



TO: Mayor and City Council
Eric Holmes, City Manager

FROM: Richard Keller, President
City Center Redevelopment Authority (CCRA) Board

DATE: March 26, 2018

SUBJECT: CCRA 2017 Annual Report to City Council

I am pleased to submit this report to City Council which summarizes the work of the CCRA Board this past year. As a reminder to Council, the CCRA Board focuses on reviewing and advising Council on proposed development projects, requests for multi-family tax abatement, and economic development initiatives in the downtown and waterfront areas of the City. The CCRA Board members serve through appointment by the Mayor and City Council.

In January of 2017 the CCRA welcomed a new board member, Brad Hutton, who brings a wealth of business and hotel management experience as a former Vice President of Operations, Western Region, for Hilton Hotels World Wide. Brad has also served on various boards, including Travel Portland and Pioneer Courthouse Square, and is interested helping with the continued success of downtown.

City Center Redevelopment Authority Activities

Based on the number and type of projects the CCRA reviewed this past year, it is evident that development conditions continue to be very favorable for the downtown and waterfront.

Three issues dominated the CCRA agenda this past year: 1) amendments to development agreements for the Waterfront development (amendment #3) regarding timing of park improvements and number and location of interim surface parking lots; 2) amendments to the Vancouvercenter development (amendment #8) which is anticipated to lead to construction of the fourth tower and completion of the project; and 3) challenges facing a growing downtown (e.g. building heights that may conflict with Pearson Airport, projects proposed for the Waterfront and the Port's Terminal One; and multi-family tax abatement requests which included the first two such requests in the Fourth Plain corridor).

The Board continues to be interested in issues that are important to the economic success of the downtown, including availability of parking for new businesses, how city-owned properties can best be used or redeveloped to catalyze economic development, and ensuring that projects are well-designed and contribute to the overall look and vibrancy of the downtown core.

The below table summarizes the scope and volume of activity by the Board this past year:

Type of Activity	Number
Development Agreements and Amendments	2
Multi-Family Tax Abatement Requests	5
Design Review/Project Overview	6
Staff-initiated Presentations (e.g. Vancouver Strong, multi-family tax program, airport and building heights, design review guidelines/process, peer city visit, CCRA bylaws, etc.)	10
Monthly updates by staff on development activity	9
Walking Tour of Uptown Mixed Use Project	1

Based on the results of a November 2016 study of the City's economic development functions and staffing levels by Paul Lewis, the CCRA board asked that City Council give serious consideration to funding a dedicated high-level economic development position in a future budget, or as "new" revenue is realized, such as from the sale of surplus city property. CED staff requested a new principal economic development planner position in the 2017 spring supplemental budget, and this was approved by City Council for a three year period, at which time future funding may be considered.

Following an extensive recruitment and interview process, John Collum, a seasoned economic development professional, accepted the principal planner position. Most recently John was a community development project manager for three years with the City of Renton, WA where he focused on downtown revitalization, public-private partnerships, and developed a façade improvement program, to name a few. Prior to working for Renton, John was a project manager for 12 years at Civic San Diego, San Diego's redevelopment agency, and he also worked in planning and economic development positions in Vista, California and Orlando, Florida. John has a Master's Degree in Urban and Regional Planning from Virginia Commonwealth University. John will be very active in advancing economic development programs throughout the city, including exploring a possible Business Improvement District (BID) in the downtown that could potentially fund enhancements to the cleanliness, safety and overall appearance of the downtown core, and other high profile economic development projects.

In July, based on input from CCRA regarding the need for additional design review expertise, the City hired an outside architectural consultant to assist development review staff with the design review of major downtown and waterfront projects. Michael McCulloch, AIA, is an architect and urban planner, and has over 40 years of design-related experience, including as Chair of the Portland Design Commission (1996-2007), Design Advisor to the City of Milwaukee, Project Lead for the Oregon Convention Center Blocks Urban Design Study, Urban Designer for the Rose Quarter District Plan, and as principal at Michael McCulloch Architecture, LLC, to name just a few. Mike has already provided constructive comments on several projects in Vancouver, and will help to elevate the quality of building design in the downtown and waterfront areas in the coming year including advising staff and CCRA regarding recommended revisions to the existing Downtown Design Guidelines Manual, last revised in 1994.

Chad Eiken, CCRA Executive Director, has assisted the CCRA Board with development of their work plan for 2018. Issues that we will likely be spending time and energy on this year include:

- Reviewing and providing input on the design and scale of new Waterfront projects, including a hotel at the Port's Terminal One project;
- Reviewing design plans and disposition and development agreement for a mixed use project on Block 10;
- Monitoring the effectiveness of recently-enacted changes to the City's multi-family tax abatement program;
- Taking a more active role in recommending potential uses and redevelopment scenarios of several city-owned parcels south and west of City Hall;
- Working behind the scenes to facilitate a possible relocation of the Jantzen Beach Carousel (currently in storage and owned by Restore Oregon) to the Port of Vancouver's Terminal One project;
- Reviewing design plans for redevelopment of the Academy to ensure new buildings are in keeping with the historic significance of the site;
- Reviewing design plans for Library Square, and providing recommendations to City Council regarding city participation in the project, which may include a public parking garage;
- Reviewing potential changes to the City's Downtown Design Guidelines Manual, which has not been updated since 1994, with input from city staff and an architectural consultant;
- Overseeing improvements to the content and format of the CCRA/DRA website.

On behalf of the entire Board, I would like to thank you sincerely for the opportunity to serve the citizens of the City of Vancouver. Please do not hesitate to contact us if you would like to receive any additional information about our activities, or should you require our assistance in either proposing or vetting specific downtown redevelopment initiatives and strategies.

2017 CCRA Board of Directors

Richard Keller, President

David Copenhaver, Director

Debi Ewing, Director

Mark Fazio, Director

Jack Onder, Director

Brad Hutton, Director



Downtown Redevelopment Authority

415 W 6th Street | PO Box 1995 | Vancouver, WA 98668-1995

TO: Mayor and City Council
Eric Holmes, City Manager

FROM: Richard Keller, President
Downtown Redevelopment Authority (DRA) Board

DATE: March 21, 2018

SUBJECT: DRA 2017 Annual Report to City Council

I am pleased to submit this report to City Council which summarizes the work of the DRA Board this past year. As a reminder to Council, the DRA owns the Hilton Conference Center Hotel and the DRA Board oversees the management of the property and the requirements related to its financing. DRA Board members serve through appointment by the Mayor and City Council.

In January of 2017 the DRA welcomed a new board member, Brad Hutton, who brings a wealth of business and hotel management experience as a former Vice President of Operations, Western Region, for Hilton Hotels World Wide. Brad has also served on various boards, including Travel Portland and Pioneer Courthouse Square, and brings an invaluable industry perspective to our discussions. Also in 2017, Jan Robertson joined the DRA Board replacing Chris Wamsley who relinquished her DRA Board duties but continues on the CCRA Board. Jan is a 36 year resident of Vancouver and currently serves as the Chief Operating Officer of Norris, Beggs & Simpson Companies, LLC, a holding company with divisions providing commercial real estate mortgages, equity, mezzanine debt, preferred equity, loan servicing, asset management and consulting services based in Portland. Until 2016 Jan also supervised a 10+ million square foot property management portfolio that was sold along with their brokerage division. Jan is active in the community and has served in leadership positions with several arts and culture organizations.

Downtown Redevelopment Authority Activities: 2017

The Vancouver Conference Center Hotel and the DRA had a successful 2017, the 12th full year of operations. Here are a few of the notable highlights from last year.

Financial Highlights

- Total operating revenues in 2017 were \$18.1 million compared to approximately \$17.0 million in 2016.
- Gross operating profit was \$6.1 million in 2017 compared to about \$5.4 million in 2016.
- Debt service payments of \$4.6 million were paid on time in 2017.
- Outstanding long-term debt was reduced to \$66.7 million.
- Capital investments in the facility totaled approximately \$1.2 million including \$700,000 to refurbish the Gray's at the Park restaurant (completed in February 2018).

Operating Highlights

- The Conference Center hosted over 1,650 groups with more than 138,500 people attending events. Groups accounted for 25,663 room nights at the hotel during the year or roughly 41 percent of total room nights.
- Total hotel occupancy for 2017 was 76.1 percent compared to 74.4 percent in 2016 and compared to 74.8 percent for peer hotels in the area.
- In 2017, the facility continued to be ranked in the top ten percent of hotels within the Hilton brand with regard to satisfaction and loyalty ratings by customers.
- The Conference Center hosted 10 Vancouver-based/focused non-profit events providing the non-profit organizations a discount on services valued at more than \$44,000.
- The Vancouver Conference Center Hotel employs 199 people, of which about 87% percent live in the Vancouver/Clark County area. Total 2017 wages and benefits were about \$6.4 million.
- Operating costs included more than \$1.3 million spent with vendors within Washington State. Of that amount, \$836,000 or 64 percent was spent within Vancouver and the broader Clark County area.
- The total impact on the local economy from event attendees and hotel guests approached \$20 million in 2017, using industry estimates of the total direct and indirect/multiplier impacts of spending by out of town visitors.
- The Vancouver Conference Center Hotel remitted more than \$1.2 million in sales taxes, over \$360,000 in lodging taxes (all returned to Vancouver) and an estimated \$125,000 to Visit Vancouver USA, the local tourism promotion non-profit organization.

Much of the success this past year is attributable to an excellent management team led by Mike McLeod, Hilton Vancouver General Manager. Mike and his team, assisted by Tom Morone the DRA's Asset Manager, have worked hard to earn the satisfaction of customers and make the facility meet its financial goals. We acknowledge and appreciate their work on behalf of the DRA and the community.

Like you, we were deeply saddened by the passing of Lloyd Tyler in 2017. As the DRA's Executive Director, Lloyd was directly responsible for managing the DRA's role with the Conference Center Hotel. Lloyd brought deep financial skills, strong management and a tremendously positive attitude to his work with the DRA. Thanks in part to his leadership over the past twelve years the Vancouver Conference Center Hotel will have a positive impact on the community into the foreseeable future. In February 2018 the DRA appointed Paul Lewis as its new Executive Director. Paul has a unique historical perspective and an extensive background in finance that will serve him well in his new role. We want to thank Christine Smith for her work with the DRA during the transition in executive directors.

Paul is currently working with the DRA Board to develop a work plan for 2018. Issues that we will likely be spending time and energy on this year include:

- Monitoring the facility's 2018 financial performance. The 2018 budget forecasts revenues to be slightly higher than last year with gross operating profit to be slightly lower. Group business in 2018 will be down slightly from 2017 due to normal cyclical patterns.

- Developing a plan to fund future capital needs including a major renovation likely to occur in the 2021-2023 time frame.
- Securing adequate parking for the Conference Center Hotel in light of the pending construction of the fourth tower at Vancouvercenter and increased parking demand in the Vancouvercenter parking garage.
- Reviewing and documenting financial policies and accounting practices to ensure there is a clear understanding of the DRA's routine and non-routine financial activities, processes and requirements.
- Monitoring the status of planned new hotel developments on the Vancouver Waterfront and in downtown.
- Coordinating an active shooter assessment at the Vancouver Conference Center Hotel to be completed by Hilton security staff and Vancouver Police Department SWAT Team personnel.
- Completing various other projects that help ensure the continued success of the facility.

On behalf of the entire DRA Board, I would like to sincerely thank you for the opportunity to serve the citizens of the City of Vancouver. Please do not hesitate to contact me or any of the board members if you would like to receive any additional information about our activities or our work with the Vancouver Conference Center Hotel.

2017 DRA Board of Directors

Richard Keller, President

David Copenhaver, Director

Debi Ewing, Director

Mark Fazio, Director

Brad Hutton, Director

Jack Onder, Director

Jan Robertson, Director

CHARTER
OF THE
CITY CENTER REDEVELOPMENT
AUTHORITY

As originally adopted pursuant to
City of Vancouver Ordinance M-3739 and M-3940

Issued and Certified by
the City Clerk on
December 21, 2009

Vancouver, Washington

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CHARTER
OF THE CITY CENTER REDEVELOPMENT AUTHORITY

ARTICLE I

NAME AND SEAL

Section 1.01 Name. The name of this authority shall be (hereinafter referred to as the "City Center Redevelopment Authority" or "Authority").

Section 1.02 Seal. The City Center Redevelopment Authority's seal shall be a circle with the name Authority" inscribed therein.

ARTICLE II

AUTHORITY AND LIMIT ON LIABILITY

Section 2.01 Authority. The Authority is a public authority organized pursuant to RCW 35.21.730.757, as amended (the "Act") and Ordinance M-3739 of the City of Vancouver, Washington, (the "Ordinance").

Section 2.02 Limit on Liability. All liabilities incurred by the Authority shall be satisfied: (a) in the case of obligations or liabilities of the Authority which are not limited recourse in nature, exclusively from the assets, credit, and properties of the Authority, or (b) in the case of obligations or liabilities of the Authority which, by their terms, are limited resource obligations, from such assets, properties or revenues of the Authority as shall be specifically pledged thereto or otherwise identified as being the source of payment of such limited recourse obligations or liabilities, and no creditor or other person shall have any right of action against or recourse to the City of Vancouver, Washington (the "City"), its assets, credit, or services, on account of any debts, obligations, liabilities or acts or omissions of the Authority.

Section 2.03 Mandatory Disclaimers. The following disclaimer shall be posted in a prominent place where the public may readily see it in the Authority's principal and other offices. It shall also be printed or stamped on all contracts, bonds, and other documents that may entail any debt or liability by the Authority.

The City Center Redevelopment Authority' is a public authority organized pursuant to Ordinance M-3739, of the City of Vancouver and the laws of the State of Washington, RCW 35.21.730 through RCW 35.21.757. RCW 35.21.750 provides as follows: "[A]ll liabilities incurred by such public corporation, commission, or authority shall be satisfied exclusively from the assets and properties of such public corporation, commission or authority and no creditor or other person shall have any right of action against the city, town, or county creating such corporation, commission, or authority on account of any debts, obligations, or liabilities of such public corporation, commission, or authority."

Provided that, in the case of any obligations or liabilities of the Authority which, by their terms, are limited recourse in nature, in lieu of the foregoing disclaimer, the following disclaimer shall be printed or stamp on all contracts, bonds and other documents relating to or evidencing such limited recourse obligations or liabilities of the Authority:

The obligations of the Authority with respect to (describe the contract, bond or other limited recourse obligation] shall be and remain limited recourse obligations of the Authority payable solely and only from [describe the particular properties, assets or revenues of the Authority from which the limited recourse obligation is payable}. In no event shall such obligations be payable from or by recourse against any properties, assets or revenues of the Authority (other than those described in the preceding sentence), nor shall such obligations be payable from or by recourse against any properties, assets or revenues of the City of Vancouver, Washington, the State of Washington or any other political subdivision of the State of Washington. No person to whom such obligations are owed shall have any recourse or right of action against the Authority, the City of Vancouver, Washington, the State of Washington or any other political subdivision thereof on account of such obligations or any liabilities, of whatsoever nature, arising in connection therewith except to enforce for the payment thereof out of [describe the particular properties, assets or revenues of the Authority from which the limited recourse obligation is payable].

ARTICLE III

DURATION

The duration of the Authority shall be perpetual except as provided in the Ordinance.

ARTICLE IV

PURPOSE

The purpose of the Authority is to provide an independent legal entity under State law and City Ordinance to undertake, assist with and otherwise facilitate the redevelopment of property within the Vancouver City Center Vision plan area. Redevelopment of the Vancouver City Center Vision plan area by the Authority serves essential public purposes by relieving blight, undertaking development of an underutilized area in the heart of the City in a manner consistent with City planning; facilitating private investment and economic development which will build the City's tax base and create jobs; and providing for the development of public amenities; public parking facilities, recreational and entertainment facilities; connections to the riverfront and coordination of waterfront redevelopment efforts all of which are in the public interest.

The Authority shall acquire and manage real property; secure financing; undertake the development or redevelopment, construction and maintenance of structures and facilities, including public amenities; and enter into agreements with cultural, public, and other not-for-profit entities or with private developers proposing to develop public facilities or retail; mixed-use, office, and entertainment, or residential projects in the Vancouver City Center Vision plan area.

Such activities shall be consistent with redevelopment plans for the Vancouver City Center Vision plan area adopted by the City. Undertaking the redevelopment of the Vancouver City Center Vision plan area, specifically including, but not limited to, the acquisition of such properties, preparation of the properties for redevelopment and their disposition to other public, not-for-profit or for-profit entities for redevelopment consistent with the Authority's purpose, is an essential governmental function to be carried out on behalf of the City of Vancouver.

The Authority shall review draft development agreements between property owners and the City in the VCCV Plan area to ensure an appropriate balance between development incentives and public benefits from new development, including architectural design, and shall make recommendations on such agreements to the City Council.

The Authority shall be responsible for reviewing the architectural and landscape design of development projects within the Waterfront Project and Port of Vancouver's Terminal One Project for consistency with any approved master plan, design guidelines and development agreement, and shall advise the City Planner assigned as case manager to the project if the project is consistent with such plans, guidelines and agreements, or whether revisions are recommended in order for the project to be deemed consistent.

The Authority shall periodically review the effectiveness of the City's Multi-Family Tax Exemption Program in incenting new multi-family developments in the VCCV and Fourth Plain Subarea Plan Districts and shall advise the City Council in regard to any identified amendments that would ensure an appropriate balance between the tax incentives and public benefits from new development, including number of affordable housing units constructed.

Although the Authority may be called upon to assist the City or other public or not-for-profit entities with the development, maintenance and operation of public facilities or institutions located in or near the Vancouver City Center Vision plan area, the priority focus of the Authority shall be to undertake, assist with and otherwise facilitate the redevelopment / development of Vancouver City Center Vision plan area for retail, mixed-use, office, entertainment, or residential projects consistent with current City plans. Consistent with applicable law and utilizing all lawful means, the Authority shall work to facilitate and maximize private sector participation in such projects. As desirable and appropriate, the Authority shall serve as a vehicle to undertake or assist with the establishment, development and operation and maintenance of public facilities in or near the Vancouver City Center Vision plan area.

For the purpose of securing the exemption from Federal income taxation for interest on

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obligations of the Authority, the Authority constitutes an authority and instrumentality of the City of Vancouver (within the meaning of those terms in regulations of the United States Treasury and rulings of the Internal Revenue Service prescribed pursuant to Section 103 and Section 145 of the Internal Revenue Code of 1986, as amended).

ARTICLE V

POWERS

Section 5.01 Powers. The Authority shall have and may exercise all lawful powers conferred by state laws, the Ordinance, this Charter and its Bylaws. The Authority in all of its activities and transactions shall be subject to the powers, procedures, and limitations contained in the Ordinance.

Section 5.02 Indemnification. To the extent permitted by law, the Authority shall protect, defend, hold harmless and indemnify any person who becomes a director, officer, employee or agent of the Authority. and who is a party or threatened to be made a party to a proceeding by reason related to that person's conduct as a director, officer, employee or agent of the Authority, against judgments, fines, penalties, settlements and reasonable expenses (including attorneys' fees) incurred by him or her in connection with such proceeding, if such person acted in good faith and reasonably believed his or her conduct to be in the Authority's best interests and if, in the case of any criminal proceedings, he or she had no reasonable cause to believe his conduct was unlawful. The indemnification and protection provided herein shall not be deemed exclusive of any other rights to which a person may be entitled as a matter of law or by contract or by vote of the Board of Directors. The Authority may purchase and maintain appropriate insurance for any person to the extent provided by the applicable law.

ARTICLE VI

BOARD

Section 6.01 Board Composition. Management of all Authority affairs shall reside in the Board. The Board shall be composed of seven (7) members appointed by the City Council. Commencing on January 1, 2010, the terms of office of such members shall be as follows: ~~(1)~~ two members shall be appointed to terms expiring on December 31, 20~~1~~10; (2) two members shall be appointed to terms expiring on December 31, 2011; (3) two members shall be appointed to terms expiring on December 31, 2012; and (4) one member shall be appointed to a term expiring on December 31, 2013. Upon the expiration of the foregoing terms of members, members shall be appointed to four-year terms. Members appointed prior to January 1, 2010 shall serve until their successors are appointed and assume their Board positions.

The existing ~~PDA~~ CCRA Board members shall recommend new Board members to the City Council who shall appoint the Board members. Members shall be civic or business leaders with experience relevant to the purpose of the Authority in such fields as finance, real estate development, law or construction management. The City Manager may designate City staff

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support to the Authority as necessary.

Section 6.02 Board Concurrence and Quorum Defined. "Board concurrence," as used in this Article, may be obtained at any regular or special Board meeting by an affirmative vote of a majority of the Board members voting on the issue, provided that such majority equals not less than three (3) votes.

A quorum to commence a Board meeting shall be no fewer than four (4) members. The bylaws of the Authority may prescribe Board quorum restrictions that equal or exceed the quorum restrictions imposed in this Section 6.02. Board members present at a duly convened meeting may continue to transact business notwithstanding the withdrawal of enough members to leave less than a quorum.

Section 6.03 Officers and Division of Duties. The Authority shall have three or more officers. The same person shall not occupy both the office of President and any office responsible for the custody of funds and maintenance of accounts and finances. The initial officers of the Authority shall be the President, Secretary-Treasurer and Executive Director. Additional officers may be provided for in the Bylaws of the Authority. The President shall be the agent of the Authority for service of process; the Bylaws may designate additional corporate officials as agents to receive or initiate process. The Executive Director shall be the chief administrative staff person to the Board of Directors. The Authority may contract with the City of Vancouver Community and Economic Development Director to serve as its Executive Director. Subject to supervision by the Board of Directors, the Executive Director shall have primary responsibility for all matters involving day-to-day operations of the Authority and shall make recommendations to the Board of Directors on practices, policies and programs of the Authority. He or she shall have such powers and perform such duties as may be prescribed from time to time by the Board and he or she shall be entitled to notices of all meetings of the Board of Directors but shall not be entitled to be present during any discussions relating to his or her employment or performances. The Board shall oversee the activities of the corporate officers, establish and/or implement policy, participate in corporate activity in matters prescribed by city ordinance, and shall have stewardship for management and determination of all corporate affairs.

Section 6.04 Executive Committee. The Bylaws may provide for an Executive Committee, which shall be appointed and/or removed by the Board, and shall have and exercise such authority of the Board in the management between meetings of the Board, as may be specified in the Bylaws.

Section 6.05 Committees. The appointment of other committees shall be provided for in the Bylaws.

Section 6.06 Removal of Board Members. In addition to trusteeship and termination or

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dissolution, respectively, if it is determined for any reason that any or all of the Board members should be removed, with or without cause, and after selection of appropriate replacements by the City Council, the City Council may by resolution remove any or all Board members. The term of any Board member removed pursuant to this section shall expire when the member receives a copy of the resolution removing him or her and a letter signed by the Mayor advising him or her that he or she has been removed pursuant to this section.

A vacancy or vacancies on the Authority Board of Directors shall be deemed to exist in case of the death, disability, resignation, removal, or forfeiture of membership. Vacancies on the Board shall be filled by appointment in the same manner in which members of the Board are regularly appointed. Any person selected to fill a vacancy on the Board shall serve the balance of the term of the person being replaced.

ARTICLE VII

MEETINGS

Section 7.01 Board Meetings.

1. The Board shall meet as necessary but not less than two (2) times a year.
2. Special meetings of the Board may be called as provided in the Bylaws.

Section 7.02 Open Public Meetings. Notice of meetings shall be given in a manner consistent with the Open Public Meetings Act, Chapter 42.30 RCW. In addition, the Authority shall routinely provide reasonable notice of meetings to any individual specifically requesting it in writing. At such meeting, any citizen shall have a reasonable opportunity to address the Board either orally or by written petition. Voting by telephone or by proxy is not permitted.

Section 7.03 Parliamentary Authority. The rules of *Robert's Rules of Order* (revised) shall govern the Authority in all cases to which they are applicable, where they are not inconsistent with the Charter or with the special rules of order of the Authority set forth in the Bylaws.

Section 7.04 Minutes. Copies of the minutes of all regular or special meetings of the Board shall be available to any person or organization that requests them as required by state law; minutes with respect to closed executive sessions need not be made available. The minutes of all Board meetings shall include a record of individual votes on all matters requiring Board concurrence.

ARTICLE VIII

BYLAWS

The initial Bylaws may be amended to provide additional or different rules governing the Authority and its activities as are not inconsistent with this Charter. The Board may provide in the Bylaws for all matters related to the governance of the Authority, including but not limited to matters referred to elsewhere in the Charter for inclusion therein.

ARTICLE IX

AMENDMENT TO CHARTER AND BYLAWS

Section 9.01 Proposals to Amend Charter and Bylaws.

1. Proposals to amend the Charter or Bylaws shall be presented in a format which strikes over material to be deleted and underlines new material.

2. Any Board member may introduce a proposed amendment to the Charter or to the Bylaws (which may consist of new Bylaws) at any regular meeting or at any special meeting of which ten (10) days' advance notice has been given to members of the Board.

Section 9.02 Board Consideration of Proposed Amendments. If notice of a proposed amendment to the Charter or to the Bylaws, and information, including the text of the proposed amendment and a statement of its purpose and effect, is provided to members of the Board fifteen (15) days prior to any regular Board meeting or any special meeting of which thirty (30) days' advance notice has been given, then the Board may vote on the proposed amendment at the same meeting as the one at which the amendment is introduced. If such notice and information is not so provided, the Board may not vote on the proposed amendment until the next regular Board meeting or special meeting of which thirty (30) days' advance notice has been given and at least fifteen (15) days prior to which meeting such notice and information is provided to Board members, Germane amendments to the proposed amendment within the scope of the original amendment will be permitted at the meeting at which the vote is taken.

Section 9.03 Vote Required for Amendments to Charter or Bylaws. Resolutions of the Board approving proposed amendments to the Charter or Bylaws require an affirmative vote of a majority of the Board members voting on the issue, provided that such majority equals not less than four (4) votes.

Section 9.04 City Council Approval of Proposed Charter Amendments. Proposed Charter amendments adopted by the Board shall be submitted to the City Council. The Authority's Charter may be amended only by ordinance as provided in the Ordinance.

ARTICLE X

COMMENCEMENT

The Authority shall commence its existence effective upon the issuance of its Charter as sealed and attested by the City Clerk and the holding of the initial board meeting.

ARTICLE XI

DISSOLUTION

Dissolution of the Authority shall be in the form and manner required by state law, City ordinance, and the Bylaws. Upon dissolution of the Authority and the winding up of its affairs, title to all remaining property or assets of the Authority shall vest in the City of Vancouver for use for public purposes.

ARTICLE XII

APPROVAL OF CHARTER

ORIGINAL CHARTER APPROVED by Ordinance M-3739 adopted by the City Council of the City of Vancouver on February 27, 2006.

CERTIFICATE

I, the undersigned, City Clerk of the City of Vancouver, Washington (the "City") DO HEREBY CERTIFY that the attached CHARTER OF THE CITY CENTER REDEVELOPMENT AUTHORITY is a true and correct original of such charter as authorized by Ordinance ~~M-3739~~ _____ of the City.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City this day ~~27th of February, 2006~~ _____, 2018.

/s/

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

EXHIBIT B
BYLAWS
OF
THE CITY CENTER REDEVELOPMENT AUTHORITY

ARTICLE I

Board

Section 1.01 Quorum. At least four (4) members of the Board must be present at any regular or special meeting to comprise a quorum. A lesser number in attendance at such a meeting may adjourn the meeting and reconvene it within forty-eight (48) hours of the adjourned meeting without further notice.

ARTICLE II

Officers and Committees

Section 2.01 Officers Designated. The officers of the Authority shall be a President, Secretary-Treasurer and Executive Director. Such other offices as may be deemed necessary may be created by resolution of the Board. No person may simultaneously hold more than one office. In addition to the powers and duties specified below, the officers shall have such powers and perform such duties as the Board may prescribe.

Section 2.02 Election Qualifications and Term of Office. The President and Secretary-Treasurer shall be elected by the Board at the first regular meeting of each year, for a one-year term, and each Elected Officer shall hold office during said one-year term and until his or her successor is elected. The first Elected Officers of the Board shall be elected by the Board at its organizational meeting or as soon as practicable following the Board's creation of such Elected Office.

Section 2.03 Powers and Duties.

a. President. The President shall be the chief executive officer of the Public Authority and shall have general supervision over the business of the Public Authority, subject, however, to the control of the Board of Directors. The President shall preside at all meetings of the Board of Directors. The President may sign and execute, in the name of the Public Authority, deeds, mortgages, leases, bonds, contracts and other instruments duly authorized by the Board of Directors, and generally shall perform all duties incident to the office of President and such other duties as may from time to time be assigned to such office by the Board of Directors.

b. Secretary-Treasurer. The Secretary-Treasurer shall:

1. Certify and keep at the office of the Public Authority, or at such other place as the Board of Directors may order, the original or a copy of the Bylaws, as amended or otherwise altered;
2. Keep at the office of the Public Authority, or at such other place as the Board of Directors may order, a book of minutes of all meetings of the directors and of the resolutions of the Board, recording therein the time and place of holding such meetings, whether regular or special, and, if special, how authorized, the notice thereof given, and the proceedings there at;
3. See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law;
4. Be custodian of the records and seal of the Public Authority;
5. Exhibit at all reasonable times to any director, upon application, the Bylaws and minutes of the proceedings of the directors of the Public Authority;
6. Receive and have charge of all funds of the Public Authority and shall disburse such funds only as directed by the Board of Directors;
7. Perform all duties incident to the office of Chief Financial Officer; and
8. In general perform such other duties as may from time to time be assigned to such office by the Board of Directors or the President.

Section 2.04 Removal. Upon reasonable prior notice to all Board members of the alleged reasons for dismissal, the Board by an affirmative vote of the majority of the whole Board may remove any Elected Officer from his or her office whenever in its judgment the best interests of the Authority will be served thereby.

Section 2.05 Vacancies. The Board shall fill any Elected Office which becomes vacant with a successor who shall hold office for the unexpired term and until his or her successor shall have been duly elected and qualified.

Section 2.06 Establishment of Committees. The Board, by resolution adopted by a majority of the full Board, may designate from among its members one or more committees, each consisting of at least three or more members, to represent the Board and, on matters other than those described in Section 2.7.100 of the Ordinance, act for and on behalf of the Board. The designation of any such committee and the delegation thereto of authority shall not operate to relieve any member of the Board of any responsibility imposed by law.

Section 2.07 Executive Committee. The Executive Committee of the Authority, if established, shall consist of the President, the Secretary-Treasurer of the Board and one member-at-large elected by the Board. The provisions for election, qualifications, term of office and removal of the member-at-large of the Executive Committee shall be identical to those of Elected Officers of the Board as provided herein in Section 2.02, 2.04, and 2.05 of this Article II.

Except as provided in Section 2.73.100 of the Ordinance, the Executive Committee shall have and exercise such powers of the Board of the Authority as the Board may from time to time provide by resolution.

Section 2.08. The Board may from time to time establish advisory committees to report on possible projects or activities and shall fill such committees by appointment of suitable persons.

Section 2.09 Executive Director. The Executive Director shall be the chief administrative officer of the Authority responsible for the day-to-day operations of the Authority and for carrying out the policies and directives of the Board. The Executive Director shall make recommendations to the Board on practices, policies and programs of the Authority. He or she shall have such powers and perform such duties as may be prescribed from time to time by the Board. The Executive Director is an employee at-will, and as such, may be removed, with or without cause, by the Board.

ARTICLE III

Meetings

Section 3.01 Regular Board Meetings. Regular meetings of the Board shall be held at such place and time or shall be fixed by resolution of the Board.

Section 3.0 Notice of Special Board Meetings. Notice of all special meetings of the Board shall be given by the Secretary-Treasurer or by the person or persons calling the special meeting by delivering personally or by mail written notice at least seven days prior to the time of the meeting to each Board member and to each local newspaper of general circulation and to each radio or television station that has requested notice as provided in the Open Public Meetings Act, Chapter 42.30 RCW, as now or hereafter amended. In addition, the Authority shall provide notice of special meetings to any individual specifically requesting it in writing. If the President deems that an emergency exists, the President may shorten the notice of a special meeting to not less than twenty-four hours.

The time and place of the special meeting and the business to be transacted must be specified in the notice. Final disposition shall not be taken on any other matter at such meetings.

Section 3.03 Waiver of Notice. Notice as provided in Section 3.04 hereof may be dispensed with as to any member of the Board who at or prior to the time the meeting convenes files with the Board of the Authority a written waiver of notice or who is actually present at the meeting at the time it convenes. Such notice may also be dispensed with as to special meetings called to deal with an emergency involving injury or damage to persons or property of the likelihood of such injury or damage, where time requirements of such notice would make notice impractical and increase the likelihood of such injury or damage. Notice, as provided in Article IX of the Charter concerning proposed amendments to the Charter or Bylaws and votes on such amendments, may not be waived.

Section 3.04 Notice to the City Council of the City of Vancouver. Notice of all meetings and minutes of such meetings Of the Board shall be given to the Clerk of the City Council of the City of Vancouver.

ARTICLE IV

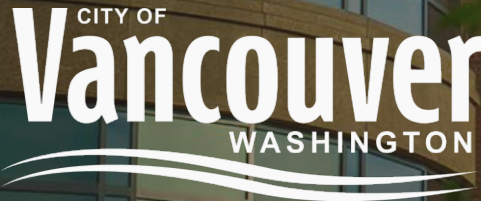
Administrative Provisions

Section 4.01 Books and Records. The Authority shall keep current and complete books and records of account and shall keep minutes of the proceedings of its Board and its committees having any of the Authority of the Board.

Section 4.02 Indemnification of Board Members. The Authority elects to defend and indemnify its present and former officials and their successors, spouses and marital communities to the full extent authorized by law. In addition, the right of indemnification shall inure to each Board member or officer and his or her spouses and marital communities upon his or her appointment to the Board and in the event of his or her death shall extend to his or her heirs, legal representatives and estate. Each person who shall act as Board member or officer or the Authority shall be deemed to do so in reliance upon such indemnification and such rights shall not be exclusive of any other right which he or she may have.

Section 4.03 Principal Office. The initial principal office of the Authority shall be the ~~Economic Development Division of the City Manager's Office, Third Floor City Hall, 210 East 13th Street, Community and Economic Development Department, Second Floor of City Hall, 415 W. 6th Street, Vancouver, Washington, 98668-1995.~~ The Authority may establish by resolution a different location as its principal office.

DRA/CCRA 2017 Annual Reports



March 26, 2018

Vancouver City Council Workshop

Richard Keller, DRA/CCRA President

Paul Lewis, DRA Executive Director

Chad Eiken, CCRA Executive Director

Presentation Overview

- Downtown Redevelopment Authority Annual Report 2017
- City Center Redevelopment Authority Annual Report 2017
- Overview of Proposed Amendments to CCRA Charter and Bylaws

Downtown Redevelopment Authority (DRA)

- Public agency created by City Council in 1997
- Seven-member Board appointed by Council oversees the operational, financial, and promotional aspects of the Vancouver Hilton Hotel & Convention Center project
- DRA is the owner of the project which is managed by Hilton Worldwide on a fixed-fee basis (no ownership interest)
- Facility has 226 rooms, business center, restaurant, fitness center with pool, and 30,000 square feet of meeting space

DRA Board of Directors

- Richard Keller, President
- David Copenhaver: Cascadia Development
- Deborah Ewing: Eric Fuller & Associates
- Marc Fazio, Naito Corporation
- Brad Hutton: Retired, formerly with Hilton Hotels
- Jack Onder: Onder Development Co.
- Jan Robertson: Norris, Beggs & Simpson LLC

DRA Financial Highlights

- Total operating revenues in 2017 were \$18.1 million compared to approximately \$17.0 million in 2016
- Gross operating profit was \$6.1 million in 2017 compared to about \$5.4 million in 2016
- Debt service of \$4.6 million paid on time in 2017
- Outstanding long-term debt was reduced to \$66.7 million
- Capital investments in the facility totaled approximately \$1.2 million including \$700,000 to refurbish the Gray's at the Park restaurant (completed in February 2018)

DRA Operating Highlights

- More than 1,650 groups and 138,500 event attendees
- Customer satisfaction and loyalty ratings in the top ten percent of hotels within the Hilton brand
- Support for 10 local non-profit events valued at \$44,000
- An estimated \$836,000 or 64% of \$1.3 million in supplies and services expenses spent in Vancouver/Clark County
- Estimated total economic impact of visitors = \$20 million
- Over \$1.2 million in sales tax, \$360,000 in City lodging taxes and an estimated \$125,000 to Visit Vancouver USA

The Year Ahead: DRA Work Plan

- Continuing to monitor financial performance
- Developing a long term plan for customer parking in light of the planned fourth tower at Vancouvercenter
- Developing a plan to fund future capital needs including a major renovation likely to occur in 2021-2023
- Monitoring the status of planned hotel projects in and around downtown
- Coordinating an active shooter assessment (April)
- Reviewing/documenting financial policies and procedures

City Center Redevelopment Authority (CCRA)

- Public agency established in 2006 to assume duties from DRA not related to the Hilton/Convention Center oversight.
- Seven-member Board appointed by Council has broad authority, including ability to purchase and manage property, secure financing, issue bonds, etc.
- Primary duty is to assist City in redevelopment of the downtown, and provide oversight of VCCV and Waterfront Plan implementation and advice on city investments and D.A.'s, tax abatements etc.

