shelter facilities for the overnight boarding and day care of dogs, cats and other domestic pets. Excludes breeding. ~~dog day care (see subsection (E)(6) of this section, Dog Day Care); and veterinary clinics (see subsection (C)(6)(a) of this section, General Office).~~

c. VMC 20.895 is amended as indicated:

VMC 20.895.020
A. Defined. The development standards in subsection B of this section apply to any facility that falls within the use classification for Animal Kennels/Shelters, pursuant to VMC 20.160.020(E)(3) as reviewed during site plan review, as governed by Chapter 20.270 VMC.

B. Site requirements. Where allowed, kennels and shelters shall be located not less than 50 feet from any property line. Kennels providing adequate sound-proofing pursuant to the off-site noise provisions of Chapter 20.935 VMC may have said setback wholly or partially waived to no less than the extent of any main or accessory building setbacks as may also be applicable. Such facilities shall provide automobile and truck ingress and egress; and shall also provide parking and loading spaces so designed as to minimize traffic hazards and congestion. Applicants shall demonstrate compliance with all of the requirements of Chapter 20.935 VMC, Off-Site Impacts, and VMC 8.24, Animals. Capacity shall be no more than 175 animals at one time, provided that the Animal Control Agent has the authority to limit proposed facilities to lower capacity levels where necessary to achieve full compliance with all applicable standards. Dog day care activities within kennels shall comply with VMC 20.850, except that limits on the number of dogs shall be as specified herein.

Section 4. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. **Effective Date**. This ordinance shall go into effect 30 days after adoption.

Section 6. **Instruction to City Clerk**. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

DATE OF FINAL PASSAGE by the Vancouver City Council: August _____, 2023.

SIGNED this ________day of___________________, 2023

____
Anne McEnerny-Ogle, Mayor

Attest:

____
Natasha Ramras, Chief Financial Officer

Approved as to form:

____
Jonathon Young, City Attorney

SUMMARY

ORDINANCE NO. M_______

AN ORDINANCE relating to Vancouver Municipal Code (VMC) Title 8 and Title 20 concerning the regulation of dog kennels and related provisions; amending VMC 8.24, VMC 20.160, and VMC 20,895; providing for severability; and establishing an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Zoning Code Amendments for Dog Kennels and related standards

Vancouver City Council Public Hearing
August 21, 2023

Bryan Snodgrass
Principal Planner
City of Vancouver Community Development Department

CITY OF Vancouver WASHINGTON

Agenda

- Staff summary of current kennel standards, application for code text change, proposal, and review to date.

- Council questions, applicant and public testimony, Council deliberation and decision.

Current Code Requirements

- Title 20 defines Animal Kennels/Shelters as overnight boarding of unlimited number of animals, exclusive of day care or veterinary uses, allowed in the CC, CG, IL and UH zones.
- Title 8 requires annual licensing and fee subject to review and approval by Clark County Animal Control.

Dog Kennel Standards— 3

Current Code Requirements

Facilities required to be:

- Structurally sound and maintained
- Designed to prevent injury, and provide adequate standing, resting, and turning space
- Bedding, refrigeration, washrooms, and waste removal required
- Provisions related to sickness, feeding and exercise required
- Indoor facilities require adequate heat, ventilation, light, drainage, and overall cleanliness
- Outdoor facilities require weather protection, space for exercise, and drainage

Proposed Changes related to kennels

- Initiated by a private application for zoning code text change.
- Amend Title 20 kennel/shelter standards to allow day care, prohibit breeding, and establish new maximum capacity limit of no more than 175 dogs, or fewer where required by County Animal Control.
- Amend VMC 8.24 Animal Standards to reference Title 20 changes, update kennel fees, and require emergency evacuation plan for kennels.

Dog Kennel Standards— 5

CITY OF Vancouver WASHINGTON

Other Title 8 dog-related changes proposed by Clark County Animal Control

- Establish a special license fee of $200 for individual private dogs declared as “potentially dangerous” to cover investigation costs, like the higher special license fee currently applied to dogs declared as “dangerous.”
- Require veterinarians administering rabies vaccine to provide notification to Animal Control.
- Allow animal hearings officers to assess appeal hearing cost to appellants in the case of frivolous appeals.

Review to date

- Planning Commission recommended approval of Title 20 changes by 6-0 vote at the June 13 public hearing, no public testimony was offered.
- City Council Communications discussions on July 10 and 17 included the following comments from individual members:
  - Outreach. Following Council direction, email notice sent to potential stakeholders on July 11. SW Washington Humane Society indicated support for proposed changes. No response to date from existing Vancouver kennels and dog day care businesses
  - Numerical standards. Concern that required features and functions of kennels under VMC 8.24 do not have numerical standards
  - Number of dogs allowed.

Action requested

- Adopt changes to kennel standards in VMC Title 20 recommended by the Planning Commission, and standards related to kennels and dogs requested by Clark County Animal Control.

Questions, applicant and public testimony, deliberations, and decision

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

CITY OF Vancouver WASHINGTON

Item #3.

Staff Report: 154-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/14/2023
8/21/2023

SUBJECT Downtown Building Footprint Zoning Code Change

Key Points

- City code limits the footprints or downtown buildings in certain locations to 12,000 square feet, which is equal to approximately ¼ of the size of downtown block.
- Recent developer inquiries raise the possibility that potential developments, which could further activate downtown and provide additional residential units or office space, may remain unbuilt, or be constructed with smaller footprints, resulting in underutilization of developable land that would likely be permanent until these buildings are torn down.

Strategic Plan Alignment

Economic Opportunity: - a place where a wide variety of businesses of all sizes grow and thrive.

Housing and Human Needs: – meeting basic needs and partnering with organizations to support the community.

Vibrant and Distinct Neighborhoods: – a variety of accessible places and spaces.

Present Situation

- VMC 20.630.050 regulates building footprints and heights. In most areas where maximum heights are expressed in a range, footprints of any upper building floors located at more than 50% above the lower end of the height range are restricted to 12,000 square feet.
- In one multi-block area alongside lower Main Street, footprints of all floors on buildings taller than 100 feet are also limited to 12,000 square feet, with a stated intent of facilitating adequate space and light downtown.
- Potential removal of the footprint limitations was unanimously recommended by the Planning Commission at a May 23, 2023, public hearing with no public testimony offered, and discussed without objection at an April 19 Vancouver Downtown Association meeting.

Advantage(s)

- Allows downtown buildings to develop as otherwise allowed by code, without imposing restrictions on the floor area, which could further activate the downtown area.
- Allows for the development of more housing units to be built in downtown than the current code.

Disadvantage(s)

- Allows wider buildings on upper floors, which would slightly reduce ambient natural light and feeling of space, but Vancouver's relatively wide downtown streets and block spacing ensure sufficient light and space remain to prevent any "canyoning" effect.
- Leaves in place complex and potentially limiting downtown building height restrictions, but these will be addressed through the Title 20 code overhaul that accompanies the Comprehensive Plan update that is currently underway.

Budget Impact

No significant impacts anticipated.

Prior Council Review

The Council received a memorandum in lieu of workshop dated June 15, 2023, and briefly discussed the proposal at Communications time during the July 17, 2023, City Council Meeting.

Action Requested

On August 14, 2023, approve the attached ordinance, setting date of second reading and public hearing for August 21, 2023.

Bryan Snodgrass, Principal Planner, 360-487-7946

ATTACHMENTS:

- Ordinance
- Presentation

ATTACHMENT A - ORDINANCE

08/14/23
08/21/23

ORDINANCE NO. M_______

AN ORDINANCE concerning Vancouver Municipal Code (VMC) Title 20 and limitations on the size of downtown building footprints in certain situations; amending VMC 20.630; providing for severability; and establishing an effective date.

WHEREAS, pursuant to the Growth Management Act the City Council has adopted Title 20 zoning standards (last amended through Ordinance M-4034); and

WHEREAS, the Vancouver Planning Commission reviewed the proposed changes at duly advertised work session on April 11, 2023, and duly advertised public hearing on May 23, 2023, and at that hearing, pursuant to VMC 20.285.070, determined that the proposed changes are consistent with the policies and provisions of the Vancouver Comprehensive Plan, adopted the findings of fact presented in the May 23, 2023 staff report, and voted to unanimously recommend approval of the zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted duly advertised discussion during Council Communications on July 17, a duly advertised first reading of the proposed ordinance and public hearing on August 14 and August 21, 2023, following which the Council agrees with the Planning Commission recommendations; and

WHEREAS, the cumulative environmental impacts of the proposed zoning change has been reviewed and determined to be nonsignificant pursuant to the State Environmental Policy

Act. A Determinations of Non-significance (DNS) was issued on April 25, 2023 for the proposed text changes, and no SEPA comments or appeals were received; and

WHEREAS, the City Council, in accordance with the Planning Commission recommendation, finds and concludes that the proposed changes are consistent with the policies and provisions of the Comprehensive Plan that encourage orderly development within the community and the Growth Management Act pursuant to the requirements of Chapter 36.70A. RCW; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff report for the May 23, 2023, public hearing is hereby adopted as the City Council's findings of fact; and

Section 2. Zoning Code Text Change. VMC 20.630.050 is hereby amended as indicated

VMC 20.630.050

Maximum Building Heights.

Maximum building heights. Building heights in the Downtown Plan District vary from 40' to 300', as illustrated in Figure 20.630.030-4.

A. Purpose: The maximum building height regulations are intended to facilitate redevelopment opportunities and maximize waterfront development, to meet historic preservation goals (including preservation of architectural character), to protect adjacent residential and commercial neighborhoods (including compatibility in scale and character), comply with Federal Aviation Administration Regulations, Part 77 and to ensure safety and livability.

B. Establishment of boundaries. The boundaries of the area within which these regulations apply are illustrated in Figure 20.630.030-4.

C. In areas noted by a superscript 1 in Figure 20.630.4, a maximum building height range is shown within brackets. The low number of the range identifies the maximum building height (inclusive of any roof-top appurtenance) that may be achieved outright. The high number of the range identifies the conditionally allowed maximum building height limit (inclusive of any roof-top appurtenance).

The following conditions apply with an increase in building height above the low number of any given range:

1. Up to 50% increase in building height (inclusive of any roof-top appurtenance), may be allowed outright, by the Planning Official through the site plan review process upon making the following findings:

a. Such increase in height complies with FAA regulation, Part 77, as confirmed by the FAA, through issuance of a determination of no hazard to air navigation; and

b. Such increase in height will not affect the safe and efficient use of navigable airspace following consultation with the Pearson Field Airport Manager.

2. Over 50% and up to the high number of a given range, increase in building height (inclusive of any roof-top appurtenance), may be allowed by the Planning Official through the site plan review process upon making the following findings:

a. Such increase in height complies with FAA regulation, Part 77, as confirmed by the FAA, through issuance of a determination of no hazard to air navigation; and

b. Such increase in height will not affect the safe and efficient use of navigable airspace following consultation with the Pearson Field Airport Manager; and

~~c. The gross floor area of the building at each floor over 50% above the low number of any given range and up to the high number of a given range shall not exceed 12,000 square feet.~~