CCRA Board of Directors

- Richard Keller, President
- Jack Onder: Onder Development Co.
- Marc Fazio, Naito Corporation
- Deborah Ewing: Eric Fuller & Associates
- David Copenhaver: Cascadia Development
- Brad Hutton: Retired, formerly with Hilton Hotels
- Vacancy (soon to be advertised)

CCRA Activities

- Three issues dominated CCRA agendas this past year: 1) amendments to the Waterfront D.A.; 2) amendments to the Vancouvercenter D.D.A., and 3) challenges facing a growing downtown (e.g. parking, building heights, etc.)
- Other activities included:
 - Development agreement review 2
 - Multi-family tax abatement requests 5
 - Project review/oversight 6
 - Staff and consultant presentations 10
 - Staff updates on development activity 9

Addition of Economic Development Resource

- Last year, CCRA recommended that City Council give consideration to providing CED with more economic development resources
- In the fall supplemental budget, a principal economic development planner position was funded - THANK YOU!
- In February, **John Collum**, a seasoned economic professional from Renton, WA, joined the City team and has added capacity
- John has already made an impact in regard to the new Opportunity Zones program, and will soon begin exploratory work on a Downtown Business Improvement District, and will also oversee the downtown entryway improvement contract at 6th and C Streets

Waterfront Blocks in Process



Feb. 2017: Waterfront Construction



Feb. 2018: Waterfront Construction



The Year Ahead: CCRA Work Plan

- Continuing to provide oversight to Waterfront Project implementation and Port's Master Plan
- Reviewing Block 10 Proposal and eventual D.A. terms
- Monitoring effectiveness of multi-family tax abatement program
- Reviewing future uses of city-owned properties near City Hall
- Reviewing design plans for the Academy housing project to ensure new buildings are compatible

The Year Ahead: CCRA Work Plan (cont.)

- Reviewing design plans for Library Square, and providing recommendations regarding city participation in the project which may include a parking structure
- Reviewing the 1994 Downtown Design Guidelines and Waterfront Design Guidelines for possible updates and consolidation (Mike McCulloch, a contract design professional, may assist)
- Overseeing improvements to the content and format of the CCRA and DRA webpages

Draft Amendments to CCRA Charter

- Originally adopted in December 2009
- Over time, responsibilities have been placed on CCRA but the Charter has not been updated
- Amendments to reflect current role include:
 - Review of draft development agreements in VCCV plan area to balance incentives with public benefits
 - Review architectural/landscape design of Waterfront and Port's Terminal One projects to advise planner

Draft Amendments to CCRA Charter (cont.)

- CCRA shall periodically review the effectiveness of the City's Multi-Family Tax Abatement program in the VCCV and Fourth Plain plan areas
- CCRA voted in February to recommend approval to City Council of the changes to their charter, as required
- CED staff will schedule the proposed amendments for a future Council meeting for consideration and approval

Questions and Discussion

- Richard Keller, DRA and CCRA President
- Paul Lewis, DRA Executive Director
- Chad Eiken, CCRA Executive Director

STAFF REPORT NO. 034-18

TO: Mayor and City Council
FROM: Eric Holmes, City Manager

DATE: 3/26/2018



Subject: 2018 Celebrate Freedom Agreement with The Historic Trust

Key Points:

- The City contracts with The Historic Trust to produce the Celebrate Freedom events, which include the Marshall Lecture, Marshall Leadership Award, Marshall Youth Award, Flag Day, Independence Day at Fort Vancouver and the Veterans Day Parade.
- This agreement is only for one year because the Trust and City are still evaluating the future of the Independence Day event.
- This new agreement is set up on a reimbursable basis and requires the Trust to provide more detailed information on expenses and event attendance.

Objective: Approve an agreement between the City of Vancouver and The Historic Trust for planning, coordination and financial support of the 2018 Celebrate Freedom programs. This action supports implementation of Goal 5 of the City's Strategic Plan: *Continue to build high quality historical and cultural experiences for residents and visitors.*

Present Situation: The City has contracted with the Vancouver National Historic Reserve Trust (dba The Historic Trust) to produce the Celebrate Freedom programs since 1999. Celebrate Freedom promotes the ideals of public service, leadership, civic engagement and community pride and includes many of the City's signature events like the Marshall Lecture, Marshall Leadership Award, Marshall Youth Award, Flag Day, Independence Day at Fort Vancouver and the Veterans Day Parade. The agreement between the City and the Trust continues a public/private partnership that maximizes the use of public resources and supports volunteerism. The City originally created and managed many of the Celebrate Freedom programs, including the Marshall Programs and the Veterans Day Parade.

This agreement is only for one-year because the Trust and City are in ongoing discussions about how to best assure a sustainable future of the Independence Day event beyond 2018. These discussions could result in a change in the event that may impact the Celebrate Freedom agreement. Independence Day will have a different focus and format for 2018 and there will be a City Council workshop in August 2018 to evaluate the event and discuss future changes. This contract is set up on a reimbursable basis and requires the Trust to provide more detailed information on expenses and event attendance. The rate remains at \$110,000.

Advantage(s):

1. The Trust has a demonstrated ability to manage the Celebrate Freedom events and activities that are signature events for the City of Vancouver and the Vancouver National Historic Reserve.
2. The cost of management and production of the Celebrate Freedom programs is approximately \$400,000 per year. The City, which benefits from these signature community

events, will contribute \$110,000 from the general fund toward Celebrate Freedom programs and another \$70,000 from a lodging tax grant for Independence Day. The Trust raises the remaining funds to support the programs through sponsorships and donations.

Disadvantage(s): None anticipated.

Budget Impact: \$110,000 which is included in the 2017-2018 biennial budget.

Prior Council Review: None

Action Requested: On March 26, 2018, authorize the City Manager or his designee to execute a one-year agreement with the Vancouver National Historic Reserve Trust relating to the planning, coordination and funding of the Celebrate Freedom events and activities.

Attachment(s): 2018 Celebrate Freedom Agreement



To request other formats, please contact:
City Manager's Office
(360) 487-8600 | WA Relay: 711
Amanda.Delapena@cityofvancouver.us

**AGREEMENT BETWEEN THE CITY OF VANCOUVER
AND
THE VANCOUVER NATIONAL HISTORIC RESERVE TRUST
(dba The Historic Trust)**

This agreement is entered into by and between the City of Vancouver, a municipal corporation, organized under the laws of the State of Washington, (“City”) and the Vancouver National Historic Reserve Trust (dba the Historic Trust), a non-profit corporation (“Trust”) relating to the planning, producing and funding of the Celebrate Freedom Program.

WHEREAS, the City created the Marshall Leadership Award and the George C. Marshall Lecture series for the purpose of recognizing the value of public service and promoting the ideals of leadership, civic engagement, patriotism and community pride; and

WHEREAS, the City, in conjunction with local veterans organizations, sponsored and organized Vancouver’s annual Veteran’s Day Parade; and

WHEREAS, in 1998 the Vancouver National Historic Reserve Trust was incorporated as a non-profit, 501(c)3 organization whose mission is to advance the development of the Vancouver National Historic Reserve; and

WHEREAS, in 1999, the Trust assumed responsibility for the production of the “Celebrate Freedom” programs which at that time included the Marshall Lecture, Marshall Leadership Award and Veteran’s Day Parade; and

WHEREAS, in 2004 the 4th of July Committee, the non-profit organization who managed the annual 4th of July Celebration at the Vancouver National Historic Reserve, determined that they were no longer able to continue to produce the event and the Trust assumed responsibility for managing this iconic community event; and

WHEREAS, the Trust currently produces the Marshall Lecture, Marshall Leadership Award, Marshall Youth Award, Flag Day, Independence Day at Fort Vancouver and Veterans Parade as part of Celebrate Freedom, a program of signature events that help define the City of Vancouver and the Vancouver National Historic Reserve in relationship to its past and future; and

WHEREAS, the City has financially supported Celebrate Freedom since its inception, first as City programs and then under the management of the Trust; and

WHEREAS, this agreement between City and the Trust is for the purpose of maximizing the use of limited public resources and serves the interests of the City in assuring that the Celebrate Freedom events and activities continue to be conducted for the benefit of the public.

NOW THEREFORE, the Parties agree as follows:

1. **Purpose.** The purpose of this Agreement is to set forth the mutual obligations of the City and the Trust with respect to the Celebrate Freedom events and activities.
2. **Term.** This Agreement shall be effective as of March 26, 2018, and expires on December 31, 2018.
3. **Scope of Work.** The Trust will produce the Celebrate Freedom programs, as outlined in Exhibit "A". For 2018, programs include the Marshall Lecture, Marshall Adult and Youth Leadership Awards, Flag Day, Veterans Parade and Independence Day at Fort Vancouver.

Event production includes but is not limited to planning, logistics, advertising/marketing and recruitment and management of volunteers. In addition to the City's financial contribution, the Trust will solicit funds to support the programs through corporate and individual donations, grants and other fundraising activities. The Trust will comply with all National Park Service and City permitting and event management requirements in the production and management of the events.

Expenses eligible for reimbursement for Celebrate Freedom programs through this Agreement include marketing/advertising, professional services, permits, event insurance, speaker travel, temporary help, supplies, equipment rental and salaries and benefits directly attributable to the production of the programs. Ineligible expenses include organizational insurance, staff travel and training, building rent and utilities.

4. **Compensation.** The City shall provide an amount not to exceed \$110,000 to the Trust for Celebrate Freedom programs as outlined in Exhibit "A". Funding is provided on a reimbursement basis only and copies of receipts must be included with the reimbursement request. Expenses that are not in accordance with the approved scope of work will not be eligible for reimbursement. Requests for reimbursement shall be provided in batches of no less than \$5,000 per request.

Reimbursement requests should be submitted no later than ninety (90) days after the completion of each Celebrate Freedom event. Upon receipt of a proper reimbursement request, the City shall pay within twenty (20) business days.

In addition to funding, the City may supply additional logistical and administrative support for the Celebrate Freedom events on a case by case basis as mutually agreed upon.

5. **Project Reporting.** The Trust shall by March 31, 2019, provide a written report to the

City which shall include a summary of the 2018 Celebrate Freedom events and activities. Report shall include a summary of revenue and expenses for the Celebrate Freedom program and an estimate of the attendance at each event.

6. **Accounting and Auditing.** The Trust shall provide a copy of its Financial Statements and Report of Independent Accountants for the previous year as soon as a copy is available. If the City determines that there is reasonable cause to believe that the Trust has violated or failed to meet a commitment made in this Agreement, the City Manager or his/her designee may inspect and/or copy all Trust books, accounts and records at all reasonable times to determine compliance with such Agreement. This term does not limit any other remedy the City may have under other provisions of the Agreement and/or Federal and State law.

7. **Insurance.**

a. **Commercial General Liability**

The Trust shall provide evidence of insurance to the City by certificate on a standard "ACORD" form, or its equivalent, issued by an insurance company licensed to do business in the State of Washington. The certificate must provide that coverage shall not be canceled or modified without thirty (30) days prior written notice to the City.

- \$5,000,000 minimum/general liability
- \$1,000,000 combined single limit auto liability
- City of Vancouver named as additional insured
- Current compliance with the State of Washington Industrial Insurance Program

b. **Workers' Compensation**

The Trust shall carry workers' compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of the Trust's employees engaged in the performance of the work or services; and, Employer's Liability insurance of not less than:

- Commercial General Liability on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal & advertising injury in an amount no less than \$5,000,000 per occurrence.
- \$1,000,000 for each accident;
- \$500,000 for each disease for each employee;
- \$1,000,000 for each disease policy limit.

c. **Other Requirements**

- Washington Stop Gap Coverage: Consultants located in North Dakota, Ohio, West Virginia, Washington and Wyoming must have Washington Stop Gap coverage listed on the Certificate of Liability Insurance. The limits and

aggregates noted above must apply to the Stop Gap coverage as well. This must be indicated on the certificate.

- Coverage Trigger: The insurance must be written on an “occurrence” basis. This must be indicated on the certificate. Claims made policies will not be acceptable.
- City Listed as Additional Insured: The City of Vancouver, its agents, representatives, officers, directors, officials, and employees must be named as an additional insured on the CGL policy and shown on the certificate as an additional insured with an additional insured endorsement.
- City shall be listed as the Certificate Holder.

8. **Indemnification.** The Trust shall take all precautions necessary and shall be responsible for the safety of its employees, agents, volunteers and sub-consultants in the performance of the work hereunder. Trust shall defend, save and hold harmless the City of Vancouver, its officers, agents, volunteers, employees and assigns from any claims, damages, losses, liability or expenses (including attorney’s fees) which arise from the negligent performance of this Agreement, except those claims, damages, losses, liability, or expenses which arise from the sole negligent acts or omissions of the City, its officers, agents, employees or assigns. This indemnity and hold harmless shall include any claim made against the City by an employee of the Trust, its subcontractors, or agents even if the Trust is thus otherwise immune from liability pursuant to the workers’ compensation statute, Title 51 RCW, except to the extent that such liability arises from the sole negligence of the City.

9. **Volunteer Liability Waivers.** The Trust shall require all volunteers participating in activities associated with this Agreement to sign a Waiver and Release holding the City harmless for all claims arising out of the volunteers’ participation. Copies of the signed Waivers shall be given to the City upon request.

10. **Termination.** Termination for Convenience: The Agreement may be terminated by either party upon written notice to the other party given at least one hundred and eighty (180) days in advance of the renewal date.

Termination for Cause: Either party may terminate this Agreement if for any cause either party does not fulfill in a timely and proper manner its obligations under this Agreement, or violates any of the terms and conditions contained herein. The party believing that such a failure or violation has occurred shall give notice to the other party of their belief and allow a reasonable opportunity for correction of the violation or failure. If the failure or violation is not corrected in a reasonable time, this Agreement may then be terminated. The termination of the Agreement will become effective thirty (30) days after the notice of termination has been sent to the breaching party.

11. **Notice.** All notices which are given or required to be given pursuant to this Agreement shall be hand delivered or mailed as follows:

To the City:
City Manager
City of Vancouver
P.O. Box 1995
Vancouver, WA 98668

To Trust:
President
The Historic Trust
750 Anderson Street
Vancouver, WA 98661

12. **Relation of the Parties.** The Trust, its subcontractors, agents and employees are independent contractors performing professional services for City and are not employees of City. The Trust, its subcontractors, agents and employees, shall not, as a result of this Agreement, accrue leave, retirement, pension, insurance, bonding or any other benefits afforded to City employees. The Trust, subcontractors, agents and employees shall not have the authority to bind City in any way except as may be specifically provided herein.
13. **E-Verify.** The Trust shall ensure all employees and any subcontractors assigned to perform work under this Agreement are eligible to work in the United States. Trust shall provide verification of compliance upon City request. Failure by Trust to comply with this subsection shall be considered a material breach
14. **Assignment.** Neither Party shall have the right to transfer or assign, in whole or in part, any or all of its obligations and rights hereunder without the prior written consent of the other Party.
15. **Compliance with the Law.** The Trust agrees to comply with all relevant, federal, state and municipal laws, rules and regulations, including but not limited to, compliance with any state or local business license requirements and insuring that no employee or applicant for employment is discriminated against because of race, religion, color, age, sex, national origin, or disability as a result of this Agreement. A breach of this provision shall be considered a material breach of this Agreement.
16. **Governing Law and Disputes.** This Agreement shall be governed by the laws of the state of Washington. Before instituting any legal action hereunder, the Trust, through its President shall meet with the City Manager or other designated official and attempt in good faith to resolve the disagreement. Venue of any action hereunder shall be brought in the Superior Court of Clark County, Washington.
17. **Entire Agreement.** This Agreement incorporates all the agreements, exhibits, covenants and understanding between the parties. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Agreement.
18. **Ratification.** Acts taken pursuant to this Agreement but prior to its effective date are hereby ratified and confirmed.
19. **Amendment.** Any amendments, changes or alternations to this Agreement shall be in

writing and approved by both Parties.

AGREEMENT EFFECTIVE this _____ day of _____, 2018.

CITY OF VANCOUVER,
a municipal corporation

VANCOUVER NATIONAL HISTORIC
RESERVE TRUST, a non-profit corporation

Eric J. Holmes, City Manager

Michael P. True, President

Attest:

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

Approved as to form:

E. Bronson Potter, City Attorney



CELEBRATE FREEDOM

Program Plan *2017 – 2020*

*Celebrating community, inspiring
all generations, and strengthening
the community values of
leadership, public service,
patriotism and lifelong learning.*



Current Programs

GENERAL GEORGE C. MARSHALL PUBLIC & YOUTH LEADERSHIP AWARD

Every year, a Clark County high school student is nominated to receive the General George C. Marshall Youth Leadership Award. The recipient of the award receives a \$2,500 scholarship at the college of their choice, a paid internship with the Historic Trust and active roles in many of the Celebrate Freedom events.

The Marshall Leadership Award honors a young person, 35 years of age or younger, who exhibits the qualities of leadership, integrity and honor for which General Marshall stood. The recipient receives a scholarship for the Leadership Clark County program and a trip to Washington D.C., which includes visits to the Marshall Foundation in Lexington, VA and historic Williamsburg. The current year recipient also participates in Celebrate Freedom programs throughout the year, and serves on the Selection Committee for the following year of their award.

The Public Leadership Award began in 1989 as a program of the City of Vancouver. In 1999 the award became part of the Celebrate Freedom programs, and was produced by the Vancouver National Historic Reserve Trust with the support from the City of Vancouver.

The format for the awards have changed over the years. The Youth Awards were added in 2002 by two previous Public Leadership Award Recipients. At the start of these programs, the award ceremonies for the youth and young adult were held separately. The Public (adult) leadership Award was presented in the fall, and the Youth in the spring. Each recipient would know in advance they would receive the award, and a small ceremony would be planned at the Marshall House.

In the end of 2012, the nomination timeline for both the awards were combined, to have a joint award ceremony at the Pearson Air Museum in spring of 2013. That same year, the National Park Service became the operator of the museum, so the award ceremony had to be moved to the Heathman. In 2014 and 2015, the joint award ceremony continued at the Hilton. In 2016, to be financially sustainable and better aligned with the Trust's mission, the event was moved back onto the historic site at the Artillery Barracks. The 2017 and 2018 events are held at the Providence Academy where additional capacity was available.

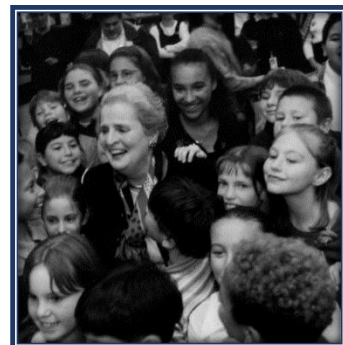
Although the lecture and leadership awards were created to honor General George C. Marshall, these events had been separated and held at different times of the year. The Trust is examining a process to bring the Awards and the Lecture into a dynamic combined event.



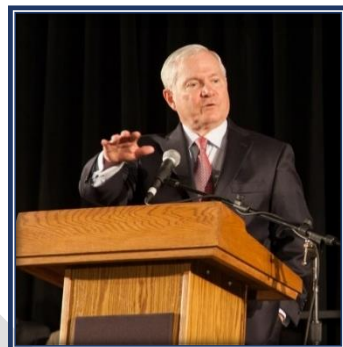
"YOU ARE YOUNG AND VIGOROUS AND YOUR SERVICES AS INFORMED CITIZENS WILL BE NECESSARY TO THE PEACE AND PROSPERITY OF THE WORLD" -GENERAL GEORGE C. MARSHALL

GENERAL GEORGE C. MARSHALL LECTURE SERIES

The Marshall Lecture honors the character and principles of General George C. Marshall, who served at Vancouver Barracks as Commander of the 5th Infantry Brigade from 1936 to 1938. These Lectures focus on three phases of Marshall's career: his time in Vancouver, his achievements as a military leader, and the impact of his work as Secretary of State. The first Marshall Lecture took place in 1988, and since then has featured 18 distinguished speakers.



In 1998, Secretary of State Madeleine Albright called the Marshall Lecture series "one of the most prestigious lecture series in the United States." The cornerstone of the Celebrate Freedom events provides an opportunity for the community to witness world class speakers deliver relevant remarks on current events and world affairs.



Secretary Robert Gates delivered the most recent Marshall Lecture in 2013. Previous lecturers include Chairman of the Joint Chiefs of Staff, General Peter Pace, General Colin Powell, Ambassador Bill Richardson, Secretary of State Madeleine Albright and Tom Brokaw.

The Marshall Lecture has been a fixture in the Vancouver community for nearly 20 years. The availability of signature speakers varies from year to year, based upon timing, schedules, and whether the speaker can provide pro bono services. General Mark A. Milley has tentatively been secured for summer 2018. General Milley is the 39th Chief of Staff of the US Army. In addition to the planning and effort under way, The Trust is taking a pro-active position to fix the date of future speaker in an effort to develop a multi-year for speaker schedule, create thematic programming, enhance the event with companion other experiences such as conferences, exhibits, panels and local military and citizenship groups.

INDEPENDENCE DAY AT FORT VANCOUVER

The Historic Trust has proudly been involved in the Independence Day at Fort Vancouver for over a decade. In over 50 years, the event has grown to become Vancouver's signature community event. The historic site sees approximately 35,000 attendees celebrating our independence with live music, friends, vendors, fun activities and a spectacular fireworks display launched from Pearson Air Field.



The event first took place in 1963 and was run by a volunteer 4th of July committee. By 1989, the event had grown to an estimated 50,000 attendees. In 1994 the firework launch site was moved off Pearson Field to a barge in the Columbia River. Financial troubles in the late 90's prompted the 4th of July Committee to join forces with Celebrate Freedom in 1999. Celebrate Freedom in turn became part of the Vancouver National Historic Reserve Trust.

In 2001, a campaign started to promote donations from attendees called "Take 4 to the 4th" which was \$2 and 2 cans of food. Later in 2003, "Take 4 to the 4th" changed to promote \$4 donations. Also in 2003, a deficient in the previous year's event caused the committee and VNHRT to slash the entertainment budget by 76% and take 12 minutes off what was a 42-minute firework show. In 2004, VNHRT became the primary organizer. The 2009 show was canceled due to a lack of funds. The Historic Trust revived the event in 2010. The firework launch area moved back to Pearson Field. Through 2017, the event continued and included live entertainment, food vendors and visitor activities. In 2017, a retail fireworks ban went into effect in the city limits of Vancouver. This resulted in a significant loss of revenue to the event that was supplemented by local lodging tax funding. For 2018, the City of Vancouver, National Park Service and Historic Trust have agreed on a fireworks event format that focuses on the fireworks as the primary viewing attraction. The event will be free to the public and focused on the element of the event that is most valued by the community, the fireworks.



THIS EVENT IS A VANCOUVER TRADITION, WHERE FAMILIES COME TO CELEBRATE WITH COMMUNITY. IT IS INFUSED WITH A PRIDE IN COUNTRY AND HISTORY THAT DEFINES OUR COLLECTIVE IDENTITY.

FLAG DAY AT FORT VANCOUVER

The Trust began producing Flag Day as one of its Celebrate Freedom programs in 2001, emphasizing the importance of citizenship throughout our community. Flag Day at Fort Vancouver has been celebrating our country's stars and stripes with an annual ceremony for over 20 years. Attendees can learn about the history of the United States Flag and honor the Annual National Pause for the Pledge of Allegiance.



An important component to the event is student engagement. Though Flag Day takes place at the very end of the school year, students have been able to participate in the event through historical reenactments and history quizzes. This youth focused event draws participation from local 5th grade classes, Boy Scouts, Girl Scouts, Cub Scouts, school bands, military personnel, and community members.

In 2010, the Clark County Mayors' Patriotic Tie Competition was developed and Mayors from Clark County cities participate and bring supporters from their cities to attend the event. In 2015, a partnership with the Girl Scouts of Southwest Washington led to the opportunity for Brownie Scouts to earn their "Celebrating Community" badge at the event. Considerations are being discussed about ways to increase student attendance.



VETERANS PARADE AT FORT VANCOUVER

The Veterans Parade at Fort Vancouver was started in 1986 by a group of volunteers who recognized a need in our community for a way to honor Clark County veterans. With assistance and support

from then Vancouver Barracks Commander Royce Pollard and City of Vancouver Mayor Bruce Hagensen, the first Veterans Parade at Fort Vancouver took place in 1986. Through rain, sun and even snow, dedicated volunteers have been instrumental in ensuring the annual Veterans Parade.

The Historic Trust is now honored to present this parade, which has grown into one of the largest Department of Veteran Affairs-sanctioned veteran's parades on the West Coast with more than 130 entries and approximately 2,500 individuals marching or riding in the parade.

Thanks to a substantial gift from the estate of Frank and Joanne Lough, the future of Vancouver's Celebrate Freedom Veterans Parade at Fort Vancouver is guaranteed in perpetuity. Frank, a 22-year Navy veteran who had a special place in his heart for veterans of all ranks and services, wanted to ensure that youth today and tomorrow have the opportunity to appreciate the sacrifice and heroism of veterans.

Partnerships

COMMUNITY INVESTMENT

The Celebrate Freedom programs rely heavily on relationships with individuals and organizations locally, regionally, and state wide to deliver high-quality events. A partial list includes:

Independence Day at Fort Vancouver	Sponsorships			
	Columbia Credit Union	Fred Meyer	Craig Stein	Alaska Airlines
	Vancouver Toyota	Vancouver Clinic	Beverage	AMR
	Waste Connections	Homewood Suites	Vancouver Mall	Bank of America
	Partnerships			
	City of Vancouver	C-Tran	Boy Scout Troop 525	
	National Park Service	Beacock Music	Young Marines	
	KGW	CVTV	Union Cheer Boosters	
	The Columbian	Clark Public Utilities	Woodland School District	
	Comcast	Wager Audio	Red Cross	
	Alpha Media (98.7 the Bull, 750	Civil Air Patrol	Total Merchant Concepts	
	The Game, Live 95.5)	CMAC	Online Support	
	On Electric Group			
Volunteers				
200+ individual volunteers		Kohl's Vancouver WA		
Bank of America		Trauma Intervention Program		
Clark County Restorative Justice		VA nurse volunteers		

Flag Day at Fort Vancouver	Sponsorships		
	Davidson & Associates Insurance Agency		
	Partnerships		
	City of Vancouver	98.7 The Bull	City of Vancouver Mayor Pro Tem
	National Park Service	CVTV	Town of Yacolt Mayor
Flag Day at Fort Vancouver	The Columbian	Buffalo Soldiers	City of Washougal Mayor
	Girl Scouts of SW	Marshall Elementary	City of Woodland Mayor Pro Tem
	WA/Oregon	City of Camas Mayor	City of Ridgefield Councilman

	Frito-Lay		Corwin Beverage Co.	
	Volunteers			
	25 Individual volunteers Cub Scout Pack 320		Community Restorative Justice Program ORANG 142nd FW Honor Guard	
Veterans Parade at Fort Vancouver	Sponsorships			
	The Lough Legacy		Creekside Mortgage	
	Partnerships			
	City of Vancouver		The Columbian	
	National Park Service		98.7 The Bull	
	118 groups in the parade (clubs/ organizations/ etc.)		Starbucks Vancouver Community Concert Band	
	Volunteers			
50 individual volunteers Metropolitan Performing Arts		Kohl's Vancouver WA The Pollyannas		
Marshall Leadership Awards	Sponsorships			
	Riverview Community Bank		Voiture 99 / 40 et 8	
	Partnerships			
	City of Vancouver		Marshall Foundation in Lexington, VA	
	Volunteers			
12 Selection Committee Members				
Marshall Lecture	Sponsorships			
	Sterling Bank			
	Partnerships			
	City of Vancouver		Union High School	
	City of Vancouver		Columbia River High School	
	The Columbian		Vancouver School of Arts & Academics	
	ESD 112		CMAC	
Volunteers				
CVTV		Hudson's Bay High School		
Prairie High School		AFJROTC Color Guard		

Market

TARGET POPULATIONS

Celebrate Freedom programs are primarily attended by residents of metro area. Since these events are typically only a few hours long (with the exception of Independence Day), the target audience is people from the local community. For this reason, main sources of marketing are centered around the Vancouver-Portland area.

Marshall Awards – This event is based on recognizing young local leaders for their accomplishments and contributions to the community. The main target population to participate in the award program is Clark County high school seniors and young adult

professionals (35 years of age or younger) with a 4-year college degree. The purpose of the award ceremony is to honor individuals who show leadership. Therefore, the target audience for the ceremony includes community leaders, local elected officials, family members of the nominees, and Trust associates such as Board members and donors. The demographics for this event is primarily only Clark County, although there is often representation from the Governor or our congressional delegates.

Flag Day – As a one-hour ceremony that has 2-3 hours of youth activities, Flag Day is targeted for local community members. The event often lands on a weekday and impacts turnout. Weekday events are a better opportunity for local Elementary schools to participate, but less individual attendees. The Mayors Patriotic Tie Competition brings involvement from all of the cities in Clark County. With the start of the Girl Scout partnership in 2015, the event began to draw an increased number of attendees from Portland for the Brownie scout activities.

Independence Day – As a large all day event, Independence Day attracts a significant number of out-of-town guests. Although it is primarily a local tradition and a majority of the attendees are from Clark County, it is an event out-of-town event guests will come for and even stay overnight.

In 2016, it was estimated that of 35,000 attendees, 28% reside outside of Clark County, amounting to almost 10,000 tourists coming to Vancouver for this one-day event. 11% of the total guests are visitors who reside 21-49 miles outside Vancouver, 2.5% are 50-99 miles away, and 5.4% live 100 or more miles from city limits.

The Independence Day event opened at 8am, with entertainment beginning at noon, and the fireworks launch at 10:05pm. In 2015 with record heat during the summer, there was a significant change in guest traffic, driving most attendees to arrive in the evening. Although the weather was much milder in 2016, a significant percentage of attendees continued to be in the last half of the event. Just over 6,500 attendees arrive prior to 6pm (19%), with over 28,000 guests arriving after 6pm. In 2017, the event was free to the public in a reduced format. Due to fair weather conditions, a free event and a ban on fireworks in the city limits, attendance greatly exceeded 2016 and was estimated at around 40,000.

Event Impact and Influences

EVENT	YEAR	ATTENDANCE	INFLUENCES	COMMENTS
Independence Day at Fort Vancouver	2014	32,000	14% increase in NPS permit from 2013	Event attendees arrival spread out through the day.
	2015	30,000	Record breaking heat that summer, fire on Pearson field.	Event attendees primarily came after 8pm due to the heat
	2016	35,000	Increased attendance, no fireworks at Ridgefield event, admission fee for Blues Fest in Portland.	More spread in attendee arrival compared to 2015, but the day attendance was not as increased as we had hoped. Large percentage of attendees arrived after 6pm.
	2017	40,000	Increased attendance, ideal weather, free event.	Large percentage of attendees arrived after 8pm.

Flag Day	2014	250	June 14 th fell on a Saturday, coincided with NPS "Get Outdoors Day"	
	2015	200	Record breaking heat, day was 95 degrees. June 14 th fell on a Sunday	First year partnering with Girl Scouts – 50 brownies earned their badges and 100 kids participated in the activities.
	2016	125	Unusual rainy weather for the event, thunderstorms and hail. Event fell on a Tuesday	Increase in pre-event participation with sponsor giving away 250 flags the week before the event.
	2017	325	Ideal weather conditions; active youth programing implemented in the event.	Complementary partner promotion with Davidson & Associated enhanced the event.
Veterans Parade	2014	4,000	Beautiful PNW fall day – no rain	Reviewing officer was Stephen R. Lanza, Commanding General of I Corps at JBLM
	2015	3,500	Pouring rain with some dry gaps	119 groups registered, 2548 people in the parade.
	2016	3,000	Steady drizzle of rain throughout the parade.	118 groups registered, 2523 people in the parade.
	2017	3,000	Partnership with CMAC with a ceremony held in the Providence Academy Ballroom.	114 groups registered, 2500 people in the parade.
Marshall Leadership Awards (Youth & Adult)	2014	200	2 nd year of the combined award ceremony	10 adult nominees, 30 youth. Hilton event
	2015	165		6 adult nominees, 35 youth. Hilton event
	2016	160	Event was the same night as the Iris Awards, several other award ceremonies in Vancouver	5 adult nominees, 37 youth. Event held onsite
	2017	225	Keynote Speaker was Lt. Governor Cyrus Habib. Event held in the Providence Academy Ballroom.	8 adult nominees, 33 youth.
Marshall Lecture	2007	2,500		Peter Pace, General, USMC/Chairman of the Joint Chiefs of Staff
	2010	1,500	Less participation from School Districts, but event included a Youth Forum at the Red Cross Bldg.	Jon Jarvis, Director of National Park Service
	2013	2,500		Dr. Robert M. Gates, Secretary of Defense

Future of Celebrate Freedom

	Marshall Awards	Marshall Lecture	Flag Day	Independence Day	Veterans Parade
2016	Marshall Awards Ceremony at the Artillery Barracks	No lecture in 2016	One-hour Flag Day Ceremony at the Bandstand at Fort Vancouver	All-day event on the National Site, ending with a firework show launched from Pearson field	Ceremony and Parade around the National Site
2017	Marshall Awards Ceremony at the Providence Academy	Secured lecturer for Summer 2018	Reformatted ceremony, more hands-on activities around the Flag and US history	Pearson Field firework show with limited onsite entertainment and vendors	Parade route going through downtown and ending at the Academy. Partner with CMAC for ceremony
2018	Marshall Awards Ceremony at the Providence Academy	Implementing 2018 summer lecture program	Flag Day ceremony, additional hands-on activities around the Flag and US history	Vancouver's Fireworks Spectacular on Pearson ceremony, more hands-on activities around the Flag and US history Field	Ceremony at the Marshall House. Parade route continuing downtown. Route update from 2017 feedback
2019	Marshall Awards Ceremony at the Providence Academy	Implementing 2019 lecture program	Flag Day review after 2018 ceremony, if more changes need to be made to gain community interest	TBD	Activities for families to engage in before the parade. Donations of care packets, writing letters to soldiers, etc
2020	Marshall Awards Ceremony at the Providence Academy	Implementing 2020 lecture program		TBD	Veterans Parade review after 2019 event

Financial Stability

Goal: Ensure that a diverse and sustainable revenue stream exists to support the Celebrate Freedom Programs

The Historic Trust Celebrate Freedom Programs						
	Actual 2015	Actual 2016	Actual 2017	Budget 2018	Forecast 2019	Forecast 2020
Operating Income						
Grants	\$ -	\$ -	\$ 77,945	\$ 107,898	\$ 110,056	\$ 112,257

STAFF REPORT NO. 035-18

TO: Mayor and City Council
FROM: Eric Holmes, City Manager

DATE: 3/26/2018



Subject: Interagency Agreement between Clark County and the cities of Vancouver, Battle Ground, Camas, and Washougal to implement grant fund activities for reducing toxic auto leaks in Clark County.

Key Points:

- The Clark County Clean Water Program (“Clark County”) received a Clean Water Restoration Fund grant from the Lower Columbia Fish Recovery Board for Reducing Toxic Auto Leaks in Clark County.
- Clark County wishes to partner with the cities of Battle Ground, Camas, Vancouver, and Washougal, as well as the Port of Vancouver, to implement the grant activities.
- The City of Vancouver will help implement the grant activities in Vancouver and contribute in-kind labor valued at \$5,000.

Objective: To enter into an interagency agreement with Clark County, Battle Ground, Camas, Washougal, and the Port of Vancouver, to implement activities associated Clark County’s grant proceeds, granted by the Lower Columbia Fish Recovery Board for purpose of reducing toxic auto leaks in Clark County. This action supports implementation of Goal 10, Objective 10.1 of the City’s Strategic Plan: *Lend the City’s support, as appropriate, to assist with the success of community projects.*

Present Situation: Vehicle leaks are a significant source of water pollution in Clark County. Clark County is home to more than 325,000 registered vehicles. Approximately 10% of vehicles leak toxic fluids that contaminate stormwater and degrade aquatic habitat.

Clark County received a Clean Water Restoration Fund grant from the Lower Columbia Fish Recovery Board for Reducing Toxic Auto Leaks in Clark County. Grant funds will be used to raise awareness and educate vehicle owners about the impacts caused by leaking vehicles to water quality and aquatic habitat, and encourage vehicle owners to fix auto leaks. Clark County wishes to partner with the cities of Battle Ground, Camas, Vancouver, and Washougal, and the Port of Vancouver to implement grant activities.

Under the interagency agreement, the City of Vancouver will create an outreach plan detailing opportunities and strategies, customize and distribute Don’t Drip and Drive materials with regional branding and messaging, and assist with the recruiting of auto repair shop partners, among other activities. Vancouver will provide in-kind labor worth \$5,000.

The partners drafted the attached interagency agreement before the formal grant agreement was executed and conditioned the duration of the interagency agreement on its execution. Clark County and LCFRB signed a formal grant agreement on February 27, 2018, therefore the

condition has been satisfied and the initial term of the interagency agreement will extend until December 31, 2020.

Advantage(s): Campaign will help reduce toxic auto leaks and improve the water quality in Vancouver.

Disadvantage(s): None

Budget Impact: None. Vancouver will provide in-kind labor from current staff resources.

Prior Council Review: None

Action Requested: Authorize the City Manager or his designee to sign the attached Interagency Agreement with Clark County, Battle Ground, Camas, Washougal, and the Port of Vancouver, to implement Clark County's grant funds for the purpose of reducing toxic auto leaks.

Attachments: Interagency Agreement: Reducing Toxic Auto Leaks in Clark County
Exhibit A to the agreement



To request other formats, please contact:
City Manager's Office
(360) 487-8600 | WA Relay: 711
Amanda.Delapena@cityofvancouver.us

INTERAGENCY AGREEMENT

REDUCING TOXIC AUTO LEAKS IN CLARK COUNTY GRANT DEVELOPMENT AND ADMINISTRATIVE SERVICES

Between

CLARK COUNTY

P.O. BOX 9810, VANCOUVER, WA. 98666-9810

And

THE CITIES OF BATTLE GROUND, CAMAS, VANCOUVER, AND WASHOUGAL

And

THE PORT OF VANCOUVER, USA

RECITALS

Vehicle leaks are a significant source of water pollution in Clark County. Clark County alone is home to over 325,000 registered vehicles. Based on estimates from Don't Drip and Drive campaigns in the Puget Sound, approximately 10%, or 32,500, of those vehicles leak toxic fluids that contaminate stormwater and degrade aquatic habitat. A 2011 study by the Department of Ecology found that "small motor oil and gasoline spills, drips and minor leaks are responsible for 87% of the total petroleum released annually in the Puget Sound" indicating the need to reach out to the general population to address this issue.

The Clark County Clean Water Program (hereinafter referred to as Clark County) received a Clean Water Restoration Fund grant from the Lower Columbia Fish Recovery Board (hereinafter referred to as "LCFRB") for *Reducing Toxic Auto Leaks in Clark County* (hereinafter referred to as the "Grant"). Clark County is partnering with the cities of Battle Ground, Camas, Vancouver, and Washougal, and the Port of Vancouver (hereinafter individually referred to as a "Partner" and collectively referred to as the "Partners") to implement and deliver Grant activities. The Grant will raise awareness and educate vehicle owners about impacts caused by leaking vehicles to water quality and fish, vehicle operations, and effect behavior change leading to vehicle owners fixing leaks.

The Grant includes partnerships with local auto repair shops, vehicle leak check events, data collection, outreach activities and community engagement. The Watershed Alliance will also provide professional services to fulfill Grant deliverables.

Pursuant to the laws of Washington, the Partners elect to enter into this Agreement to facilitate coordination of duties and responsibilities, for activities that meet the requirements of the Grant.

Therefore, the Partners agree as follows:

AGREEMENT

I. PURPOSE

- A. This is an Intergovernmental Agreement among the Partners entered into under the authority of the Interlocal Cooperation Act, RCW 39.34.
- B. Pursuant to Chapter 39.34 RCW, the purpose of this Intergovernmental Agreement is as set forth in Article I (PURPOSE). Its duration is as specified in Article II (DURATION OF AGREEMENT). Its method of termination is set forth in Article III (TERMINATION OF AGREEMENT). Its manner of financing and of establishing and maintaining a budget is described in Article V (FINANCIAL). Its manner of disposing property is described in Article III C (DISPOSAL OF PROPERTY).
- C. This Agreement between Clark County and the Partners is made for the purpose of reporting to LCFRB the services that each of the Partners will contribute in connection with implementing and delivering Grant activities.
- D. The intent of the Partners is to cooperatively act pursuant to the provisions of the Interlocal Cooperation Act, RCW 39.34. There is no intent to create a separate legal or administrative entity by this Agreement.

II. DURATION OF AGREEMENT

The initial term for the Agreement shall be from January 15, 2018 to December 31, 2020. There is no renewal of this agreement unless an additional funding source has been secured to continue the project past the life of the Clark County Clean Water Restoration Fund grant #17-02. If for any reason Clark County and LCFRB do not sign the formal Reducing Toxic Auto Leaks in Clark County Grant Agreement by February 28, 2018 as expected, this Agreement will terminate effective March 1, 2018.

III. TERMINATION OF AGREEMENT

- A. Mutual Termination: This agreement may be terminated by mutual agreement of the Partners at any time. Upon termination, the Partners shall have no further responsibility to fund the activities of the Reducing Toxic Auto Leaks in Clark County Grant Program regardless of any budgeting that may have taken place. Work underway and/or authorized prior to the establishment of an effective date of termination and not yet invoiced will be reimbursed according to the established billing cycle. No work continued beyond the effective date of termination.
- B. Termination for Breach: If any Partner fails to comply with the terms and conditions of this Agreement, Clark County, upon 30 days prior written notice to the breaching Partner, may terminate this Agreement with the breaching Partner with no continuing financial liability to the non-breaching Partners.
- C. Disposal of Property: If the Agreement is terminated prior to the end of the Grant, property related to the implementation of the Grant will be distributed pro rata among the partners if and when the Grant deliverables have been completed.

IV. DESIGNATION OF FINANCIAL AGENT:

Subject to the terms of this Agreement, the Partners designate Clark County as the financial representative to the LCFRB, per LCFRB's issuance of preauthorization to Clark County to incur expenses associated with the Reducing Toxic Auto Leaks in Clark County project, beginning January 15, 2018. That preauthorization is conditioned on both Clark County and LCFRB signing the formal grant contract by February 28, 2018. Clark County will provide grant management and project management, including financial and project reporting to the granting agency. Clark County will submit all required progress reports on a quarterly basis and all project deliverables to LCFRB.

V. FINANCIAL

- A. Clark County is expected to enter into a grant agreement with the LCFRB, in February 2018, for \$93,710. The grant agreement is for a two year project period from February 2018 – December 2020, with preauthorization to begin incurring expenses on January 15, 2018.
- B. Partners will fulfill match contributions pledged in the LCFRB Project Partner Contribution Form as follows:

Partner	Match Type	Amount
City of Battle Ground	In-kind labor	\$3,416
City of Camas	Cash – professional services	\$5,000
Clark County	Printing services	\$5,000
City of Vancouver	In-kind labor	\$5,000
Port of Vancouver	In-kind labor	\$5,000
City of Washougal	Cash – professional services	\$5,000
Watershed Alliance	Volunteer	\$18,467

- C. Partners will track in-kind labor and submit total contributions to Clark County in the first week following each quarter.
- D. Clark County shall administer and manage the grant, maintain all project records, and submit all required performance items.
- E. Clark County will administer the contract for professional services with the Watershed Alliance to fulfill Grant deliverables.

VI. PROPERTY

Clark County will manage the acquisition, holding and disposal of all property used in the undertaking of the Grant, including printed materials and event supplies.

Following the completion of the Grant, Clark County will hold the property and make available to Partners upon request.

VII. AGREEMENT ADMINISTRATION AND COMMUNICATIONS

Clark County shall administer this Agreement including monitoring financial management and project communications to the grantor.

VIII. AUTHORIZING ENTITY

- A. The Partners agree that Clark County will administer this Agreement in accordance with the terms of the Agreement and Clark County's adopted policies and procedures.
- B. Each partner may provide a staff member to participate in the Grant coordinating activities. Each partner will assist with the coordination of Grant activities within their jurisdiction.
- C. Grant funds received by Clark County will be administered under the terms of an agreement with LCFRB.

IX. PROJECT RESPONSIBILITIES AND DELIVERABLES

Per the grant contract agreement between Clark County and the Lower Columbia Fish Recovery Board, the following items outline the project responsibilities and deliverables for this project Agreement:

- A. Task 2.1 - Create outreach plan detailing opportunities and strategies. Clark County and Partners to complete.
- B. Task 2.2 – Customize and print Don't Drip and Drive materials with regional branding and messaging. Clark County and Partners to complete.
- C. Task 2.3 – Add a Don't Drip and Drive web page to the Stormwater Partners website. Clark County to Complete.
- D. Task 3.1 – Recruit 15 auto repair shops to participate in project. Clark County, Partners, and Watershed Alliance to complete.
- E. Task 3.2 – Maintain communication with auto repair shop partners at least quarterly. Watershed Alliance to complete.
- F. Task 3.3 – Collect, compile and submit data to Puget Sound Clean Car Project on leaks, found and fixed, leak location, and make, model, year and mileage of participating cars. Clark County to complete.
- G. Task 4.1 – Procure leak check event materials with inventory of materials. Watershed Alliance to complete.
- H. Task 4.2 – Identify 15 locations to hold leak check events. Clark County and Partners to complete.
- I. Task 4.3 – Recruit, train and coordinate at least 10 volunteers and one mechanic to assist with leak check events. Watershed Alliance to complete.

- J. Task 4.4 – Hold at least 15 leak check events. Watershed Alliance to complete.
- K. Task 4.5 – Collect, compile and report quarterly data on leaks found and contacts made at leak check events. Clark County and Watershed Alliance to complete.
- L. Task 5.1 – Promote project information on agency websites, social media and at outreach events, generating at least 200,000 digital impressions and 5,000 website visits. Clark County, Partners and Watershed Alliance to complete.
- M. Task 5.2 – Submit 15 press releases to local media outlets. Clark County, Watershed Alliance, and Partners to complete.
- N. Task 5.3 – Submit quarterly progress reports to LCFRB. Clark County to complete.

X. GRANT SCHEDULE

Task	Description	Timeline
2.1	Create outreach plan detailing opportunities and strategies	Feb-Apr 2018
2.2	Customize and print Grant materials	Feb-Mar 2018
2.3	Add project webpage to Stormwater Partners website	Mar-Apr 2018
3.1	Recruit 15 auto repair shops to participate in project	Mar-May 2018
3.2	Maintain quarterly communication with auto repair shops	Apr 2018-Aug 2020
3.3	Collect, compile and report project car leak data	Jun 2018-Dec 2020
4.1	Procure and inventory leak check event materials	Feb-May 2018
4.2	Identify 15 leak check event locations	Apr 2018-Aug 2019
4.3	Recruit, train and coordinate 10 volunteers and one mechanic	Apr 2018-Aug 2019
4.4	Hold 15 leak check events	Jun 2018-Sep 2019
4.5	Collect, compile and report data on leak check events	June 2018-Dec 2020
5.1	Generate 200,000 impressions and 5,000 website visits	Apr 2018-Aug 2020
5.2	Submit 15 press releases to local media outlets	Apr 2018-Sep 2019
5.3	Submit quarterly report to LCFRB	Apr 2018-Sep 2020

XI. DUTIES OF THE PARTNERS

- A. Provide support as specified in the LCFRB Partner Contribution Form, attached as Exhibit A.
- B. All partners agree to provide a support staff to coordinate grant activities in their jurisdiction including:
 - 1. Support recruitment of participating auto repair shops.
 - 2. Assist in identifying suitable locations to hold leak check events.
- C. Partners pledging in-kind labor match agree to:
 - 1. Attend quarterly check-in meetings.
 - 2. Assist and participate in the development of Grant strategies and deliverables.
 - 3. Participate in the creation of an outreach plan.
 - 4. Support and assist with leak check events.
 - 5. Promote project campaign.
 - 6. Track in-kind labor and submit total contributions to Clark County no later than 7 days following the end of each quarter.
 - 7. Support Grant outreach activities.

XII. DUTIES OF CLARK COUNTY:

- A. Provide staff and collaborate in joint activities as listed in Sections XI.C.1 through XI.C.7, above.
- B. Serve as the Grant Contract Administrator:
 - 1. Prepare and submit a quarterly report to LCFRB.
 - 2. Process invoices from vendors and other service providers as appropriate.
 - 3. Submit the eligible costs for reimbursement as defined by LCFRB guidelines.

XIII. ASSIGNMENT:

Neither this Agreement nor any interest therein may be assigned by any Partner without the prior written consent of the other Partners.

XIV. WITHDRAWAL

If any Partner wishes to withdraw from this Agreement, the notifying Partner shall give written notice to the other Partners 90 days prior to such withdrawal. Ninety days after such notice is given, the withdrawing Partner shall have no further responsibility to fund the activities of the Reducing Toxic Auto Leaks in Clark County Grant Program regardless of any budgeting that may have taken place. Work underway and/or authorized prior to the establishment of an effective date of withdrawal and not yet invoiced will be reimbursed according to the established billing cycle, but not for any work continued beyond the effective date of withdrawal.

XV. SEVERABILITY:

If any term of condition of this Agreement or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other terms, conditions, or applications of the Agreement which can be given effect with the invalid term, condition, or application and, to this end, the terms and conditions of this Agreement are declared severable.

XVI. GOVERNING LAW AND VENUE

This Agreement shall be governed by the laws of the State of Washington and any action or litigation undertaken to enforce the terms of this Agreement shall be conducted in Clark County, Washington.

XVII. WHOLE AGREEMENT

The Partners agree that this Agreement, together with all appendices, if any, constitute the entire Agreement between Partners and supersedes all prior or existing written or oral

agreements between the Partners and may not be amended other than in writing signed by the Partners.

XVIII. OPPORTUNITY WITHOUT DISCRIMINATION:

Agency Partners and Clark County agree to comply with all applicable state and federal rules and regulations, which prohibit discrimination on the basis of race, color, creed, religion, national origin, age, sex, marital status, or the presence of a sensory, mental or physical disability.

IN WITNESS WHEREOF, the Partners have executed this Agreement on the date and year indicated below.

CLARK COUNTY WASHINGTON

BY _____
Jim Rumpeltes, Interim County Manager

Date: _____

APPROVED AS TO FORM ONLY
Anthony F. Golik,
Clark County Prosecuting Attorney

By: _____
Christine M. Cook
Sr. Deputy Prosecuting Attorney

SIGNATURE PAGE

CITY OF BATTLE GROUND

BY _____
Name, Title

Date: _____

SIGNATURE PAGE

CITY OF CAMAS

BY _____
Name, Title

Date: _____

SIGNATURE PAGE

CITY OF VANCOUVER

BY _____
Name, Title

Date: _____

SIGNATURE PAGE

PORT OF VANCOUVER

BY _____
Name, Title

Date: _____

SIGNATURE PAGE

CITY OF WASHOUGAL

BY _____
Name, Title

Date: _____

EXHIBIT A

PARTNER CONTRIBUTIONS

For

**REDUCING TOXIC AUTO LEAKS IN CLARK COUNTY GRANT DEVELOPMENT
AND ADMINISTRATIVE SERVICES**

Between

**CLARK COUNTY
P.O. BOX 9810, VANCOUVER, WA. 98666-9810**

And

THE CITIES OF BATTLE GROUND, CAMAS, VANCOUVER, AND WASHOUGAL

And

THE PORT OF VANCOUVER, USA

Partner	Contribution	Estimated Value
City of Battle Ground	Participation in leak check events and outreach plan. Review and provide input on outreach material development.	\$3,416.00
City of Camas	Cash towards contract for Watershed Alliance to implement outreach campaign.	\$5,000.00
City of Vancouver	Contribute staff time to support and promote leak check events, distribute outreach materials and support targeted behavior change.	\$5,000.00
City of Washougal	Cash towards contract for Watershed Alliance to implement outreach campaign.	\$5,000.00
Clark County	Printing outreach materials including brochures, promotional materials, survey cards and partner literature.	\$5,000.00
Port of Vancouver	Attend and participate in meetings, distribute campaign material, assist with leak check events, add campaign information on the Port website, support data collection and reporting.	\$5,000.00

STAFF REPORT NO. 036-18

TO: Mayor and City Council
FROM: Eric Holmes, City Manager

DATE: 3/26/2018



Subject: Approve contract for professional planning services for Heights Subarea Plan.

Key Points:

- The Heights Subarea is identified as a future urban center in the City of Vancouver Comprehensive Plan.
- In June 2017, the Vancouver City Council approved the purchase of an 11.83-acre parcel known as the Tower Mall site, which is located within the Heights Subarea.
- Following the purchase of the property, City staff initiated a subarea planning process for a 205-acre area that includes the Tower Mall site.
- The Heights Subarea Plan is anticipated to take approximately 18 months to 2 years, and will include a robust community engagement process that involves a variety of stakeholders and community partners.

Objective: To approve the contract with GGLO for subarea and redevelopment planning services, in the amount of \$1,025,837.00. This action supports implementation of Goal 8 of the City's Strategic Plan: *Strengthen commercial, retail and community districts throughout the city.*

Present Situation: The Heights is identified as a future urban center in the City of Vancouver Comprehensive Plan, which calls for increased growth and development to occur in commercial centers and corridors throughout the City. The City of Vancouver 2016-2021 Strategic Plan identifies strengthening of commercial, retail and community districts as a citywide priority, and calls for the creation of neighborhoods where residents can walk or bike to essential amenities and services.

In June, 2017, the Vancouver City Council approved the purchase of an 11.83-acre parcel within the Heights Subarea known as the Tower Mall site. In order to establish a vision for the Heights and guide its future development in alignment with existing plans and policies, the City has initiated a planning process for the 205-acre Heights Subarea.

Staff anticipates that the subarea planning process and associated environmental work will take approximately 18 months to two years to complete, and will include the following elements: a vision and identity statement; design and development principles; an area-wide analysis of land use, housing, transportation, community and economic development, and environmental conditions/constraints; an area-wide circulation, access and connectivity plan; robust public outreach and engagement throughout the planning process; and implementation recommendations, including a detailed mixed-use redevelopment plan for the Tower Mall site and adjacent properties.

In August 2017 the City released a request for proposals (RFP) for a consultant team with expertise in subarea and redevelopment planning to support the development of the Heights Plan. Responses were reviewed at the end of last year, and a consultant team was selected in January 2018. Approval of this contract will initiate the work of the consultant team on the elements listed above.

Advantage(s):

1. Provides expertise in subarea and redevelopment planning that will significantly enhance the quality and comprehensiveness of the final plan.
2. Provides a market-supported approach to redevelopment that will allow the City to capitalize on its investment in the Tower Mall site, and will spur additional private investment in Central Vancouver.
3. Provides a vision of a future urban center that will serve as a destination for the larger Vancouver community, and create eight new 20-minute neighborhoods.

Disadvantage(s): Expenditure of funds.

Budget Impact: Budget for planning process is part of original funding set aside for Tower Mall purchase.

Prior Council Review:

1. On May 15, 2017, Council approved a delegation of authority to acquire real estate for the Tower Mall site (SR055-17)
2. On June 5, 2017, City Council adopted Ordinance M-4201 placing an emergency 6-month moratorium on the acceptance and processing of applications for permits for the development of new structures; the expansion of existing structures; or subdivisions in the Tower Mall area.
3. On November 20, 2017, City Council received an update on progress in initiating the subarea plan to date, and adopted Ordinance M-4221, continuing the moratorium on the acceptance and processing of applications for permits for the development of new structures; the expansion of existing structures; or subdivisions in the Tower Mall area.

Action Requested: Authorize the City Manager or his designee to execute a contract with GGLO Design of Seattle, Washington, for professional planning services for the Heights Subarea Plan in the amount of \$1,025,837.00 over the life of the contract, which expires December 31, 2019.

Attachment(s):

1. Heights Subarea Consultant Contract
2. Exhibit A to Contract: Project Schedule
3. Exhibit B to Schedule: Fee Table



To request other formats, please contact:
City Manager's Office
(360) 487-8600 | WA Relay: 711
Amanda.Delapena@cityofvancouver.us

CITY OF VANCOUVER
PROFESSIONAL SERVICES AGREEMENT No. _____
HEIGHTS SUBAREA PLAN

This Agreement by and between the City of Vancouver, a municipal corporation, under the laws of the State of Washington, hereinafter referred to as "City" and GGLO hereinafter referred to as "Contractor", whose address is 1301 First Ave, Ste 301, Seattle WA 98101.

WHEREAS, the City desires to engage the Contractor to prepare a subarea plan and other related services for the Heights subarea on an as needed basis. Contractor has agreed to offer its professional services to perform said work per City issued Request for Proposal (RFP) No. 25-17, Contractor's proposal to said RFP; and and City Council's approval on _____ of Staff Report No. _____; and

WHEREAS, the Contractor has represented by entering into this Agreement that it is fully qualified to perform the work to which it will be assigned in a competent and professional manner, and to the standards required by City.

NOW, THEREFORE, IT IS MUTUALLY AGREED BETWEEN THE PARTIES:

The City hereby agrees to engage the Contractor and the Contractor hereby agrees to perform, in a satisfactory and proper manner, as determined by the City, the services hereafter set forth in connection with this Agreement:

1. Statement of Work.

Contractor agrees to prepare a subarea plan and other related services for the Heights subarea per RFP No. 25-17 and Contractor's response to said RFP on file in City of Vancouver Procurement Services by reference hereto made a part of this Agreement.

Overview

The Contractor shall serve as the primary contract entity for the Heights Subarea Plan (HSP) and provide contract oversight for the phases and tasks as outlined below. The HSP Scope of Services shall address three focus areas:

- Heights Subarea Plan
- Conceptual Development of the (Tower Mall) Redevelopment Site
- Draft-Final Environmental Impact Statement (EIS) / Planned Action Ordinance (PAO)

The key objectives of the HSP are to:

- Identify a long-range land use and transportation plan for the 230-acre Heights Subarea;
- Develop a preferred Conceptual Development Site Plan for the 56-acre 'Redevelopment' site;
- Prepare the required Environmental Impact Statement (EIS) and Planned Action Ordinance (PAO) in response to applicable State Environmental Policy Act (SEPA) requirements and other applicable local requirements, and;

- Provide support for City Council approval of Subarea Plan and Redevelopment Site Plan and completion of the Final EIS and PAO.

The following Scope of Services shall inform the plan development, review and approval process and final HSP documentation. The Scope of Services includes four (4) phases with individual tasks and deliverables necessary to support the HSP and related environmental impact study requirements.

PHASE	TASK	DESCRIPTION
1 Visioning / Kick-off	1	Project Kick-off / Logistics / Management
	2	Data Collection / Base Mapping
	3	Leadership Summit Workshop
	4	Public Outreach
2 Analysis	5	Market Economic Analysis
	6	Codes and Standards, Policy Assessment
	7	Infrastructure Report
	8	Analysis / Visioning Summary
3 Exploration	9	Draft EIS / PAO
	10	Draft Subarea Plan
	11	Draft Redevelopment Site Plan
	12	Urban Design Guidelines / Sustainable Development Program
4 Draft-Final Plan/EIS-PAO Approval Process	13	Draft-Final EIS / PAO
	14	Final Sub Area Plan
	15	Final Redevelopment Plan
	16	Final Reporting

PHASE 1: VISIONING / KICK-OFF

Task 1.1: Project Kick-off / Logistics / Management

The Contractor shall serve as the primary contract entity for the HSP, including contract oversight of each subcontractor. The Contractor, along with Via-Architecture and the City Project Manager, will jointly provide project management and coordination throughout this contract phase. Following a Notice-to-Proceed, the Contractor shall attend a Project Kick-off meeting in Vancouver, WA along with the staff project Technical Advisory Committee (TAC). At this Kick-off meeting, the Contractor shall confirm the study process, key deliverables, milestones and timelines, and review the project Communication Plan that shall include; staff and stakeholder contact information, project logistics and a project management schedule. Ongoing project management shall include scheduled weekly project management communications, City/Contractor staff work sessions and key milestone coordination meetings as part of the HSP process.

The Project Communication Plan shall be developed to outline key project team members, City TAC, project Community Advisory Committee (CAC), decision-makers, and stakeholder organizations. The City will provide names and contact information for each group.

The Contractor shall plan for up to *fourteen (14) trips* to the City of Vancouver, WA throughout the study process, which shall occur at times the City deems appropriate. The trips shall consist of various meetings, site visits, workshops and public events to be scheduled as part of the plan process. The City Project Manager will coordinate with the Contractor on meeting agendas and locations, and meeting minutes as required. Travel to Vancouver, WA will include labor time and reimbursable expenses (travel, hotel, per diem). All monthly invoices and deliverables shall be provided in PDF electronic copy unless otherwise noted.

Deliverable:

- *Project Communication Plan*
- *Ongoing Project Management*
- *TAC Meetings (up to 12)*
- *Weekly PM Conf. Calls*
- *Schedule Updates / Site Visit*

Task 1.2: Data Collection / Base Mapping

The City and other agencies will provide in digital format applicable existing conditions reports and previously completed studies, plans and policies that may affect the Heights Subarea and Redevelopment Site. The data collection effort shall focus on the subarea planning level analysis to inform possible land use and transportation systems planning for the Subarea. This may include but is not limited to:

- Demographic / Economic Studies
- Land Use and Zoning Regulations
- Transportation, Complete Streets and Transit Data
- City Development Standards and Design Guidelines
- City Sustainability Strategies
- City Capital Improvement Plans
- Neighborhood Plans
- Affordable Housing Policy
- School District Plans and Capital Improvement Program
- Infrastructure Assessment Studies
- Current City-Owned Assets within the Subarea

Based on the information provided by the City, the Contractor shall review applicable information and develop a summary matrix identifying potential gaps in information. The Contractor shall also summarize in a matrix format the direct impacts that current City policy, regulations and standards may have on the Subarea plan and potential Redevelopment Site.

The Contractor shall develop a digital base map for the Subarea area using existing City / County GIS and Google Map datum and Sketch-up data (if available). A study area base map shall be developed using both 2D plan and 3D Sketch-up digital tools. A draft digital base map shall be developed for review and comment. Based on input from the City, the Contractor shall make final edits for use of the base map for the study area accordingly. It is assumed that no site boundary and topographic survey datum exists for the City owned properties and Redevelopment site.

Deliverable:

- *Project Data Collection Summary Matrix*
- *Project Base Map (digital format)*

Task 1.3: Leadership Summit Workshop

The Contractor shall plan and facilitate a half-day Leadership Summit to be scheduled within one month following the Notice-to-Proceed. The Leadership Summit shall be held in Vancouver, WA and shall be attended by City TAC and project CAC members, invited decision-makers, and the project Contractor team. The intent of the Leadership Summit is to review the study purpose and objectives, and clarify the project scope of work and expected project outcomes. The City staff will provide an overview of the Subarea Plan and Redevelopment Site objectives and development review processes.

As part of the Leadership Summit, the Contractor team shall provide a series of brief subject matter ‘TED-Talks’ on critical study topics. Key topics shall likely address: economic and real estate market conditions, multi-modal transportation and street network design, land use and urban design, parking, market and affordable housing, public space and placemaking, the 20-minute neighborhood concept, as examples.

The Summit shall also serve as an initial visioning discussion to define key design principles and priorities, and potential outcomes for the HSP. A detailed project schedule shall be provided to participants along with a communication Decision Diagram highlighting critical tasks, decision points and who is ultimately responsible for developing key recommendations and final decisions throughout the course for the HSP. A Decision Diagram shall be developed to highlight what key decisions shall need to be addressed and who the primary decision-makers are in order to move the project forward.

Deliverable:

- *Facilitation of a half-day Leadership Summit*
- *Summary Documentation of Workshop Input*
- *Decision Diagram*

Task 1.4: Public Outreach

The Contractor shall coordinate with the City Project Manager to plan and execute a comprehensive Public Engagement and Outreach effort that shall include at minimum the following elements:

- Leadership Summit (1 Workshop)
- Technical Advisory Committee (TAC) (12 Mtgs. includes the Project Kick-off Mtg.)
- Community Advisory Committee (CAC) (12 Mtgs. includes the Leadership Summit)
- Stakeholder Interviews (Social Service Providers, Development Community, Faith Community, Commercial/Retail Businesses, C-TRAN, Vancouver Public Schools, Vancouver Housing Authority, Bicycle-Pedestrian-Accessibility Advocates (7 Stakeholder Interviews, plus 4 Developer Interviews)
- Property Owner Meetings (3 Initial Individual Mtgs. plus 4 Follow-up Group Mtgs.)
- Neighborhood Association Meetings (up to 4)
- Community Open House Events / Community Online Surveys (Up to 3 each)
- Planning Commission Work Sessions (Up to 2) / City Council Work Session (Up to 1)

The Contractor shall prepare and facilitate outreach events as described in the Communications Plan (refer to Task 1.1: Project Kick-off / Logistics / Management). Labor, including travel time, and expenses for all trips to Vancouver, WA will be charged to the City. The City will be responsible for coordinating and paying for meeting room location and logistics, required AV equipment for indoor or outdoor events (to be determined), set-up and take down of equipment, refreshments and advertising of meetings through the City website, direct mailings, social media and public announcements. The Contractor shall provide content to the City for regular monthly website updates. Monthly web updates will be the responsibility of the City. The Contractor shall provide a summary of the outreach activities that the Contractor is responsible for, in order for the City to use to advertise and promote the project.

Subtask 1.4.1 Technical Advisory Committee (TAC)

The Contractor shall attend up to twelve (12) TAC meetings, to include the initial Project Kick-off and Leadership Summit to be scheduled in coordination with other scheduled trips and project related events in Vancouver, WA. It is anticipated that the TAC shall be comprised primarily of City Department representatives (to be determined by the City). TAC meetings shall be held at the Vancouver City Hall, scheduled in advance by the City, and documented by City staff. The Contractor team and the City project manager will develop TAC agendas and meeting materials in advance of each meeting.

Subtask 1.4.2 Community Advisory Committee (CAC)

A project CAC will be formed by the City of Vancouver that will consist of an estimated 15 members representing various stakeholder groups and interests in the study area. In addition to the initial Project Leadership Summit, members of the Contractor team shall attend and provide facilitation as required for up to twelve (12) CAC meetings to be scheduled in coordination with other scheduled trips and project related events in Vancouver, WA. CAC meetings will be held

monthly at a location to be determined by the City. Meeting agenda topics will be defined in advance. Meeting materials shall be developed by the Contractor team, with review by City staff.

Subtask 1.4.3 Stakeholder Interviews

The Contractor shall participate in up to seven (7) individual and/or group stakeholder interviews with members of the community whom have an interest in the HSP. The stakeholder interview participants will be determined by the City and may include: School District, Vancouver Housing Authority, business owners, service providers and agency representatives. The stakeholder interviews may include the City Project Manager or may be confidential if necessary. The Contractor shall provide to the City the stakeholder interview format and key questions in advance, as well as a brief summary of findings.

In addition, the Contractor shall participate in up to four (4) developer-focused interviews to specifically address current building and development conditions, including market rate housing and affordable housing trends in the Vancouver region and the immediate study area. Input from these interviews shall be documented as part of the draft subarea and redevelopment site plan.

As the project progresses, in may be necessary to reconvene with one or more individual and/or group of stakeholders in order to refine potential recommendations for the draft subarea and redevelopment plans. The Contractor team shall participate in these meetings on a limited basis as part of regularly scheduled trips to Vancouver (no additional trips are anticipated). It is understood that City staff will take the lead in scheduling and facilitating these meetings.

Subtask 1.4.4 Property Owner Meetings

The Contractor shall participate in up to seven (7) property owner meetings who shall be impacted by the HSP and/or are currently impacted by the development moratorium. The Contractor shall attend 3 initial individual property owner meetings and up to 4 group sessions with property owners at strategic points throughout the planning process. Agendas shall be developed in advance by the Contractor team and City staff. Meeting materials shall be adapted from previous meetings as required. The Contractor shall provide a brief summary of findings after each meeting. The City will determine the participants and coordinate meeting logistics including scheduling and location.

Subtask 1.4.5 Neighborhood Association Meetings

The Contractor shall attend up to four (4) neighborhood association group meetings at strategic points throughout the planning process to provide project update and gather input as required. Agendas shall be developed in advance by the Contractor team and City staff. Meeting materials shall be adapted from previous meetings as required. The Contractor shall provide a brief summary of findings after each meeting. The City will determine the participants and coordinate meeting logistics including scheduling and location.

Subtask 1.4.6 Community Open House Events / Online Surveys

The Contractor shall work closely with City staff to provide up to three community open house events and up to three online engagement opportunities. These in-person and online activities shall inform the public and stakeholders about the project and provide opportunities for the community to provide input into the visioning, analysis, and draft components of the Subarea plan and review diverse perceptions of the site's conditions and character. Each activity shall be tied to objectives outlined in the project communications plan and key questions shall be identified for such that input requested is useful to the planning process and decision-making.

Community Open House Events: The Contractor shall provide the strategy and approach for community open house events with input from the City. The City will coordinate event logistics including scheduling, securing and paying for facility rentals and equipment. The Contractor shall produce materials for events (informational handouts/fact sheets, display board and maps) in coordination with the City. The City and Contractor shall jointly staff outreach events. One open house shall be timed to occur during the EIS scoping period and shall provide information on and solicit comments on the scope of the EIS. One open house shall be timed to occur during the public comment period on the Draft EIS and shall provide information on and solicit comments on the Draft EIS.

Community Online Survey: The Contractor shall provide up to three structured opportunities for online engagement through an online open house (up to three content iterations) with embedded surveys. The online open houses shall be hosted by the Contractor using a separate digitally web-based platform and linked through City Communications and Office of Neighborhoods channels for distribution and promotion of the survey tool, including media outreach and social media and may be augmented through paid advertising.

The Contractor shall provide assistance to the City for social media and digital marketing communication project needs, including draft content (text and images) for the City's review. Specific communications tools such as developing mailers, email updates, social media posts (content) and press releases will be produced and distributed by the City. Input opportunities may include map-based components and graphics to help stakeholders understand concepts and context when providing input. This task assumes the City will pay for advertising costs for meeting notices and mailings for all events and online input opportunities. The City is responsible for public information press releases, website and social media updates and documenting input from these sources as required.

Deliverable:

- *Community Open House Events (up to 3)*
- *Event Summary Reports (up to 3)*
- *Information handouts/fact sheets (up to 3 sets)*
- *Display boards and/or maps (up to 30 total)*
- *Community Online Surveys (up to 3)*
- *Feedback summaries (up to 3)*
- *Monthly website site summary updates*

Subtask 1.4.7 Planning Commission / City Council Work Sessions

The Contractor shall participate in up to two (2) Planning Commission Work Sessions and two (2) City Council Work Sessions to be scheduled periodically throughout the study process. The Work Sessions are intended to inform the Commission/Council on the planning effort and provide a venue for input and comment from participants. The Work Sessions shall generally follow the plan process to coincide with the Community Open House and Online Survey timeline addressing the Plan Vision and Purpose, Alternatives and Draft-Final Subarea Plan, Redevelopment Site Plan and ESI/PAO.

Deliverable:

- *Meeting plans, agendas, presentation materials*
- *Meeting participation and facilitation as required*

PHASE 2: ANALYSIS

Task 2.5: Market Economic Analysis

This task has two major components: (1) Baseline Assessment; (2) Redevelopment Alternatives Analysis. For each subtask, separate memorandum-style reports shall be developed.

Subtask 2.5.1 Baseline Assessment

The Baseline Market Assessment, completed relatively early in the project lifecycle, shall help the team to better understand the likely future demand for development of various types, to inform design and other technical build out of the site. This shall include an analysis of existing baseline socio-economic data, housing and community services, job conditions in the immediate market area, and real estate trends for residential and commercial development types in Vancouver and the region. The main deliverable shall be a technical memorandum summarizing the existing market conditions and data and its implications for the subarea plan and redevelopment site design and implementation, as well as a 20-year estimated development build out program to depict various uses, and square footage estimates at high and low development thresholds, based on demand (rather than development feasibility).