D. In the area noted by superscript 2 in Figure 20.630-4, the following building height and design conditions apply:

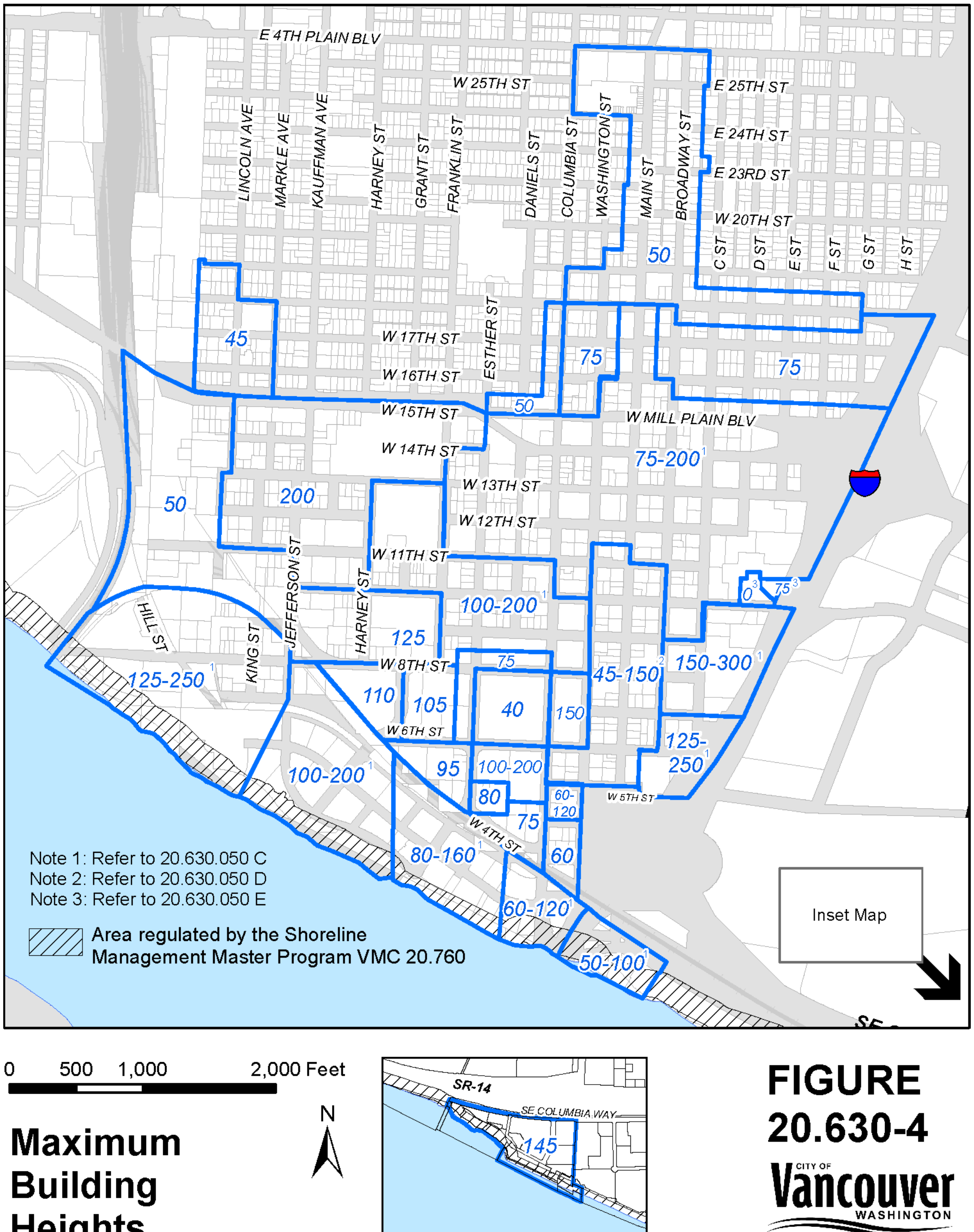
1. Buildings fronting Main Street shall comply with the established building line, and shall rise no more than 45 feet with an allowance of an additional 3 feet for a parapet before stepping back 15 feet, beyond which the building may rise to 100 feet (inclusive of any roof-top appurtenance) upon an FAA determination of no hazard to air navigation and upon consultation with the Pearson Field Airport Manager. An exception may be given for buildings fronting Main Street to rise to 60 feet before stepping back 15 feet, only if, the context of the subject building meets the following: Two buildings 60 feet or taller are located, such that, each front Main Street and are on two different adjacent sides of the subject *building. The term adjacent may include buildings that front Main Street and are located directly across a street from the subject building.*

~~2. Buildings taller than 100 feet (inclusive of any roof-top appurtenance) that have received an FAA determination of no hazard to air navigation and upon consultation with the Pearson Field Airport Manager would be limited to building footprints of 12,000 square feet or less per floor to ensure sufficient light at street level.~~

2~~3~~. All restoration of existing buildings and construction of new buildings shall be consistent with design guidelines and requirements of VMC 20.510, Heritage Overlay District.

E. In the area noted by superscript 3 in Figure 20.630-4 refer to Heritage Overlay District Number One, Standards and Requirements VMC 20.510.3.a.

F. For additional information, refer to Section 20.150.040, Meaning of Specific Words and Terms and Section 20.560.030, Airport Height Overlay District. Not withstanding the allowed heights as shown in Figure 20.630-4, no part of the building structure including any roof top appurtenances shall be taller than the adopted airport approach, transitional and horizontal surfaces (refer to 20.570 and Figure 20.570-2).



Maximum Building Heights

FIGURE 20.630-4

(Ord. M-4207 § 2, 07/17/2017 effective date 08/17/17; Ord. M-3922 § 28, 07/06/2009; Ord. M-3832 § 22, 06/18/2007; Ord. M-3832 § 21, 06/18/2007; Ord. M-3735 § 2, 02/27/2006; Ord. M-3643, 01/26/2004)

Section 4. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 5. **Effective Date**. This ordinance shall go into effect 30 days after adoption.

Section 6. **Instruction to City Clerk**. The City Clerk shall transmit a copy of the revised development code to the Washington Department of Commerce.

DATE OF FINAL PASSAGE by the Vancouver City Council: August _____, 2023.

SIGNED this ________day of___________________, 2023

____

Anne McEnerny-Ogle, Mayor

Attest:

____

Natasha Ramras, Chief Financial Officer

Approved as to form:

____

Jonathon Young, City Attorney

SUMMARY

ORDINANCE NO. M_______

AN ORDINANCE concerning Vancouver Municipal Code (VMC) Title 20 and limitations on the size of downtown building footprints in certain situations; amending VMC 20.630; providing for severability; and establishing an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Zoning Code Amendments to eliminate downtown building footprint restrictions
Vancouver City Council Public Hearing
August 21, 2023

Bryan Snodgrass
Principal Planner
City of Vancouver Community Development Department

CITY OF Vancouver WASHINGTON

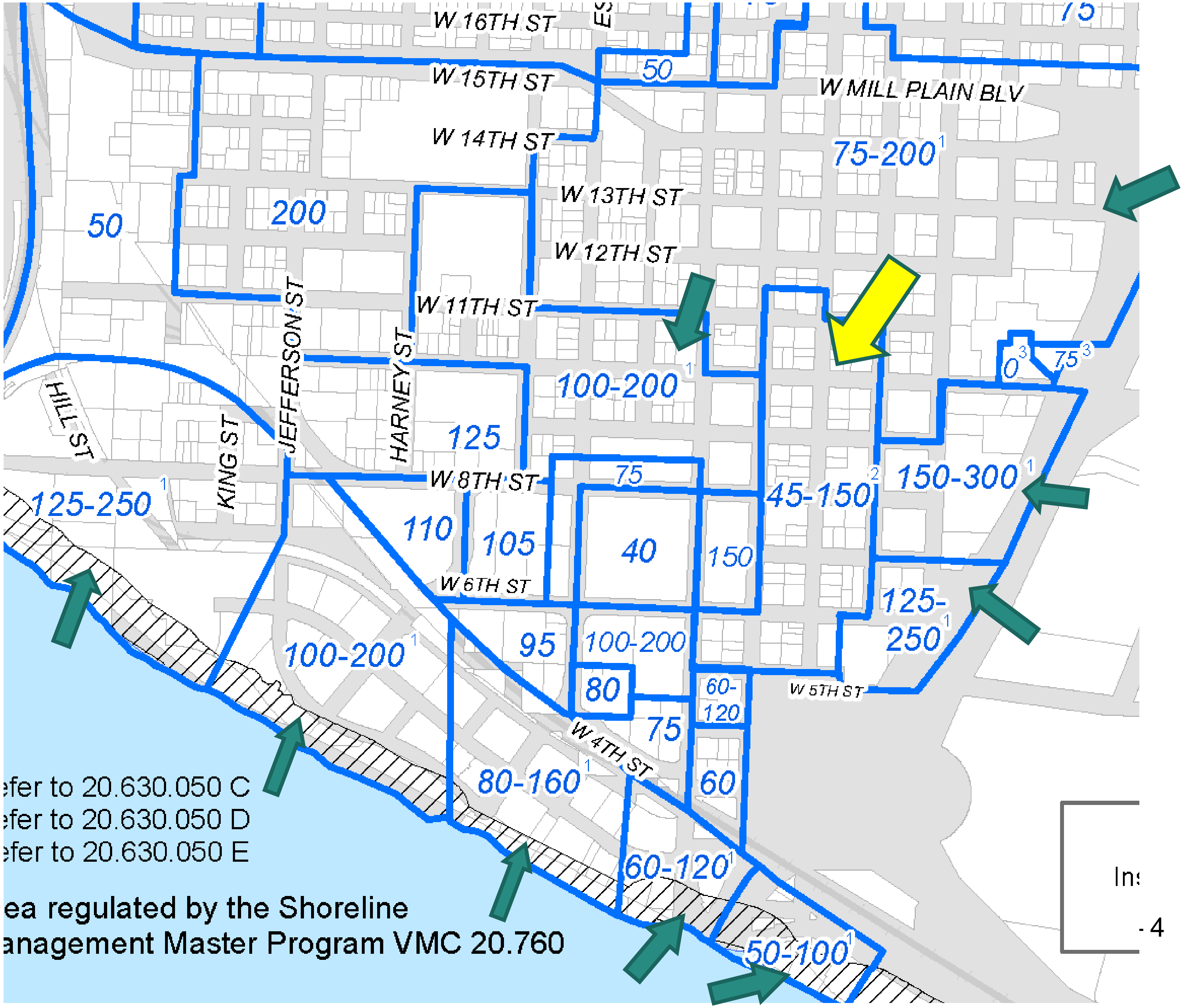
Agenda

- Staff review of current requirements, background, proposed zoning code change, and review to date.
- Council questions, public testimony, deliberations, and decision.

Current Requirements

- Downtown District standards under VMC 20.630 include height limits, which for some areas include a range where the lower height can be achieved outright and a higher limit that is only allowed conditionally.
- Along lower Main Street, any buildings over 100 feet in height must limit building footprints on all floors to 12,000 square feet, about ¼ of most blocks, in order to ensure street level sunlight.
- In other downtown areas with a maximum height range, portions of the upper floors must also limit footprints to 12,000 feet. Applies to lower end plus 50%.

Current Requirements (cont.)



Background

- Buildings forced to limit footprints cannot be realistically added to in the future unless building is torn down.
- Limits could restrict upper floor housing or office uses, which could help activate downtown, support more commercial activities, and add housing units to meet demand.
- Existing standards not needed to ensure adequate light and space given relatively wide downtown streets, close intersection spacing, and existing building height limits.

Downtown building footprint limits— 5

CITY OF Vancouver WASHINGTON

Proposal

- Eliminate VMC 20.630.050.C.2.c requirement for building floors that are located more than 50% above the lower end of the height range to be limited to 12,000 s.f. footprints
- Eliminate VMC 20.630.050.D.2 requirement that all floors of lower Main Street area buildings taller than 100 feet must be limited to 12,000 s.f. footprints

City of Vancouver Washington

Review to date

- Planning Commission recommended approval 4-0 at May 23 public hearing with no public testimony offered. No concerns raised at April 19 Vancouver Downtown Association meeting.
- July 17 City Council Communications discussion included comment that existing downtown height limits are overlay complex.

Action requested

- Adopt zoning code changes eliminated VMC 20.630.050.C.2.c and 20.630.050.D.2 requirements limiting downtown building footprints to 12,000 square feet, as recommended by the Planning Commission.

CITY OF Vancouver WASHINGTON

Questions, Testimony and Deliberation

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

CITY OF Vancouver WASHINGTON

TO: Mayor and City Council

FROM: Council Committee 2 (Stober, Fox, Harless)

DATE: 8/14/2023

SUBJECT Appointment to the Aviation Advisory Committee

Present Situation

The Aviation Advisory Committee (AAC) provides advice and recommendations to the Airport Manager, City Manager, and City Council, as well as other city departments, regarding the management and operations of the Airport and other aviation related issues affecting Pearson Field Airport and the City of Vancouver. In May 2023, Council appointed eight of nine seats to sit on the relaunched Aviation Advisory Committee.

Council Committee 2 recently interviewed candidates to fill the final seat on the AAC, and recommends the appointment of Laura Krueger for a term beginning immediately and expiring May 15, 2024. (This is a one-year, full-term appointment due to the staggering of the terms for the original committee members.)

If there are no objections, they would like to make this appointment at the Monday, August 14, 2023, Council meeting.

Action Requested

Appoint Laura Krueger to the Aviation Advisory Committee with a term beginning immediately and expiring May 15, 2024.

Council Committee 2 (Stober, Fox, Harless)

ATTACHMENTS:

CITY OF Vancouver WASHINGTON

TO: Mayor and City Council

FROM: Council Committee 2 (Stober, Fox, Harless)

DATE: 8/14/2023

SUBJECT Appointment to the Parking Advisory Committee

Present Situation

The Parking Advisory Committee advises City Council on policy issues related to all city-owned on-street and off-street parking facilities and makes recommendations on facilities and parking regulations.

Council Committee 2 recently interviewed candidates for this committee and recommends the mid-term appointment of Jocelyn Cross to a position that would begin immediately and expire July 1, 2024, and appointment of Jason Cromer to a position that would begin immediately, and expire July 1, 2027.

If there are no objections, we would like to make this reappointment at the Monday, August 14, 2023, Council meeting.

Action Requested

Appoint to the Parking Advisory Committee Jocelyn Cross to a mid-term position beginning immediately and expiring July 1, 2024, and Jason Cromer to a position beginning immediately and expiring July 1, 2027.

Council Committee 2 (Stober, Fox, Harless)

ATTACHMENTS:

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:

$ 4,327,080.38 this 14th day of August 2023.