Per Subtask 1.4.3 Stakeholder Interviews, the Contractor shall interview local developers who have an expertise in local and regional markets, commercial mixed-use development and affordable housing, to better understand the redevelopment position within the market. The interviews shall help ground truth the initial data and assumptions. As appropriate, the Contractor shall review and discuss the potential for possible unique opportunities and non-market uses, such as: higher education, health care, community services, technology and innovation district and employment centers for the study area and provide recommendations as part of Subtask 2.5.2 Redevelopment Alternatives Analysis.

Subtask 2.5.2 Redevelopment Alternatives Analysis

It is understood that a number of key development issues shall require resolution prior to advancing a preferred Conceptual Redevelopment Site Plan for further review. Key issues may include, but are not limited to:

- Market viability and absorption
- Project costs
- Parking and phasing
- Infrastructure needs
- Potential private partnerships
- Permitting requirements/constraints
- Design/construction schedule

The Contractor shall provide a high level pro-forma evaluation of the feasibility of the various development alternatives that are included in the conceptual plans (see Task 3.11: Draft Redevelopment Site Plan), to identify feasibility gaps and support strategic conversations regarding infrastructure funding, public private partnerships, affordable housing, and implementation. The Contractor shall provide a summary of findings and implications from the pro forma analysis, as well as a summary of strategy recommendations for the preferred plan option to be incorporated into Redevelopment Site Plan. The summary findings shall specifically address and explain the relationship between desired amenities and residential densities required to support these uses.

Deliverable:

- *Baseline Assessment Market Analysis Technical Memorandum*
- *20-Year Build-out Development Program, Proforma Evaluation Memorandum*

Task 2.6: Codes and Standards, Policy Assessment

The Contractor shall review and assess applicable City codes and standards and provide a summary matrix highlighting key issues affecting the Subarea Plan and Redevelopment Site. The Contractor shall consider at a minimum, applicable land use and zoning codes, design and development standards, comprehensive plan and neighborhood plan policy, and city regulatory requirements as part of the Subarea Plan and Redevelopment Site analysis. This information shall be used to evaluate alternative land uses and transportation system design and advance a preferred conceptual Redevelopment Site plan. The summary matrix shall be provided as part of the interim Infrastructure Report deliverable.

Deliverable:

- *Codes and Standards Summary Matrix*

Task 2.7: Infrastructure Report

The Contractor shall provide a summary assessment of existing infrastructure systems affecting the Heights Subarea planning area. The assessment shall include an overview of the current street network and transportation system, non-motorized access, bicycle and pedestrian infrastructure,

current transit service and future planned BRT services, traffic, utilities, water, fire, storm, drainage and sanitary sewer, gas, electrical, telephone, and cable plans for the Subarea and Redevelopment site. The assessment shall rely on data collected as a part of Task 1.2: Data Collection / Base Mapping. For instance, it is anticipated that C-Tran shall provide data related to transit ridership and future transit demand data for the BRT line and that the Contractor is not expected to generate new data on transit ridership. The Contractor shall conduct a qualitative assessment to review pedestrian and bicycle safety conditions, real and/or perceived physical barriers and a gap analysis in the multi-modal network within the subarea.

The Contractor shall review publicly available data sources or additional background studies and reports that are provided and prepare an existing conditions assessment inventory. For municipal utilities the assessment shall include the review of publicly available data, prior studies, comprehensive facility plans, and background data provided by municipal agencies to identify and describe existing utilities and service capacity for water, sewer, storm drainage, and irrigation services. Effort includes one telephone conversation with municipal utility providers to discuss utility availability, capacity, or resolve conflicts between municipal documents/plans. No additional fieldwork or field verification of existing utilities shall be completed as part of this task.

For private utilities the Contractor shall review publicly available data, and request data from franchise utility purveyors to identify and describe existing services for communication, electrical power and natural gas. The effort includes one telephone conversation with up to three (3) utility providers to discuss utility availability, capacity, or resolve conflicts between franchise utility documents/plans.

Deliverable:

- *Interim Draft Infrastructure Report*
- *Draft and Final Existing Transportation Multi-Modal/Street Network Conditions Review Memorandum*

Task 2.8: Analysis & Visioning Summary

The Contractor shall conduct a series of work sessions with City staff, the TAC, and the CAC members to review data collection efforts and facilitate discussions on the long-range plan vision, goals and objective and design precepts for the Heights Subarea Plan and the Redevelopment Site. Throughout the first three phases of the study, the Contractor and the City will coordinate a series of CAC meeting agendas and Community Open House/Online Survey events to define community values that shall lead to the development of a vision and design intent for the study area. Early in the work session, the Contractor shall present information on key topics as: the 20-Minute Neighborhood, Complete Streets, real estate market trends, urban design and placemaking, and the general characteristics of successful urban centers to help inform participants and test certain design concepts that may be appropriate for the Heights Subarea and Redevelopment Site.

The information collected shall help formulate a collective long-range vision and aspirations for the project. A visioning Summary shall define a Vision Statement, project goals and objectives, key design strategies and metrics that shall ensure the success of the plan implementation over time. The Contractor shall provide an Analysis / Visioning Interim Report to the City for review. The report shall be provided in digital PDF format. A staff review period shall be established to ensure a timely review.

Deliverable:

- *Draft Analysis and Visioning Interim Report (Digital PDF format)*

PHASE 3: EXPLORATION

Task 3.9: Draft Environmental Impact Statement (EIS) / Planned Action Ordinance (PAO)

The Contractor shall provide services for the completion of the SEPA Environmental Impact Statement (EIS) and completion of a Planned Action Ordinance (PAO). The intent of the EIS is to facilitate designation of the subarea as a planned action (pursuant to WAC 197-11-164 and VMC 20.790). A Draft and Final (EIS) shall be completed to evaluate environmental impacts of the subarea plan as required in order to designate the area as a planned action. Following completion of the EIS, a planned action ordinance shall be drafted summarizing potential mitigation impacts associated with the subarea development, establishing thresholds for development and providing for streamlined environmental review of projects that are consistent with the subarea plan.

Subtask 3.9.1: Scoping and Preliminary SEPA Matters

During this task, the City and Contractor will complete the EIS scoping process including finalization of alternatives and determining the scope of the Draft EIS. The scoping process shall be integrated into the public outreach process for the overall subarea plan and specific efforts and costs associated with the public meeting and scoping are addressed above. The Contractor shall prepare a draft Determination of Significance (DS) and scoping notice and provide it to the City for review and comment. The Contractor shall finalize the DS and provide it to the City. The City will publish and distribute the DS (required public notices and on-line) per the requirements of WAC 197-11 360 and will be listed as the recipient for public comments. During the 21-day comment period on the DS one of the open houses identified in the tasks above will be held. The Contractor shall provide a method to receive written comments on the DS to be collected by the City at the open house. The Contractor shall provide 2 technical staff at the open house to provide information on SEPA and the scoping process.

Once the Draft EIS scoping period is complete, the City will provide the Contractor with an electronic record of all comments received. The Contractor shall review and summarize comments by issue area and develop a technical memorandum recommendation to the City on whether the scope for the Draft EIS as outlined in the DS and scoping notice should be modified. The City shall provide the Contractor with a complete electronic record of all comments reviewed.

The scope and costs for this task assumes that a maximum of 250 distinct individual comments shall need to be reviewed and only 50 substantive comments (those that address the content of the environmental review or alternatives) shall be considered in determining the final scope of the Draft EIS. Following the project scoping process, the City and Contractor will meet to discuss strategies required to complete the next scope of work process. The scope elements identified below shall be reviewed and revised if necessary to reflect any changes in the scope of the Draft EIS identified by the SEPA responsible official.

Deliverable:

- *Draft and final Determination of Significance and Scoping Notice*
- *Technical Memorandum Summary; Public Comments and Recommendations (Responses) as part of Final Scoping Determination to Draft EIS Scope*

Subtask 3.9.2: Draft EIS

In this task, the Contractor shall prepare a preliminary Draft EIS (PDEIS) for review by the City. Following incorporation of the City's comments, the Contractor shall provide a PDF of the Draft EIS for the City to publish. This scope of work assumes that only the following elements of the environment are relevant and shall be addressed in the PDEIS:

- Cover
- Fact sheet
- Distribution list
- Table of contents
- Summary
- Alternatives including:
 - No action (development under current plan/zoning)
 - Proposed project (high – low development impact scenario)
 - No other alternatives shall be considered)
- Affected environment, impacts, and mitigation including the following elements of the environment:
 - Built Environment
 - Land Use
 - Transportation
 - Public Services and Utilities
 - Natural Environment
 - Air
 - Water
 - Plants and animals
- Any additional items required as a result of the scoping process

The Contractor shall conduct technical evaluations and prepare the PDEIS sections for each environmental element as detailed below. Each section shall describe the affected environment (existing conditions); evaluate the build alternatives and compare them to the no-build alternative; determine direct, indirect, and cumulative impacts; and identify mitigation measures

designed into the project or necessary to address any identified significant adverse impacts. Each section shall include the following subsections:

- Affected environment
- Environmental impacts (including direct, indirect, and cumulative)
- Mitigation designed into the project
- Other potential mitigation
- Significant unavoidable adverse impacts

During drafting of the PDEIS the Contractor shall meet with the responsible official and technical staff for up to four (4) two-hour meetings to obtain information, review process, mitigation, development thresholds, and discuss methodology and other relevant topics. The following sections describe the elements of the environment for inclusion in the Draft EIS in more detail.

Built Environment

The Land Use section shall include land use and plans, housing, population and employment, light and glare, aesthetics and historic and cultural resources (parks and recreation shall be addressed in public services). For Land Use, the Contractor shall describe existing land uses within the subarea and evaluate the potential impacts on these resources resulting the proposed subarea plan and development that could occur with it, including existing community services located on site. The scope of the review shall be limited to land uses within and directly adjacent to the subarea. The section shall address consistency with adopted land use plan and policies, including the City Comprehensive Plan, County Wide Planning Policies, zoning and other plans applicable to the project site. Visual resources shall be identified within the subarea and evaluated qualitatively for consistency with adopted designations or policies and aesthetics, and light and glare shall be evaluated qualitatively. This section shall also address potential impacts to population, housing and employment by comparing population and developed capacity under existing regulations and those of the capacity of the proposed subarea plan and overall projections for the Vancouver urban growth area.

For historic and cultural resources, the Contractor shall conduct a background review and a windshield survey to identify buildings and structures within the boundaries of the project area that were constructed in or before 1973. Information regarding the identified historic resources, such as parcel number, date of construction, and a recommendation for the significance of the resource, along with a photograph, shall be compiled in a list to be appended to the master plan document and EIS. The list would be keyed to a map. The effort assumes up to 18 resources may be within the Subarea boundaries. Possible historic resources include the school buildings, Park Hill Cemetery (which has a resource number assigned to it), WWII housing now owned by the Vancouver Housing Authority, and others. For archaeology the Contractor shall provide a status of previous archaeological work in the Subarea and provide an overview of the archaeological potential for this area to be included in the EIS. A map shall be included to show where previous archaeological studies have been done, and where additional studies may be needed. The effort shall include a summary of archaeological background for city owned parcels within the subarea

(the mall parcel, water facility, Fire Station #3, and Vanco Golf Course) that can be used in the future as part of an archaeological predetermination. All fieldwork shall consist of a reconnaissance via car and no detailed or subsurface surveys or investigation shall occur.

The Transportation Section shall quantitatively address impacts to vehicular transportation levels of service and qualitatively address transit, bicycle, and pedestrian level of service, parking and the overall transportation system. Air, water and rail transportation resources are not located within or immediately adjacent to the subarea and shall not be considered. Refer to Task 3.11 Draft Redevelopment Site for further information on Traffic Impact and Multi-Modal Assessment and Reporting which shall be used to prepare this section of the Draft EIS.

The Public Services Section shall address fire, police, schools, parks and recreation, water, stormwater and sewer services and other utilities.

Assessment of impacts to fire services shall consist of a qualitative review of the demand on fire services and the ability of the fire department to meet the established level of service and Standard of Cover based on the land use and population changes outlined in the subarea. Quantification of calls, call types and/or response times shall not be completed. The effort shall include a 1-hour meeting with Fire Department administrative staff to review methodology, obtain appropriate planning documents and identify any current significant service issues in the subarea. The analysis shall consider any changes planned to services areas or service from current planning efforts.

Assessment of impacts to police services shall consist of a qualitative review of the demand on police services and the ability of the police department to meet the established level of service based on the land use and population changes outlined in the subarea. Quantification of calls, call type and/or response times shall not be completed. The effort shall include a 1-hour meeting with Police Department administrative staff to review methodology, obtain appropriate planning documents and identify any current significant service issues within the subarea.

The analysis of schools shall consider potential changes to school aged populations based on land use changes and density compared to the baseline and the capacity and ability of existing schools serving the subarea to accommodate the change in school aged populations. School aged children per household shall be based on general assumptions used by the school district and the City as part of capital facility planning and school impact fee calculations. The subarea is concerned with the Vancouver School District and impacts to private schools or other districts shall not be addressed. This effort shall include a 1-hour meeting with appropriate school district staff prior to conducting the work to confirm methodology, existing school capacity and planned upgrades to schools serving the subarea.

Assessment of parks and recreation impacts shall consider potential increased demand on parks based on potential residential population within the subarea. The total population of the subarea shall be compared against adopted level of service (acres of parks per population) standards. In

addition, impacts to other recreation resources within the subarea (such as the driving range and school facilities open to the public) and consistency with the adopted parks plan shall be qualitatively addressed. The effort shall include a 1-hour meeting with City Parks and Recreation Department staff to discuss the subarea plan, parks planning and impacts from the subarea.

Water, Sewer and Stormwater utilities shall be evaluated by developing anticipated increase in demand and determining whether existing infrastructure can accommodate the increased demand consistent with adopted levels of service and impacts on existing service. Information shall be based on Task 2.7 above and adopted City planning documents (i.e. City of Vancouver 2017-2022 Capital Improvement Program For Water, Sewer, SCIP, Surface Water). A qualitative analysis of private utilities (communication, electricity, etc.) shall be included. Assumptions shall be based on general planning standards and no modeling or engineering shall be completed as part of the effort. The effort shall include a 1-hour meeting with City utility staff to discuss the subarea plan and impacts from the subarea.

Natural Environment

The Natural Environment Section includes air, water, and plants and animals and energy. Earth and Energy and Natural Resources shall not be addressed as no impacts are anticipated.

The analysis of air (quality) shall be qualitative and shall summarize existing air quality based on published data sources, identify any major sources of air pollution within the subarea and qualitatively assess how the proposed sub area could change air quality within and immediately adjacent to the subarea while considering the existing regulatory framework. In addition, greenhouse gas (GHG) emissions from construction within the subarea shall be calculated through use of existing published sources of GHG emissions based on land use and density using the King County GHG emission calculation worksheet or another similar published tool. No quantification or modeling of other air emissions or air quality shall be conducted by an air equality expert.

The analysis of water shall address groundwater and the potential impacts to groundwater quality or quantity based on development of the subarea. Surface water shall not be addressed as no surface water resources are located within the subarea. Groundwater shall be assessed qualitatively and no sampling, characterization or modeling shall be completed. The section shall summarize existing groundwater based on published data (such as the City water quality report), identify land uses with a higher potential for groundwater impacts (such as drycleaners) and whether the proposed subarea could change the risks to groundwater within and immediately adjacent to the subarea with consideration of the existing regulatory framework.

The analysis of plants and animals shall identify whether or not habitats or species of importance (state or federal species listed as endangered or threatened, Washington State Priority Habitats and Species or City designated critical areas) occur within or immediately adjacent to the subarea. Impacts of the subarea on plants and animals shall be addressed qualitatively as to whether the subarea would lead to impacts to these resources subarea with consideration of the

existing regulatory framework. This analysis shall be conducted through available public data sources and a windshield survey.

No formal species surveys or impacts analysis shall be completed.

The PDEIS shall be provided to the City for review and comment in one round of revisions before the Contractor finalizes the Draft EIS. In addition, the specific sections of the PDEIS shall be provided to the Vancouver School District (VSD), C-Tran and the Vancouver Housing Authority (VHA) for their review and comment. The Contractor shall review and respond to the comments, either incorporating them into the document or explaining why the comment did not result in a change. Upon resolution of the City, VSD, C-Tran and VHA comments, the Draft EIS shall be finalized as a PDF document and provided to the City for publication.

Deliverable:

- *Draft PDEIS and Final Draft EIS*

Public Review of Draft EIS

The Draft EIS shall be published for a minimum thirty (30) day public comment period. The Contractor shall prepare a draft Notice of Availability for the City's review. The City will distribute the notice availability and/or the Draft EIS per state and local requirements, pursuant to WAC 197-11-455, to its established SEPA distribution list and others who may have requested the document during scoping. The City will be responsible for reproduction and distribution of the Draft EIS. This scope assumes that one of the project open houses will be during the public comment period for the Draft EIS and this forum can be used as an additional method to obtain public comments. The Contractor shall provide a method for written comments on the DS to be collected by the City at the open house and shall provide up to four (4) technical staff to attend the open to provide information on and responds to questions on the Draft EIS.

The City will be responsible for reviewing the written comments submitted to the City on the Draft EIS. The City will provide the Contractor with a complete electronic record of all comments received. The scope and costs for this task assume that a maximum of 100 distinct individual substantive comments shall need to be reviewed and only substantive comments (those that address the content of the environmental review or alternatives) shall be evaluated for potential response in the Final EIS. The Contractor shall review and evaluate the comments and provide the City with a summary matrix of substantive comments and proposed method of response. The matrix shall be reviewed in a meeting with the City.

Deliverable:

- *PDEIS and final Draft EIS*
- *Draft and final Notice of DEIS Availability Suitable for City Publication and Legal Notices and Distribution*
- *Summary Matrix of Substantive Comments and Method of Response*

Task 3.10: Draft Subarea Plan

The Contractor shall meet with City staff to discuss the format and layout of the draft Subarea Plan document and outline the essential elements of the plan document. The document shall be a concise, digitally-based PDF document. The intent is to design the document to be compatible as a web-based interactive document. Based on input received on the document format, the Contractor shall provide a preliminary draft template and table of contents outline of the Subarea Plan for review and approval. The Subarea Plan document may address, but is not limited to:

- Executive Summary
- Introduction
- Existing Conditions
- Development Concepts
- Urban Design Framework
- Land Use and Development Framework
- Access and Circulation
- Multimodal Transportation Implementation Strategies
- Appendices

It is anticipated that the Subarea Plan shall be comprehensive to address all required plan elements and shall contain a combination of a written narrative, info-graphics and other supporting visuals. The Subarea Plan shall reflect the values and desires of the community as defined through the plan process. At minimum, the draft Subarea Plan shall include: a vision statement, purpose, goals and objectives, design precepts, background data and proposed policy recommendations to clearly articulate the community's values and aspirations for the Heights Subarea. The goal is to develop a concise, easily understood and visually appealing document that balances written content with graphics and support mapping as needed.

The Implementation Strategies section shall identify a wide range of possible short-term priorities and long-term needs, and an action plan that outlines an approach for the next steps. This may include recommendations for a concept development plan for the redevelopment site, recommendations addressing the current building moratorium, future code amendments and zoning changes, funding strategies, land acquisitions, partnership agreements, etc. This Scope of Services does not include any Land Use Development Code modifications, Comprehensive Plan land use designations or zoning amendments.

Deliverable:

- *Preliminary Draft-template and Outline*
- *Preliminary Draft Subarea Plan in PDF format*

Task 3.11: Draft Redevelopment Site Plans

Prior to the commencement of this task, the final project boundaries, programing and degree of emphasis on feasibility, phasing, and implementation must be definitively defined. In conjunction with the project Community Advisory Committee (CAC), the Contractor shall develop design objectives and principles, quantifiable and qualitative evaluation criteria and up to three (3) draft

alternative development options to be evaluated with the intent to identify a Preferred Conceptual Site Plan moving forward. For each alternative the following shall be developed:

- Build-Out Program
- Site Plan Alternatives for Tower Mall Redevelopment Site (up to 3)
- Conceptual Visualization Illustrations for each Alternative (up to 1 per alternative)
- High Level Phasing Diagrams

The Contractor shall develop a series of design work sessions with City staff to define key design principles based on objective review criteria. The Redevelopment Site ‘concept’ plan shall address:

- Overall Site Development Feasibility
- Sustainable Development Strategies
- Land Uses
- Building Form and Typologies
- Street Typologies
- Access, Circulation, Parking
- Civic Open Spaces
- Order of magnitude cost
- Phasing Sequence
- Constructability

After further evaluation and public input, the Contractor shall draft a preliminary Preferred Conceptual Site Plan to include:

- Draft Redevelopment Site Plan
- Conceptual Massing Diagrams
- Draft Phasing Plan
- Preliminary Order of Magnitude Cost Estimates

Meetings for this task would include:

- Final goal setting a program
- Review of preliminary alternatives
- Review of final alternatives
- Review of preferred alternative

Deliverable:

- *Draft alternative development site plan options (up to 3)*

Subtask 3.11.1 Alternatives Analysis

The Contractor shall develop and evaluate up to three (3) draft development options with the intent to identify a Preferred Conceptual Site Plan moving forward. The Alternatives shall be developed to a level to understand project feasibility based on a future market demand (Program)

and a shared parking strategy. Unless otherwise determined, a project phasing approach shall address land controlled by the City and other willing partners, to ‘physically’ show how major development phases can best be accommodated based on a future demand model assumption. A more detailed fiscal impact analysis needed to validate the financial feasibility of the project could be developed as a later time as an Add Service if required.

It is assumed that up to three (3) City staff-level TAC work sessions will be conducted as a part of the Alternative Development Analysis subtask. In conjunction with City staff, the Contractor shall develop up to three conceptual level alternatives representing the 20-year development program and key design criteria elements. The initial preliminary conceptual level assessment shall evaluate up to 2 development alternatives (high to low development scenarios) and compare this to the current Do Nothing Baseline option.

The Alternative Development Analysis shall include the prioritization of key design elements and establish a preferred conceptual design approach taking into account the elements under study, such as; market data, mix of uses, proposed parking strategies, civic open space needs and other conceptual metrics (permitting, constructability, costs, etc.). The Alternatives shall be developed to a sufficient conceptual design level to allow high-level evaluation by the Contractor and City staff.

The Contractor shall initiate a series of City staff workshops, a Public Open House and Online Survey to gauge responses and input for each Alternative under study. It is understood that the level of detail for the alternatives analysis shall be sufficient to fully evaluate the concepts under study. Detailed design is not included in the Alternative Development Analysis. An updated Conceptual Site Design shall be developed after a preferred alternative is identified.

Deliverable:

- *Facilitation of City Staff Work Sessions*
- *Develop Comparative Evaluation Review Criteria (Matrix)*
- *Alternative Development Analysis*
- *Recommended Preferred Conceptual Site Plan*

Subtask 3.11.2: Parking Strategy

The Contractor shall evaluate potential short-term and long-term parking concepts for the project and provide input to the City as required to establish a preferred parking scheme for the Redevelopment Site. The input shall take into consideration the City of Vancouver zoning code parking policies addressing land uses and parking requirements for current and proposed future mixed-use zoning for the site, as well as compare the City of Vancouver parking code strategies with other similar market areas. The Contractor shall provide technical assistance and expertise to assess parking impacts and development of parking strategies for the project.

The Contractor shall develop and present a Parking 101 discussion for the Leadership Summit workshop. It is estimated that the presentation shall be part of a half-day Leadership Summit.

The Contractor shall create necessary presentation materials and coordinate with the team to finalize format and content.

The Contractor shall participate in up to two (2) TAC meetings and up to two (2) CAC meetings to address shared parking (and issues related to such) for the redevelopment site. The Contractor shall prepare research materials to evaluate a number of possible strategies, including potentially the formation of a parking-district program and shared parking strategy.

The Contractor shall prepare a shared parking demand model to facilitate project team and committee discussions and coordinate with final recommendations for redevelopment of the site.

The Contractor shall prepare a summary approach and recommendation for a shared parking format.

Deliverable:

- *Technical Memorandum Documenting a Parking Recommendation Strategy for the Redevelopment Site.*

Subtask 3.11.3: Phasing

The Contractor shall provide input on interim and long-range phasing options to address the 20-year planning horizon for the project. A Phasing Diagram, overlaid on the Illustrative Site Plan, shall summarize Phasing boundaries over time, based on development uses, infrastructure, parking, costing and access.

Deliverable:

- *Refined Parking Program and Phasing Recommendations*

Subtask 3.11.4: Cost Estimates

The Contractor shall provide an Opinion of Probable Costs for the Redevelopment Site. The cost estimates shall reflect the approved recommended program, including site improvements, parking and phasing scenario. Revised Order of Magnitude Development Cost Estimates shall include:

- Public realm improvements (streets, alleyways, plazas, promenades, landscape and furnishing improvements, and public art)
- Individual Block level building improvement costs
- High-level site infrastructure
- Contingency (20%)

*Costs associated with design, permitting, bidding and construction shall not be included.

Deliverable:

- *Draft and Final Revised Site / Development Cost Estimates by Phase and Uses*

Subtask 3.11.5 Geotechnical Analysis and Reporting

A preliminary planning level geotechnical investigation shall be completed to characterize the soil and groundwater conditions at the site and assist with the geotechnical aspects of the Redevelopment Site of the project. The Contractor shall review available geotechnical boring logs available from file data on the nearby City of Vancouver Water Station 5, and published geologic information, and supplement this information with three to four borings in the Tower Mall Redevelopment area. The above data shall be used to assist with preparing the Earth section of the Environmental Impact Statement (EIS), and to provide a geotechnical report that summarizes geotechnical considerations and preliminary recommendations.

Near-surface soils in the site vicinity are mapped as catastrophic flood deposits consisting of predominantly gravel, sand, and silt (Phillips, 1987). The regional groundwater level is greater than 100 ft deep, and perched water could develop at shallower depths during prolonged wet weather. Three to four borings shall be drilled on City property to supplement the published geologic information and geotechnical data available from the City Water Station 5 seismic investigation and other nearby available borings. The borings shall be drilled to depths of up to 30 ft using a truck-mounted drill rig. During sampling in the borings, the Standard penetration test shall be performed to evaluate the relative density and undisturbed samples shall be collected, if appropriate. This information shall be used to evaluate earthwork and foundation support considerations.

The Contractor shall summarize the key geotechnical considerations that can be used by the team to evaluate feasibility alternatives for above and below-grade buildings of the development, new roadway, and path/trail, including earthwork; pavements; and foundation support. Preliminary consultation shall be provided that can be used by the project team to evaluate feasibility, fatal flaws, and staging of the project with respect to geotechnical issues.

It may be determined that additional geotechnical analysis and sample borings are required as a part of the future Redevelopment Site to clarify on-site structural impacts affecting underground or above ground structures. Any additional future geotechnical tests and reporting separate from this Scope of Services shall be the responsibility of the City of Vancouver and are not included in this Scope of Services.

Deliverable:

- *Geotechnical Findings Memorandum*

Subtask 3.11.6 Traffic Impact Study / Transportation Compliance Letter

The Contractor shall conduct a Traffic Impact Study and provide a Transportation Compliance Letter in support of the Redevelopment Site and project Environmental Impact Statement and Planned Action Ordinance as required. The Contractor shall collect 2-hour AM and PM traffic intersection counts at up to 10 intersections with the Study area for one representative day. The City will designate the intersections selected for study, with input from the Contractor team. The Contractor shall develop a methodology memorandum incorporating City of Vancouver traffic

Transportation Concurrency Management Manual standards. Attendance at one meeting with Agency traffic group shall be required to review and agree on traffic analysis assumptions.

The Contractor shall develop a base traffic analysis model for up to 10 intersections using previously collected data. A post-processed future 20-year (2038) forecasted traffic volume model shall be developed for the 10 intersections in coordination with RTC staff. This assumes the available RTC base and future models are suitable and ready to use and do not require refinement (i.e., no new travel demand model runs shall be needed). The Contractor shall conduct a traffic analysis using base Synchro model for up to three alternatives as follows:

- Future no-build alternative
- Scenario A: Future High Development Build Alternative
- Scenario B: Future Low Development Build Alternative

The traffic conditions information shall be summarized in the following technical memorandums:

- *Draft and Final Traffic Analysis Methodology Memorandum (one round of Agency review incorporated into one set of consolidated, non-conflicting comments)*
- *Draft and Final Traffic Analysis Results Memorandum (one round of Agency review incorporated into one set of consolidated, non-conflicting comments)*

The Contractor shall develop multi-modal and traffic network recommendations for the Subarea Plan. The Contractor shall also provide input into the Subarea Plan recommendations specific to multi-modal transportation system and pedestrian/bicycle safety. The recommendations shall incorporate the 20-minute Neighborhood Concept and Complete Streets Strategies as applicable to the study area. The Subarea Plan transportation network recommendations map and narrative shall be included as part of the Draft and Final Subarea Plan deliverable.

No additional traffic and parking analysis and reviews shall be conducted beyond what is required for the EIS. If additional studies are required to reflect the uses and total build out scenario of the Subarea Plan project, it is assumed the City will address this through future phases of development and these future tasks shall not be a part of the Scope of Services as defined.

Deliverable:

- *Draft Redevelopment Site Plan - Draft and Final Traffic Analysis Methodology Memorandum (addressing the Subarea and Redevelopment Site)*
- *Draft and Final Traffic Analysis Results Memorandum/Recommendations (preferred Redevelopment Site option)*
- *Subarea Plan Transportation Network Recommendations Map and Narrative*

Task 3.12: Urban Design Guidelines / Sustainable Development Program

The Contractor shall provide an overview of Urban Design Guidelines and Sustainable Development Strategies for the HSP study area and the Redevelopment site. The Urban Design Guidelines shall be comprised of the public and private development areas, including: streets, plazas, parks and open spaces, development building typologies and urban form, wayfinding, signage and lighting, and public art for the study area. The Urban Design Guidelines are intended to define the built urban form and non-built areas of the Subarea and future Redevelopment site by establishing guidelines and standards designed to organize, manage and integrate a variety of mixed uses within the development. The Design Guidelines shall specify design parameters and permitted uses, establish the necessary building-to-street and building-to-building relationships, thoroughfare and specific landscape design standards for the development.

The Standards shall be comprised of the following primary elements to be used in conjunction with each other:

- Conceptual Development Plan – Zones/Blocks
- Urban Standards - Building-to-Building and Building-to-Block Relationships
- Thoroughfare Standards - Pedestrian, Bicycle and Vehicle
- Landscape Standards - Suggested Plant Types, Size, Quantity, and Locations
- Conceptual Wayfinding and Signage Plan
- Public Art and Cultural Event Program Recommendations
- Conceptual Lighting Plan

Subtask 3.12.2: Sustainable Development Strategy

The Contractor shall assess Sustainable Development best practices supported by research and assessment of current City practices and develop recommendations for appropriate sustainable development strategies for the Redevelopment Site. The Sustainable Guidelines shall focus on related best practices for building performance, energy reduction, resource and habitat protection, travel demand, site development, stormwater management and alternative solutions to maximize performance and return of investments for the Redevelopment Site. The result of the assessment shall be a series of recommendations that define specific measures, goals and objectives for the proposed Redevelopment Site.

The sustainable development strategies shall address infrastructure on site and be developed for two purposes, both in full alignment with City priorities and resource stewardship goals. First, it shall guide performance criteria and development strategies for the site infrastructure. Second, based on the goals and strategies established for the project, it shall provide performance criteria and design guidelines to be applied to building development within the project site. The Contractor shall identify relevant measures and best practices as necessary. After an initial data collection effort is complete, the Contractor shall schedule a goal setting work session with City staff to clarify appropriate strategies and goals and overall sustainable development metrics for the redevelopment project.

The findings of the initial assessment shall inform the Alternative Development Analysis and be included in the *Task 3.12: Urban Design Guidelines / Sustainability Strategy* deliverable report. Any additional subsequent analysis beyond the initial Sustainable Development Guidelines is not included in this Scope of Work.

Deliverable:

- *Facilitation of up to two (2) City work session on Sustainable Development Goals and Objectives and Measures*
- *Draft Urban Design Guidelines and Sustainable Development Framework Plan in digital PDF format*

PHAES 4: DRAFT-FINAL PLAN / EIS-PAO / APPROVAL PROCESS

Task 4.13: Final Environmental Impact Statement (Final EIS) / Planned Action Ordinance (PAO)

Following receipt of the comments on the Draft EIS, WAC 197-11-560 specifies that a Final EIS shall consider the public and agency comments on the Draft EIS. Potential responses in the Final EIS include:

- Modify alternatives, including the proposed action
- Develop and evaluate alternatives not previously given detailed consideration by the agency
- Supplement, improve, or modify the analysis
- Make factual corrections
- Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons that support the agencies response and, if appropriate, indicate those circumstances that would trigger agency reappraisal or further response

The work associated with the Final EIS is dependent on the comments received but could include the need to conduct additional technical analysis. At a minimum, the comments must be addressed and a Final EIS issued. The Final EIS shall consist of an update to the Draft EIS with the compiled public comments.

The Scope of Work for the Final EIS may not be fully estimated until completion of the Draft EIS and review of the agency and public comments on the Draft EIS has been completed. A final, separate Scope of Work for the Final EIS shall be re-evaluated after results of the public comments have been received on the Draft EIS additional analysis is required a separate scope and fee can be provided.

Once complete, a draft Final EIS would be provided to the City for one round of review and the Contractor would incorporate comments into a Final EIS. The Final EIS would be provided to the City in a PDF format. No action can be taken on the plan, PAO or any other permits until 7 days following completion of the Final EIS.

Deliverable:

- *Draft Final and Final EIS in digital PDF format*

Subtask 4.13.1: Planned Action Ordinance

A Planned Action is implemented through a planned action ordinance (PAO) adopted by the City Council. A draft PAO shall be developed to accompany the subarea plan as it is considered for recommendation and adoption by the Planning Commission and City Council. The PAO shall be consistent with RCW 43.21C.031, WAC 109-11-164-172 and VMC 20.790.530. The planned action shall include maximum development thresholds (units or square feet) for the subarea, allowed land uses, mitigation measures and other criteria that must be met for a project proposed within the subarea to qualify as a planned action and not require a formal SEPA threshold determination. Future projects that are consistent with PAO requirements can be determined by the City as a Planned Action and no further SEPA compliance may be required.

The Contractor shall prepare a project level draft and final PAO. The PAO is anticipated to include the subarea plan development thresholds such as maximum development threshold (units or square feet) for various proposed uses in the subarea, allowed land uses, mitigation measures and other applicable criteria. The ordinance shall be prepared consistent with the requirements of WAC 197-11-168 and shall include:

- Purpose
- Findings
- Procedure and Criteria for evaluating projects as planned actions
- Other standard ordinance sections.
- Required mitigation measures and development thresholds shall be included in an appendix to the ordinance and shall be based on the subarea plan and FEIS.

Following receipt of City comments on the draft PAO, the Contractor shall provide the City with a final version of the PAO for City legal review. Required mitigation measures and development thresholds shall be included in an appendix to the ordinance and shall be based on the subarea plan and FEIS.

The City will lead the adoption of the PAO by the City Council. The Contractor shall provide support for staff during the legislative adoption process, including developing presentation materials for up to two (2) 1-hour presentations to the Planning Commission and two (2), 1-hour presentations to the City Council. Refer to Subtask 4.15.1 City Council Work Sessions / Public Hearings below.

Deliverable:

- *Draft - Final PAO in digital PDF format*

Task 4.14: Final Subarea Plan

Based on input received from the Planning Commission and City Council work sessions and required content edits from the City, the Contractor shall provide a Draft-Final Subarea Plan

document to the City. The Subarea Plan document shall be provided in digital PDF format for City review and use. The City will be responsible for providing all comments in writing and submittal to the Planning Commission and City Council as part of the plan approval process.

Deliverable:

- *Draft - Final Subarea Plan and Redevelopment Site Plan (combined) in digital PDF format.*

Task 4.15: Final Redevelopment Site Plan

Building on the preferred alternative during the Exploration phase, the Contractor shall update, refine and develop the preferred conceptual site plan, massing model, visualization renderings and phasing diagram. Meetings for this task would include review of draft final site plan, review of draft final visualization renderings and review of final deliverables. The Preferred Conceptual Site Plan shall include:

- Land Uses
- Preliminary Building Massing
- Streets and Associated Streetscape
- Parking (off-street and on-street)
- Landscape, Open Space & Urban Pathways

Deliverables:

- *Final Redevelopment Site Plan in digital PDF format to include:*
 - *Overall Process and Design Narrative*
 - *Summary of Alternatives*
 - *Open Space Framework Summary*
 - *Street Framework Summary*
 - *Parking Summary*
 - *Illustrative Preferred Development Plan*
 - *Phasing Plan*
 - *Program and Development Summary Matrix*
 - *Sustainability Strategies & Guidelines Summary*
 - *Visualization Renderings (up to 7 total)*
 - *Illustrative Sections/Elevations for Public Realm (up to 4)*

Subtask 4.15.1: Hearings Examiner / Planning Commission / City Council Public Hearings

The Contractor shall provide presentation material and support as required during the City review and approval process for the Heights Subarea Plan to include the Redevelopment Concept Site Plan. It is anticipated that the Subarea Plan, Redevelopment Site Plan, EIS and PAO shall be reviewed and adopted concurrently by the City Council. The Contractor shall prepare graphic, content and presentation materials, and be prepared to assist the City staff for up to two (2) Planning Commission Meetings and up to two (2) City Council Workshops or Public Hearings.

The Contractor shall provide presentation materials in advance of each public hearing meeting and be available as required to respond to technical issues and revisions on behalf of the City. The Contractor assumes that City staff will provide written responses to all public inquiries and/or other agencies.

Deliverable:

- *Preparation of digital presentation materials and attendance as required at up to 2 Public Hearings.*

Task 4.16: Final Reporting

Upon final approval / adoption of the HSP, Environmental Impact Statement (EIS) and Planned Action Ordinance (PAO), the Contractor shall consolidate all project files and forward that material to the City as required. A final project close-out shall occur once the City has received all applicable information. All information, including rough drafts, raw data, supporting information, documents and documentation developed under this contract shall automatically become the property of the City of Vancouver.

Deliverable:

- *Final Report Delivery (Electronic PDF files)*

Project Assumptions

The tasks noted below have not been completed and are **NOT a part of this Scope of Work.**

- Site Boundary / Topographic Survey Data*
- Value Engineering Exercise
- Additional coordination with agencies
- Additional Public Outreach (beyond this Scope of Services)
- Noise or Hazardous Materials studies/analysis
- Additional design, engineering or other studies/analyses
- Tower Mall Change of Use Study / Demolition Construction Plans / Demolition Permits
- Constructability Consultant
- Structural Engineering Consultant Services
- Mechanical, Electrical and Telecommunications Consultant Services
- Building, Construction Permits
- Detailed Site Plan review / permit application for any specific parcel / block
- Additional habitat / environmental and/or field technical assessments
- Wildlife habitat mitigation planning, site selection or monitoring
- Additional workshop or public hearing support
- Support for appeals of agency decisions by the City or other parties
- National Environmental Policy Act compliance**
- Permitting support beyond the timelines identified.
- Land use conditional use permitting
- Alternative analysis under Section 404(b)(1)(b)
- Permitting under Section 408 (USACE)

- Permitting support for NPDES construction permit
- Construction support services
- Construction Inspections
- Final design
- COV CDP Pre-Application Conference
- Preparation of COV Concept Development Plan Application / Submittal
- COV Final Design Hearings Examiner / Planning Commission / City Council
- CDP Ongoing Monitoring / Evaluation
- Engineering/design for site development
- Bidding assistance
- Other items not currently identified/anticipated

* Topographic survey to include mapping of the site study area, all utilities, above ground utility structures, existing building foot prints, street improvements, edge of all hard and pervious surfaces, public water, storm and sanitary sewer structures with pipe invert elevations, existing vegetation, trees and larger drop line radius of trees. All surfaces shall be mapped on an approximate 50-foot grid or less including sufficient break lines to allow for an accurate 1-foot contour interval.

** TBD

All work must be authorized and approved by the City's Project Manager in writing before any work begins. Contractor shall approach this project in a manner consistent with its customary practice. Contractor shall actively seek collaborative input from City staff.

Time is of the essence for this Project and timely delivery of work products and deliverables is important to the City. The City expects Contractor to complete the stated work and submit all identified deliverables and work products for each task and/or sub-task for review and acceptance by the City by the date specified in attached **City of Vancouver Heights Subarea Plan, EXHIBIT A: Project Timeline** dated 3/26/18 and made part of this Contract by reference. Any changes to the project schedule shall be mutually agreed upon and in writing. A Contract Amendment shall not be required. Failure to complete and submit the work specified by the identified date for that task or subtask, to the City's complete satisfaction, at the sole discretion of the City, may be considered a material breach. Contractor will notify the City within five (5) business days of any situations that may impact the schedule of the Project and the delivery of work products by the identified or amended date. Failure to so inform the City may result in Contract termination per Section 9 of this Contract.

Compensation is limited to the amount specified for each specific task and/or sub-task as listed in attached **EXHIBIT C: Fee Table, The Heights Subarea Plan** dated 3/26/18 and made part of this Contract by reference, unless amended per Section 15 of this Agreement. Payment for work performed will not be made until the work has been accepted by the City. Compensation may be amended, at the City's sole discretion, for documentable circumstances not reasonably

foreseeable to either party at the time the task and/or subtask is initiated, or for changes to the Scope of Work or deliverables requested by the City.

Travel expenses are limited to airfare, or train fare, at the most economical rate available for the mode of travel selected, on the scheduled days of travel, at the time reservations are made, or mileage at the current IRS rate, and lodging at the U.S. General Services Administration rates. Travel time for Contractor's employees traveling to or from the City of Vancouver for project related meetings will be reimbursed based on the average scheduled travel time for the mode of transport utilized and mutually agreed upon in advance.

The City agrees to reimburse the Contractor for the following reimbursable expenses Printing, Mileage, Travel, Meals, Hotel/Lodging, Permit Fees, if applicable, Renderings (when sent out of house) at the invoiced cost plus 10% mark up for overhead and profit. The City will reimburse all other pre-approved miscellaneous expenses at-cost. Receipts are required to document all reimbursement requests.

The City will reimburse Contractor for work performed by sub-consultants at the invoiced cost plus 5% mark up for overhead. Under no circumstances shall the Contractor be reimbursed or paid an amount in excess of the total agreed to in this Contract unless authorized by Contract Amendment signed by both parties.

This agreement is for professional services, materials, supplies, travel and all miscellaneous expenses described herein at the rates attached. Payment for all services shall not exceed \$1,025,837.00 unless authorized in writing by the City, according to Section 7 of this Agreement. If additional time is needed, please refer to Section 6 of this agreement. A written amendment must be attached.

2. Order of Precedence.

Where there is a conflict among or between any of these documents, the controlling documents shall be the first listed in the following sequence: Amendments to this Agreement; this Agreement; Purchase Orders; Contractor's submitted proposal to RFP No. 25-17 and RFP No. 25-17.

3. Relation of Parties.

The Contractor, its subconsultants, agents and employees are independent contractors performing professional services for City and are not employees of City. The Contractor, its subcontractors, agents and employees, shall not, as a result of this Agreement, accrue leave, retirement, insurance, bonding or any other benefits afforded to City employees. The Contractor, subconsultants, agents and employees shall not have the authority to bind City in any way except as may be specifically provided herein.

4. E-Verify.

Contractor shall register and enter into a Memorandum of Understanding (MOU) with the Department of Homeland Security E-Verify program within sixty (60) days after execution of this Agreement. Contractor shall ensure all Contractor employees and any sub-contractor(s) assigned to perform work under this Agreement are eligible to work in the United States. Contractor shall provide verification of compliance upon City request. Failure by Contractor to comply with this subsection shall be considered a material breach.

5. Time of Performance.

The service of the Contractor is to commence as of April 1, 2018. It is agreed services hereunder shall be completed by December 31, 2019. Failure to complete the work identified in this Contract by the mutually agreed upon date, unless changed by written amendment signed by both parties, may be considered a material breach.

6. Delays and Extensions of Time.

If the Contractor is delayed at any time in the progress of providing services covered by the Agreement, by any causes beyond Contractor's control, the time for performance may be extended by such time as shall be mutually agreed upon by Contractor and City and shall be incorporated in a written amendment to this Agreement. Any request for an extension of time shall be made in writing to City.

7. Compensation and Schedule of Payments.

City shall pay the Contractor at the rates indicated in Section 1 for work performed under the terms of this Agreement. This is the maximum amount to be paid under this Agreement and it shall not be exceeded without City's prior written authorization in the form of a negotiated and executed amendment. Such payment shall be full compensation for work performed and accepted or services rendered and for all labor, materials, supplies, equipment and incidentals necessary to complete the project as set forth herein. The Contractor shall submit monthly invoices itemized by task to City covering both professional fees and project expenses, if any, for fees and expenses from the previous month. Payments to Contractor shall be net 30 days.

The City reserves the right to correct any invoices paid in error according to the rates set forth in this Agreement. City and Contractor agree that any amount paid in error by City does not constitute a rate change in the amount of the contract. The City's contract/purchase order (PO) number given on the notice to proceed **must** be referenced on any invoice submitted for payment.

8. Ownership of Records and Documents.

Any and all work product including rough drafts, raw data, supporting information, documents and documentation prepared by the Contractor in the course of performing this Contract shall immediately become the property of the City. In consideration of the compensation provided for by this Agreement, the Contractor hereby further assigns all copyright interests in such work product to the City. A copy may be retained by the Contractor. Previously owned intellectual property of Contractor, and any know-how, methodologies or processes used by Contractor to provide the services or project deliverables under this Contract shall remain property of Contractor.

9. Termination.

The City, at its sole discretion, may terminate this contract for convenience at any time for any reason deemed appropriate. Termination is effective immediately upon notice of termination given by the City.

In the event this Agreement is terminated prior to the completion of work, Contractor will only be paid for the hours completed at the time of termination of the Agreement.

10. Evaluation and Compliance with the Law.

The Contractor shall have the authority to control and direct the performance and details of the work described herein. The Contractor agrees to comply with all relevant, federal, state and municipal laws, rules and regulations.

11. City Business and Occupation License.

Contractors will be required to obtain a business license when contracting with the City of Vancouver, unless allowable exemptions apply. Businesses/Contractors shall contact the State of Washington Business License Service (BLS) at: <http://bls.dor.wa.gov/file.aspx>, telephone 800-451-7985, or go to www.bls.dor.wa.gov/cities/vancouver.aspx or www.cityofvancouver.us/businesslicense, to determine whether a business license is required pursuant to VMC Ch. 5.04.

12. Liability and Hold Harmless.

Contractor agrees to indemnify, defend, save and hold harmless the City, its officials, employees and agents from any and all liability, demands, claims, causes of action, suits or judgments, including costs, attorney fees and expenses incurred in connection therewith, of whatsoever kind or nature (including patent infringement or copyright claims) to the extent arising out of, or in connection with, or incident to, the negligent performance or willful misconduct pursuant to this Agreement. This indemnity and hold harmless shall include any claim made against the City by an employee of Contractor or subcontractor or agent even if Contractor is thus otherwise immune from liability pursuant to the workers' compensation statute, Title 51 RCW, except to the extent that such liability arises from the concurrent negligence of both the City and the Contractor, such cost, fees and expenses shall be shared between the City and the Contractor in proportion to their relative degrees of negligence. Contractor specifically acknowledges the provisions contained herein have been mutually negotiated by the parties and it is the intent of the parties that Contractor provide the broadest scope of indemnity permitted by RCW 4.24.115. Contractor is an independent contractor and responsible for the safety of its employees.

13. Insurance.

Contractor shall obtain and keep in force during the entire term of this agreement, liability insurance against any and all claims for damages to person or property which may arise out of the

performance of this Contract whether such work shall be by the Contractor, subcontractor or anyone directly or indirectly employed by either the Contractor or a subcontractor.

a. **Liability Insurance.** Contractor shall maintain commercial General Liability insurance with a limit of not less than one million dollars (\$1,000,000) for each occurrence. The policy shall include coverage for bodily injury, broad form property damage, personal injury, products and completed operation and blanket contractual coverage including, but not limited to, the liability assumed under the indemnification provisions of this Agreement. All liability insurance required herein shall be under a comprehensive or commercial general liability and business, policies.

b. **City Listed as an Additional Insured:** The City of Vancouver, its agents, representatives, officers, directors, officials, and employees must be named as an additional insured on the Commercial General Liability policy and shown on the certificate as an additional insured. A copy of the additional insured endorsement CG 20 10 11 85, or its equivalent CG 20 10 07 04 and CG 20 37 07 04 must be included with the certificate of insurance.

c. The commercial general liability policy must be endorsed to include "Washington Stop Gap" insurance. The limits and aggregates referenced must apply to the Stop Gap coverage as well. This must be indicated on the certificate.

d. **Worker's Compensation.** Contractor shall carry workers' compensation insurance to cover obligations imposed by federal and state statutes having jurisdiction of Contractor's employees engaged in the performance of the work or services; and, Employer's Liability insurance of not less than one million dollars (\$1,000,000) for each accident, five hundred thousand dollars (\$500,000) for each disease for each employee, and one million dollars (\$1,000,000) for each disease policy limit.

e. **Professional Liability.** The Contractor shall obtain and keep in force during the entire term of this Agreement, professional liability insurance (errors and omissions) against any and all claims for damages to person or property which may arise out of the performance of this Contract whether such work shall be by the Contractor, subcontractor or anyone directly or indirectly employed by either the Contractor or a subcontractor. The amount of coverage provided by such insurance shall be not less than one million dollars (\$1,000,000) combined single limit.

f. **Employment Security.** The Contractor shall comply with all employment security laws of the state in which services are provided, and shall timely make all required payments in connection therewith.

g. The City of Vancouver shall be listed on the Certificate as the Certificate Holder.

h. Coverage Trigger: The insurance must be written on a “occurrence” basis. This must be indicated on the certificate. Claims made policies will be accepted for professional liability coverage only.

Contractor shall provide evidence of all insurance required, at the City’s request, by submitting an insurance certificate to the City on a standard “ACORD” or comparable form..

14. Notices.

All notices which are given or required to be given pursuant to this Agreement shall be hand delivered or mailed postage paid as follows:

City:

Kevin Yin
City of Vancouver
415 W 6th Street
P O Box 1995
Vancouver WA 98668-1995

Contractor:

Mark Sindell
GGLO
1301First Ave, Ste 301
Seattle WA 98101

15. Amendments.

All changes to this Agreement, including changes to the statement of work and compensation, must be made by written amendment and signed by all parties to this Agreement.

16. Scope of Agreement.

This Agreement incorporates all the agreements, covenants and understanding between the parties hereto and are merged into this written Agreement. No prior agreement or prior understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless set forth in this Agreement.

17. Ratification.

Acts taken pursuant to this Agreement but prior to its effective date are hereby ratified and confirmed.

18. Governing Law/Venue.

This Agreement shall be deemed to have been executed and delivered within the State of Washington, and the rights and obligations of the parties hereunder shall be construed and enforced in accordance with, and governed by, the laws of the State of Washington without regard to the principles of conflict of laws. The contractor shall have legal authority to enter into this agreement and be at least 18 years of age. Any action or suit brought in connection with this Agreement shall be brought in the Superior Court of Clark County, Washington.

19. Cooperative Purchasing:

The Washington State Inter-local Cooperation Act, Ch. 39.34 RCW, authorizes public agencies to cooperatively purchase goods and services if all parties agree. By having executed this

Agreement, the Contractor agrees that other public agencies may purchase goods and services under this solicitation or contract at their own cost and without the City of Vancouver incurring any financial or legal liability for such purchases. The City of Vancouver agrees to allow other public agencies to purchase goods and services under this solicitation or contract, provided that the City of Vancouver is not held financially or legally liable for purchases and that any public agency purchasing under such solicitation or contract file a copy of this invitation and such contract in accordance with RCW 39.34.040.

20. Public Disclosure Compliance.

The parties acknowledge that the City is an “agency” within the meaning of the Washington Public Records Act, Ch 42.56 RCW, and that materials submitted by the Contractor to the City become public record. Such records may be subject to public disclosure, in whole or part and may be required to be released by the City in the event of a request for disclosure. In the event the City receives a public record request for any data or deliverable that is provided to the City and that is licensed from the Contractor, the City shall notify the Contractor of such request and withhold disclosure of such information for not less than five (5) business days, to permit the Contractor to seek judicial protection of such information, provided that the Contractor shall be responsible for attorney fees and costs in such action and shall save and hold harmless the City from any costs, attorney fees or penalty assessment under Ch.42.17 RCW for withholding or delaying public disclosure of such information.

DATED this _____ day of _____, 20__

CITY OF VANCOUVER,
A municipal corporation

CONTRACTOR:
GGLO

Eric Holmes, City Manager

Signature:

Attest:

By: Printed Name / Title

Lloyd Tyler, City Clerk
By: Carrie Lewellen, Deputy City Clerk

Approved as to form:

E. Bronson Potter, City Attorney

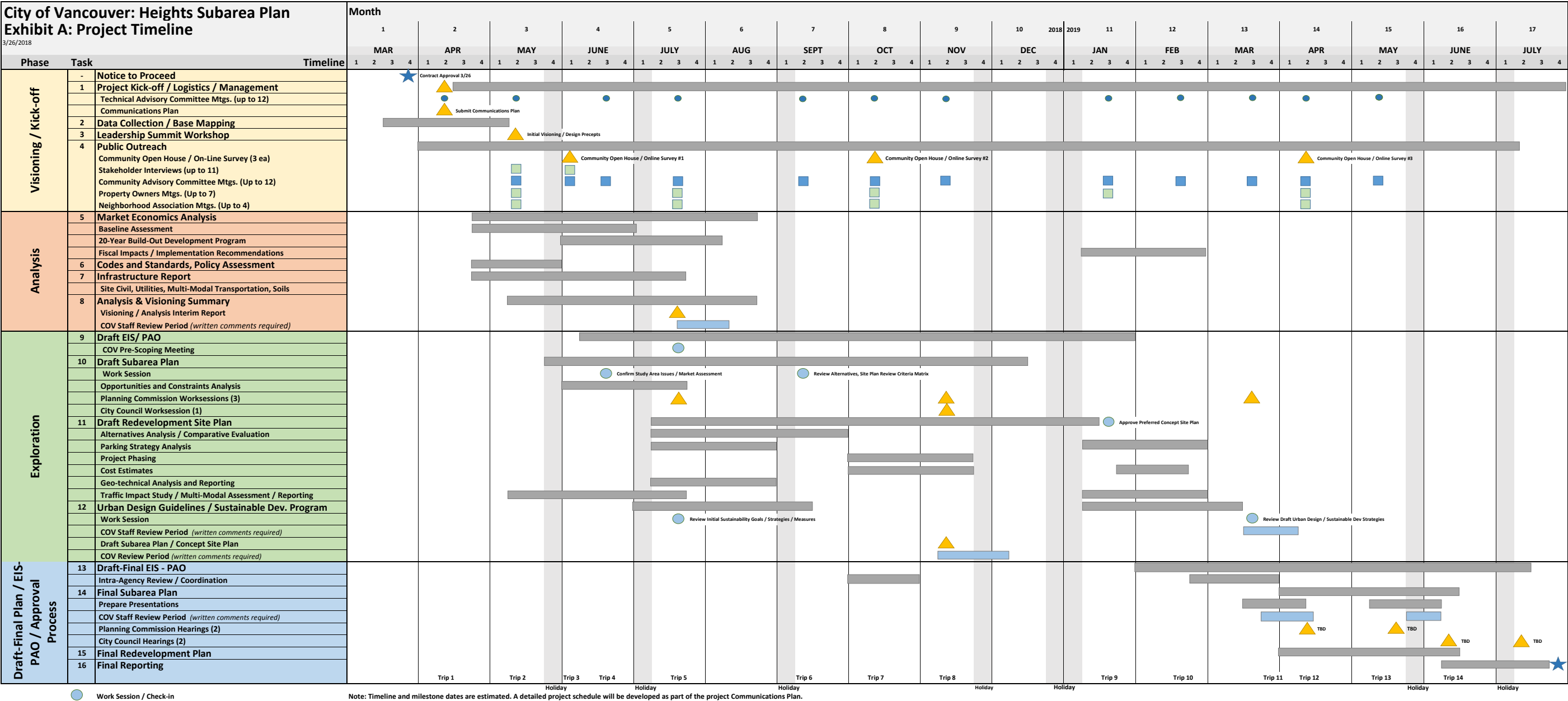


Exhibit C: Fee Table

The Heights Subarea Plan

3/26/2018

Vancouver, WA		VISIONING / KICK-OFF				ANALYSIS			EXPLORATION				DRAFT-FINAL EIS-PAO / PLAN APPROVAL				Total
TASK	1. Kick-off / Logistics / Management	2. Data Collection / Base Mapping	3. Leadership Summit Workshop	4. Public Outreach	5. Market Economic Analysis	6. Codes and Standards, Policy Assessment	7. Infrastructure Review/ Soils Report	8. Analysis / Visioning Summary	9. Draft EIS / PAO	10. Draft Subarea Plan	11. Draft Redevelopment Plan	12. Urban Design Guidelines / Sustainable Dev Program	13. Draft-Final EIS / PAO	14. Final Subarea Plan	15. Final Redevelopment Plan	16. Final Reporting	
TEAM MEMBER																	
LABOR																	
GGLO	\$42,120	\$7,260	\$6,180	\$34,770	\$5,670	\$5,560	\$2,800	\$5,600	\$1,040	\$7,000	\$51,640	\$17,320	\$0	\$3,720	\$34,020	\$0	\$224,700
VIA	\$52,240	\$9,620	\$13,550	\$25,100	\$9,250	\$10,880	\$5,310	\$44,495	\$2,760	\$16,640	\$8,360	\$22,680	\$4,280	\$15,600	\$4,970	\$3,160	\$248,895
ENVIROISSUES	\$3,779	\$0	\$1,901	\$26,182	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$31,862
BERGER ABAM	\$3,336	\$6,204	\$4,176	\$5,832	\$420	\$6,262	\$3,648	\$0	\$137,676	\$5,940	\$840	\$840	\$43,368	\$3,324	\$2,228	\$1,388	\$225,482
ECONW	\$2,790	\$0	\$6,070	\$10,040	\$25,210	\$0	\$0	\$0	\$0	\$1,860	\$6,220	\$0	\$0	\$0	\$0	\$0	\$52,190
HDR	\$2,848	\$1,992	\$520	\$0	\$0	\$0	\$4,046	\$1,424	\$0	\$18,304	\$4,820	\$4,262	\$0	\$0	\$0	\$0	\$38,216
GRI	\$882	\$0	\$0	\$0	\$0	\$0	\$14,160	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$15,042
Rick Williams Consulting	\$0	\$0	\$0	\$0	\$0	\$8,280	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,280
Subtotal	\$ 107,995	\$ 25,076	\$ 32,397	\$ 101,924	\$ 40,550	\$ 30,982	\$ 29,964	\$ 51,519	\$ 141,476	\$ 49,744	\$ 71,880	\$ 45,102	\$ 47,648	\$ 22,644	\$ 41,218	\$ 4,548	\$ 844,668
EXPENSE																	
GGLO	\$369	\$0	\$879	\$12,780	\$0	\$0	\$0	\$0	\$0	\$0	\$150	\$0	\$0	\$0	\$5,150	\$0	\$19,328
VIA	\$289	\$0	\$714	\$11,040	\$0	\$0	\$0	\$0	\$0	\$150	\$0	\$150	\$0	\$0	\$0	\$0	\$12,344
ENVIROISSUES	\$0	\$0	\$418	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$418
BERGER ABAM	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,466	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$9,466
ECONW	\$0	\$0	\$0	\$0	\$1,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000
HDR	\$0	\$6,000	\$21	\$0	\$0	\$0	\$0	\$43	\$0	\$43	\$0	\$0	\$0	\$0	\$0	\$0	\$6,107
GRI	\$0	\$0	\$0	\$0	\$0	\$0	\$8,250	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,250
Rick Williams Consulting	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Subtotal	\$ 659	\$ 6,000	\$ 2,033	\$ 23,820	\$ 1,000	\$ -	\$ 8,250	\$ 43	\$ 9,466	\$ 193	\$ 150	\$ 150	\$ -	\$ -	\$ 5,150	\$ -	\$ 56,913
TOTAL	\$ 108,654	\$ 31,076	\$ 34,430	\$ 125,744	\$ 41,550	\$ 30,982	\$ 38,214	\$ 51,562	\$ 150,942	\$ 49,937	\$ 72,030	\$ 45,252	\$ 47,648	\$ 22,644	\$ 46,368	\$ 4,548	\$ 901,581
Mark-up .05%																	\$ 30,998
TOTAL																	\$ 932,579
Contingency 10%																	\$ 93,258
																	\$ 1,025,837

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:

\$ **3,619,423.02** this 26th day of March 2018.

MAYOR



AUDITING OFFICER

COUNCILMEMBER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
March 13 - March 19	Accounts Payable Checks (see attached)	\$ 3,615,877.81
March 13 - March 19	Visa Refunds (see attached)	\$ 3,545.21
March 13 - March 19	Payroll Checks (see attached)	\$ -
TOTAL		\$ 3,619,423.02

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
119350	13-Mar-2018	3,986.12	HEALTH SMART BENEFITS SOLUTIONS INC	***WIRE*** WEEKLY CLAIMS FOR HEALTH SMART, WEEK 2 OF MARCH
119351	13-Mar-2018	18,494.96	STATE OF OREGON	***WIRE*** 05 2018 PAYROLL TAXES; OREGON W/H
119352	13-Mar-2018	6,735.01	BANK OF AMERICA	***WIRE*** 05 2018 PAYROLL HSA
119353	14-Mar-2018	33,798.29	GALLAGHER BASSETT SERVICES INC	***WIRE*** WORKERS' COMP FUNDING / MESSAGE ID: 39644530
119354	15-Mar-2018	1,040,314.90	OPERATIONS MANAGEMENT INTERNATIONAL INC	***WIRE*** - 18JAN - PROJ 664927.S3 - CUST 003143 - REF VANC - SCADA PHASE 3 - CAM-008 - MP ENG
119355	15-Mar-2018	669,637.14	STATE OF WASHINGTON	***WIRE*** 05 2018 PERS/LEOFF
119356	15-Mar-2018	911.62	KEYBANK NATIONAL ASSOCIATION	***WIRE*** FEBRUARY 2018 ACCOUNT ANALYSIS - PARKING
119357	19-Mar-2018	100,357.86	BLUE CROSS BLUE SHIELD OF OR	***WIRE*** WEEKLY CLAIMS BLUE CROSS WEEK 2 OF MARCH
589021	14-Mar-2018	8,415.00	ACCENT BUSINESS SERVICES INC	SUMMARY: TEMPORARY STAFFING SERVICES - INFO TECH
589022	14-Mar-2018	72.84	ACTION TECHNOLOGY SYSTEMS	ACCT 8000 - FIRE MONITORING - 02/06/18-03/31/18 - DAY CENTER - 2018 GRAND BLVD - OP CENTER
589023	14-Mar-2018	1,225.34	ADAM THOMPSON	SETTLEMENT RE: A THOMPSON - DOL: 01/30/18 - RISK
589024	14-Mar-2018	678.27	ADVANCE STORES CO INC	SUMMARY: PARTS FOR REPAIR AND MAINTENANCE - EQUIP SERVICES
589025	14-Mar-2018	7,256.75	ALTA PLANNING & DESIGN	PROJ 00-2017-425 - SIDEWALK MAINTENANCE PROGRAM DEVELOPMENT - THRU 01/31/18 - CDD - RECEIPT 133199 BY B THOMAS PER E-MAIL
589026	14-Mar-2018	300.00	AMERICAN MEDICAL RESPONSE NORTHWEST INC	TRIPS 5419841, 5430856, & 5432284 - MEDICAL SERVICE/BLOOD DRAW - 18FEB - VPD
589027	14-Mar-2018	5,540.00	ANDREW JEFFERS DBA JEFFERS PHOTOGRAPHY	SUMMARY: EDITING/PHOTO SHOOTING - CMO & PARKS
589028	14-Mar-2018	126.36	ANNAS CONSULTANTS INC	UPGRADE AIR TEST PROGRAMS - THRU 01/26/18 - MULTIPLE FIRE STATIONS - PO 89405/ RECEIPT 133621 BY C NELSON PER E-MAIL
589029	14-Mar-2018	3,848.20	APOLLO DRAIN & ROOTER SERVICE INC.	SCIP CONTRACTOR PMT - FOU DOULIS (12413 NE 77TH ST)
589030	14-Mar-2018	861.78	APS INC	FOLDING/INSERTING MACHINE - FP 2325 - MAINTENANCE AGREEMENT - 01/20/18-01/20/19 - FINANCE - RECEIPT 133188 BY C ALLEMANG PER E-MAIL
589031	14-Mar-2018	209.82	ARAMARK UNIFORM SERVICES INC	SUMMARY: MAT/TOWEL/COVERALL/UNIFORM CLEANING SERVICES
589032	14-Mar-2018	958.26	ARBORSCAPE LTD INC	02/15/18 - REMOVE SPLIT CHINESE ELM TREE - SE MILL PLAIN BLVD NEAR 520 SE 155TH AVE - OP CENTER
589033	14-Mar-2018	120.12	ARCHAEOLOGICAL SERVICES OF CLARK COUNTY LLC	PROJ 18634-MARSHALL-MCLOUGHLIN PRED REVIEW - PRJ-157799/LUP-66937 - 02/15/18 - PREDETERMINATION REVIEW/REPORT - DRS - RECEIPT 133127 BY B THOMAS PER E-MAIL
589033	14-Mar-2018	87.78	ARCHAEOLOGICAL SERVICES OF CLARK COUNTY LLC	PROJ 18636-KIRKLAND PREMIER STG PRED REVIEW - PRJ-156695/LUP-66879 - 02/15/18 - PREDETERMINATION REVIEW/REPORT - DRS - RECEIPT 133127 BY B THOMAS PER E-MAIL
589034	14-Mar-2018	2,576.34	ARONSON SECURITY GROUP	SUMMARY: ASG AE HELP DESK & TECH LABOR
589035	14-Mar-2018	2,080.00	BAKER CREW CONSULTING	CDR SUPPORT PROJECT - DESIGN/CONFIGURATION - THRU 01/23/18 - CDD - RECEIPT 133109 BY B THOMAS PER E-MAIL
589036	14-Mar-2018	219.20	Blancas, Dale	BOOT REIMBURSEMENT
589037	14-Mar-2018	8,511.67	BOUND TREE MEDICAL LLC	SUMMARY: MEDICAL SUPPLIES - FIRE
589038	14-Mar-2018	59.98	Brannan, Joseph Harold	CLOTHING ALLOWANCE REIMBURSEMENT FOR JOSEPH BRANNAN
589039	14-Mar-2018	219.04	Brum, Teresa L	WEDA OLYMPIA CONFERENCE 2018
589040	14-Mar-2018	47,797.47	CENTENNIAL CONTRACTORS ENTERPRISES, INC.	VANCOUVER BOATHOUSE RENOVATIONS - EST 5 - THRU 01/29/18
589041	14-Mar-2018	2,338.66	CHRISTIE STRAWN	18JAN-18FEB - VOLLEYBALL CLINIC - FIRSTENBURG COMM CTR - PARKS - PO 80817/ RECEIPT 133095 BY C ENGLISH-HAWLEY PER E-MAIL
589042	14-Mar-2018	1,476.00	CINTAS CORP	ACCT 463-11151 - TOWEL CLEANING SERVICES - ALL 18JAN INVS ON 03/10/18 STMT - FIRE
589043	14-Mar-2018	667.00	CITY OF VANCOUVER	SUMMARY: FIRE SPRINKLER SYSTEM REPORT REVIEW, SPECIAL FIRE INSPECTION, & FALSE ALARM FEES

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

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
589044	14-Mar-2018	1,487.33	CITY OF VANCOUVER ADVANCE TRAVEL	REIMBURSE ADVANCE TRAVEL FUND
589045	14-Mar-2018	610.47	CITY OF WASHOUGAL	ACCR17 - GRANT 620095 - STATEWIDE DUI - 17NOV - VPD
589045	14-Mar-2018	706.86	CITY OF WASHOUGAL	ACCR17 - GRANT 620095 - STATEWIDE DUI - 17OCT - VPD
589046	14-Mar-2018	130.00	CLARK CO UTILITIES COORDINATING COUNCIL	2018 CCUCC MEMBERSHIP DUES - OPS CENTER
589047	14-Mar-2018	1,049.83	CLARK COUNTY	SUMMARY: 2018 TAX AND ASSESSMENTS & 1ST HALF OF 2018 PROPERTY TAXES
589048	14-Mar-2018	141,107.74	CLARK COUNTY	SUMMARY: SUPERVISION/WORK PROGRAMS UNITS, WORK CREWS, RANGE RENTAL, AND STATEWIDE DUI
589049	14-Mar-2018	25.00	CLARK COUNTY FIRE CHIEFS ASSN	2017 MEMBERSHIP DUES
589050	14-Mar-2018	200.00	CLARK COUNTY FIRE TRAINING ASSN	2018 CLARK COUNTY FIRE TRAINING ASSOCIATION DUES
589051	14-Mar-2018	1,737.20	CLARK PUBLIC UTILITIES	ACCT 7270-526-2 - MONTHLY REMITTANCE PROCESSING - 18JAN - FINANCE/UTILITIES
589052	14-Mar-2018	1,592.56	COLUMBIA RESOURCE COMPANY	ACCT 130635 - 18FEB - CODE COMPLIANCE DISPOSAL FEE - SHAREHOUSE TALKIN TRASH - SOLID WASTE
589053	14-Mar-2018	1,858.50	COLUMBIAN PUBLISHING COMPANY	ACCT 50486 - 18EFEB ADVERTISING - CMO
589054	14-Mar-2018	16,186.87	COMCAST CABLE COMMUNICATIONS INC	SUMMARY: CABLE AND INTERNET SERVICES
589057				
589058	14-Mar-2018	499.48	CONSOLIDATED SUPPLY CO	CUST 23132 - OPERATING SUPPLIES - OPS CENTER
589059	14-Mar-2018	552.84	CORE & MAIN LP	ACCT 110866 - OPERATING SUPPLIES - OPS CENTER
589060	14-Mar-2018	215,625.85	CORP INC CONSTRUCTION	VANCOUVER FIRE DEPT REPLACEMENT FIRE STNS 1 & 2 - EST 18 - THRU 01/31/18
589061	14-Mar-2018	669.10	CORPORATE TRANSLATION SVCS INC	SUMMARY: INTERPRETER SERVICES - HR & CMO
589062	14-Mar-2018	100.02	Coval, Carter Thomas	EARLY STATION MOVE
589063	14-Mar-2018	28,201.02	CUMMINS NORTHWEST INC	CUST 176909 - PROJ 49102 - GENERATOR - SHIPPED 02/07/18 - OPS CENTER
589064	14-Mar-2018	4,495.57	DAY MANAGEMENT CORP DBA DAY WIRELESS	CUST H51 - PROJ: 7400 VAN FIRE RADIOS/ANTENNAS - THRU 02/14/18 - FIRE STNS 1 AND 2
589065	14-Mar-2018	15,800.00	DOLAN CONSULTING GROUP LLC	02/05/18 - "MAKING DISCIPLINE STICK" TRAINING - VPD - RECEIPT 133071 BY C WRIGHT PER E-MAIL
589066	14-Mar-2018	877.77	DSU PETERBILT & GMC INC	ACCT 53317 - PARTS FOR VEHICLE REPAIR - EQUIP SERVICES
589067	14-Mar-2018	4,552.80	EARTHWORKS EXCAVATING	SCIP CONTRACTOR PMT - DUNAGAN (409 SE 103RD AVE)
589068	14-Mar-2018	2,282.69	ELECTRIC LIGHTWAVE HOLDINGS INC	18MAR - SERVICE AGREEMENT, INTERNET SVCS PER GSA PIGGYBACK FOR INTEGRA - IT
589069	14-Mar-2018	168.00	EMERGENCY ROOMS PS	01/17/18-01/31/18 - MEDICAL TESTING SERVICES - AUDIOGRAM (7 EA) - OP CENTER - PO 88143/RECEIPT 133436 BY A BAFUS PER E-MAIL
589069	14-Mar-2018	24.00	EMERGENCY ROOMS PS	02/01/18 - MEDICAL TESTING SERVICES - AUDIOGRAM (1 EA) - OP CENTER - PO 88143/RECEIPT 133435 BY A BAFUS PER E-MAIL
589070	14-Mar-2018	275.00	ERF COMPANY INC	18MAR - WEATHER FORECASTING SERVICES - OP CENTER - RECEIPT 133472 BY P NEWTON PER E-MAIL
589071	14-Mar-2018	3,500.00	ERIKSON & ASSOC CLIENT TRUST ACCOUNT	SETTLEMENT RE: LILLIE, ET AL. - RISK
589072	14-Mar-2018	1,912.97	ERICKSON STRUCTURAL CONSULTING ENGINEERS PC	02/15/18 - PLAN REVIEW SERVICES - CMI-224858 - 192ND STATION WEST - CED - PO 87302/ RECEIPT 133236 BY B THOMAS PER E-MAIL
589072	14-Mar-2018	2,668.00	ERICKSON STRUCTURAL CONSULTING ENGINEERS PC	02/15/18 - PLAN REVIEW SERVICES - CMI-232783 - HOFFMAN PROPERTY - CED - PO 87302/ RECEIPT 133236 BY B THOMAS PER E-MAL
589073	14-Mar-2018	1,195.30	EXCELTECH CONSULTING INC	PROJ 1703 - GRANADA PROJECT 083418 - THRU 01/31/18 - CONSTRUCTION - RECEIPT 133049 BY L PETERSEN PER E-MAIL
589074	14-Mar-2018	711.75	GENERAL NETWORKS CORP DBA 5280 GENERAL NETWORKS	ACCR17 - CUST 50028 - INCIDENT 31465 - EDOCS DM & RM DEPLOYMENT (3 DEPTS) - THRU 12/19/17 - INFO TECH - PO 89581/ RECEIPT 133525 BY C ALLEMANG