DocuSigned by:
Anne McEnerny-Ogle
6C89D9089EC5424...
MAYOR

DocuSigned by:
Ty Stober
3EEB713B42704A7...
COUNCILMEMBER

Cyndi A. Turner
Digitally signed by Cyndi A. Turner
Date: 2023.08.08 10:12:53 -07'00'
AUDITING OFFICER

DocuSigned by:
0202D0DA45A04D2...
COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
July 31, 2023 - August 6, 2023	Accounts Payable Checks (see attached)	$ 4,310,923.89
July 31, 2023 - August 6, 2023	Hansen City Payments (see attached)	$ 11,656.68
July 31, 2023 - August 6, 2023	Visa Refunds (see attached)	$ 4,499.81
July 31, 2023 - August 6, 2023	Payroll Checks (see attached)	$ -
TOTAL		**$ 4,327,080.38**

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Ad Hoc Payment	Check	12830	8/2/2023	1,292.15	Acero 136th East LLC	Utility Refunds: 0500006331-01
Ad Hoc Payment	Check	12831	8/2/2023	148.28	Acero 136th East LLC	Utility Refunds: 0500006313-01
Ad Hoc Payment	Check	12832	8/2/2023	70.47	Ahn,Johnny	Utility Refunds: 0126007110-02
Ad Hoc Payment	Check	12833	8/2/2023	28.42	Allen,Laura or Steven	Utility Refunds: 0000006355-02
Ad Hoc Payment	Check	12834	8/2/2023	163.40	Andrew Magistrale personal rep,Estate of Mary Magistrale	Utility Refunds: 0056000040-01
Ad Hoc Payment	Check	12835	8/2/2023	204.38	Bates,Imara	Utility Refunds: 0082010010-22 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12836	8/2/2023	42.99	Boespflug,Kelsi or Ryan	Utility Refunds: 0000003491-03
Ad Hoc Payment	Check	12837	8/2/2023	69.14	Bojor,Lucian or Andreya	Utility Refunds: 0106081136-04
Ad Hoc Payment	Check	12838	8/2/2023	32.19	Burke,Patricia F or Michael A	Utility Refunds: 0500001596-04
Ad Hoc Payment	Check	12839	8/2/2023	236.72	Buth,Sakada or Sandra	Utility Refunds: 0045007453-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12840	8/2/2023	90.46	Cascade West Development Inc	Utility Refunds: 0500005938-01
Ad Hoc Payment	Check	12841	8/2/2023	150.00	Cascadia Technical Academy Foundation	Utility Refunds: 0500006056-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12842	8/2/2023	50.74	Cole,Vicki	Utility Refunds: 0053043528-04
Ad Hoc Payment	Check	12843	8/2/2023	227.59	David Newland or Melani Thurman	Utility Refunds: 0071083800-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12844	8/2/2023	58.97	Deck,Shellie	Utility Refunds: 0074018138-06
Ad Hoc Payment	Check	12845	8/2/2023	71.82	Dixon,Ronald	Utility Refunds: 0072065800-09
Ad Hoc Payment	Check	12846	8/2/2023	104.00	Grant,Greg or Sandra	Utility Refunds: 0107000920-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12847	8/2/2023	93.79	Hunt,Kelby	Utility Refunds: 0000006795-02
Ad Hoc Payment	Check	12848	8/2/2023	66.57	Hunt,Mary	Utility Refunds: 0025041900-00
Ad Hoc Payment	Check	12849	8/2/2023	22.65	I'm In The Mud LLC	Utility Refunds: 0028022100-06
Ad Hoc Payment	Check	12850	8/2/2023	250.00	Ivy,Debra Reed	Utility Refunds: 0044080400-05 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12851	8/2/2023	150.00	Legacy 6	Utility Refunds: 0000007224-11
Ad Hoc Payment	Check	12852	8/2/2023	84.13	Lucas,Cory	Utility Refunds: 0126006030-06
Ad Hoc Payment	Check	12853	8/2/2023	47.45	Magistrale,Mary or Andrew	Utility Refunds: 0056000040-01
Ad Hoc Payment	Check	12854	8/2/2023	899.50	Mann,Mickey Lynn	Utility Refunds: 0081021700-05
Ad Hoc Payment	Check	12855	8/2/2023	77.90	McDonough,Kimberly or Brian	Utility Refunds: 0089089001-01
Ad Hoc Payment	Check	12856	8/2/2023	31.45	Megan Christine Miller, Admin of the Estate of,Robin L Segundo	Utility Refunds: 0003033701-08
Ad Hoc Payment	Check	12857	8/2/2023	134.22	Nichols,Nancy	Utility Refunds: 0108000208-01
Ad Hoc Payment	Check	12858	8/2/2023	114.83	Nutter Corporation	Utility Refunds: 0000006958-06
Ad Hoc Payment	Check	12859	8/2/2023	290.58	Osmanthus Properties LLC	Utility Refunds: 0146007135-04
Ad Hoc Payment	Check	12860	8/2/2023	249.72	Pang,Michael	Utility Refunds: 0002000111-02
Ad Hoc Payment	Check	12861	8/2/2023	7.91	Peterson,Alan or Patricia	Utility Refunds: 0078057526-03
Ad Hoc Payment	Check	12862	8/2/2023	159.44	Pidegon,Lorie L	Utility Refunds: 0049083653-05
Ad Hoc Payment	Check	12863	8/2/2023	16.02	Pidgeon,Lorie	Utility Refunds: 0049083653-05
Ad Hoc Payment	Check	12864	8/2/2023	37.06	Potter,Rebecca	Utility Refunds: 0011053800-21
Ad Hoc Payment	Check	12865	8/2/2023	107.50	Radtke,Peter or Hannah	Utility Refunds: 0015000800-09
Ad Hoc Payment	Check	12866	8/2/2023	142.00	Ramsey,Debbie Lee	Utility Refunds: 0113012008-04

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

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Ad Hoc Payment	Check	12867	8/2/2023	65.63	Ray,Kathie or Charles	Utility Refunds: 0000003492-03
Ad Hoc Payment	Check	12868	8/2/2023	190.00	Representative of the Estate of Marilyn H Pettit,John Pettit, Personal	Utility Refunds: 0082020012-04 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12869	8/2/2023	144.00	Robinson,Eric	Utility Refunds: 0096045300-08 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12870	8/2/2023	20.53	Rush,Colleen N or Jason E	Utility Refunds: 0111043378-03
Ad Hoc Payment	Check	12871	8/2/2023	65.64	Sagendorf,Annie or Bricker	Utility Refunds: 0064024843-14
Ad Hoc Payment	Check	12872	8/2/2023	298.02	Stanley,Justin or Silja	Utility Refunds: 0003002102-01
Ad Hoc Payment	Check	12873	8/2/2023	522.71	Steenbeck,Judith	Utility Refunds: 0099052750-04
Ad Hoc Payment	Check	12874	8/2/2023	160.00	Stokebary,Terry or Becky	Utility Refunds: 0000001011-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12875	8/2/2023	28.56	Talley,Robert	Utility Refunds: 0047060200-01
Ad Hoc Payment	Check	12876	8/2/2023	130.00	The Estate of Lawrence Pratka	Utility Refunds: 0016031120-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12877	8/2/2023	92.84	The Estate of Ronnie Simmons	Utility Refunds: 0022035100-04
Ad Hoc Payment	Check	12878	8/2/2023	42.47	the Estates of Lavern and Patricia Jones,Mark Jones the personal	Utility Refunds: 0112000842-01
Ad Hoc Payment	Check	12879	8/2/2023	135.00	Theresa Gordon Personal Rep,Estate of James and Lois Souder	Utility Refunds: 0050015000-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12880	8/2/2023	439.83	Trakarn,Paul	Utility Refunds: 0058058500-13 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	12881	8/2/2023	101.35	Varivoda,Vladimir	Utility Refunds: 0026074500-01
Ad Hoc Payment	Check	12882	8/2/2023	81.00	Wayne Roberts or Robin Holmes	Utility Refunds: 0069064300-06
Ad Hoc Payment	Check	12883	8/2/2023	2,008.53	Zollo,Tim	Utility Refunds: 0011003500-01
Miscellaneous Payment	Check	12884	8/2/2023	1,980.00	ARC of SW Washington	R11946
Miscellaneous Payment	Check	12885	8/2/2023	206.00	Caitlin Smith Bodnyk	Voucher #2010778.030
Miscellaneous Payment	Check	12886	8/2/2023	3,000.00	Carmen Eastman	SWR-340925 (jobsite: 14704 NE 39th St.)
Miscellaneous Payment	Check	12887	8/2/2023	25.00	Carolyn Garnaas	Refund of overpayment to citation 7203809218
Miscellaneous Payment	Check	12888	8/2/2023	91.00	Cosco Fire Protection	Refund duplicate customer payment of INV#77054253
Miscellaneous Payment	Check	12889	8/2/2023	33.00	Emily Paige	Voucher 2010776.030
Miscellaneous Payment	Check	12890	8/2/2023	173.48	Evergreen Hydroseed LLC	DMO-340370 (jobsite: 1906 E 37th Street)
Miscellaneous Payment	Check	12891	8/2/2023	525.00	General Sheet Metal	Refund 2 days of meterhood
Miscellaneous Payment	Check	12892	8/2/2023	47.26	Jeffrey Wooldridge	Refund overpayment of loan payoff
Miscellaneous Payment	Check	12893	8/2/2023	328.43	Kyle Hanson	RES-340661 (jobsite: 2106 NE Village Green Dr.)
Miscellaneous Payment	Check	12894	8/2/2023	57.00	Lucky House	Refund of duplicate payment to Inv#77050859
Miscellaneous Payment	Check	12895	8/2/2023	372.95	Renaud Electric Heating & Cooling	RES-338440 (jobsite: 14510 NE 52nd Circle)
Miscellaneous Payment	Check	12896	8/2/2023	500.00	Rosendo Lopez	Voucher 2010759.030
Miscellaneous Payment	Check	12897	8/2/2023	382.27	Viktoriya Polyvianyi	Claim Payment - DOL: 06/12/23 - Risk
Supplier Payment	Check	12898	8/2/2023	1,287.46	Action Technology Systems	
Supplier Payment	Check	12899	8/2/2023	27.30	Airgas, Inc	
Supplier Payment	Check	12900	8/2/2023	95,883.18	Alpine Products Inc	
Supplier Payment	Check	12901	8/2/2023	710.00	Anna-Michelle Shanti Kriens	
Supplier Payment	Check	12902	8/2/2023	146.42	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	12903	8/2/2023	6,164.92	Arborscape Ltd Inc	
Supplier Payment	Check	12904	8/2/2023	141.84	Archaeological Services LLC	
Supplier Payment	Check	12905	8/2/2023	877.82	Bargreen Ellingson	
Supplier Payment	Check	12906	8/2/2023	825.00	Bretley Christie	