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
589075	14-Mar-2018	1,074.11	GENUINE PARTS COMPANY	CUST 7970 - 18FEB - PARTS FOR VEHICLE AND EQUIPMENT REPAIRS - EQUIP SERVICES
589075	14-Mar-2018	13.16	GENUINE PARTS COMPANY	CUST 7970 - 18FEB - SHOP SUPPLIES - EQUIP SERVICES
589076	14-Mar-2018	162.95	GEO DESIGN INC	ACCR17 - PROJ VANCOUVER-28-04 - REPLACEMENT OF FIRE STATION 2 - THRU 12/22/17 - FACILITIES - RECEIPT 133380 BY S TURK PER E-MAIL
589077	14-Mar-2018	8,574.18	GORDIAN GROUP	SUMMARY: JOB ORDER CONTRACTING PROGRAM CONSULTANT - PROCUREMENT
589078	14-Mar-2018	232.51	GORDON TRUCK CENTERS	CUST 96056 - 18FEB - PARTS FOR VEHICLE AND EQUIPMENT REPAIR - EQUIP SERVICES
589079	14-Mar-2018	2,416.25	GROUNDWATER SOLUTIONS INC	PROJ 0642.001 - ELLSWORTH WELL REHABILITATION - THRU 01/31/18 - MP ENG - RECEIPT 133042 BY L JONES
589080	14-Mar-2018	26,905.16	HALBERT CONSTRUCTION LLC	ST FRANCIS SIGNAL REBUILD - EST 1 - THRU 02/16/18
589081	14-Mar-2018	29,553.09	HARPER HOUF PETERSON RIGHELLIS INC	SUMMARY: ENGINEERING SERVICES
589082	14-Mar-2018	5,416.94	HD FOWLER CO	ORDER 05811236 - OPERATING SUPPLIES - OPS CENTER
589083	14-Mar-2018	7,264.76	HDJ DESIGN GROUP	PROJ HDJ3755-000 - NE 137TH AVE CORRIDOR - 18JAN - CONSTRUCTION - RECEIPT 133410 BY L PETERSEN PER E-MAIL
589084	14-Mar-2018	954.62	HDR ENGINEERING INC	PROJ 10024848 - NE 18TH ST: FOUR SEASONS LN-136TH AVE TASK 1 - THRU 02/03/18 - CONSTRUCTION - RECEIPT 133413 BY L PETERSEN PER E-MAIL
589085	14-Mar-2018	2,000.00	JCI JONES CHEMICALS INC	ORDER 550998 - CHLORINE 150 LB CYLINDERS - 8 EA - OP CENTER
589086	14-Mar-2018	50.00	JD FULWILER & CO INSURANCE	POL LSM1040302 - NOTARY BOND - HEATHER ABBOTT - 03/09/18-03/09/22 - VPD
589087	14-Mar-2018	1,914.28	JEFFREY MILLER	SETTLEMENT RE: JEFFREY MILLER - DOL: 02/09/18 - RISK
589088	14-Mar-2018	228.00	KATHY MILLER DBA BODYWELL MASSAGE	02/01/18-02/15/18 - MASSAGE SERVICES - FIRSTENBURG COMM CTR
589089	14-Mar-2018	1,602.89	KELLY SERVICES INC	SCHMID, L - ORDER A2342 - W/E 03/04/18 - IT
589090	14-Mar-2018	1,924.53	LAKESIDE INDUSTRIES	JOB 1 - ASPHALT - EZ STREET ASPHALT - 16.14 TON - THRU 02/15/18 - OPS CENTER
589091	14-Mar-2018	2,515.42	LAKEYLAND DBA NORTHWEST SAFETYCLEAN	NFPA ADVANCED CLEANING/REPAIRS/GENERAL REPAIRS - FIRE
589092	14-Mar-2018	672.30	LANDMARK FORD	ACCT 5294 - PARTS FOR CITY EQUIPMENT - EQUIP SERVICES
589093	14-Mar-2018	186.45	LEGACY LABORATORY SERVICES LLC	SUMMARY: MEDICAL TESTING SERVICES - HR
589094	14-Mar-2018	1,538.19	LEXIS NEXIS A DIV OF RELX INC	ACCT 424XNVMDX - 18FEB - SUBSCRIPTION SERVICES - LAW
589095	14-Mar-2018	4,720.34	MACKAY & SPOSITO INC	PROJ 16874 - BIDDLE WAY SANITARY SEWER - THRU 02/03/18 - TRANSPORTATION - RECEIPT 133138 BY L PETERSEN PER E-MAIL
589095	14-Mar-2018	10,458.82	MACKAY & SPOSITO INC	PROJ 16914 - TASK ORDER 2 - COV POST CONST ROS/NE 137TH-138TH AVE - THRU 02/03/18 - CONSTRUCTION - RECEIPT 133256 BY L PETERSEN PER E-MAIL
589096	14-Mar-2018	227.13	MALLORY SAFETY & SUPPLY LLC	CUST 16345 - ORDER 2227149 - OPERATING SUPPLIES - OPS CENTER
589097	14-Mar-2018	19,889.00	ME ULTRA LOUNGE	PARCEL 165912-000 - REAL PROPERTY VOUCHER - MILL PLAIN BLVD-104TH AVE TO CHKLOV DR - 10409 SE MILL PLAIN BLVD - MOVING EXPENSE REIMB-RENT DIFF TO MAX BENEFIT - 18MAR - CONSTRUCTION - RECEIPT 133532 BY L PETERSEN PER E-MAIL
589098	14-Mar-2018	607.04	METRO OVERHEAD DOOR INC	ACCT 34719 A - JOB 55778 - DOOR REPAIR SERVICES - 02/06/18 - BROOKSIDE - OP CENTER
589099	14-Mar-2018	7,404.00	MISCELLANEOUS	SUMMARY: CITY UTILITIES REFUNDS, PARKS REFUNDS & OTHER MISC REFUNDS
589123	14-Mar-2018	1,393.56	MOTUS RECRUITING & STAFFING INTL	MUNSON EMILY - W/E 03/11/18 - PAYROLL WORKDAY PROJ
589124	14-Mar-2018	63.15	MUNNELL AND SHERRILL INC	CUST 3363 - DOC 995527 - SHOP SUPPLIES - EQUIP SERVICES
589125	14-Mar-2018	2,314.95	NET TRANSCRIPTS	CUST 20-VANCOUVERPD - TRANSCRIPTION SERVICES - 02/01/18-02/14/18 - VPD - RECEIPT 133507 BY A CARMAN PER E-MAIL
589126	14-Mar-2018	9,155.46	NW NATURAL	SUMMARY: NATURAL GAS SERVICES

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

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
589127	14-Mar-2018	3,924.08	OLDCASTLE PRECAST INC	SUMMARY: OPERATING SUPPLIES - OP CENTER
589128	14-Mar-2018	867.20	PACIFIC CONTRACTORS LLC	PROJ 414647 - REHAB LOAN PROGRAM - T SPEIRS - 712 W 12TH ST - 18MAR - CDBG FUNDING
589129	14-Mar-2018	248.16	PACIFIC FURNISHINGS	ORDER 13281 - RECEIVE/DELIVERY SERVICES - HERMAN MILLER FURNISHING - 1 EA - THRU 02/12/18 - VPD/EAST - 520 SE 155TH AVE - PROPERTY SERVICES
589130	14-Mar-2018	588.88	PACIFIC POWER GROUP LLC	REPAIR ORDER 460267-000 - PRIME FUEL TANK ON GENERATOR - MODEL 500ROZD - SER 606697 - WATER STN 1 - 4201 E RESERVE - THRU 02/15/18 - OP CENTER - RECEIPT 133201 BY P TANDY PER E-MAIL
589131	14-Mar-2018	20,500.00	PACIFIC TALENT INC	2018 ENTERTAINMENT - SIX TO SUNSET (6 EA)/COLUMBIA TECH SUMMER SOUNDS CONCERT SERIES - PARKS
589132	14-Mar-2018	45.00	PARKEON	CUST 0030784P - SO P71050 - PARKFOLIO LEVEL 3 FEES - 18JAN - PARKS
589133	14-Mar-2018	78.65	PARKMOBILE USA INC	CUST 832027 - 18JAN - END USER FEES - PARKING
589134	14-Mar-2018	200.00	PLUS FIVE TRIO	02/18/18 - SUNDAY DANCE - MUSICAL ENTERTAINMENT - PARKS
589135	14-Mar-2018	2,005.54	PORTLAND MECHANICAL CONSTRUCTION INC	INV 261645, 261760, & 261774 - TOWN PLAZA HVAC INSPECTIONS/REPAIR PROJECT - EST 6 - THRU 02/14/18 - RECEIPT 133160 BY J DENTON
589135	14-Mar-2018	878.04	PORTLAND MECHANICAL CONSTRUCTION INC	RE-WIRE UV COOLING PUMP FOR BOILER - MARSHALL CENTER - THRU 02/16/18 - OP CENTER - PO 89472/ RECEIPT 133205 BY P NEWTON PER E-MAIL
589136	14-Mar-2018	917.50	PWL PARTNERSHIP LANDSCAPE ARCHITECTS INC	PROJ 17095-WATERFRONT PARK INTERPRETIVE SIGNAGE/PARK SIGNAGE - THRU 01/26/18 - PARKS - RECEIPT 133545 BY C VOGELZANG PER E-MAIL
589137	14-Mar-2018	189.70	RENTOKIL NORTH AMERICA INC	CUST 30279 - MONTHLY PEST CONTROL MAINTENANCE - 02/14/18 - FIRSTENBURG COMM CTR - RECEIPT 133070 BY P NEWTON PER E-MAIL
589138	14-Mar-2018	1,924.91	RETAIL LOCKBOX INC	EPAY AND SUSPENSE - TRANSACTION FEES - THRU 01/31/18 - TREASURY
589139	14-Mar-2018	21,893.55	REXEL INC	CUST 867424 - OPERATING SUPPLIES - OPS CENTER
589140	14-Mar-2018	3,420.00	RIGERT LANDSCAPING	VARIOUS TREES & SHRUBS - WREC
589141	14-Mar-2018	3,715.00	RIGHT OF WAY ASSOC INC	SUMMARY: RIGHT OF WAY SERVICES - TRANSPORTATION
589142	14-Mar-2018	328.00	ROTSCHY INC	CLIENT 59 - VAC TRUCK DUMP, ASPHALT IN - OPS CENTER
589142	14-Mar-2018	516.00	ROTSCHY INC	CLIENT 59 - VAC TRUCK DUMP, FILL CLASS S - OPS CENTER
589143	14-Mar-2018	825.00	SAFEFIRE LLC	11 TRAINING HOURS - THRU 02/16/18 - VPD
589144	14-Mar-2018	89.34	Scarpelli, Heidi S	EMPLOYEE REIMBURSEMENT - UNIFORM ALLOWANCE - FIRE
589145	14-Mar-2018	99,238.30	SCI INFRASTRUCTURE LLC	EVERGREEN/SR14 WATER MAIN REHABILITATION WITH CIPP - EST 2 - THRU 02/10/18
589146	14-Mar-2018	13,323.00	SHARE INC	18JAN - SHARE HOUSE - SOLID WASTE SERVICE/SUPPLIES - SOLID WASTE
589147	14-Mar-2018	305.99	SHRED IT USA LLC	ACCT 13630245 - DOCUMENT DESTRUCTION - 01/31/18-02/08/18 - UTILITIES
589147	14-Mar-2018	4.43	SHRED IT USA LLC	CUST 14978866 - DOCUMENT DESTRUCTION - 02/08/18 - UTILITIES
589148	14-Mar-2018	3,278.02	SHRUMS PEST CONTROL	18FEB - MONTHLY PEST CONTROL SERVICES - MULTIPLE CITY LOCATIONS - OP CENTER
589149	14-Mar-2018	2,800.99	SIERRA-CEDAR INC	CUST 109266 - PROJ CITYVNCW_IMP_01 - WORKDAY IMPLEMENTATION SERVICES - EXPENSE REIMBURSEMENT - THRU 02/15/18 - INFO TECH - RECEIPT 133351 BY S COOLEY PER E-MAIL
589149	14-Mar-2018	88,602.52	SIERRA-CEDAR INC	CUST 109266 - PROJ CITYVNCW_IMP_01 - WORKDAY IMPLEMENTATION SERVICES - THRU 02/15/18 - INFO TECH - RECEIPT 133350 BY S COOLEY PER E-MAIL
589150	14-Mar-2018	681.38	SOFTWARE HOUSE INTERNATIONAL SHI	CUST 1072078 - SO S47105074 - ACROBAT PROFESSIONAL V2017 NEW LICENSE - 2 EA - AGREEMENT 4600014240 - IT
589151	14-Mar-2018	1,140.00	SOUTHWEST OFFICIALS SERVICES INC	02/03/18-02/10/18 - YOUTH BASKETBALL OFFICIATING FEES - PARKS
589152	14-Mar-2018	26,450.00	SOUTHWEST WA HUMANE SOCIETY	CUST COV001 - MONTHLY ANIMAL CONTROL SERVICES - 18JAN - BUDGET - PO 89531/ RECEIPT 133596 BY C ALLEMANG PER E-MAIL
589153	14-Mar-2018	7,404.91	SP PLUS CORPORATION	18JAN - PARKING SERVICES

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

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
589154	14-Mar-2018	60.00	SPRINT CORPORATE SECURITY	CASE 2018-023350 GPS SEARCH 2/1/18-2/2/18 - VPD
589155	14-Mar-2018	74.60	SPRINT NEXTEL	ACCT 677292845 - CELL PHONE BILL - 01/22/18-02/21/18 - FCC
589156	14-Mar-2018	630.00	ST JOSEPHS CATHOLIC CHURCH	03/13/18 - FACILITY RENTAL - VPD AWARDS CEREMONY - VPD
589157	14-Mar-2018	8,718.75	STANTEC CONSULTING SERVICES	PROJ 2002006062 - CUST 93668 - AIR GAP/WATER PROTECTION PROJECT - THRU 02/09/18 - MP ENG - RECEIPT 133257 BY MP ENG
589158	14-Mar-2018	2,371.52	STATE OF WASHINGTON	PROJ JM0203L - CUST 916001288 5 - MATERIAL LAB CHARGES - 18JAN - CONSTRUCTION
589159	14-Mar-2018	15,929.25	STATE OF WASHINGTON	ACCR17 - AUDIT 45210 - MCAG 0247 - FINANCIAL/ACCOUNTABILITY AUDIT SERVICES - 2017 - FINANCE
589160	14-Mar-2018	85.27	STERICYCLE INC	CUST 6029888 - 18FEB - MEDICAL WASTE REMOVAL - VPD
589160	14-Mar-2018	10.36	STERICYCLE INC	CUST 6068464 - 18FEB - MEDICAL WASTE REMOVAL - FIRSTENBURG COMM CTR
589161	14-Mar-2018	9,940.60	SUMMIT LAW GROUP	SUMMARY: LEGAL SERVICES - HR/LAW & VPD
589162	14-Mar-2018	4,394.22	T2 SYSTEMS INC	REPLACES INV M005873 AS IT WAS CANCELLED IN ERROR - CUST 1359 - 2018 ANNUAL FLEXPOT SUBSCRIPTION - 01/02/18-01/01/19 - PARKING - RECEIPT 133336 BY T PICCHIONI PER E-MAIL
589163	14-Mar-2018	273,638.47	TAPANI UNDERGROUND INC	NE 18TH ST IMPROVEMENTS SEGMENT 1B - EST 13 - THRU 02/15/18
589164	14-Mar-2018	8,782.00	TEKSYSTEMS	SUMMARY: TEMPORARY STAFFING SERVICES - INFO TECH
589165	14-Mar-2018	2,970.00	TESTAMERICA LABORATORIES INC	ACCR17 - CLIENT 1411092 - PROJ 58010839 - JOB J73647-2 - SAMPLE TESTING SERVICES - 12/14/17 - MP ENG - RECEIPT 133180 BY MPE
589165	14-Mar-2018	418.50	TESTAMERICA LABORATORIES INC	CLIENT 1411092 - PROJ 58010839 - JOB J74961-1 - SAMPLE TESTING SERVICES - 02/07/18 - MP ENG - RECEIPT 133091 BY MPE
589166	14-Mar-2018	80.00	TOWER ROCK PRODUCTS INC	ACCR17 - CUST 10070 - DIRT RECYCLING - 09/27/17 - WAREHOUSE
589166	14-Mar-2018	60.00	TOWER ROCK PRODUCTS INC	ACCR17 - CUST 10070 - STRIPPINGS RECYCLING - 09/14/17 - WAREHOUSE
589167	14-Mar-2018	79.58	Tryon, Megun Rae	TRAVEL/MILEAGE
589168	14-Mar-2018	18.63	UNITED PARCEL SERVICE	18FEB - SHIPPER #856018 - SERVICE CHARGES - OPS CENTER
589169	14-Mar-2018	1,425.73	US BANK	ACCT 869366948 - 18FEB UNLEADED FUEL CARD PURCHASES FOR MISC CITY VEHICLES - EQUIP SERVICES
589170	14-Mar-2018	400.00	VANCOUVER BUSINESS JOURNAL INC	ACCR17 - 12/29/17 - DISPLAY ADVERTISEMENT - MEDIA SERVICES
589171	14-Mar-2018	1,462.63	VANCOUVERCENTER CONDOMINIUM ASSOCIATION	18JAN - OPERATING EXPENSE REIMBURSEMENT - VANCOUVERCENTER PLAZA - PARKING - RECEIPT 133475 BY T PICCHIONI PER E-MAIL
589172	14-Mar-2018	16,026.83	VERIZON WIRELESS	SUMMARY: WIRELESS SERVICES
589174				
589175	14-Mar-2018	50.00	VERIZON WIRELESS SERVICES LLC	CUST SMS - SMS PRESERVATION TARGETS ENDING IN 2917 - 2/17/18 - VPD
589176	14-Mar-2018	1,750.00	WA STATE ASSN OF FIRE CHIEFS	WA FIRE CHIEFS 2018 MEMBERSHIP DUES
589177	14-Mar-2018	13,894.53	WALLIS ENGINEERING PLLC	ACCR17 - 17DEC - PROJ VAN15ES:01 - 2018 VANCOUVER CURB RAMPS - THRU 12/31/17 - OP CENTER - PO 89658/ RECEIPT 133667 BY P NEWTON PER E-MAIL
589178	14-Mar-2018	2,370.31	WALTER E NELSON CO	SUMMARY: JANITORIAL SUPPLIES - FIRE & OPS CENTER
589179	14-Mar-2018	674.37	WAPITI NW LLC	2018 ANNUAL SERVICE AND INSPECTION - 2013 FELLING BLACK - LIC 55248D - UNIT 5084 - EQUIP SERVICES
589180	14-Mar-2018	2,150.00	WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION	ACCT 20605-001 - TRAINING-CC EXECUTIVE DAY/COMMAND COLLEGE - BLAISDELL/KING/MCNICHOLAS/HATLEY/LESTER - 03/04/18-03/08/18 - VPD
589180	14-Mar-2018	300.00	WASHINGTON STATE CRIMINAL JUSTICE TRAINING COMMISSION	ACCT 20605-001 - TRAINING-COLLISION INVESTIGATION ADVANCED - S DONALDSON/T LEAR/E MCCALED - 01/08/18-01/19/18 - VPD
589181	14-Mar-2018	36,597.89	WASTE CONNECTIONS INC	SUMMARY: GARBAGE AND RECYCLING SERVICES
589182				
589183	14-Mar-2018	10,690.06	WILCOX & FLEGEL	SUMMARY: FUEL - EQUIP SERVICES

INVOICE PAYMENTS REPORT

Check Number	Check Date	Amount	Vendor Name	Description
589184	14-Mar-2018	30,891.95	WILDISH STANDARD PAVING COMPANY	ACCR17 - FOURTH PLAIN INFILL SIDEWALKS - EST 5 FINAL - THRU 12/10/17
589185	14-Mar-2018	39.55	WW GRAINGER INC	ACCT 808802698 - PARTS FOR VEHICLE AND EQUIPMENT REPAIR - EQUIP SERVICES
589186	14-Mar-2018	118.95	XPO ENTERPRISE SERVICES INC	WEEKLY POSTAGE SERVICES - THRU 02/10/18 - FINANCE/MAILROOM
589187	14-Mar-2018	850.00	YAKIMA COUNTY	2018 INTERLOCAL AGREEMENT FOR TECHNOLOGY SERVICES - 18JAN - INFO TECH
589188	14-Mar-2018	32,396.73	ZUMAR INDUSTRIES INC	CUST 000721 - JOB 201287 - OPERATING SUPPLIES - OPS CENTER
20001420	19-Mar-2018	257,022.90	CITY OF VANCOUVER	SUMMARY: INFOR CITY PAYMENTS
	SUBTOTAL	3,615,877.81		
VISA	20-Mar-2018	1,179.00	MISCELLANEOUS	PARKS CLASS REFUNDS - FCC 03/13/18 - 03/19/18
VISA	20-Mar-2018	1,253.56	MISCELLANEOUS	PARKS CLASS REFUNDS - MCC 03/13/18 - 03/19/18
VISA	20-Mar-2018	39.65	MISCELLANEOUS	PARKS CLASS REFUNDS - VTC 03/13/18 - 03/19/18
VISA	19-Mar-2018	1,073.00	MISCELLANEOUS	PARKS CLASS REFUNDS - WREC 03/13/18 - 03/19/18
	SUBTOTAL	3,545.21		
	TOTAL	3,619,423.02		

City of Vancouver
Payroll Council Report
March 13, 2018 - March 19, 2018

Check No.	Date	Explanation	Amount
		No payroll this period	

\$ -

Boger, Brent

From: Bowen, Clarissa
Sent: Thursday, March 08, 2018 7:47 AM
To: Boger, Brent; Turner, Greg; Wagner, Jon
Cc: Nortz, Jason; Eiken, Chad
Subject: FW: Response to Motion - PRJ-157777/LUP-65374 Vancouver Day Center Relocation

I forwarded the information to the hearing examiner.

From: Eric Lambert [<mailto:elambert981@gmail.com>]
Sent: Wednesday, March 07, 2018 4:14 PM
To: Bowen, Clarissa
Cc: Cynthia Powers; RVNA Board
Subject: Response to Motion - PRJ-157777/LUP-65374 Vancouver Day Center Relocation

Please forward to the Hearing Examiner.

Dear Hearings Examiner Rice,

In addition to the missing testimony and documents the City has provided you, please also reconsider the following points:

1. The proposal was improperly filed as a class 3 facility. It should be a class 2 because it is likely to serve more than 74 people per day. To refresh your memory, here's what you must have missed:
 - a. You presided over (and approved) a case in June 2017 (NO. PRJ - 155773/LUP - 60931) for the relocation of the Seventh Day Adventist facility on 3114 E. Fourth Plain Blvd, less than 1200 feet from the proposed center. In that proposal you saw an honest and accurate estimation of number served a day (125) for a facility the same size, offering complementary services, and also serving the homeless. How could you not have question this crucial piece of the proposal, even when it was brought to your attention on page 408 and 409 of the certified record?
 - b. The estimation of the number served per day in the proposal would not pass any reasonable test given the added size (4000 additional square feet), numerous added services (food, showers, laundry) and location (on major public transit lines).
 - c. The fact that the city wrote its own permit proposal should have raised additional questions about the legitimacy of key assumptions like this. Surely you can see the conflict of interest there.
2. The City provided no empirical evidence that the center would not "be significantly detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such proposed use or be significantly detrimental or injurious to the property or improvements in the neighborhood..." (VMC 20.870.040 A).
 - a. Multiple accounts provided testimony of increased property damage, or injury (home break-ins while people are home) caused by the homeless population, which you apparently ignored.
 - b. Many provided testimony of negative experiences with homeless population, but how many provided testimony of positive experiences? With such a disproportionate number of detrimental examples without even a single mention of the opposite for a neighborhood, how could you have overlooked the fact that this proposal will be detrimental and injurious to property and improvements in the neighborhood?
 - c. The day center is much more like the Share House (offers food, laundry, showers) which received 370 calls for service in a year per the Commander Dave King's presentation

d. In fact, homeless services like the one proposed do increase crime (Effect of Emergency Winter Homeless Shelters on Property Crime, Journal of Experimental Criminology).

e. You unfairly dismissed the majority of testimony that raised these concerns in favor of people who benefit from providing services to the homeless.

**BEFORE THE HEARING EXAMINER
FOR CITY OF VANCOUVER**

In the Matter of the Application of	)	NO. PRJ-157777/LUP-65374
	)	
Vancouver Day Center Relocation	)	
	)	
	)	
	)	
	)	RULING ON MOTION TO AUGMENT
	)	RECORD ON REMAND FROM
For a	)	COUNCIL
Class 3 Human Services Facility	)	
_____	)	

Background

The above-captioned application for Class 3 human services facility was heard at an open record public hearing on December 19, 2017. The hearing lasted 3.5 hours, with public comment from 30 individuals. The record included written public comments as follows: 117 comments from the pre-hearing notice period (which were addressed in the staff report), 17 comments received after publication of the staff report before the hearing, and 11 written comments submitted at hearing. The decision on the application was issued January 4, 2018, approving the permit.¹ In the decision, public comment was addressed in findings 33 and 34.

Two appeals to City Council were filed: one by the Maple Neighborhood Association and one by the Rose Village Neighborhood Association. In reviewing the record to prepare for the appeal, the City Attorney's Office determined that fourteen of the public comment emails had inadvertently been included in the record in an incomplete form and that copies of attachments to the email of City Staff member Peggy Sheehan had not been fully included as intended; fifteen items in total were partially omitted.

Before the City Council on February 26, 2018, the City Attorney's Office moved that Council remand the matter to the hearing examiner to add the complete comments and attachments to the record, in order to return to the appeal before Council with a complete record. At the meeting, Rose Village Neighborhood Association Board member Eric Lambert spoke in favor of the motion. Maplewood Neighborhood Association did not speak at the City Council meeting. A motion was made and seconded to remand the matter. As stated by the Mayor, the purpose remand was to return the matter to the hearing examiner in order that the full version of the emails and attachments are included in the record for [hearing examiner] consideration. The motion received a unanimous vote by the Council. No written remand order was issued.

¹ The decision was amended upon receipt of a January 9, 2018 request for correction, to correct the reference to agency to staff the center (Share). No other changes were made, and the decision issuance date was not changed as a result of this correction.

On February 28, 2018, the City Attorney's Office submitted to the hearing examiner a motion to augment the record of the proceeding. The motion requested that the record be augmented without further hearing examiner proceedings on the grounds that the missing portions of the 15 documents did not contain information, concerns, or comments substantially different from those admitted in the original record. The City's motion summarized the missing portions of the fifteen documents. Attached to the motion were three exhibits, which included two affidavits (Exhibits A and B) by Senior Planner Jon Wagner certifying that the (also attached) documents constituted the complete versions of the comments submitted to his attention leading up to the hearing, and Exhibit C, in which he highlighted the portions omitted from the original record before the hearing examiner. The motion suggested that an opportunity be provided to the Appellants to respond to the motion.

On March 7, 2018, Eric Lambert submitted a response to the City's motion. In his response, he did not argue for a new hearing before the examiner, but he did ask that in addition to the missing testimony and documents the City provided with its motion, that certain (paraphrased) arguments be reconsidered:

1. That the proposal was improperly filed as a Class 3 facility and should be a Class 2 human services facility because it is likely to serve more than 74 people per day, based on the following: a) the June 2017 approval of the relocation of the Seventh Day Adventist facility on 3114 E. Fourth Plain Blvd (PRJ - 155773/LUP - 60931), less than 1200 feet from the proposed center, was based on a projection of 125 clients per day; b) that the City's projected number of clients served per day in the instant proposal is not reasonable given the added size (4,000 additional square feet), numerous added services (food, showers, laundry), and location (on major public transit lines); and c) that because the City is the project proponent, its proposal should have been subject to higher scrutiny due to an alleged inherent conflict of interest; and
2. That the City provided no empirical evidence that the center would not "be significantly detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of such proposed use or be significantly detrimental or injurious to the property or improvements in the neighborhood..." (VMC 20.870.040 A), which argument was supported by: a) testimony of increased property damage in the area caused by the homeless population; b) testimony of negative experiences with homeless population from more people than those who provided testimony of positive experiences; and c) that because it offers food, laundry, and showers, the day center is essentially the equivalent of the Share House, which received 370 calls for police service in a year; d) that homeless services like the one proposed do increase crime (citing Effect of Emergency Winter Homeless Shelters on Property Crime, Journal of Experimental Criminology); and e) that the decision unfairly dismissed the majority of testimony that raised these concerns in favor of people who benefit from providing services to the homeless.

Jurisdiction

Based on the express remand from the Vancouver City Council, as consistent with Hearing Examiner Rules of Procedure Rule 1.21, and Hearing Examiner Rule of Procedure 1.4.B(6), the Hearing Examiner has the authority to consider and rule upon procedural and other motions appropriate to the proceedings.

Discussion

Review of the Omitted Materials

Of the fifteen documents not fully included in the record, the omitted portions can be characterized as either opposed to approval, in support of approval, or neutral as to approval. Four of the documents of which portions were omitted were in support of the proposal. Of the four that can be characterized as neutral, one omitted only an address. In the seventh document determined not to have been fully included (7 of 15), the document was actually included in full elsewhere in the record and therefore was not actually missing.

Of the 15 items not fully included, seven were opposed to approval. The text of the omitted portions of these seven comments addressed the following concerns: concentration of homeless individuals in the vicinity; impacts to property values and business revenues; the assertion that the neighborhood is already considered a "residential dump to be ignored and not improved upon"; concentration of homeless service facilities in the vicinity; the possibility of services attracting registered sex offenders to the vicinity; the unfairness of siting the proposed facility in a neighborhood already struggling with high crime rates; an assertion that such a facility should be at least one-quarter mile from a residential neighborhood; the question of where homeless persons served by the facility would go at night; and concerns that nearby areas would be used for overnight camping so that homeless persons could stay close to the facility.

These concerns were included in the record before the examiner and were addressed in Finding 33 on pages 10 and 11 of the decision.

Mr. Lambert's Arguments

With regard to Mr. Lambert's first argument that the project should have been classified as a Class 2 facility based on number of persons to be served: This argument was raised at hearing, and while the argument may not be stated in findings and conclusions, it was discussed in testimony. The undersigned inquired of Staff how they determined which classification of human services facility would apply to the instant proposal. Peggy Sheehan testified that the classification was selected based on the number of homeless persons served at the day center's existing location (approximately 50), and that approval of a Class 3 facility would allow a little room for growth in that number. She also stated that the facility, if approved, would track the numbers of persons served, that additional human service facilities are anticipated to be opened, and that services are anticipated to result in achieving stable housing and employment for the persons served, reducing the local effects of homelessness. While project opponents argued that the number of homeless persons who would access the site would be higher than 74 per day, they did not provide evidence clearly demonstrating the truth of the assertion. Nor did they provide information upon which it could be concluded that their prediction of the numbers to be served were likely to be more accurate than the opinions of the City's witnesses. The June 2017 Class 2

Seventh Day Adventist Human Services Facility is a food and clothing bank, which serves a larger target population including both homeless and low income housed persons.

Regarding the proposal being suspect because the City is the proponent: Many projects undertaken by local governments require land use permits, and as a hearing officer, the undersigned has presided over many government-sponsored permit application hearings over the past 15 years. Government project proponents are held to the same or higher standard in terms of evidence provided.

Mr. Lambert's second argument in response to the City's motion was, respectfully, a restatement of the slate of concerns of project opponents, which full spectrum of complaints was heard and duly considered in the previous proceeding. It would be more appropriate, and more efficient for all parties, for these arguments to be considered afresh by an appellate body than it would be to reopen to record for these arguments to be heard again in the same setting.

Ruling

The City's hearing examiner oversee expeditious proceedings and "make every reasonable effort to avoid delay, consistent with providing fairness to all parties in each stage of every proceeding" (Hearing Examiner Rules of Procedure Rule 1.1). Given that the omitted portions of the opposing comments contained concerns that were otherwise included in testimony and written comments in the record, and that these concerns were fully considered, there would be no benefit to reopening the hearing examiner proceeding. Instead, the most fair and expeditious outcome would be to grant the City's motion to augment the record with the complete comments previously omitted and allow the appeal before City Council to proceed.

The motion to augment the record without further hearing examiner hearing is granted.

The record shall be supplemented with:

- The complete text of the 15 inadvertently partially omitted comments;
- The City's February 28th Motion to Augment and its attached Exhibits A, B, and C;
- Mr. Lambert's March 7th response to the motion; and
- This ruling granting the motion.

Decided March 16, 2018.

By:



Sharon A. Rice
City of Vancouver Hearing Examiner

BEFORE THE HEARINGS EXAMINER
OF THE CITY OF VANCOUVER

In the Matter of the Application of	)	NO. PRJ-157777/ LUP-65374
	)	
Vancouver Day Center Relocation	)	
	)	
	)	MOTION TO AUGMENT THE
	)	RECORD AND TO CONFIRM
For a	)	THE RULILNG OF JANUARY 4,
Class 3 Human Services Facility	)	2018.
	)	

The Hearing Examiner's decision of January 4, 2018 has been appealed¹ to the Vancouver City Council. In reviewing the record before the Hearing Examiner², it was determined that the record was not complete. Accordingly, on February 26, 2018, the Vancouver City Council remanded the captioned matter to the Hearing Examiner

The matters not included in the record were approximately fifteen emails that were not entered in complete form plus attachments to the e-mail of city staff member Peggy Sheehan that was not printed out and provided to the Hearing Examiner.

By this motion, the undersigned moves the Vancouver City Hearing Examiner to add the attached Exhibits A and B to the record. These Exhibits are the Affidavit and Second Affidavit of Jon Wagner that authenticates the aforementioned e-mails and attachments to e-mails. Also filed with this motion is the attached Exhibit C which highlights the portions of the e-mails that were not in the record before the Hearing Examiner at the time of the January 4, 2018 ruling.

Further, the undersigned moves that, after her review of the full documents, that the Hearing Examiner confirms her decision of January 4, 2018. Community and Economic Development Department (CED) staff respectfully suggests that in the interest of time and economy of public resources that the Hearing Examiner can rule on this motion without further public hearing.

The substance of the matters not included in the record were argued by other parties. In particular, the appellants raised those arguments in the record before the Hearing Examiner at

¹ The appellants are the Maplewood and Rose Village Neighborhood Associations and they will be provided with this Motion.

² The record was prepared and completed on February 7, 2018 and that record will be made available to the Hearing Examiner in connection with this motion. The Record is bate-stamped VDCR (Vancouver Day Center Record).

the proposal. In fact, the largest omitted material was prepared by CED staff member Peggy Sheehan which supports the Hearing Examiner's decision.

To assist the Hearing Examiner, filed with this motion is Exhibit "C" which highlights the omitted material.³ We summarize the substance of the unintentionally omitted comments below:

1. E-mail dated December 4, 2017 from April Edgar to Jon Wagner. The omitted text essentially cites concerns about concentration of homeless and loss of income and property values, Edgar also testified at the hearing raising the same concerns. (Affidavit of Jon Wagner; new proposed Record, page 369A and 369B).
2. E-Mail from Kristi Lusk to Jon Wagner dated November 11, 2017. Only her address was omitted. (Second Affidavit of Jon Wagner, new proposed Record page 168A).
3. E-Mail from Al Jones to Jon Wagner dated November 16, 2017. Omitted text stated that the neighborhood was financially strapped and unable to fight City Hall and that "we are considered a residential dump to be ignored and not improved upon". (Second Affidavit of Jon Wagner, new Proposed Record page 188B).
4. E-Mail from Melissa Baker to Jon Wagner dated November 17, 2017. Omitted text stated in support of the day center relocation that the center will help our community. (Second Affidavit of Jon Wagner, new Proposed Record page 193B).
5. Attachments to Peggy Sheehan e-mail. A similar Sheehan presentation appears elsewhere in the record at Exhibit 4. (Second Affidavit of Jon Wagner, new Proposed Record 197 (pages 5-31)).
6. E-mail from Judy Hawkins dated November 20, 2017 forwarded to Jon Wagner by Peggy Sheehan on that date. Omitted text stated concerns about facility concentration and that there are residents with substantial financial and construction management experience to provide assistance to the City. (Second Affidavit of Jon Wagner, new Proposed Record 193A).
7. E-Mail from Phil Straub dated November 24, 2017. Upon further review this document was included in the record in full. (Second Affidavit of Jon Wagner, new Proposed Record 212A).

³ In order to keep the record-numbering consistent, the added documents maintain the numbers of the incomplete documents with a letter following.

8. E-Mail from Leila Ahmadi dated November 24, 2017. Omitted text stated the proposed day center would decrease property values and draw transient sex offenders to the area. (Second Affidavit of Jon Wagner, new Proposed Record 213A).
9. E-Mail from Rich Baranzano dated November 27, 2017. Omitted text stated that facilities need to be spread out across entire area and this proposal would be sited in the area with the highest crime rate in Clark County. Additionally that the facility should be at least 0.25 miles away from a residential neighborhood. (Second Affidavit of Jon Wagner, new Proposed Record 215A).
10. E-Mail from Peggy Sheehan with a cc to Jon Wagner dated November 28, 2017 responding to Tim Foley's e-mail of November 28, 2017 in support of the proposed facility. Only omitted text is second half of the last sentence pledging cooperation of Second Step Housing to "the fullest extent that we are able". (Second Affidavit of Jon Wagner, new Proposed Record 223A).
11. E-Mail forwarded to Jon Wagner from Peggy Sheehan from Dan Valliere in support of the proposal. Omitted text asked that the facility be opened quickly. (Second Affidavit of Jon Wagner, new Proposed Record 225A).
12. E-Mail from Peggy Sheehan to Alex Engen with cc to Jon Wagner dated November 28, 2017. Omitted text duplicative of that mentioned earlier at paragraph 1 above (Second Affidavit of Jon Wagner, new Proposed Record 226A and 226B).
13. E-Mail from Anne McQuary to Jon Wagner dated November 29, 2017. Omitted text stated neighborhood already overburdened with growing traffic and crime and asked whether the project will reduce property values and asked where the users of the facility will go when the facility closes at night. (Second Affidavit of Jon Wagner, new Proposed Record 229A).
14. E-Mail from Zach Twist and Karen Cornell to Jon Wagner dated December 11, 2017. Omitted comments noted nearby areas would be used for illegal camping, the need for additional lighting on Grand and asked for shuttles to take users to shelters at 5. (Second Affidavit of Jon Wagner, new proposed Record 359A).
15. E-Mail from Elizabeth Madrigal to Jon Wagner dated December 6, 2017. Omitted comment in support of moving forward with the proposal. (Second Affidavit of Jon Wagner, new Proposed Record 212A).

16. E-Mail from Carmen Carabello. President of the Esther Short Neighborhood Association, to Jon Wagner dated November 4, 2017. Omitted text asked that facilities for females be separated and that womens' safety and mental health should be a priority. (Second Affidavit of Jon Wagner, new Proposed Record 364 A).
17. E-Mail from Robin Steely to Jon Wagner dated December 4, 2017. Omitted text stated the neighborhood was disadvantaged and expressed concern about safety and crime, drug use, camping, that people stay near the area. (Second Affidavit of Jon Wagner, new Proposed Record 365A and 365B).
18. E-Mail from Kristy Sanchez to Jon Wagner dated December 4, 2017. Omitted text expressed concerns about added costs to her property management company and asserts that the facility will be significantly detrimental to neighborhood (but cites no evidence in support of the assertion). Omitted text also expresses concern about concentration.

Nothing raised in the omitted material was not raised elsewhere in the record before the Hearing Examiner closed the record on December 18, 2017. Accordingly, the CED Department requests that the Hearing Examiner add the aforementioned documents to the record and confirm her decision of January 4, 2018 without further public hearing.

Submitted by:



Brent Boger, WSBA #22359
Assistant City Attorney
Dated: February 27, 2018

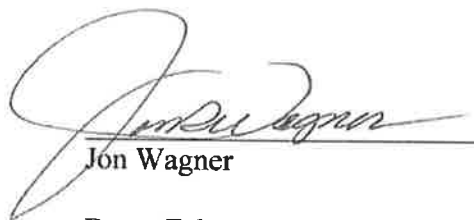
EXHIBIT A

**(Affidavit of Jon Wagner
authenticating documents)**

Affidavit Supplementing the Record
Vancouver Day Center Relocation
PRJ-157777/LUP-65374

I, Jon Wagner, am a Senior Planner with the Community and Economic Development of the City of Vancouver. In reviewing the materials submitted to the Hearing Examiner, I discovered that a document located at VDCR 369 had not been submitted to the Hearing Examiner in full because it was not pulled from e-mail archives in complete form. The attached two-page document, marked as VDCR 369A and 369B is the complete document. I certify that the written attached e-mail is a true and correct copy of an e-mail I received from April Edgar on December 4, 2017 in connection with the Vancouver Day Center Relocation application.

I swear under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.



Jon Wagner

Date: February 23, 2018
At: Vancouver, Washington

STATE OF WASHINGTON
County of Clark



I certify that I know, or have satisfactory evidence that Jon Wagner signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.

Date 2/23/2018



Signature of Notary Public

From April Edgar
To Wagner, Jon
Cc
Subject Homeless Day Center

Date Monday, December 04, 2017 4:20:37 PM

Good Afternoon,

I would like to express my concern about your proposal. I own a 4 plex that is only one parcel away. It is located at 2700 E. 19th Street. I am extremely concerned about your proposed location.

I find it both fiscally irresponsible as well as poorly thought out. Buying a building for 4.3 million and then choosing to occupy only 15% of it seems neglectful. If you want to occupy a 4000 sq ft of space. Please buy a building that is that size.

You are also devastating an already financially challenged neighborhood that has a high crime rate by centering EVERYTHING you have for the homeless community in one location. This 4 plex IS my job and my sole income. I am a stay at home mom to 4. One in High School, one in Middle School, one in Second Grade and one in Preschool. I am scared about the loss of ability to financially take care of my family if you place this Day Center in this location. ALL 4 of my current residents are terrified. See the letter below from one of my residents in unit C:

"Hello Peggy,

I've been told that I should voice my displeasure with the city's proposal of a centralized homeless day center at the old Washington State Fish and Wildlife building on Grand Ave.

I'm writing you with limited expectations of the city to change their plans; nonetheless, I feel it is my duty as a concerned citizen to voice my concern. My first priority is to protect my family and this effort, to move all homeless people to a single location, will challenge my ability to do so. With a larger population of homeless people in a single location you can expect an increase in littering, drug use, and other illegal actions. While not all homeless people are offenders of the aforementioned, it takes one bad apple to spoil the bunch.

That statement leads me to the next area of concern: an increased population of homeless people in a single location will be bad for the homeless people, themselves. With increased potential for drug use, littering, and other violations of city ordinance, the reputation and safety of the homeless community will be compromised. When the good reputation diminishes, they will have a harder time gaining favor with the public and ultimately hurt the support they currently have. Also, we can expect the increase in concentration of homeless people in one area to diminish the quality of resources available to them (When has mass production ever been good for the quality of a product? In this case the product would be the liveliness of the homeless community).

Lastly, the centralization of homeless people will hurt the local economy. Companies like Walmart, Subway, Black Rock Coffee, and Papa Murphy's will take a financial hit and, in time offer less jobs for the people in our community including the homeless we are trying to help. Even worse, the local property owners will hurt by this effort because their home and property value will decrease. When we examine this potential move economically, we can see the ramifications for both the corporate supporters and the local businesses that are trying to grow our community.

Ultimately, this proposal will hurt families in the community, the homeless community and the local economy. I hope that my letter exceeds my own expectations in influencing this decision. I urge people who can make a difference to save our community by refusing this proposal. "

This is highly concerning to me. I am going to lose massive property and rental value as well as my ability to rent these units quickly. We all worry about where these homeless individuals and families will disperse to at 5pm. Do you have an answer for that? Why are you picking a mostly residential area instead of heavily commercial?

Why are we spending 4.3 Million dollars to meet the needs of about 50 proposed people per day? I know it exceeds the limits of the law if it helps more than 74 per day.

Many of my local neighboring property owners and residents are pointing out laws that are being broken:

VDCR-000369A

"Eric

An Important point that we should add to our pitch is that the proposed site violates the law. The project is being permitted under Vancouver WA Zoning Ordinance Chapter 20.870 (Human Services Facilities). The proposed location violates this ordinance in at least the following respects:

First, VMC 20.870.040 states that approval of a human services facility requires that "The establishment, maintenance or operation of the facility ***will not ... be significantly detrimental to the health, safety or general welfare of persons residing ... in the neighborhood*** of such proposed use or ***be significantly detrimental or injurious to the property or improvements in the neighborhood.***" The proposed location would unquestionably degrade the quality of life for the residents of the neighborhood and would substantially degrade the value of the property for the owners.

Second, VMC Section 20.870.010 states that "it is important that these (human services facilities) be regulated in a way that minimizes any adverse off-site impacts, particularly in established neighborhoods where such facilities tend to be located. ***There is a particular concern that no area bear a disproportionate burden in the provision of these services.***" The proposed location would self-evidently be a violation of these principles of law, since it would attract homeless people from other parts of the City and would result in a concentration of encampments in this neighborhood.

In addition to the political strategies you outline (which I think are excellent), I think we should band together and, if the site is approved, all chip in to hire a litigator to sue the City. The City, no less than any resident, must follow the law. If they violate the law by locating the center at the proposed location, I think we will have a strong case to block it in court, or, at worst, delay it a long time. The cost of the attorney, shared among the property owners, would be small compared to the loss of property value for each of us if the project were to go forward.

Steve and Andrea Taber

owners, Shady Lane Apartments 2809 E 19th St Vancouver WA 98661

PS I've added a couple of cc's; keep them informed as well"

I implore you to do what is right for this already struggling neighborhood and oppose this project.

Regards,

April Edgar

2700 E 19th Street

VDCR-000369B

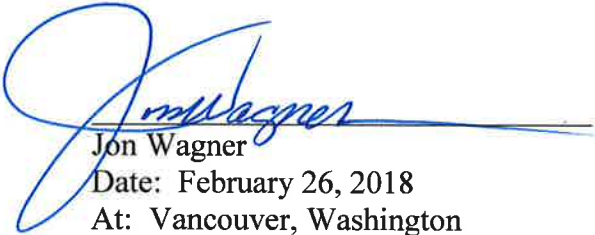
EXHIBIT B

**(Second Affidavit Jon Wagner
authenticating documents)**

Second Affidavit Supplementing the Record
Vancouver Day Center Relocation
PRJ-157777/LUP-65374

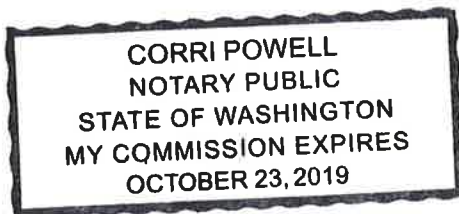
I, Jon Wagner, am a Senior Planner with the Community and Economic Development of the City of Vancouver. In reviewing the materials submitted to the Hearing Examiner, I discovered that certain documents located at VDCR 168, 188, 193, 200, 212, 213, 215, 223, 225, 226, 229, 359, 361, 364, 365, and 366 had not been submitted to the Hearing Examiner in full because they were not pulled from e-mail archives in complete form. The attached documents include the full documents and are marked with the VDCR number for the incomplete document with a letter following the number (e.g., 168A, 188A, etc.) In addition, I have attached 31 pages which were attached to an e-mail found at VDCR 197. In that case, I have identified those documents as VDCR 197 (1 of 31), etc. I certify that the written attached e-mails are true and correct copies of e-mails I received in connection with the Vancouver Day Center Relocation application.

I swear under penalty of perjury under the laws of the State of Washington that the forgoing is true and correct.


Jon Wagner
Date: February 26, 2018
At: Vancouver, Washington

STATE OF WASHINGTON
County of Clark

I certify that I know, or have satisfactory evidence that Jon Wagner signed this instrument and acknowledged it to be a free and voluntary act for the uses and purposes mentioned in the instrument.



Date February 26, 2018

Signature of Notary Public

Title: Notary Public

EXP. 10.23.2019

From Kristi Lusk **Date** Saturday, November 11, 2017 3:54:00 PM
To Wagner, Jon
Cc
Subject Comments on Day Center

Jon,

I am a Resident on St Johns near where this proposed homeless day center would be. I am totally against this. Our area already has multiple places that are serving the homeless (Two Churches providing meals, Two food & Clothing distribution for homeless & Services for Menially Ill & homeless at the V.A just to name a few). We are already doing our part and have a large amount of homeless in our area. We do not need to add to this number. Many in our neighborhood have been victims of petty crime and aggressive panhandling by the homeless. I am harassed at least 3 times per month while waiting for a C Tran bus for work on Ft Vancouver Way & 4th Plain by homeless beggars that will not take no for an answer or Menially ill or homeless Men & Women using foul language directed at me. I have a daughter that will be going to school in this area and sure do not want her to be dealing with this. Why always our neighborhood and not others who have not provided any services to the homeless. C Tran bus lines go to every area of town so there is no issue getting to other parts of town. Please Stop always using this area as a dumping ground for the homeless.

Thank You
Kristi Lusk
1817 St Johns
Vancouver WA

From Al Jones
To Wagner, Jon
Cc
Subject Homeless shelter

Date Thursday, November 16, 2017 7:21:10 AM

THERE ARE POOR, HOMELESS PEOPLE , AND THERE ARE POOR, HOMELESS, MENTALLY ILL PEOPLE WHO DESERVE AND NEED A SHARE OF OUR ABUNDANCE. THERE IS NOTHING, ABSOLUTLY NOTHING WE CAN DO TO SOLVE THE HOMELESS PROBLEM BY PROVIDING FOOD AND SHELTER TO ADDICTED PEOPLE. EVERY DIME THAT THEY DO NOT HAVE TO SPEND ON SUPPORTING THEMSELVES IS MONEY THEY WILL BUY DRUGS WITH. THE ONLY SOLUTION FOR THEM IS PRAYER AND A SAVING FAITH IN CHRIST, WHO SAID IN JOHN 12:8 THAT THERE WILL ALWAYS BE POOR PEOPLE LIVING AMONG US.

WHICH KIND DO WE AS A NEIGHBORHOOD WANT TO ATTRACT AND SUPPORT?

I AM A HOMEOWNER OF 8 YEARS. ONE BLOCK FROM THE PROPOSED SITE IS A CLUSTER OF HALFWAY HOMES FOR ASSORTED FELONS. THE NEIGHBORHOOD IS ALREADY HAUNTED BY NIGHT CREATURES WHO MARCH THROUGH TO AVOID GRAND AND FOURTHPLAIN WHERE THEY MAY BE SEEN BY OUR POLICE.

I GIVE BUT DO NOT WANT TO BE TAXED FOR THE PROPOSED FACILITY. THE MONEY WILL NEVER REACH THE INDIGENT. IT FEELS AS THOUGH OUR FINANCIALLY STRAPPED NEIGHBORS ARE UNABLE TO FIGHT CITY HALL FINANCIALLY.

WE ARE CONSIDERED A RESIDENTIAL DUMP TO BE IGNORED AND NOT IMPROVED UPON.

1 Thank

VDCR-000188B

From Melissa Baker**Date** Friday, November 17, 2017 4:40:48 PM**To** Wagner, Jon**Cc****Subject** Proposed Day Center Location

Hello,

Thank you for the opportunity to share my thoughts on the new location of the day center.

People in our community who are experiencing homelessness are often stereotyped as criminals and violent individuals. These people are generalized as those who commit crimes and cause problems. This stereotype is a reflection of a very small portion of the population in Vancouver, whether homeless or not. With the increase in housing costs over the past few years, the most common image of households that are forced to live in their cars or on the streets are those of families. People with small children, or elderly with a fixed income. These people are the new "homeless" in Clark County.

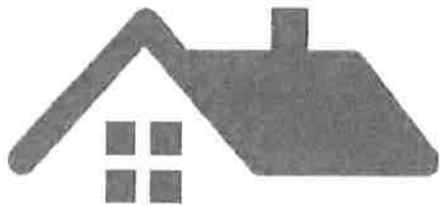
This proposed day center will provide a vast array of services for people who want to utilize them. The current day center is unable to provide all of the services that are needed for this community. Not only because of the lack of space, but also because of the inability to access services due to transportation difficulties that are commonly experienced when a household is experiencing homelessness.

Contradictory to popular opinion, no one *wants* to be homeless. No one *chooses* to live on the street. It is an unfortunate reality for people who have not been able to receive the services that they need and have been forced to adapt to the reality of life on the street. This is now their daily life. Just as if an American was to suddenly move to a foreign land, live there for years and then try to re-assimilate to American culture. It would take time, along with a strong support network, to be successful. The main difference is that these folks who have been homeless for such a long time, do not have an adequate support network. **This day center can provide that support.**

By moving the current day center to the proposed location on Grand Avenue, our community will be able to serve not only those that have been homeless for quite some time and have been camping in local parks, but also those who have a hard time accessing services in the downtown concentration. The new day center is also located on the new Vine bus route. This will allow more households experiencing homelessness the opportunity to reduce their housing and employment barriers. By increasing access to services for those experiencing homelessness, the new day center location will be able to increase the access to those services.

This new location for the day center will *help our community*. There is crime in the neighboring communities, just like there is crime in every community. The difference is, is that by offering services at this location, individuals and families that struggled to access services before, will have a better chance at success.

Thank you again,
Melissa Baker



HOMELESSNESS IN VANCOUVER

Current Day Center for People Who Are Homeless
1600 W 20th Street

In December 2015, a temporary day center for people who are homeless opened near downtown Vancouver. This temporary day center is funded by Clark County, the City of Vancouver and the Vancouver Housing Authority, and is operated by Share and Friends of the Carpenter.



Open 7 days a week,
7 a.m. to 5 p.m.

Since opening, the center has served 968 people.

December 2015-November 2016



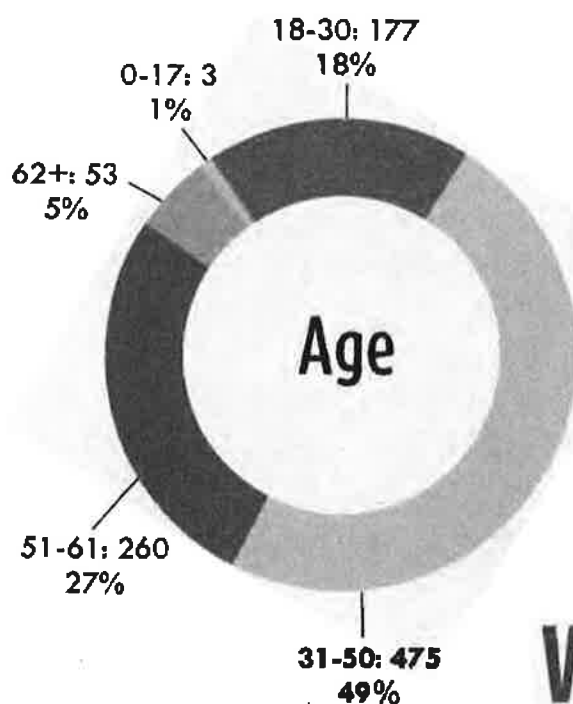
691 men



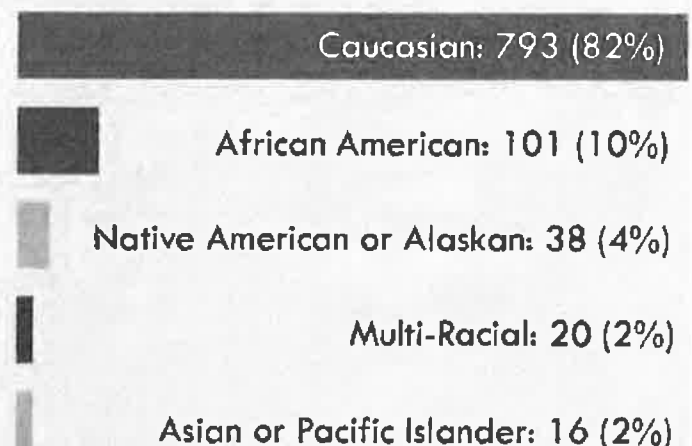
274 women



3 children



Race/Ethnicity



Hispanic:
6%



Services provided at the Day Center



300 people

have used lockers for storage of personal items



258 people

received help accessing benefits such as food stamps, disability or social security



186 people

have received help looking for jobs



17 people

received long-distance travel assistance to live with family members in other cities

Additional services available



Mailing address



Transportation assistance



Information about cold weather shelters (during winter months)



Help filling out forms (health insurance or other benefits)



Telephone use and mobile phone charging



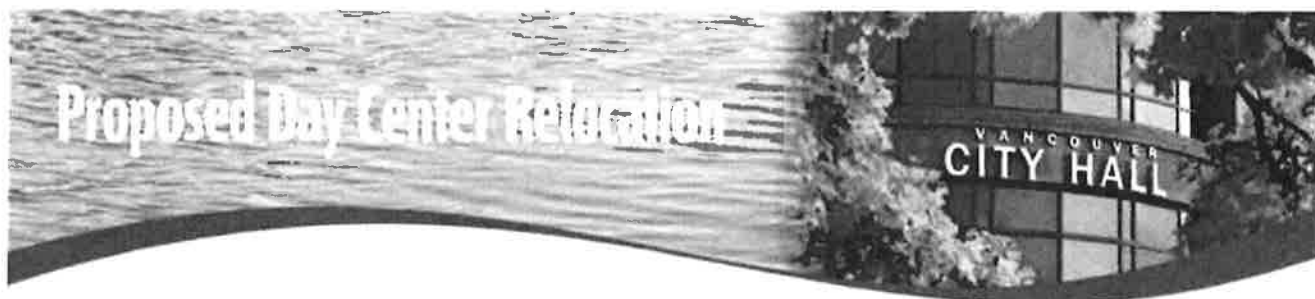
Clothing

What's next?

In 2017, the City of Vancouver will research the development of a permanent day center on the property located across from Share House (1115 W. 13th St.). If funded and permitted, it will be operated by Share and will feature:

- Showers
- Laundry facilities
- Restrooms
- Storage
- Small conference room for case management





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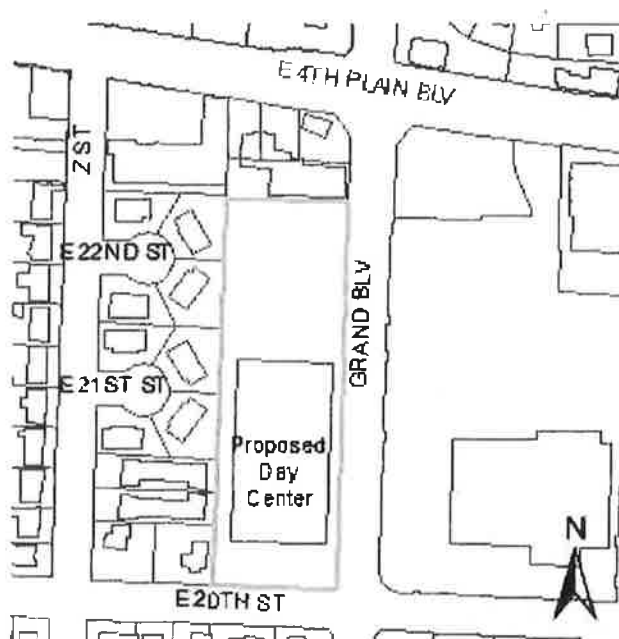
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- Commercially zoned
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- General education classes
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- Mail and phone charging stations
- Job search assistance
- Restrooms, showers and laundry
- Inclement weather shelter
- Trash pickup
- Hours: 7 days a week, 7 a.m. to 5 p.m.



Peggy Sheehan, Community & Economic Development Programs Manager
 (360) 487-8600 | TTY: (360) 487-8602
 415 W. 6th St. | Vancouver, WA 98668-1995
www.cityofvancouver.us



Project Partners

- The City of Vancouver
- Clark County Community Services
- Share
- Vancouver Housing Authority

Operating Funds

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Public Outreach

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To request other formats, please contact: Peggy Sheehan, Community & Economic Development Programs Manager
peggy.sheehan@cityofvancouver.us | (360) 487-8600 | TTY: (360) 487-8602

From Kristi Lusk**Date** Saturday, November 11, 2017 3:54:00 PM**To** Wagner, Jon**Cc****Subject** Comments on Day Center

Jon,

I am a Resident on St Johns near where this proposed homeless day center would be. I am totally against this. Our area already has multiple places that are serving the homeless (Two Churches providing meals, Two food & Clothing distribution for homeless & Services for Menially Ill & homeless at the V.A just to name a few). We are already doing our part and have a large amount of homeless in our area. We do not need to add to this number. Many in our neighborhood have been victims of petty crime and aggressive panhandling by the homeless. I am harassed at least 3 times per month while waiting for a C Tran bus for work on Ft Vancouver Way & 4th Plain by homeless beggars that will not take no for an answer or Menially ill or homeless Men & Women using foul language directed at me. I have a daughter that will be going to school in this area and sure do not want her to be dealing with this. Why always our neighborhood and not others who have not provided any services to the homeless. C Tran bus lines go to every area of town so there is no issue getting to other parts of town. Please Stop always using this area as a dumping ground for the homeless.

Thank You

Kristi Lusk

1817 St Johns

Vancouver WA

From Al Jones
To Wagner, Jon
Cc
Subject Homeless shelter

Date Thursday, November 16, 2017 7:21:10 AM

THERE ARE POOR, HOMELESS PEOPLE , AND THERE ARE POOR, HOMELESS, MENTALLY ILL PEOPLE WHO DESERVE AND NEED A SHARE OF OUR ABUNDANCE. THERE IS NOTHING, ABSOLUTLY NOTHING WE CAN DO TO SOLVE THE HOMELESS PROBLEM BY PROVIDING FOOD AND SHELTER TO ADDICTED PEOPLE. EVERY DIME THAT THEY DO NOT HAVE TO SPEND ON SUPPORTING THEMSELVES IS MONEY THEY WILL BUY DRUGS WITH. THE ONLY SOLUTION FOR THEM IS PRAYER AND A SAVING FAITH IN CHRIST, WHO SAID IN JOHN 12:8 THAT THERE WILL ALWAYS BE POOR PEOPLE LIVING AMONG US.

WHICH KIND DO WE AS A NEIGHBORHOOD WANT TO ATTRACT AND SUPPORT?

I AM A HOMEOWNER OF 8 YEARS. ONE BLOCK FROM THE PROPOSED SITE IS A CLUSTER OF HALFWAY HOMES FOR ASSORTED FELONS. THE NEIGHBORHOOD IS ALREADY HAUNTED BY NIGHT CREATURES WHO MARCH THROUGH TO AVOID GRAND AND FOURTHPLAIN WHERE THEY MAY BE SEEN BY OUR POLICE.

I GIVE BUT DO NOT WANT TO BE TAXED FOR THE PROPOSED FACILITY. THE MONEY WILL NEVER REACH THE INDIGENT. IT FEELS AS THOUGH OUR FINANCIALLY STRAPPED NEIGHBORS ARE UNABLE TO FIGHT CITY HALL FINANCIALLY.

WE ARE CONSIDERED A RESIDENTIAL DUMP TO BE IGNORED AND NOT IMPROVED UPON.

1 Thank

VDCR-000188B

From Melissa Baker**Date** Friday, November 17, 2017 4:40:48 PM**To** Wagner, Jon**Cc****Subject** Proposed Day Center Location

Hello,

Thank you for the opportunity to share my thoughts on the new location of the day center.

People in our community who are experiencing homelessness are often stereotyped as criminals and violent individuals. These people are generalized as those who commit crimes and cause problems. This stereotype is a reflection of a very small portion of the population in Vancouver, whether homeless or not. With the increase in housing costs over the past few years, the most common image of households that are forced to live in their cars or on the streets are those of families. People with small children, or elderly with a fixed income. These people are the new "homeless" in Clark County.

This proposed day center will provide a vast array of services for people who want to utilize them. The current day center is unable to provide all of the services that are needed for this community. Not only because of the lack of space, but also because of the inability to access services due to transportation difficulties that are commonly experienced when a household is experiencing homelessness.

Contradictory to popular opinion, no one *wants* to be homeless. No one *chooses* to live on the street. It is an unfortunate reality for people who have not been able to receive the services that they need and have been forced to adapt to the reality of life on the street. This is now their daily life. Just as if an American was to suddenly move to a foreign land, live there for years and then try to re-assimilate to American culture. It would take time, along with a strong support network, to be successful. The main difference is that these folks who have been homeless for such a long time, do not have an adequate support network. **This day center can provide that support.**

By moving the current day center to the proposed location on Grand Avenue, our community will be able to serve not only those that have been homeless for quite some time and have been camping in local parks, but also those who have a hard time accessing services in the downtown concentration. The new day center is also located on the new Vine bus route. This will allow more households experiencing homelessness the opportunity to reduce their housing and employment barriers. By increasing access to services for those experiencing homelessness, the new day center location will be able to increase the access to those services.

This new location for the day center will *help our community*. There is crime in the neighboring communities, just like there is crime in every community. The difference is, is that by offering services at this location, individuals and families that struggled to access services before, will have a better chance at success.

Thank you again,
Melissa Baker



HOMELESSNESS IN VANCOUVER

Current Day Center for People Who Are Homeless

1600 W 20th Street

In December 2015, a temporary day center for people who are homeless opened near downtown Vancouver. This temporary day center is funded by Clark County, the City of Vancouver and the Vancouver Housing Authority, and is operated by Share and Friends of the Carpenter.



Open 7 days a week,
7 a.m. to 5 p.m.

Since opening, the center has served 968 people.

December 2015-November 2016



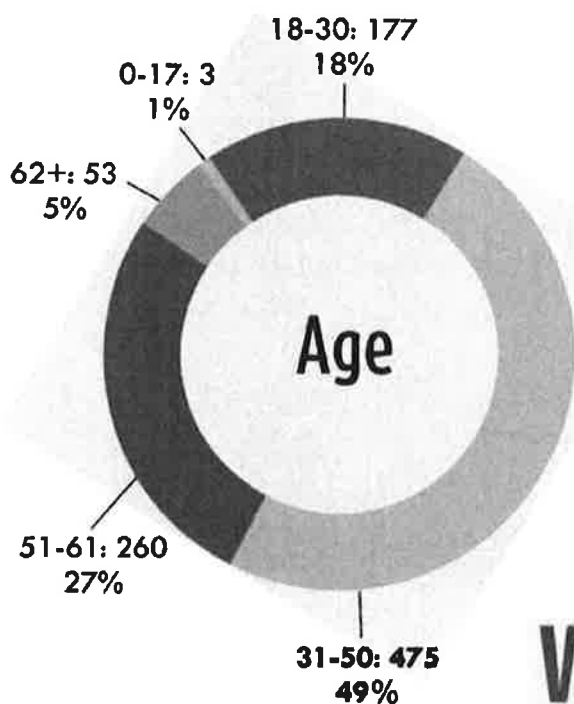
691 men



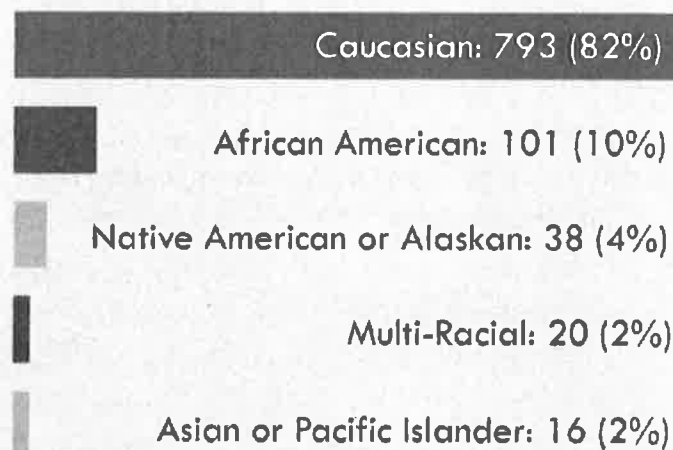
274 women



3 children



Race/Ethnicity



Hispanic:
6%



Services provided at the Day Center



300 people

have used lockers for storage of personal items



258 people

received help accessing benefits such as food stamps, disability or social security



186 people

have received help looking for jobs



17 people

received long-distance travel assistance to live with family members in other cities

Additional services available



Mailing address



Transportation assistance



Information about cold weather shelters (during winter months)



Help filling out forms (health insurance or other benefits)



Telephone use and mobile phone charging



Clothing

What's next?