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

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Supplier Payment	Check	12907	8/2/2023	41,986.32	Brightview Holdings Inc	
Supplier Payment	Check	12908	8/2/2023	7,928.75	Brown and Caldwell - Remit-To: Brown & Caldwell - San Francisco	
Supplier Payment	Check	12909	8/2/2023	5,103.00	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	12910	8/2/2023	7,950.00	Cascade Inn	
Supplier Payment	Check	12911	8/2/2023	142.50	CDS Airbrushing & Coaching LLC	
Supplier Payment	Check	12912	8/2/2023	779.75	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	12913	8/2/2023	7,524.21	Cessco Inc	
Supplier Payment	Check	12914	8/2/2023	833.00	City of Vancouver - Remit-To: COV Main	
Supplier Payment	Check	12915	8/2/2023	2,000.00	Clark County Fire District 5	
Supplier Payment	Check	12916	8/2/2023	860,083.99	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	Check	12917	8/2/2023	59,480.79	Clary Longview LLC	
Supplier Payment	Check	12918	8/2/2023	11,147.35	Columbia Precast Products, LLC	
Supplier Payment	Check	12919	8/2/2023	7,552.69	Columbia Resource Company	
Supplier Payment	Check	12920	8/2/2023	64.95	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	12921	8/2/2023	95.89	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	12922	8/2/2023	12,722.75	Consor North America Inc	
Supplier Payment	Check	12923	8/2/2023	9,475.55	Copiers Northwest	
Supplier Payment	Check	12924	8/2/2023	5,641.20	CUES Inc - Remit-To: CUES Inc - Cincinnati	
Supplier Payment	Check	12925	8/2/2023	15,327.30	Datec Inc	
Supplier Payment	Check	12926	8/2/2023	2,300.00	David Corey PHD PC	
Supplier Payment	Check	12927	8/2/2023	240.00	Dominic Hunter	
Supplier Payment	Check	12928	8/2/2023	416.00	Evergreen Orchards LLC	
Supplier Payment	Check	12929	8/2/2023	56.52	Experian Marketing Solutions - Remit-To: Experian - Los Angeles	
Supplier Payment	Check	12930	8/2/2023	517.81	First-Citizens Bank & Trust Company	
Supplier Payment	Check	12931	8/2/2023	72,074.73	Gee Automotive Liberty Lake, LLC	
Supplier Payment	Check	12932	8/2/2023	9,600.00	Genuine Senior Living	
Supplier Payment	Check	12933	8/2/2023	760.00	Government Finance Officers Association	
Supplier Payment	Check	12934	8/2/2023	1,890.38	Harper Houf Peterson Righellis Inc	
Supplier Payment	Check	12935	8/2/2023	28,994.48	Herrera Environmental Consultants Inc	
Supplier Payment	Check	12936	8/2/2023	168,743.49	HMI Oregon - Remit-To: Pacific WRO	
Supplier Payment	Check	12937	8/2/2023	150.00	International Code Council	
Supplier Payment	Check	12938	8/2/2023	1,284.69	J-2 Blueprint Supply Co.	
Supplier Payment	Check	12939	8/2/2023	2,932.20	Jamestown Networks	
Supplier Payment	Check	12940	8/2/2023	13,550.12	Janus Youth Programs Inc	
Supplier Payment	Check	12941	8/2/2023	1,750.00	Jeff Ellis & Associates	
Supplier Payment	Check	12942	8/2/2023	3,412.50	Karapace Consulting , LLC	
Supplier Payment	Check	12943	8/2/2023	3,321.89	Mallory Safety & Supply LLC	
Supplier Payment	Check	12944	8/2/2023	146.75	Mark IV Enterprises Inc	
Supplier Payment	Check	12945	8/2/2023	1,356.42	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago	
Supplier Payment	Check	12946	8/2/2023	158.46	Murray Smith Inc	
Supplier Payment	Check	12947	8/2/2023	110.00	Northwest Drug-Safe LLC	
Supplier Payment	Check	12948	8/2/2023	22.00	Northwest Natural Gas Company - Remit-To: NW Natural - Portland	
Supplier Payment	Check	12949	8/2/2023	31,109.48	Northwest Staffing Resources Inc - Remit-To: Northwest Staffing Resources	
Supplier Payment	Check	12950	8/2/2023	1,278.65	One Call Concepts Inc	
Supplier Payment	Check	12951	8/2/2023	4,076.25	Oregon Rifleworks	
Supplier Payment	Check	12952	8/2/2023	75.00	Petty Cash Custodian - Remit-To: Jeff Olson	
Supplier Payment	Check	12953	8/2/2023	2,213.00	Portland Adventist Medical Center	
Supplier Payment	Check	12954	8/2/2023	8,696.76	Portland Mechanical Construction LLC	
Supplier Payment	Check	12955	8/2/2023	10,370.76	PPC Solutions Inc	
Supplier Payment	Check	12956	8/2/2023	11,098.00	Prestige Care & Rehabilitation - Camas	
Supplier Payment	Check	12957	8/2/2023	8,677.00	Public Safety Testing Inc	
Supplier Payment	Check	12958	8/2/2023	379.75	Putt Putt to Go LLC	

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

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Supplier Payment	Check	12959	8/2/2023	7,658.94	River City Environmental	
Supplier Payment	Check	12960	8/2/2023	2,786.01	Shrums Pest Control	
Supplier Payment	Check	12961	8/2/2023	297.33	Software House International SHI - Remit-To: SHI - Dallas	
Supplier Payment	Check	12962	8/2/2023	99,786.87	Southwest Washington Humane Society	
Supplier Payment	Check	12963	8/2/2023	36,332.50	State of Washington Department of Ecology - Remit-To: State of Washington Department of Ecology	
Supplier Payment	Check	12964	8/2/2023	166,487.10	State of Washington Department of Labor and Industries	
Supplier Payment	Check	12965	8/2/2023	2,312.83	State of Washington Department of Transportation	
Supplier Payment	Check	12966	8/2/2023	6,808.19	State Plate LLC	
Supplier Payment	Check	12967	8/2/2023	6.43	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	12968	8/2/2023	12.86	Stericycle Inc - Remit-To: Shred-It	
Supplier Payment	Check	12969	8/2/2023	105.34	Stericycle Inc - Remit-To: Stericycle	
Supplier Payment	Check	12970	8/2/2023	20.72	Stericycle Inc - Remit-To: Stericycle	
Supplier Payment	Check	12971	8/2/2023	10.36	Stericycle Inc - Remit-To: Stericycle	
Supplier Payment	Check	12972	8/2/2023	4,520.50	Sun Badge Company	
Supplier Payment	Check	12973	8/2/2023	865.00	Suzanne Best	
Supplier Payment	Check	12974	8/2/2023	1,335.26	TLC Towing	
Supplier Payment	Check	12975	8/2/2023	842.44	Towing & Recovering Services Inc	
Supplier Payment	Check	12976	8/2/2023	8,716.95	Triple J Enterprises	
Supplier Payment	Check	12977	8/2/2023	67.80	United Parcel Service	
Supplier Payment	Check	12978	8/2/2023	10,000.00	United States Postal Service - Remit-To: USPS - First Data/Remitco - 52940558	
Supplier Payment	Check	12979	8/2/2023	2,222.20	Universal Applications Inc	
Supplier Payment	Check	12980	8/2/2023	571.00	Vancouver Aire LLC	
Supplier Payment	Check	12981	8/2/2023	107,163.61	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Check	12982	8/2/2023	95.00	Vancouver Granite Works Inc	
Supplier Payment	Check	12983	8/2/2023	34,120.14	Vancouver National Historic Reserve Trust	
Supplier Payment	Check	12984	8/2/2023	4,564.00	Vancouver Slow Pitch Umpires Association - Remit-To: VSPUA - Vancouver	
Supplier Payment	Check	12985	8/2/2023	516.35	W.B. Sprague Co. Inc.	
Supplier Payment	Check	12986	8/2/2023	481.30	Wallis Engineering PLLC	
Supplier Payment	Check	12987	8/2/2023	410.49	Walter E Nelson Company	
Supplier Payment	Check	12988	8/2/2023	1,812.57	Wesco Distribution, Inc.	
Supplier Payment	Check	12989	8/2/2023	141.41	Western States Health & Welfare Trust	
Supplier Payment	Check	12990	8/2/2023	2,600.13	Western Water Works Supply Co Inc	
Supplier Payment	Check	12991	8/2/2023	27,936.44	Wire Works LLC	
Supplier Payment	Check	12992	8/2/2023	4,821.11	Wolff Specialties LLC	
Supplier Payment	Check	12993	8/2/2023	16,813.42	State of Washington Department of Revenue	
			Check	**2,125,181.56**		
Cash Advance Payment	Direct Deposit	EFT-00206509	8/3/2023	183.75	Tanya Wollstein	Travel Advance
Expense Payment	Direct Deposit	EFT-00206510	8/3/2023	250.00	Trevor Graff	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00206511	8/3/2023	304.50	Ryan Junker	Travel Advance
Expense Payment	Direct Deposit	EFT-00206512	8/3/2023	476.32	Jeramiah Cooper	Employee Reimbursement
Cash Advance Payment	Direct Deposit	EFT-00206513	8/3/2023	310.50	James Azinger	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00206514	8/3/2023	90.00	Judah Schotthoefer	Travel Advance
Cash Advance Payment	Direct Deposit	EFT-00206515	8/3/2023	310.50	Gunnar Skollingsberg	Travel Advance
Expense Payment	Direct Deposit	EFT-00206516	8/3/2023	32.25	Tyson Taylor	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206517	8/3/2023	4.00	Rainy Rau	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206518	8/3/2023	202.32	Jonas Van Skike	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206519	8/3/2023	42.50	Jeremy Free	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206520	8/3/2023	49.00	Eddie Alba	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206521	8/3/2023	208.85	Diana Perez	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206522	8/3/2023	45.48	Timothy Kays	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206523	8/3/2023	878.43	Ty Stober	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206524	8/3/2023	44.00	Bennie Romiti	Employee Reimbursement

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
Expense Payment	Direct Deposit	EFT-00206525	8/3/2023	19.00	Tommy Razo	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206526	8/3/2023	106.52	Robert Givens	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206527	8/3/2023	303.49	Frank Dick	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206528	8/3/2023	53.30	Suzanne Hebert	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206529	8/3/2023	98.91	James Fields	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206530	8/3/2023	23.27	Heather Abbott	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206531	8/3/2023	16.25	Jerek Laursen	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00206532	8/3/2023	182.00	Carole Boswell	Employee Reimbursement
			Direct Deposit	**4,235.14**		
Supplier Payment	EFT	EFT-00206533	8/3/2023	44,275.39	MacKay Sposito Inc	
Supplier Payment	EFT	EFT-00206534	8/3/2023	2,554.45	IQGeo America Inc	
Supplier Payment	EFT	EFT-00206535	8/3/2023	4,495.00	Second Step Housing	
Supplier Payment	EFT	EFT-00206536	8/3/2023	5,054.55	George Elevator Service LLC	
Supplier Payment	EFT	EFT-00206537	8/3/2023	25,505.47	SELF - Support for Early Learning + Families	
Supplier Payment	EFT	EFT-00206538	8/3/2023	4,752.42	Outsiderinn.org	
Supplier Payment	EFT	EFT-00206539	8/3/2023	128.50	Tierra Right of Way Services LTD	
Supplier Payment	EFT	EFT-00206540	8/3/2023	24,173.68	Fehr & Peers	
Supplier Payment	EFT	EFT-00206541	8/3/2023	24,550.69	Lynn K Wittwer MD PC	
Supplier Payment	EFT	EFT-00206542	8/3/2023	61,430.36	State of Washington Auditor's Office	
Supplier Payment	EFT	EFT-00206543	8/3/2023	4,026.23	Wapiti NW LLC	
Supplier Payment	EFT	EFT-00206544	8/3/2023	250.00	Pacific Talent Inc	
Supplier Payment	EFT	EFT-00206545	8/3/2023	8,342.86	Jacobs Engineering Group Inc	
Supplier Payment	EFT	EFT-00206546	8/3/2023	17,435.75	Evoqua Water Technologies LLC	
Supplier Payment	EFT	EFT-00206547	8/3/2023	505,462.40	Advanced Excavating Specialists LLC	
Supplier Payment	EFT	EFT-00206548	8/3/2023	7,303.87	Otak Inc	
Supplier Payment	EFT	EFT-00206549	8/3/2023	4,841.76	Eagle Newspaper Inc	
Supplier Payment	EFT	EFT-00206550	8/3/2023	28,053.48	Metereaders LLC	
Supplier Payment	EFT	EFT-00206551	8/3/2023	149,386.49	Clark and Sons Excavating Inc	
Supplier Payment	EFT	EFT-00206552	8/3/2023	4,481.13	Restored and Revived	
Supplier Payment	EFT	EFT-00206553	8/3/2023	6,200.78	Fire Systems West	
Supplier Payment	EFT	EFT-00206554	8/3/2023	54,363.13	Stellar J Corporation	
Supplier Payment	EFT	EFT-00206555	8/3/2023	47,563.70	Share Inc	
Supplier Payment	EFT	EFT-00206556	8/3/2023	109,810.91	SDB Inc	
Supplier Payment	EFT	EFT-00206557	8/3/2023	221.75	International Graphics & Nameplate Inc	
Supplier Payment	EFT	EFT-00206558	8/3/2023	752.20	Praxair Distribution Inc	
Supplier Payment	EFT	EFT-00206559	8/3/2023	22,101.94	Greater Vancouver Chamber of Commerce	
Supplier Payment	EFT	EFT-00206560	8/3/2023	1,718.55	Better Air Northwest, LLC	
Supplier Payment	EFT	EFT-00206561	8/3/2023	248.00	Universal Field Services Inc	
Supplier Payment	EFT	EFT-00206562	8/3/2023	20,995.50	Mead and Hunt Inc	
			EFT	**1,190,480.94**		
Supplier Payment	Manual Wire		7/31/2023	15,959.68	Washington Dental Service	
Supplier Payment	Manual Wire		7/31/2023	174,504.71	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire		8/1/2023	3,477.12	Internal Revenue Service	
Supplier Payment	Manual Wire		8/1/2023	12,199.98	Athlactron Holding	
Supplier Payment	Manual Wire		8/2/2023	24,943.74	United States Postal Service	
Supplier Payment	Manual Wire		8/3/2023	46,203.07	Liberty Mutual Group Inc.	
Supplier Payment	Manual Wire		8/4/2023	206,393.44	Western States Health & Welfare Trust	
Supplier Payment	Manual Wire		8/4/2023	498,883.05	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire		8/4/2023	8,461.46	VSP Vision Care Inc	
			Manual Wire	**991,026.25**		
			Checks	**2,125,181.56**		
			Direct Deposit	**4,235.14**		
			EFT	**1,190,480.94**		
			8/7/2023	11,656.68	City Payments	Posted 07-31-23 to 08-06-23
			Hansen Total	**11,656.68**		
			8/7/2023	3,042.18	Miscellanous	Parks Class Refunds FCC 07-31-23 to 08-06-23
			8/7/2023	1,457.63	Miscellanous	Parks Class Refunds MCC 07-31-23 to 08-06-23
			VISA Total	**4,499.81**		
			Payroll Total	**0.00**		

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

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Transaction Reference	Payment Date	Payment Amount	Payment Payee	Memo
			GRAND TOTAL	4,327,080.38		

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

City of Vancouver
Payroll Council Report
July 31, 2023 - August 06, 2023

Check No.	Date	Explanation	Amount
		No payroll this period (07/31/23 was reported last council report)	

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Item #7.

Staff Report: 151-23

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 8/14/2023

SUBJECT Adoption of updates to Procurement Ordinance, Vancouver Municipal Code 3.05

Key Points

- Update codes to increase procurement flexibility and efficiency;
- Create enabling legislation to align with practices;
- Change the thresholds to create efficiencies and to be consistent with federal requirements and agencies of similar size.

Strategic Plan Alignment

High Performing Government: – a government that is reliable, fiscally responsible, equitable, and open to compromise.

Present Situation

The City updated its Procurement Ordinance in 2010, and again in 2012 and 2016. Staff has reviewed the current ordinance and proposes several changes to create consistency, transparency, and efficiencies throughout the procurement process. Changes proposed in this ordinance update include:

- Section 3.05.015 Federal Funding and Grants – New section to be added to address the use of federal funds.
- Section 3.05.030 Emergency Procurement – Authorization – Update language to be consistent with the applicable RCW.
- Section 3.05.040 Special Market Conditions – Removal of several items from the list of special market conditions to be consistent with best practices and other agencies of similar size.
- Section 3.05.055 Contract Amendments – Update the section to make consistent with current policy/practice for Construction projects.
- Section 3.05.100 Competitive Processes – Purchase of supplies, materials or equipment or services other than professional services – When Required – Update this section to remove the references to services throughout to create efficiencies and provide consistency.

Update thresholds.

- Section 3.05.200 Professional Services – Defined – Update the name of this section to Services to create efficiencies and provide consistency.
- Section 3.05.210 Competitive Solicitation and Approval of Professional Service Contracts – Update the name of this section to Services to create efficiencies and provide consistency. Updates in this section also include removing the expedited informal procurement process to be consistent with current practice and remove the language that allows for not advertising projects to help increase participation and transparency.
- Section 3.05.240 When Bids are Required for Public Works and Improvements – Update the language to be consistent with 2019 legislative updates.

Staff is also recommending updating thresholds throughout the ordinance to be consistent with federal thresholds and other agencies of similar size. In addition to these changes there are several changes for general clean-up and consistency with current practices.

Staff recommends approving the updated version of the City Procurement Ordinance, Vancouver Municipal Code (VMC) Chapter 3.05.

Advantage(s)

1. Increase procurement flexibility and efficiency while maintaining accountability
2. Align procurement Ordinance with practices
3. Reduce ambiguity and enhance procurement experience

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

Council reviewed the proposed changes to the ordinance during a workshop on May 15, 2023.

Action Requested

On Monday, August 14, 2023, subject to second reading and a public hearing, approve the updated version of the City Procurement Ordinance, Vancouver Municipal Code (VMC) Chapter 3.05.

Anna Vogel, Procurement Manager, 360-487-8429

ATTACHMENTS:

- Ordinance
- Presentation

08/07/23 (Date of First Reading)
08/14/23 (Date of Public Hearing)

ORDINANCE NO. M- [Ordinance Number]

AN ORDINANCE of the City of Vancouver relating to the amendment of city procurement requirements set forth in Vancouver Municipal Code (VMC) Chapter 3.05; adopting legislative findings; adding VMC Section 3.05.015 to clarify the applicability of federal procurement standards; amending certain sections of VMC Chapter 3.05 to simplify and clarify code language, incorporate best practices, adjust procurement thresholds, and reflect recent changes in state law; providing for severability; and setting an effective date.

WHEREAS, in 1994 the City adopted VMC 3.05 to establish comprehensive policies for the procurement of materials, supplies, equipment and services and the procurement of contracts for public works and capital improvements;

WHEREAS, the City has periodically amended VMC 3.05 to reflect changes in City policy, best practices, and state law;

WHEREAS, the City now desires to amend certain sections VMC 3.05 to simplify and clarify language, and reflect recent changes in state law and procurement best practices.

WHEREAS, the City Council adopts and incorporates by reference Staff Report SR-______ and finds that it is in the public interest to update and amend the City's procurement standards and requirements;

WHEREAS, with proper notice to the public, the Vancouver City Council conducted a first reading of the proposed ordinance on ____________ and a public hearing concerning the ordinance and proposed code changes on _______________/

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings. The City Council hereby adopts and incorporates by reference the above recitals as findings in support of this Ordinance.

Section 2. New Section. A new section is added to the Vancouver Municipal Code to read:

3.05.015 - Federal Funding and Grants.

When procuring property or services under a Federal award, the City will comply with the requirements of the Code of Federal Regulations (CFR), 2 CFR §200.318 through §200.326 Contract provision. Purchases made or work performed with Federal grant funds must follow the standards identified in the Federal Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (OMB Title 2, Subtitle A, Chapter 11, Part 200.)

Section 3. Amendment. Vancouver Municipal Code Section 3.05.020 entitled "Responsibility for procurement" as codified by Ordinance M-3129 § 2 and last amended by Ordinance M-4173 § 2 is hereby amended as follows:

3.05.020 – Responsibility for Procurement.

The Director of Financial and Management Services shall be responsible for all City government purchasing and public works construction contract procurements. The Director may appoint a designate or designates who shall, subject to the exceptions stated in this chapter, make all purchases of materials, supplies and equipment, and contractual services for all departments, offices, boards and other agencies of the City government.

The Director is authorized to promulgate written rules and regulations as necessary for the administration of this chapter. Such rules and regulations also shall provide for a system of procurement for purchases and contracts of an amount below the competitive bid limits. Such system shall include, but not be limited to, formal and informal quotes, requests for proposal, local purchase orders, purchases from published price lists, ~~petty cash~~ and other appropriate provisions of a similar nature.

For purposes of this chapter, the terms "Director" and "Director of Financial and Management Services" shall be interchangeable. All references to the plural of "designate" herein shall also mean the singular and to the singular shall also mean the plural unless the context otherwise requires.

Section 4. Amendment. Vancouver Municipal Code Section 3.05.030 entitled "Emergency procurement--Authorization" as codified by Ordinance M-3960 § 2 and last amended by Ordinance M-3129 § 2 is hereby amended as follows:

3.05.030 Emergency procurement Authorization.

The Director or designate is authorized to make all emergency procurements, except those for public works which are governed by VMC 3.05.240, upon a written finding by the Director or designate of the existence of an emergency. Procurements under this section are exempt from competitive procurement requirements. Such emergencies may include, but are not limited to unforeseen circumstances beyond the control of the City:

1. Which present a real, immediate threat to the proper performance of essential functions ~~is interrupted or is about to be interrupted~~; or
2. Which will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

Section 5. Amendment. Vancouver Municipal Code Section 3.05.040 entitled “Special market conditions” as codified by Ordinance Ord. M-3129 § 2 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.040 Special market conditions.

The Director or designate is authorized to make purchases which are subject to special market conditions as set forth below by negotiation without competitive bid; provided that the purchases are subject to City Council approval under Section 3.05.100, 3.05.210 or 3.05.240, prior to the making of such purchase, which approval may be continuing as to the special market condition. Special market conditions include the following examples set forth below:

1. When a purchase or service is clearly limited to a sole source or supply;

2. When an item required is of special design, shape or manufacture to match or fit in with an existing installation or standardization plan and competitive bidding is found to be impracticable;
3. When it is possible to procure what the Director or designate finds to be an obvious bargain in surplus or used material, supplies or equipment;
4. Insurance and bonds;
~~5. Banking Services;~~
6. Securities and investment purchases;
~~7. Subscriptions, including but not limited to, periodicals and databases;~~
~~8. Works of art, copyrighted materials, books, and other publications;~~
~~9. Memberships in professional organizations;~~
10. ~~Software, including but not limited to, software~~ Software licenses and maintenance fees, ~~unless otherwise subject to RCW 39.04.270;~~
~~11. Advertisements;~~
~~12. Off-site training and classes; and~~
~~13. When a purchase of supplies, materials or equipment or for services, other than professional services, is for use in a pilot or an experimental project.~~

Section 6. Amendment. Vancouver Municipal Code Section 3.05.045 entitled "Auction purchases" as codified by Ordinance M-3960 is hereby amended as follows:

3.05.045 Auction purchases.

The Director or designate may, in accordance with RCW 39.30.045 ~~and this ordinance~~, purchase any supplies, materials or equipment at auctions conducted by the government of the United States or any agency thereof, any agency of the State of Washington, any municipality or other governmental agency, or any private party without being subject to public bidding requirements if the items can be obtained at a competitive price.

Section 7. Amendment. Vancouver Municipal Code Section 3.05.050 entitled "Unauthorized purchases" as codified by Ordinance M-3129 § 2 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.050 Unauthorized purchases.

Except as provided in this chapter, or as provided in rules and regulations promulgated pursuant to Section 3.05.~~030~~ <u>020</u>, no City employee shall lease, purchase or contract on behalf of the City ~~for any supplies, material, equipment or professional service~~ or make any contract within the purview of this chapter other than through the Procurement Services ~~Division~~ and its staff. Any lease, purchase or contract made contrary to the provisions hereof shall not be approved by any City officer and the City shall not be bound thereby, except insofar as may be required or provided by law.

Section 8. Amendment. Vancouver Municipal Code Section 3.05.055 entitled "Contract Amendments" as codified by Ordinance M-4173 is hereby amended as follows:

3.05.055 Contract Amendments.

A. Contract amendments that do not change the total value of the contract may be approved in accordance with rules and regulations adopted under Section 3.05.020.

B. Contracts not requiring approval by the City Council may be amended to increase the contract amount up to a total value which would require City Council approval in accordance with rules and regulations adopted under Section 3.05.020.

C. Contracts requiring approval by the City Council may be amended <u>by the City Manager or designee</u> to increase the contract amount up to ten percent of the initial value of the contract. Any increases above ten percent of the initial value of the contract shall require City Council approval.

<u>D. This section does not apply to contracts for public works projects. Amendments to contracts for public works projects shall be in the form of a change order approved in accordance with rules and regulations adopted by the City Manager.</u>

Section 9. Amendment. Vancouver Municipal Code Section 3.05.060 entitled “Formal contract approval and signing requirements” as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.060 Formal contract approval and signing requirements.

All contracts for the purchase of supplies, materials, services, and the lease or lease/purchase of equipment, or public works required by this chapter shall be approved as to legal form by the City Attorney or ~~his or her~~ <u>their</u> designate. Such contracts shall be executed on behalf of the City by the Mayor, City Manager, Director or designate as appropriate and in accordance with this chapter and with rules and regulations adopted under Section 3.05.020.

Section 10. Amendment. Vancouver Municipal Code Section 3.05.090 entitled "Interlocal or intergovernmental cooperative purchasing" as codified by Ordinance M-3129 § 2 is hereby amended as follows:

3.05.090 Interlocal or intergovernmental cooperative purchasing.

a. The Director or designate is authorized to enter into interlocal governmental cooperative purchasing ~~arrangements~~ agreements with other public agencies similarly authorized when the best interests of the City of Vancouver would be served thereby. Any cooperative purchasing agreement shall set forth the purposes, powers, rights, objectives and responsibilities of the contracting parties and shall be governed by the requirements of Washington state law in regard to competitive bidding, when applicable.

b. The Director or designate is further authorized to make purchases of supplies, materials or equipment:

1. Under a contract entered into by another state or local governmental agency subject to compliance with RCW 39.34.030; and
2. Through or from the federal government under the authority of RCW 39.32.070 through RCW 39.32.090.

c. The Director or designate is further authorized to make purchases of supplies and services available to local governments through the federal General Services Administration ("GSA") pursuant to 40 U.S.C. 502.

d. Such purchases as described in subsections (a) through (c) of this section are authorized as an exception to the competitive bidding requirements of the City Charter.

e. Where the value of the purchases as described in subsections (a) through (c) of this section is in excess of three hundred thousand dollars, the City Manager shall present the proposed purchase contract, along with the recommendations of the department or departments concerned, to the City Council for its authorization to enter into such purchase.

Section 11. Amendment. Vancouver Municipal Code Section 3.05.095 entitled "Debarment – Suspension." as codified by Ordinance M-3960 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.095 Debarment - Suspension.

A. Pursuant to the City Charter and this chapter, the ~~c~~City attempts only to solicit offers from, award contracts to, and consent to subcontracts with responsible contractors. In the event that an illegal, improper, or unethical practice has occurred, debarment and suspension are discretionary actions that are appropriate means to effectuate the City's goal.

B. Vendors, contractors, subcontractors, or principals (contractor) of a business that have been debarred or suspended by the City are excluded from entering contracts with the City, and the City shall not solicit offers from, award contracts to, or consent to subcontracts with debarred or suspended contractors and the principals involved; provided, however, the Director or designate, as applicable, may waive this requirement if it is determined, in consultation with the City Attorney, that there is a compelling reason for such action, and the City Manager is informed of such action.

C. Causes for debarment or suspension. A vendor, contractor, subcontractor, or principal of a business (collectively "contractor") may be debarred or suspended for any of the following reasons:

1. The commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public contract or subcontract;
2. The commission of embezzlement, theft, forgery, bribery, falsification of records, perjury, or receiving stolen property;
3. The commission of a serious offense that indicates a lack of business integrity or business honesty that may seriously affect the present responsibility of a contractor; or
4. The violation of the terms of any public contract or subcontract so as to result in serious and direct consequences for the public entity letting the contract, including, but not limited to, a history of a failure to perform or unsatisfactory performance of, one or more contracts.

D. Investigation and notice of intent to debar or suspend. The Director or designate, may initiate an investigation and, if warranted, and after consultation with the City Attorney and notice to the City Manager, provide notice to a contractor of the City's intent to debar or suspend said person and/or entity from bidding on and contracting with the City for a specified period. The notice may specify corrective actions or conditions for lifting the suspension or debarment. The notice shall provide that the debarment or suspension becomes effective within ten (10) business days unless the person or entity appeals said action to a hearing examiner appointed pursuant to Chapter 2.51 VMC. The Director or designate is authorized and directed to promulgate rules consistent with this section for the purpose of carrying out the provisions of Chapter 3.05 VMC.

E. Filing an appeal. An appeal from a notice to debar or suspend shall be in writing, signed by the person appealing, and shall be filed with the Director or designate no more than ten (10) business days from the date the notice to debar or suspend is served personally on the contractor or after the City deposits the notice in the U.S. mail addressed to the contractor. The written appeal shall state the name and address of the contractor and shall list grounds for the appeal, including any alleged error of fact or law in the notice of intent to debar or suspend. Failure to appeal constitutes a waiver of all right to an administrative hearing and determination of the debarment or suspension.

F. Hearing procedures. The pre-hearing procedures of VMC 22.03.030 shall apply to debarment and suspension proceedings except those of VMC 22.03.030(A)(2)(3) specific to nuisance vehicles. The hearing procedures of VMC 22.03.040 shall govern hearings regarding debarment and suspension except those of VMC 22.03.040(B) pertaining to nuisance vehicles and those of VMC 22.03.040(C) pertaining to burden of proof.

G. Burden of proof. The City has the burden of proof in appeal hearings. The city must prove by a preponderance of credible evidence that the contractor has committed any act(s) set forth in subsection C of this section.

H. Period of debarment or suspension. Debarment shall be for a period commensurate with the gravity of the causes therefore, provided that in no instance shall debarment extend for a period longer than five years unless the contractor has failed to satisfy any condition of debarment or implement any required corrective action. Suspension shall be for a temporary period commensurate with the gravity of the causes therefore, provided that in no instance shall a suspension extend for a period longer than twelve (12) months unless the contractor has failed to satisfy any condition of suspension or implement any required corrective action.

I. Court review. Court review of the decisions of the Hearing Examiner shall be sought within thirty (30) days by appropriate legal action filed in the Clark County Superior Court.

Section 12. Amendment. Vancouver Municipal Code Section 3.05.100 entitled "Competitive process – purchase of supplies, materials or equipment" as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.100 Competitive process—Purchase of supplies, materials or equipment. ~~or services, other than professional services—When required.~~

The City may use competitive sealed bidding or competitive sealed proposals for any purchase of supplies, materials or equipment, including lease or lease/purchase of equipment~~, or of services other than professional services~~.

Any purchase of supplies, materials or equipment, including lease or lease/purchase of equipment~~, or of services other than professional services,~~ where the cost thereof exceeds three hundred thousand dollars must be approved by the City Council and may use either a competitive sealed bidding or a competitive sealed proposal process.

Purchases of supplies, materials or equipment, including lease or lease/purchase of equipment~~, or of services other than professional services,~~ where the cost thereof is three hundred thousand dollars or less but more than ~~thirty five~~ fifty thousand dollars, may be approved by the Director or designate, and may use either a competitive sealed quotation or a competitive sealed proposal process.

Purchases or supplies, materials or equipment, including lease or lease/purchase of equipment~~, or of services other than professional services,~~ where the cost thereof is ~~thirty five~~ fifty thousand dollars or less but more than ~~five~~ ten thousand dollars, may be approved by the Director or designate, and must be made by obtaining at least three documented quotes in accordance with rules and regulations adopted under Section 3.05.020.

Purchases of supplies, material or equipment, including lease or lease/purchase of equipment ~~or of services other than professional services,~~ where the cost thereof is ~~five~~ ten thousand dollars or less, may be approved by the Director or designate, and need not involve competitive solicitation.

Section 13. Amendment. Vancouver Municipal Code Section 3.05.110 entitled "Notice to potential bidders or proposers" as codified by Ordinance M-3129 and last amended by Ordinance M-4018 is hereby amended as follows:

3.05.110 Notice to potential bidders or proposers.

Notice of call for bids or solicitations for proposals for supplies, materials or equipment ~~or services other than professional services~~ shall be advertised for contracts expected to exceed three hundred thousand dollars. The deadline for receiving bids or solicitations for proposals shall be stated in the call for bids or solicitations for proposals. The Director or designate shall determine the manner and means for advertising that in ~~his or her~~ their judgment will attract qualified bids or proposals, including but not limited to posting on websites, publication in newspapers or journals, or other means.

Section 13. Amendment. Vancouver Municipal Code Section 3.05.150 entitled "Award or rejection of bids or proposals." as codified by Ordinance M-3129 and last amended by Ordinance M-4018 is hereby amended as follows:

3.05.150 Award or rejection of bids or proposals.

For contracts exceeding three hundred thousand dollars, the City Manager shall present the bids received or the apparent successful proposal to the City Council at a regular meeting. In the case of a sealed competitive bid, the council shall award the bid to the lowest responsive and responsible bidder. In the case of a competitive sealed proposal, the City C~~c~~ouncil shall award to the highest scored, responsive and responsible proposer. The City C~~c~~ouncil may reject any and all bids or proposals when it finds that the public interest will be served thereby. If City C~~c~~ouncil finds reason to reject any or all bids or proposals, appropriate findings shall be made and these shall be set forth in the City Council minutes.

Section 14. Amendment. Vancouver Municipal Code Section 3.05.160 entitled "Award to other than low bidder." as codified by Ordinance M-3129 and last amended by Ordinance M-4018 is hereby amended as follows:

3.05.160 Award to other than low bidder.

For contracts exceeding three hundred thousand dollars, ~~When the~~ bids ~~is~~ awarded to a bidder other than the lowest bidder in price, findings shall be made which shall be stated as the City Council's findings and be set forth in the City Council's minutes. This section does not affect the use of other solicitation methods where price is not the only consideration.

Section 15. Amendment. Vancouver Municipal Code Section 3.05.200 entitled "Professional Services -- Defined" as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.200 ~~Professional s~~Services – Defined.

The phrase "~~professional~~ services" means services which provide professional or technical expertise ~~provided by a consultant~~ to accomplish a specific study, project, task, or other ~~scope of~~ work, and excludes ~~the following services:~~ the engagement of Special Assistant City Attorneys or attorneys to represent or advise the City in a given situation, investigative services, and/or expert witnesses, which shall be by rules adopted by the City Attorney and approved by the City Manager.

1. ~~Purchased services are provided by a vendor to accomplish routine, continuing and necessary functions, including but not limited to: equipment maintenance and repair, operation of a physical plant, security, computer analysis and programming, banking services, solid waste collection or recycling services. Such services are subject to the requirements of Section 3.05.100.~~

1. ~~Retaining Special Assistant City Attorneys or attorneys to represent or advise the City in a given situation, investigative services, and/or expert witnesses shall be by rules adopted by the City Attorney and approved by the City Manager.~~

Section 16. Amendment. Vancouver Municipal Code Section 3.05.210 entitled “Competitive Solicitation and Approval of Professional Services Contracts” as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.210 Competitive Solicitation and Approval of Professional Service Contracts.

All contracts for ~~professional~~ services, where the cost thereof exceeds three hundred thousand dollars must be approved by the City Council and shall be made by competitive sealed proposal process. ~~Advertisement of the competitive solicitation is optional, but recommended.~~

All contracts for ~~professional~~ services, where the cost thereof is three hundred thousand dollars or less but more than ~~one hundred~~ fifty thousand dollars, may be approved by the Director or designate, and shall be made by competitive sealed proposal process. ~~Advertisement of the competitive solicitation is optional, but recommended.~~

~~All contracts for professional services where the cost thereof is one hundred thousand dollars or less but more than thirty-five thousand dollars, may be approved by the Director or designate, and shall be made using an expedited informal competitive proposal process in accordance with rules and regulations adopted under Section 3.05.020.~~

All contracts for ~~professional~~ services where the cost thereof is ~~thirty-five~~ fifty thousand dollars or less, may be approved by the Director or designate, and need not involve competitive solicitation.

The selection processes described herein shall be followed for the procurement of ~~professional~~ services with the following exceptions:

1. Emergency contracts;
2. Sole source contracts;
3. Services of licensed architects, engineers or landscape architects;

4. Other specific contracts exempted by the Director or designate when it has been determined that a competitive solicitation process, quote or informal quote process outlined herein is not appropriate or cost-effective.

Section 17. Amendment. Vancouver Municipal Code Section 3.05.225 entitled "Solicitation of licensed architects, engineers or landscape architects – Process." as codified by Ordinance M-3129 is hereby amended as follows:

3.05.225 <u>Contracts for Architectural and Engineering Services</u> ~~solicitation of licensed architects, engineers or landscape architects – Process.~~

Contracts for <u>professional architectural or engineering</u> services ~~required to be performed by licensed architects, engineers or landscape architects,~~ shall follow the procedural requirements of RCW Chapter 39.80.

Section 18. Amendment. Vancouver Municipal Code Section 3.05.240 entitled "When bids required for public works and improvements." as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.240 When bids required for public works and improvements.

a. Except when otherwise authorized herein or by Section 3.05.030, Section 2.12.080 or RCW Chapters 39.04 and 39.28 relating to emergency public works or other applicable general state law as now enacted, or as hereafter amended, all public works and improvements shall be done by contract. Such contracts shall be awarded pursuant to public notice and call for competitive bids. Provided, that small works and limited public works may be done pursuant to

Section 3.05.330; and provided further that the City may have public works performed by City employees during any biennial budget period which are cumulatively equal to a dollar value which does not exceed ten percent of the total public works construction budget of all City departments, including any amount in a supplemental public works construction budget and any amount of public works that the City has a county perform under RCW 35.77.020, for that biennial budget period. In addition to the biennial percentage limitation, City employees will not perform such public work whenever the estimated cost of such public work or improvement, including the cost of labor, materials and supplies, equipment and applicable Washington state and local sales tax, will exceed the sum of ~~ninety~~ one hundred fifty thousand dollars if more than a single craft or trade is involved with the public works project, or ~~forty-five~~ seventy-five thousand five hundred dollars if a single craft or trade is involved with the public works project or the public works project is street signalization or street lighting. A "public works project" means a complete project as defined in Section 3.05.241.

b. When any emergency requires the immediate execution of such public work, the City shall comply with the provisions of RCW 35.22.620(6), ~~),~~ RCW 39.04.280, and Section 2.12.080 as now or hereafter amended. The Director or designate shall within two weeks following award of an emergency public work contract enter into the public record written findings of the existence of an emergency. Entry into the public record may be by written report to the City Manager and City Council, posting on the City website or such other means as are practicable under the circumstances.

c. Notice of call for bids shall be given by posting thereof in a public place in the City and by publication in a newspaper of general circulation within the City once each week for two consecutive weeks. The deadline for receiving bids shall be not less than thirteen days from the date of first publication; except that notice by publication may be given in the manner authorized by RCW 39.28.020(5) or other general state law when applicable. Provided, that prior to notice of call for bids, the Director of public works, at ~~his or her~~ their discretion, may require any and all potential bidders interested in bidding on a public works project to participate in a pre-qualification process. The pre-qualification process shall be to ensure that each such bidder(s) has the means, plans, equipment and experience to bid and complete the project. The Director of public works is authorized to, and shall, develop written procedures for the administration of such pre-qualification process.

Section 19. Amendment. Vancouver Municipal Code Section 3.05.270 entitled "Bidder (contractor) qualification." as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.270 Bidder (contractor) qualification

Each public works bidder bidding on a contract in excess of ~~one~~ three hundred thousand dollars may be required to submit to the director of public works or other appropriate department director, upon demand and at any time prior to the award of contract, satisfactory evidence that the bidder has sufficient means, plans, equipment and experience to enable the bidder to undertake and successfully complete the work specifications. The director of public works or other appropriate department director may accept as satisfactory evidence and contractor's certification that the bidder/contractor is pre-qualified for similar work by the Washington State Department of Transportation.

Section 20. Amendment. Vancouver Municipal Code Section 3.05.290 entitled "Bid opening" as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.290 Bid opening.

Each bid shall be submitted sealed to the office of the Director or designate at any time within regular business hours and shall be identified as "bids" on the envelope. Bids shall be opened in public by the Director or designate, at the time and place stated in the call for bids. The Director or designate shall tabulate the bids. The Director or designate shall make appropriate recommendations to the City Manager<u> or their designee</u>.

Section 21. Amendment. Vancouver Municipal Code Section 3.05.300 entitled "Award or rejection of bids" as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.300 Award or rejection of bids.

The City Council shall award the contract to the lowest responsible bidder or may reject any and all bids when it finds that the public interest will be served thereby.

For contracts for public works and improvements of three hundred thousand dollars or less, the Director or designate shall, subject to review of any bidder protest submitted to the Director or designate in conformity with RCW 39.04.105, award the contract to the lowest responsible bidder based on the criteria set forth in Section 3.05.310 or may reject any and all bids when he/she finds that the public interest will be served thereby. The Director or designate shall provide the protesting bidder with not less than two business days' notice of the intent to award the bid to another bidder and to execute a contract.

~~If no bid is received on the first call for bids, the City may re-advertise and make a second call or may enter into a contract without any further call or may purchase the supplies, materials or equipment and perform such work and improvement by day labor, subject to the limitation set forth at Section 3.05.240.~~

Section 22. Amendment. Vancouver Municipal Code Section 3.05.330 entitled "Small works roster – Limited public works." as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.330 Small works roster- Limited public works.

For public works in which the estimated cost is three hundred thousand dollars or less, the City may use a small works roster or rosters or limited public works as an alternative to bidding in accordance with RCW 39.04.155, as amended; provided, that in such case, the Director or designate shall prescribe policies and procedures to implement small works roster and limited public works programs in accordance with law.

All contracts for public works, where the cost thereof is three hundred thousand dollars or less but more than ~~thirty five~~ fifty thousand dollars, may be approved by the Director or designate, and shall be made by the small works roster contract procedures in accordance with RCW 39.04.155, as amended.

All contracts for public works, where the cost thereof is ~~thirty five~~ fifty thousand dollars or less, may be approved by the Director or designate, and shall be made by the limited public works process procedures in accordance with RCW 39.04.155, as amended.

The City shall award all contracts under this section to the lowest responsible bidder as defined in Section 3.05.310; provided, however, that the City reserves its right under applicable law to reject any and all bids, and also to waive "minor irregularities if in the public interest."

Section 23. Amendment. Vancouver Municipal Code Section 3.05.340 entitled "Competitive bidding – When required by federal or state regulations." as codified by Ordinance M-3129 and last amended by Ordinance M-4173 is hereby amended as follows:

3.05.340 Competitive bidding – When required by federal or state regulations.

Whenever the conditions of an inter-governmental agency or of a county, state or federal grant establish competitive bidding procedures and requirements inconsistent with the procedures and requirements of this chapter, the conditions of such grant shall apply to public works projects and purchases to be paid for in full or in part by moneys received from such grant.

To ~~i~~ensure compliance with this section, the Director or designate having responsibility for the public improvement shall advise the Director or designate as to the source of funding for each public works or improvement project together with any specific procurement requirements or conditions of the funding or grant contract.

Section 24. Severability. If any clause, sentence, paragraph, section, or part of this ordinance or the application thereof to any person or circumstances shall be adjudged by any court of competent jurisdiction to be invalid, such order or judgment shall be confined in its operation to the controversy in which it was rendered and shall not affect or invalidate the remainder of any parts thereof to any other person or circumstances and to this end the provisions of each clause, sentence, paragraph, section or part of this law are hereby declared to be severable.

Section 24. Effective Date. This ordinance shall become effective September 1st 2023.

Read first time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read second time:

PASSED by the following vote:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this ________ day of ___________________________, 2023

____
Anne McEnerny-Ogle, Mayor

Attest:

____
Natasha Ramras, City Clerk

Approved as to form:

____
Jonathan Young, City Attorney

SUMMARY

ORDINANCE NO. __________

AN ORDINANCE of the City of Vancouver relating to the amendment of city procurement requirements set forth in Vancouver Municipal Code (VMC) Chapter 3.05; adopting legislative findings; adding VMC Section 3.05.015 to clarify the applicability of federal procurement standards; amending certain sections of VMC Chapter 3.05 to simplify and clarify code language, incorporate best practices, adjust procurement thresholds, and reflect recent changes in state law; providing for severability; and setting an effective date.

The full text of this ordinance will be mailed upon request. Contact Raelyn McJilton, Records Officer at 487-8711, or via www.cityofvancouver.us (Go to City Government and Public Records).

Procurement Ordinance Updates

Anna Vogel
Procurement Manager

CITY OF
Vancouver
WASHINGTON

Proposed Changes – Federal and State Alignment

VMC 3.05.015

- New section added to comply with the regulations for the use of federal funds.

VMC 3.05.030

- Clarifying the definition of emergency procurement to be consistent with the RCW.
- Updating Emergency Procurement Policy to bring contract approval authority back to Finance and the City Manager consistent with the thresholds.

Proposed Changes – Special Market Conditions

VMC 3.05.040

- Simplify, in accordance with best practices, the list of special market conditions to be considered in contract procurement

Special Market Conditions	City of Vancouver Current	City of Vancouver Recommended
Sole Source	x	x
Special Design	x	x
Surplus	x	x
Insurance and Bonds	x	x
Banking Services	x	
Securities and Investments	x	x
Subscriptions	x	
Works of Art	x	
Memberships	x	
Software	x	
Software licenses and maintenance fees	x	x
Advertisements	x	
Training	x	
Pilot Project	x	

WASHINGTON

Proposed Changes – Internal Consistency

VMC 3.05.055

- Item C of this section is revised to a reference to the City Manager or designee.
- Add a section to acknowledge that amendments for public works projects are referred to as change orders.

VMC 3.05.100

- Removed the references to services throughout this section and updated the name of the section.

Proposed Changes – Increase Competition

VMC 3.05.210

- Removing the option for not advertising projects valued at $100,000 - $300,000.
    - Increases transparency and competition and ensures consistency with the current process.
- Removing the expedited informal competitive process; has not been utilized since being put into the ordinance.

Proposed Changes – Purchasing Thresholds

VMC 3.05.240

- Update the thresholds to be consistent with recent legislative updates.

Proposed Changes – Updated Thresholds

Requirements		Current	Recommended
Goods	No Competitive Requirement	Under $5,000	Under $10,000
	Quotes Required	$5,000 - $35,000	$10,000 - $50,000
	Informal Request for Bids	$35,000 - $300,000	$50,000 - $300,000
	Sealed Bid or RFP	Over $300,000	No Change
Public Works	Quotes Required	$0 - $35,000	$0,000 - $50,000
	Informal Quotes	$35,000 - $300,000	$50,000 -$300,000
	Sealed Bid	Over $300,000	No Change
A & E	Informal RFQ	Under $300,000	Under $50,000
	Formal RFQ	Over $300,000	Over $50,000
Services	No Competitive Requirement	Under $35,000	Under $50,000
	Informal RFP	$35,000 - $100,000	$50,000 - $100,000
	Formal RFP - No Advertisement	$100,000 - $300,000	
	Formal RFP - Advertise	Over $300,000	Over $100,000 Over $300,000 Council Approval

Proposed Changes – Administrative Cleanup

- VMC 3.05.020 Responsibility for Procurement - Removed a reference to petty cash that is no longer used
- VMC 3.05.050 Authorized Purchases – Revised to reflect correct ordinance section and remove duplicative language.
- VMC 3.05.110 Notice to Potential Bidders or Proposers – Updated this section to remove references to services.
- VMC 3.05.160 Award to other than low bidder – Updated section to clarify applicability.

Proposed Changes – Administrative Cleanup

- VMC 3.05.200 Professional Services - Updated this section to include all services under this section and updated the name of the section.
- Other administrative changes that include a title updates and minor cleanup items

Questions

CITY OF Vancouver WASHINGTON

Upcoming Title 20 Changes

CITY OF Vancouver WASHINGTON

Rebecca Kennedy
Deputy Director
Community Development Department

Agenda

- Summary of upcoming code change work recommended for continuation
- Proposed filter for limiting additional future code changes to only essential items

Summary of Code Changes Recommended to Continue Moving Forward

- 2023 Annual Review Program and code clean up items
- Evergreen & Grand overlay district
- Downtown Building Footprint
- Dog Kennel Standards
- Short-term rental regulations
- Warehouse regulations
- Section 30 code change to address pre-annexation development agreements
- Critical Areas Ordinance update
- Heights Mixed Use (HX) Plan District refinements
- Community Centers in Single Family Residential (SFR) zones

Proposed filter for limiting future code changes in advance of Comprehensive Plan Update

- Pause Annual Review Program after 2023 Cycle
- Change is clearly needed to maintain community momentum and advance policy priorities.
- Facilitate housing, particularly affordable housing.
- Avoid preventable sub-optimal outcomes, like development that clearly contradicts existing policy guidance or plan goals.
- Ensure predictability and clarity in the development process through minor code corrections.

Thank You
Questions & Discussion

CITY OF Vancouver WASHINGTON

CITY OF
Vancouver
WASHINGTON

DATE: August 14, 2023

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

CC: Rebecca Kennedy, Deputy Director, Community Development

RE: **Upcoming Comprehensive Plan and Title 20 map and text changes, and process for evaluating the need for future changes prior to adoption of an updated Comprehensive Plan and Title 20 Land Use & Development Code**

At the July 17 City Council meeting, Council discussed the timing of upcoming land use and development code change work, how this aligns with the Comprehensive Plan and Title 20 update process anticipated to be complete in late 2025, and if the City should pause all or most anticipated code changes until this update is complete. The City will be operating under the current code for at least two more years during which private and public projects will continue to be developed. Some focused, surgical changes to the development code are anticipated to be needed to avoid these projects from being built in a manner that is inconsistent with the community's long term goals.

In light of this, this memo is intended to:

- Provide information on anticipated code updates currently underway that staff recommend be processed in advance of adoption of the updated Comprehensive Plan
- recommend a framework for how City staff will manage the number and scope of code change proposed during pendency of the comprehensive plan and code update process.

Current Pending Code Amendments

The below Comprehensive Plan and code amendments are currently in the pipeline and recommended for Council action in advance of an updated Comprehensive Plan and Title 20:

1. **2023 Annual Review and code clean up package:** the 2023 Comprehensive Plan and zoning changes consist of four site specific map changes, one comprehensive plan text change and ten zoning code text changes. The map changes are private applications submitted pursuant to the City Annual Review program. Three of these would increase housing, and two include affordable housing. Most text changes are limited in scope and needed to ensure clarity and administrative efficiency. One that is not a cleanup item is updating the SEPA exemption threshold for multifamily housing developments with 200 or fewer units and not on critical lands, in alignment with recent state enabling statutes and policy direction to facilitate housing.

2. **Evergreen & Grand Overlay:** The work currently underway will result in a code overlay for this area that implements the adopted Evergreen and Grand Commercial Corridors Strategy and provides specific zoning code standards that have been developed through a public process over several years. Moving forward in the short term allows for continuation community and project team momentum on detailed work completed towards this goal and ensures forthcoming development aligns with the adopted Strategy vision.

3. **Downtown building footprint code changes:** Changes are proposed for Council hearing in August 2023 to remove existing limits on the size of upper story building footprints downtown. The Planning Commission unanimously recommended this at a May 23 public hearing. The proposed changes were initiated in response to development inquiries as the downtown development market continues to intensify and support construction of taller buildings, within existing height allowances, to provide more housing and office space. Deferral until after the 2025 Comprehensive Plan would likely result in the construction of buildings with less housing or office capacity than otherwise allowed by zoning, very likely for the life of the building. For one project that is waiting for this, it's estimated that no change will result in a loss of 280 housing units, or 50% of total units currently planned for the project.

4. **Dog Kennel standards code changes:** Changes are proposed for Council hearing in August 2023 allowing dog day care activities within kennels, establishing a limit on the number of dogs allowed in kennels which can be further lowered by County Animal Control at their discretion for animal welfare, and related changes. Advancing this now will allow for conclusion of the existing work, while deferral would result in a continued lack of limits on the size of kennels. This is an applicant-initiated code change submitted pursuant to the City Annual Review program.

5. **Short-Term Rental (STR) Code Updates:** There are currently approximately 400 non-compliant STR's in the City, and the Vancouver Municipal Code Title 20 does not address short-term rentals in residential zones. The City is proposing a regulated and permitted process to allow short-term rentals in all zoning districts as a limited use, which will allow for development of a permitted process that allows the City to regulate this type of use and collect required lodging tax.

6. **Warehouse Code Changes:** Implement proposed changes to Title 20 VMC to address identified impacts from very large warehouses, following a study requested by City Council, and prior to terminating a moratorium on new warehouses larger than 250,000 square feet. These proposed amendments will serve to avoid suboptimal outcomes and fulfill the intent of the emergency moratorium.

7. **Section 30 Code Changes regarding Master Plan Modifications:** The City's adopted vision for Section 30 is for a mixed-use center with employment, high density residential, and supporting commercial uses. However, several properties in the subarea have existing development agreements enacted by Clark County prior to annexation that allow a variety of uses not compatible with the City's vision, such as single family detached residences, large warehouses, etc. Several property owners have expressed an openness to develop uses more consistent with the adopted vision if some flexibility could be provided to certain Section 30 development standards. In exchange for such flexibility, the owners would waive certain vested rights. To accomplish this, City staff is prepared to advance an amendment to the master plan modification section of the Employment Center Mixed Use (ECX) zoning district which provides more flexibility to properties with a pre-annexation development agreement. This will serve to avoid suboptimal outcomes from undesirable (yet legally vested) uses.

8. **Critical Areas Ordinance (CAO) update**: code updates to bring the City's Critical Areas Ordinance into compliance with recent state guidance and best available science. Work has been underway for nearly a year, and was identified as necessary by state agencies during the last Shoreline Master Program update.

9. **Heights Mixed Use (HX) Plan District code updates:** minor changes to reflect refinements to the Tower Mall Master Plan block layout and street network and associated updates to the ground floor use map, removal of redundant or unclear language, refined provisions to regulate off-street parking access points, and changes to allowed building heights in the waterfront gateway subdistrict when no abutting single family residential property, to allow development in alignment with the plan vision.

10. **Code change to allowing community centers in SFR zones subject to Conditional Use Permit (CUP) review:** A recent request from Friends of the Children (FOTC) to locate a non-profit child-oriented facility in the existing Ogden Elementary School in the near term has exposed the current prohibition on community centers in single family residential (SFR) zones. Internal staff meetings have identified a possible code amendment to allow community centers in single family zones just as they are in multi-family zones, subject to CUP hearing and review.

<u>**Recommended Approach During Comprehensive Plan Update**</u>

After this year, staff has publicized and communicated the City's intent to pause our Annual Review Program until updates to the Comprehensive Plan and Title 20 are complete. In addition, staff is proposing the following filter to limit additional code changes during this timeframe, while allowing for necessary limited changes to avoid suboptimal outcomes that do not align with Council policy direction:

1. Change is clearly needed to maintain community momentum and advance policy priorities.
2. Facilitate housing, particularly affordable housing.
3. Avoid preventable sub-optimal outcomes, like development that clearly contradicts early policy guidance or plan goals.
4. Ensure predictability and clarity in the development process through minor code corrections.

As we launch the comprehensive plan and development code update process, we do so fully recognizing there are many challenges with the current code. Small, targeted refinements – while not perfect – will support a practical approach to managing and guiding ongoing development in a way that most closely aligns with community goals.

Pending Council direction, below are anticipated next steps:

- August 14 Council consent review and August 21 public hearing: dog kennel code changes
- August 14 Council consent review and August 21 public hearing: downtown building footprint code changes
- August 14 Council workshop, September 12 Planning Commission workshop, September 26 Planning Commission public hearing, and October 2 Council workshop: warehouse code changes
- September 12 second Planning Commission workshop and October 10 Planning Commission public hearing, and October 23 Council workshop: 2023 Annual Review program and code changes
- September 26 Planning Commission public hearing: Heights Mixed Use (HX) Plan District refinements
- October 9 City Council workshop and October 10 Planning Commission workshop: Critical Areas Ordinance update
- October 16 consent review and October 23 public hearing: Evergreen & Grand overlay

Staff Contact:

- Rebecca Kennedy, Deputy Director, Community Development, Rebecca.Kennedy@cityofvancouver.us

CITY OF Vancouver WASHINGTON

MEMORANDUM

DATE: July 26, 2023

TO: Eric Holmes, City Manager
Natasha Ramras, Chief Financial Officer
Jeff Mori, Chief of Police

FROM: Jonathan Young, City Attorney

CC: Kevin McClure, City Prosecutor

RE: Diversion Program Update

Colleagues –

After the recent passage of Senate Bill 5536 – "the Blake fix"[1] – I committed to City Council that the City Attorney's Office would monitor the need for programmatic changes to the City's prosecution practices and report back to the City Council to share an update regarding any needed refinements.[2] One early action-item that our City Prosecutor has identified as requiring review and refinement is the cost of participation in the City's Diversion Program.

For the reasons discussed below, effective August 15, 2023, the City Attorney's Office is proposing a fee reduction for new diversion program participants who have limited financial means. For qualifying individuals, the diversion program fee would be reduced from the current price ($500-$700) to a flat rate entry fee of $50 plus the cost of any restitution owed the victim. Details follow below.

Background:

For the past 20 years, the City Attorney's Office has administered a prosecution diversion program that offers participants an alternative to traditional prosecution. If successfully completed, program participants have their pending criminal charges dismissed and avoid the direct and indirect consequences of a criminal conviction. The program has been extremely successful and has allowed thousands of first-time offenders within minimal criminal history an opportunity to avoid a criminal convictions by participating in treatment, staying crime free, and paying restitution owed to crime victims.

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[1] A copy of the Session Law for Second Engrossed Second Substitute Senate Bill 5536 can be found online, here.
[2] May 22, 2023 City Council Meeting – Legislative Update. CVTV at 1hr 15min.

At the time of its inception, the City's diversion program was designed to be self-funding. However, today, the high cost of participation in the City's diversion program makes it prohibitive for some prospective participants. Currently, City diversion participants are charged a fee of $500-$700 [3] to enter the program. Solely for sake of context as to overall financial magnitude of the City's diversion program, the attached summary of 'debits minus credits' reflects that the City's Diversion Program currently operates at approximately $80,000 per year.

Adding complexity to situation, in 2015, the Washington Supreme Court held that if a defendant pleads guilty, or is found guilty, a sentencing judge cannot impose fees or fines without inquiring into the defendant's ability to pay. State v. Blazina, 182 Wn.2d 827 (2015). Given the fact that most defendants in criminal cases are indigent, anecdotally, this has resulted in local judges waiving the vast majority of fines in district court cases. As a result, when faced with the choice of pleading guilty and receiving no fines – or minimal fines – or opting for participation in a diversion program where the costs are quite high, many defendants choose to plead guilty.

Flash forward to the Washington State 2023 legislative session. Following a special, one-day legislative session, the Washington Legislature reached an agreement on passage of SB 5536 providing a legal 'fix' to State v. Blake, 197 Wn.2d 170 (2021), which invalidated the state's possession of controlled substances law on constitutional grounds. Of course, Legislature's passage of SB 5536 reinstates criminal penalties for knowing possession of controlled substances. But as a corollary, SB 5536 also encourages Law Enforcement and Prosecuting Attorneys to offer treatment and diversion programs as alternatives in lieu of prosecution. For the reasons referenced above, this change places a heightened emphasis on ensuring equal access to diversion programs and calls to mind equal justice issues that may have been inadvertently created by the high cost of participation in the City's current diversion program.

Proposed Change:

For the reasons discussed above, effective August 15, 2023,[4] the City Attorney's Office would like to begin offering participation in its criminal prosecution diversion program at a reduced price for all individuals who have 'limited financial means' (i.e., those who have previously been screened, and approved, for indigent defense counsel, or anyone who has not yet been screened, but is able to make a comparable showing of indigency to the City's Diversion Program Coordinator.) The new price for qualifying individuals wishing to participate in the City's diversion program would be:

- A base-rate fee of $50;
- Plus the cost of any restitution owed the victim(s).

The proposed base-rate fee of $50 would correspond to the administrative processing charges imposed elsewhere within City Code [5] and represent a conservative estimate of actual program costs.

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[3] The exact fee for each participant varies according to the type of criminal charge(s) at issue. By contrast, the Clark County Prosecutor's Office charges a flat-rate fee of $43 to enter its diversion program. ($43 is the same cost as the Clark County Court Improvement Fee and is believed to serve as a proxy for a more exact calculation of the cost of administering the County's diversion program.)
[4] The effective date of applicable sections (Sections 12-40) of SB 5536.
[5] E.g., the base business license fee established by VMC 5.04.090.

Next-Steps:

Absent objection or concerns from any of your perspectives, following are the next-steps that the City Attorney's Office intends to follow to make this change operational:

1. Collaborate with Finance to evaluate the need for any changes regarding the collection and/or write-off procedures based on the new (lower) diversion fee.

2. Update City Council and the community under 'Manager Communications' at an upcoming City Council meeting.

3. Collaborate with the City Communications Department to share information about this program change throughout the community in a manner that is accessible to individuals in Vancouver's five most-common languages, as well as individuals who are blind or visually impaired.

4. Monitor participation in the City's criminal prosecution diversion program and evaluate further potential refinements over the months ahead. Future refinements may include:

   A. Updating the City's payment portal to provide easier payment options to diversion program participants. (The City Attorney's Office is currently still accepting payment vis-à-vis the Customer Service Desk.)

   B. Moving to single, fixed-rate fee for all participants regardless of capacity to pay.

   C. Refining eligibility criteria based on offense type following review of case filing statistics generated by the City's new eProsecutor system. (eProsecutor go-live is projected for Q4, 2023.)

As always, we invite you to contact us with questions or concerns regarding any aspect of this proposed refinement. Thank you –

City of Vancouver Diversion Program Summary
'Debits Minus Credits'

Sum of Ledger Debit minus Credit	Column Labels					
Row Labels	**FY 2019**	**FY 2020**	**FY 2021**	**FY 2022**	**FY 2023**	**Grand Total**
CC0043 LGL-Criminal Prosecution Legal Services	**$ (188,242.34)**	**$ (59,089.09)**	**$ (60,225.00)**	**$ (46,056.78)**	**$ (26,674.10)**	**$ (380,287.31)**
RC0182 Non-Court Fines and Penalties - Stays for Diversion Proceedings | 359911	**$ (75,945.34)**	**$ (22,872.09)**	**$ (55,166.60)**	**$ (45,790.78)**	**$ (26,674.10)**	**$ (226,448.91)**
Stay DV Diversion	$ (304.38)	$ (253.62)	$ (465.27)	$ (234.74)		$ (1,258.01)
Stay for DWS 3 Diversion	$ (405.83)	$ (152.17)				$ (558.00)
Stay of Proceedings	$ (55,014.58)	$ (55,487.85)	$ (54,701.33)	$ (45,556.04)	$ (26,674.10)	$ (237,433.90)
(blank)	$ (20,220.55)	$ 33,021.55				$ 12,801.00
RC0184 Non-Court Fines and Penalties - Stays for DWS | 359914	**$ (112,297.00)**	**$ (36,217.00)**	**$ (5,058.40)**	**$ (266.00)**		**$ (153,838.40)**
Miscellaneous	$ (139.00)					$ (139.00)
Stay DV Diversion	$ (1,098.00)	$ (366.00)				$ (1,464.00)
Stay for DWS 3 Diversion	$ (76,056.00)	$ (36,138.00)	$ (5,058.40)	$ (266.00)		$ (117,518.40)
Stay of Proceedings		$ -				$ -
(blank)	$ (35,004.00)	$ 287.00				$ (34,717.00)
CC0048 LGL-Domestic Violence Legal Services	**$ (40,364.96)**	**$ (28,682.25)**	**$ (27,321.55)**	**$ (32,866.65)**	**$ (19,208.04)**	**$ (148,443.45)**
RC0182 Non-Court Fines and Penalties - Stays for Diversion Proceedings | 359911	**$ (102.00)**					**$ (102.00)**
Stay DV Diversion	$ (102.00)					$ (102.00)
RC0183 Non-Court Fines and Penalties - Stays for Domestic Violence | 359912	**$ (40,262.96)**	**$ (28,682.25)**	**$ (27,321.55)**	**$ (32,866.65)**	**$ (19,208.04)**	**$ (148,341.45)**
Stay DV Diversion	$ (31,432.04)	$ (41,676.11)	$ (27,321.55)	$ (32,736.11)	$ (18,751.13)	$ (151,916.94)
Stay for DWS 3 Diversion	$ (366.00)			$ (130.54)	$ (456.91)	$ (953.45)
Stay of Proceedings	$ (1,384.92)	$ (1,147.08)				$ (2,532.00)
(blank)	$ (7,080.00)	$ 14,140.94				$ 7,060.94
CC0110 GG-Miscellaneous	**$ (100.00)**					**$ (100.00)**
RC0184 Non-Court Fines and Penalties - Stays for DWS | 359914	**$ (100.00)**					**$ (100.00)**
Stay for DWS 3 Diversion	$ (100.00)					$ (100.00)
(blank)	$ -					$ -
Grand Total	**$ (228,707.30)**	**$ (87,771.34)**	**$ (87,546.55)**	**$ (78,923.43)**	**$ (45,882.14)**	**$ (528,830.76)**