In 2017, the City of Vancouver will research the development of a permanent day center on the property located across from Share House (1115 W. 13th St.). If funded and permitted, it will be operated by Share and will feature:

- Showers
- Laundry facilities
- Restrooms
- Storage
- Small conference room for case management





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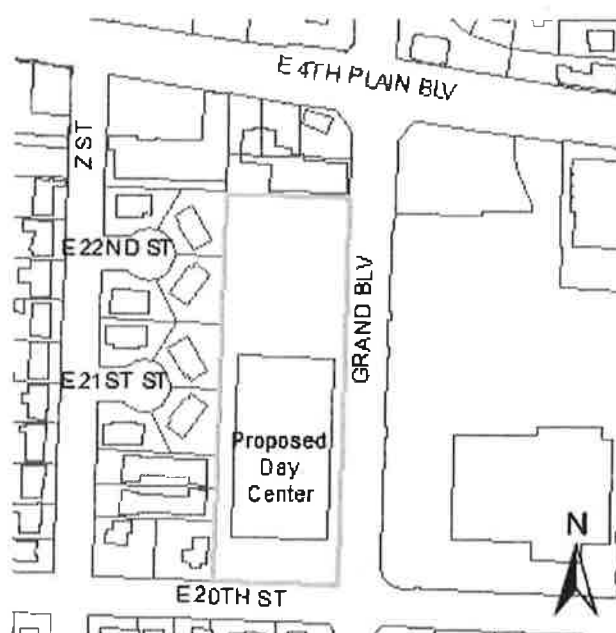
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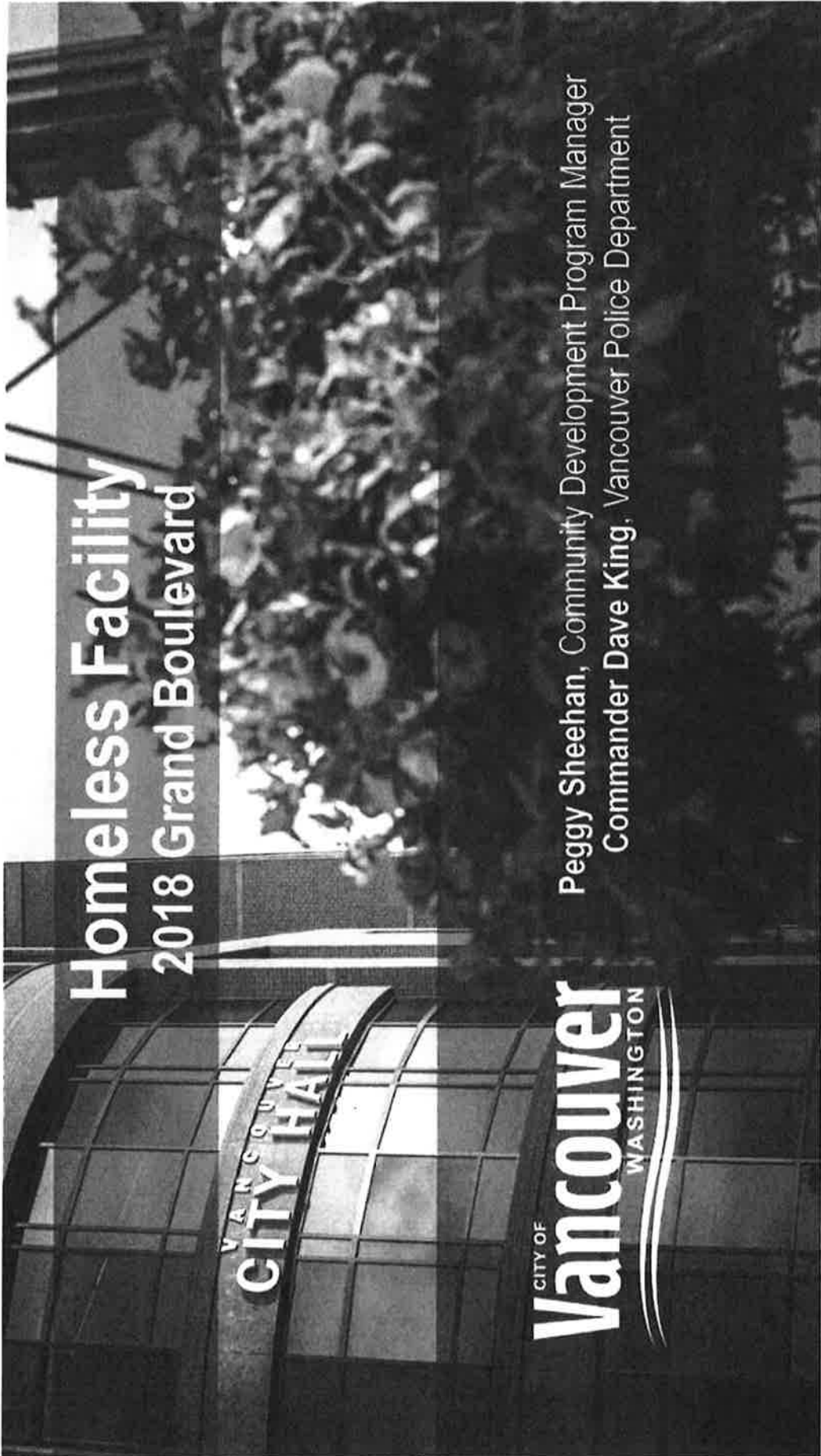
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peggy.sheehan@cityofvancouver.us | (360) 487-8600 | TTY: (360) 487-8602



Homeless Facility 2018 Grand Boulevard

Peggy Sheehan, Community Development Program Manager
Commander Dave King, Vancouver Police Department



Proposed Homeless Facility

Purpose: Discuss use of property at 2018 Grand Blvd for proposed homeless facility, including day center and potential overnight shelter

Presentation overview:

- Homelessness in our community
- Homeless shelters – present situation
- Day center/shelter opportunity
- Human Service Siting process

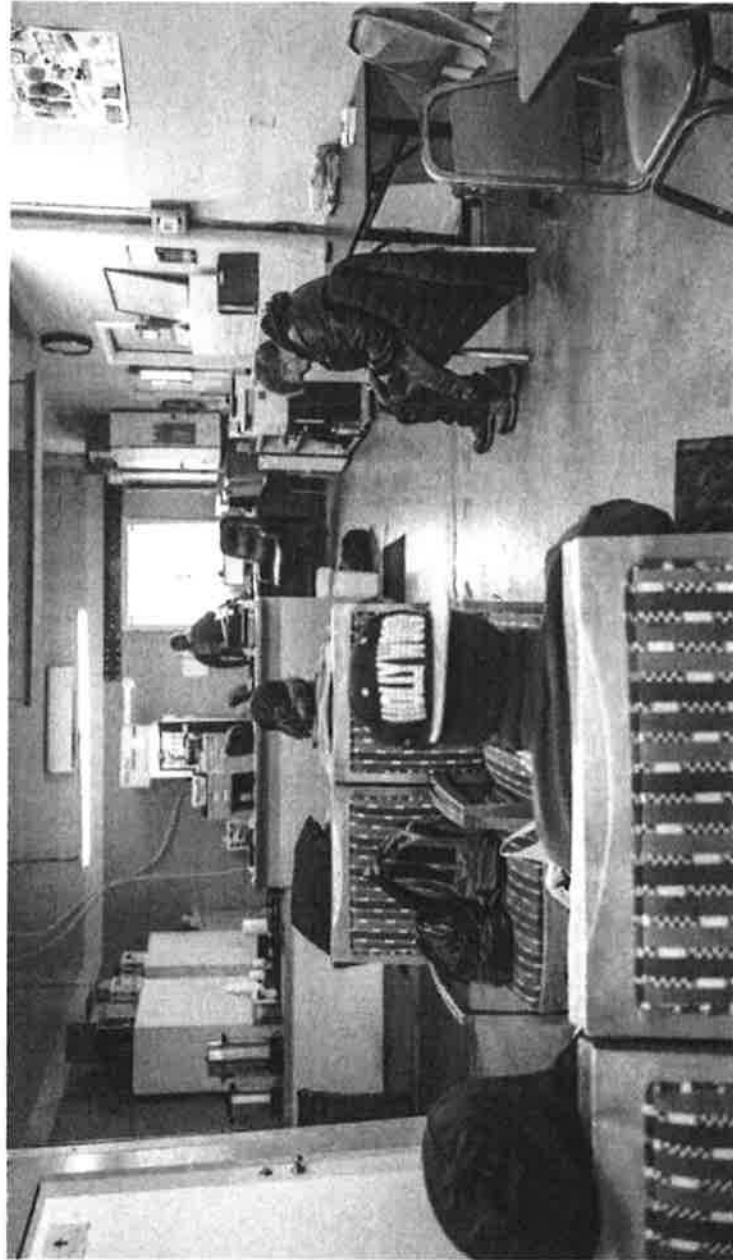


Existing Day Center

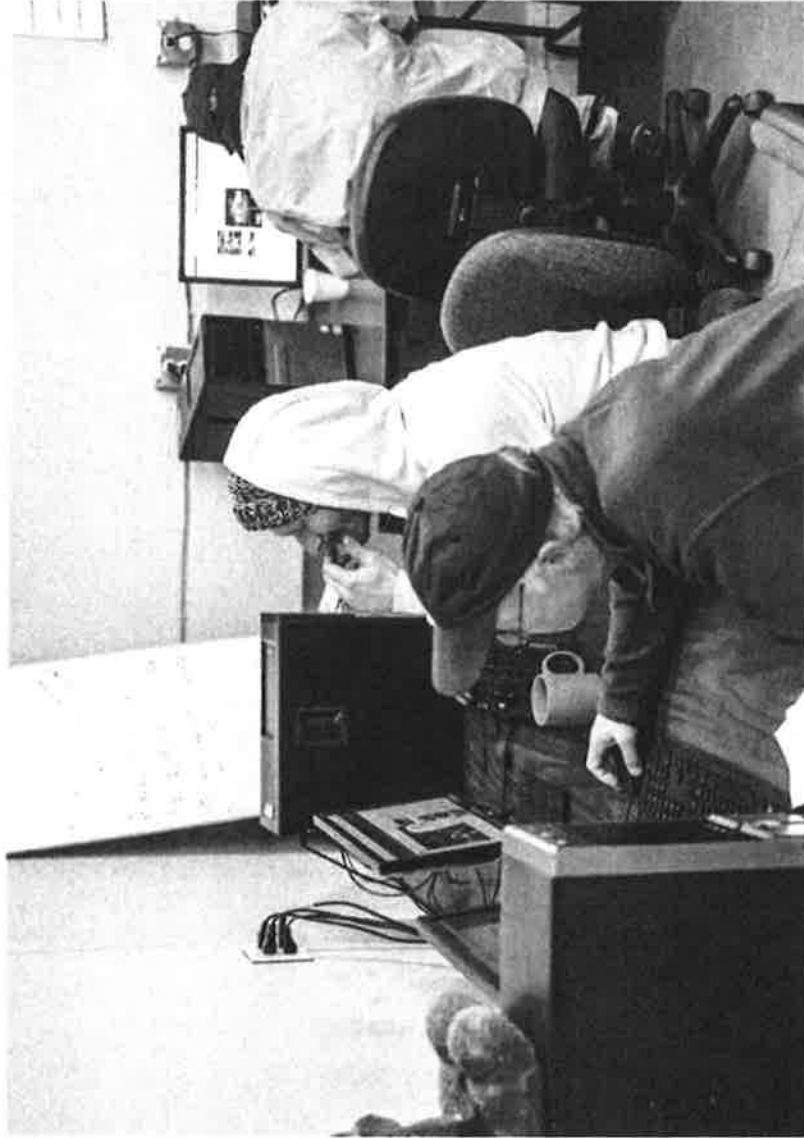
Friends of the Carpenter Warehouse –
1600 W 20th Street



Existing Day Center

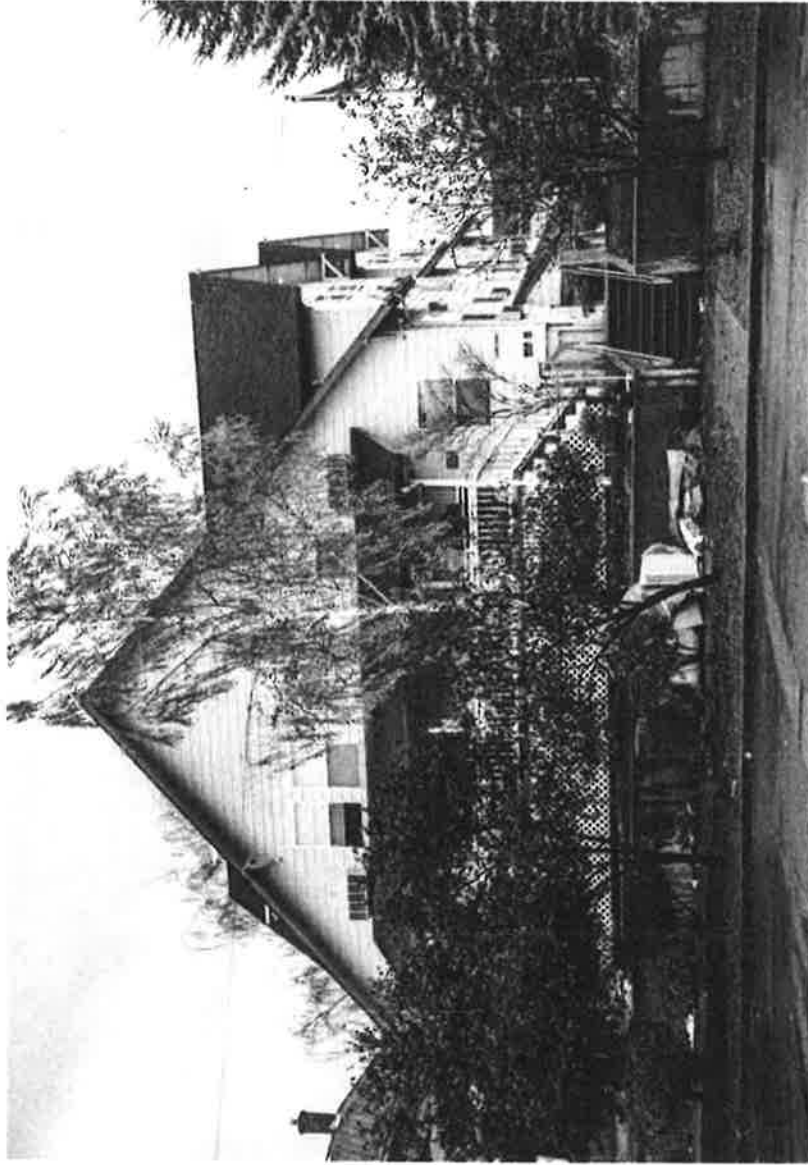


Existing Day Center



Share House Overnight Men's Shelter

1115 W 13th Street



Homelessness in Our Community

A nationwide challenge:

L.A. to declare 'state of emergency' on homelessness, commit \$100 million

Portland Mayor: City Must Do More To Address Homelessness

After 10-Year Plan, Why Does Seattle Have More Homeless Than Ever?



Proposed Homeless Facility - 7

Homelessness in Our Community

**January 2017
countywide point in
time count:**

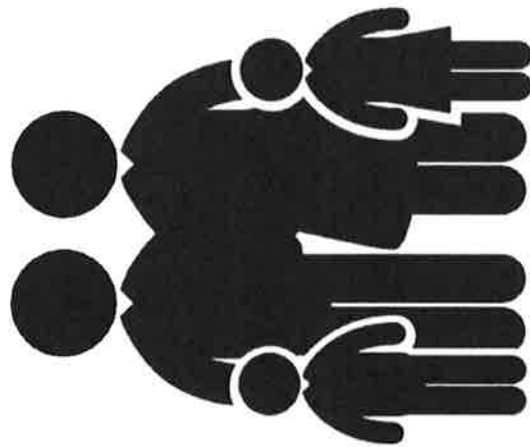
Sheltered: 480 people

Unsheltered: 269 people



Proposed Homeless Facility - 8

Homelessness in Our Community



In 2016:

**496 homeless households
with children requested
emergency shelter**

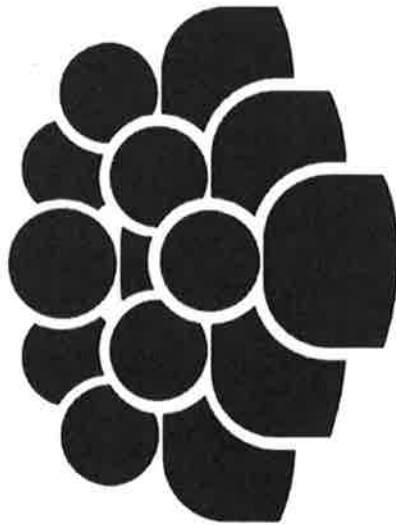
30% were placed in shelters

Data source: 2016 Council for the Homeless



Proposed Homeless Facility - 9

Homelessness in Our Community



In 2016:

**1,482 homeless single
adults requested emergency
shelter**

45% were placed in shelters

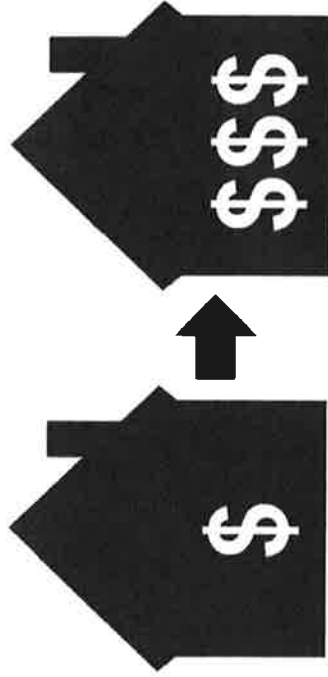
Data source: 2016 Council for the Homeless



Proposed Homeless Facility - 10

Homelessness in Our Community

- Median 2-BR rent in Vancouver increased by \$550 between Nov. 2015 and Nov. 2017 *(Apartment List National Rent Report)*
- For people living in poverty, each \$100 increase in median rent is associated with an average increase in homelessness of 14.5% in metro areas *(Journal of Urban Affairs, November 2012)*



Camping Ordinance



As of Oct. 2015, it is legal to camp overnight on most publicly-owned property in Vancouver between the hours of 9:30 p.m. and 6:30 a.m. This does not include public parks, which close nightly from 10 p.m. to 5 a.m.



Overnight Shelters in Clark County

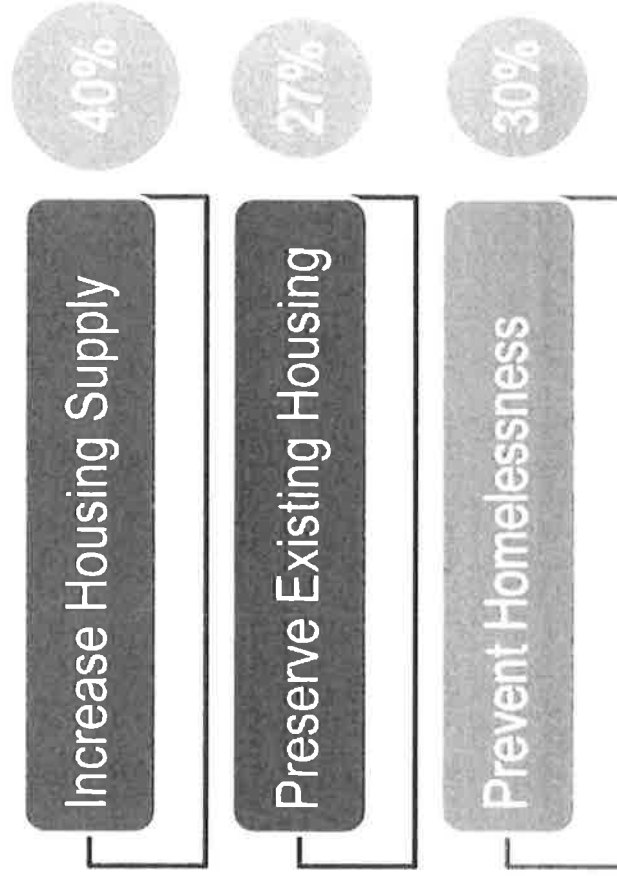
Shelter	People served daily	Neighborhood
Share House	30 single men	Esther Short
Domestic Violence Shelter	23 men, women with children	Rose Village
Inn at the Orchard	46 people, 4 single women (12 families)	Orchards
Valley Homestead	46 people, 4 single women (12 families)	Hazel Dell Ave. in Vancouver
Oak Bridge	11 youth	Forest Ridge
Women's Housing and Transition	18 women	Arnada
TOTAL	182 people daily (increases by 99 in winter)	



Homeless Facility - 13

Affordable Housing Fund

- Proposition 1 approved by 58% of the voters in November
- \$6 million annually for 7 years (\$42 million total)
- Applies to all taxable property in the city



Affordable Housing Fund – 2017 Projects

Project	Units
Caples Terrace	28
Downtown Apartments	30
Isabella Court Phase II	49
McKibbin Commons	4
Meriwether Place	30
The Pacific	18
The Shipyard	78
Community Services NW	7
Kleen Streets Recovery	4
New Beginnings Maternity Home	4
TOTAL	237

City is pursuing other strategies in addition to fund to address the affordable housing issue



Proposed Homeless Facility - 15

Proposed Day Center Relocation

- Current day center located at Friends of the Carpenter Warehouse (1600 W 20th Street) since December 2015
- Serves approx. 1,000 people annually (approx. 40 people/day)
- Current location has space, amenities and location constraints
- Share currently holds contract to operate, City plans to issue RFQ in 2018 for operator

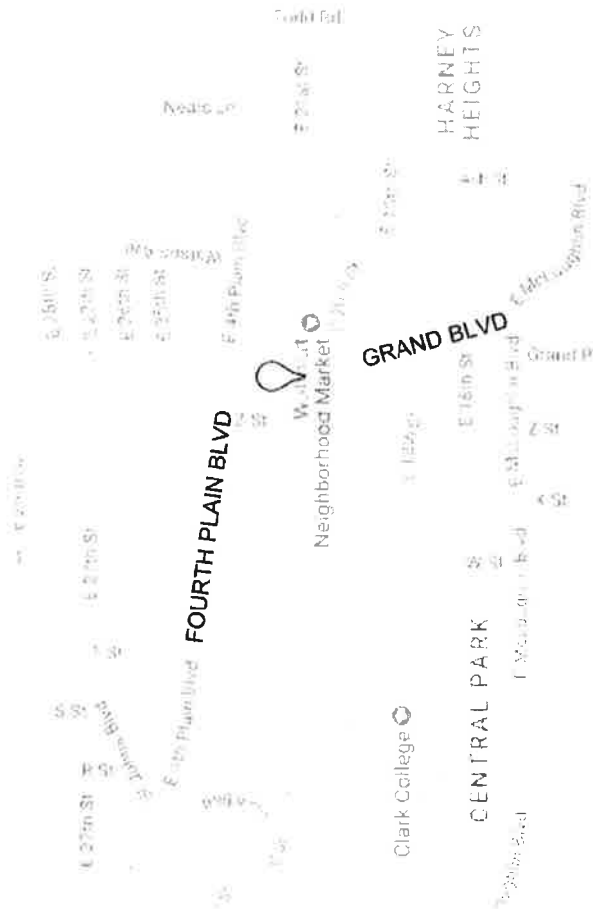


Homeless Facility Location Criteria

Minimum Required	High Priority	Desirable
Access/proximity to social services	Existing building, available space, willing property owner	Measures to mitigate impacts on neighboring uses
Served by transit	Commercial zone	Space for full services
Capacity to accommodate: - Day center - Emergency weather shelter	Capacity to accommodate: - Long term permanent shelter for special populations (single women, families) - Work with community to determine numbers and population	Multiple locations and geographic dispersal to serve entire city/ region
Adequate parking	Land area for future expansion	Vacant land ~1 ac.

Potential Homeless Facility: 2018 Grand Blvd.

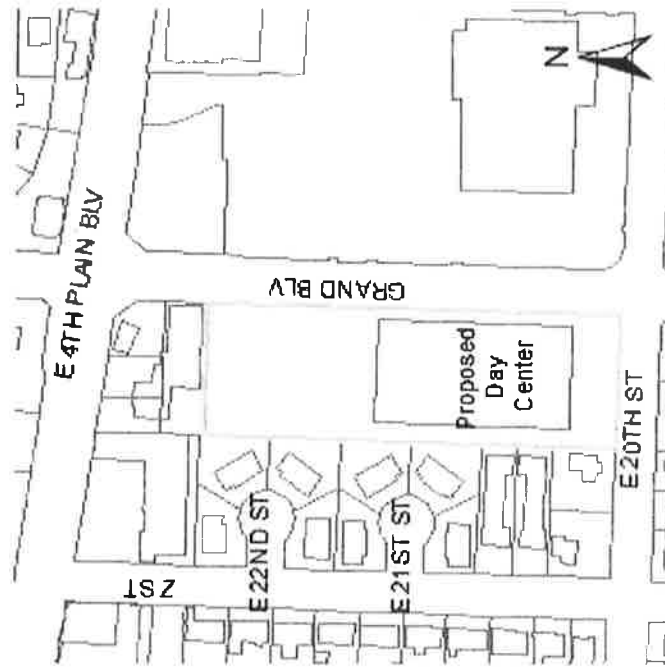
- 25,000 square foot building
- Day center – 4,000 sq. ft.
- Commercial zone
- On bus route
- Adequate parking
- Close to services
- Room for showers, restrooms, laundry facilities



Proposed Homeless Facility - 18

Proposed Day Center Services

- Open 7 days/week, 7 a.m. to 5 p.m.
- Restrooms, showers, laundry
- Personal belongings storage
- Mental health counseling
- Case management and job search assistance
- Mail and phone charging stations
- Trash pickup
- Inclement weather shelter



Proposed Homeless Facility - 19

Future Plans: 2018 Grand Blvd.

City will work with community stakeholders to determine needs and potential other uses of building, such as:

- Overnight shelter with food service
- Offices for service providers



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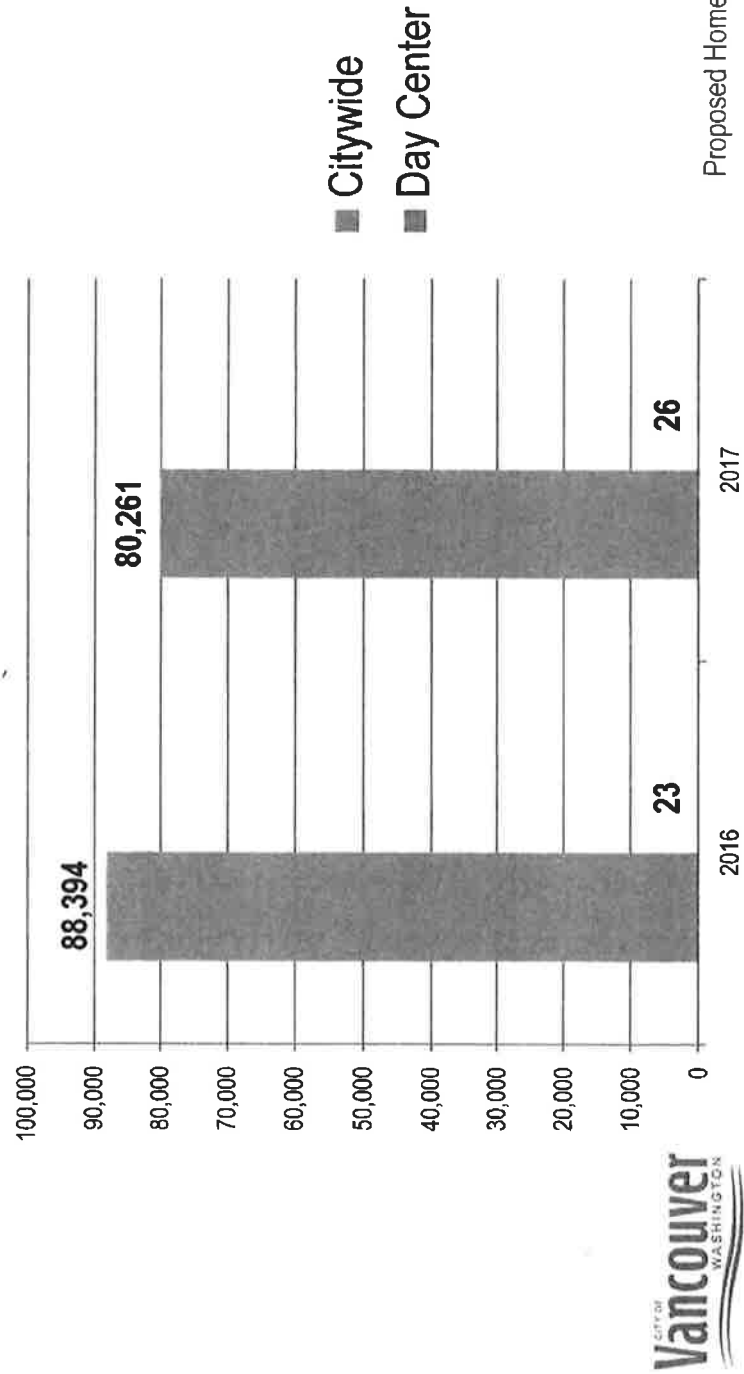
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Dec. 20 to Jan. 2: Hearing Examiner announces decision.

Fourteen day appeal period begins the day decision is issued.



Vancouver Police Department – Calls for Service



Proposed Homeless Facility - 24

Questions and Discussion

Peggy Sheehan, Community Development Program Manager
peggy.sheehan@cityofvancouver.us
(360) 487-7952
www.cityofvancouver.us/affordablehousing



Purchase and Rehab Costs: 2018 Grand Blvd.

According to a 2013 study in Washington County (Oregon), the public cost per chronically homeless person for medical services, emergency shelter, mental health and law enforcement was:

- Single adults - \$40,156 over three year period
- Family adults - \$10,801 over three year period
- Children - \$4,073 over three year period

<https://www.pdx.edu/nerc/the-cost-of-homelessness-in-wa>



Purchase and Rehab Costs: 2018 Grand Blvd.

Approx. 25,000 sq. ft. building on 2.5 acre parcel

Property purchase: \$4.3 million

Rehabilitation (estimated): \$500,000

= **\$192** per sq. ft.



In comparison, the cost of purchase and new construction for...

- City's new fire stations is \$404 to \$603 per sq. ft.
- New multifamily housing is \$300 to \$400 per sq. ft.



Proposed Day Center Relocation FAQs

November 2017



The City of Vancouver has entered into an agreement to explore the potential purchase of a building, located at 2018 Grand Blvd. in central Vancouver, as a strategic acquisition to assist in addressing our community's need for homeless services including operation of a day center. Below are answers to some frequently asked questions. If you have a question that is not addressed here, please feel to contact City staff listed below.

There already is a day center, why move it?

There are many limitations to the current day center site, such as the inability to add showers and laundry facilities, the size of the space, and the lack of service by bus transit. The City has been searching for more than a year to find a larger space for the day center that would allow for a broader array of services than are possible at the current facility--such as showers, restrooms, storage, laundry, lockers, food, and a place to go during inclement weather--additionally the new site must be on a bus line, commercially zoned, have adequate parking, a willing property owner, and be close to services.

Who will operate the day center?

Share is the operator of the current day center and is expected to stay on as operator at the new location until an RFP for an operator is released in 2018. Staff will monitor the visitors to the site.

What services will be offered at this day center?

Plans for services include mental health counseling, general education classes, case management, personal belongings storage, mail and phone charging stations,

job search assistance, restrooms, showers and laundry. These services will be added gradually to the location as funding permits.

What hours will the day center be open?

Seven days a week, from 7 a.m. to 5 p.m.

How many people will visit the day center?

A daily average of 35 people visit the current day center at the Friends of the Carpenter location. We anticipate over time the new location will provide services to an average of 50 people a day.

Is camping allowed outside around the building?

There is no public right of way that would allow for camping outside of the building. Staff will monitor visitors to the site.

What if there is trash around the building, how will it be taken care of?

On-site garbage service will be provided. We are also looking into the potential of starting a program that would provide for a trash pickup service operated by day center participants, modeled after the "Talkin' Trash" program currently at Share.

Where will people go in the evening after the day center closes?

From November 1 - March 31, the Winter Hospitality Overflow shelters are open for overnight stays. The City, County, and Vancouver Housing Authority, along with other community partners, are in the process of planning for additional shelter beds to be made available.

Peggy Sheehan, (360) 487-7952, peggy.sheehan@cityofvancouver.us

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

Who will serve as the contact for the day center?

There will day center operations staff on-site who will be available to assist with any questions or concerns. The phone number can be provided as soon as it is available. Peggy Sheehan, at the City of Vancouver, can also be contacted at (360)487-7952.

Are there other plans for the building?

Future plans for the building could include an overnight shelter and office space for service providers, which would enable a more comprehensive approach to providing needed services such as case management, mental health care, counseling, job training, and housing support. The addition of any services will go through a permitting process as required by the City.

How will the day center be funded?

The City, County and Vancouver Housing Authority have been providing financial support for the current day center operations and a funding mechanism for the new day center is being developed. The interior remodeling needed to accommodate the day center will be funded with City Community Development Block Grant dollars.

Will Prop. 1 Affordable Housing Fund Dollars be used for this project?

To date there are no specific plans to use the Affordable Housing Funds for this project. The 2017 Affordable Housing Fund Administration and Financing Plan allows for \$300,000 annually to be used to support a shelter, however these funds have not been allocated to this project. Any additional allocations of the Affordable Housing Fund require prior approval by Vancouver City Council.

Is there an opportunity for the public to provide comments?

The relocation of the day center requires the City to apply through the Human Services Siting Ordinance.

Interested parties can provide written comments to Jon Wagner, jon.wagner@cityofvancouver.us. There is a public hearing on the Human Services Siting application on December 19, 2017 at 6 pm in the City Council chambers at City Hall, 415 W 6th Street, Vancouver.

How can I find out more information?

More information can be found by contacting Peggy Sheehan, at the City of Vancouver, (360)487-7952.

City staff is available to attend community meetings upon request. There will be two public meetings held in the Aspen meeting room at City Hall, 415 W. 6th Street, on November 15 and November 28 from 4 – 6pm.

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From Sheehan, Peggy
To Wagner, Jon
Cc
Subject Judy Hawkins comments

Date Monday, November 20, 2017 9:35:05 AM

From: Judy Hawkins [mailto:judyhawkins262@gmail.com]
Sent: Monday, November 20, 2017 8:54 AM
To: Sheehan, Peggy
Subject: Additional Information Required

Thank you, Peggy, for attending the Maplewood Neighborhood meeting last week.

I (We) need information about the locations, size, and current amount of people being served at the various satellite centers serving the homeless within the Vancouver City limits, and the same regarding other locations within Clark County. In addition, I need specific information about what services each currently provides.

This information is essential **to put together a concise and complete alternative plan to expand services to the homeless** without detrimental effects of a centralized, large magnet facility which would not be directly beneficial to the various groups of homeless currently being served at other locations, or worse yet, being turned away from needed services, as is invariably done to some today. A Central Location will have a negatively overwhelming effect on the residents, homeowners, and business owners in the Maplewood, close-in East 4th Plain, and Rose Village area and neighborhoods.

This is not an issue of local residents, homeowners and business owners concerned with pointing out obvious problems, but rather one of serving the needs of the homeless throughout the city and county areas in which they are currently trying to live. Proper planning and allocation of services for all citizens, city- and countywide, is essential. Centrally locating one large facility is not the best answer.

There are residents with significant experience in public sector financial management and construction management. There is one with with extensive Architectural experience. I have no doubt here is myriad additional experience which could be utilized to allow local citizens to provide assistance to the City in a positive manner.

Please call me at either **360-635-2880** (cell) or **360-699-1817** (land line) as soon as possible to further discuss the information required. Thank you for your time,

Judy Hawkins
20th & Z Street, Vancouver

From Phil Straub

Date Friday, November 24, 2017 1:44:06 AM

To Wagner, Jon

Cc

Subject Homeless Center Comments

I am asking the city of Vancouver to please not allow a homeless day center to open at 2018 Grand in Vancouver. Please think how you would feel if you have 3 children under 12 and live 2 blocks away and having sex offenders, drug addicts and mentally ill people wandering by all day. A center like this should be away from a neighborhood and not close to a city park (Waterworks Park) that is always dealing with drugs and homeless issues. I sure hope you will think hard about the neighborhood people that will have to deal with the criminal activity this center will bring.

Phil Straub of Vancouver, WA

VDCR-000212A

From Leila Ahmadi

Date Friday, November 24, 2017 7:42:46 PM

To Wagner, Jon

Cc

Subject Public comment on Proposed Daycare Center for Homeless

November 24, 2017

Dear City Planner, Wagner:

RE: Proposed daycare center for homeless.

This comment is written in opposition to the City's proposed plan to relocate a homeless daycare center in the vicinity of our Rose Village neighborhood.

Placing the daycare center in an already struggling working-class neighborhood—one that has worked to increase its property areas and draw in new families—is not the right thing to do; it does not send the message to the home-owning constituents in this neighborhood that their opinion or safety is valued.

Of particular concern is the fact that the clients of the center will leave the space at 5:00 p.m. and will have no where to sleep in the evening. That lack of resource at such a critical time equates to leaving homeowners in the area vulnerable to crime and other foreseeable activities.

- It will draw more homeless to the area, including out of state;
- It will increase crime, vagrancy, panhandling, loitering;
- It will impact the market value of homeowner's property;
- It will draw transient sex offenders to the area.

Please consider our concerns before embarking on this project further.

Sincerely,
Leila Orton

VDCR-000213A

From Rich Baranzano
To Wagner, Jon; Sheehan, Peggy
Cc
Subject Columbia Sportswear may close Portland office over death threats, public defecation by homeless people

Date Monday, November 27, 2017 11:09:48 AM

I thought you might be interested in this article [Columbia Sportswear may close Portland office over death threats, public defecation by homeless people.](#)



Columbia Sportswear may be the next business to flee downtown Portland after a series of frightening encounters with the city's homeless population, including car break-ins, human waste dumped by the office's front door and threats to its employees.

Sent via the Fox News App. Download the app [here](#).

Project ID: LUP-65374 John, Even before Portlands Management of the Homeless Problem in Close-In Areas became National News today(see attached), It was clear that Portlands loss could be Vancouver's gain. Lesson here is that Facilities need to be spread out across Entire Metropolitan Areas. In this case of this submittal according to the Vancouver Crime Mapping App, The Project Address at 2018 Grand BV, Vancouver, WA 98661 is already tightly(.5 Mile Radius) centered on the highest Crime Rate Area of Clark County. Have you given up on this Area ? Your faculties need to be spread out and smaller. In addition, City Sponsored Homeless Facilities should be at least .25 Miles from any Single Family Zoned Properties. Are you prepared for what is going to happen here ? Have you given up on this Area ? Respectfully, Richard Baranzano, 2519-2619 East Fourth Plain, Vancouver, WA 98661

VDCR-000215A

Patti McEllrath | Senior Planner



Community & Economic Development

415 W 6th St • Vancouver WA 98660

(360) 487-7893

www.cityofvancouver.us

From Sheehan, Peggy **Date** Tuesday, November 28, 2017 9:37:06 AM
To 'Tim Foley'
Cc Wagner, Jon
Subject RE: Grand Avenue Homeless Facility

Thanks Tim – I will forward this to the planner in charge.

From: Tim Foley [mailto:tfoley@secondstephousing.org]
Sent: Tuesday, November 28, 2017 9:34 AM
To: Sheehan, Peggy
Subject: Grand Avenue Homeless Facility

Hi Peggy,

I would like to express my support for the proposed acquisition and development of the facility on Grand Avenue for use as a day center for our homeless neighbors. This site should also be considered for future shelter development and as a site for outreach from community support agencies. The selection of this facility appears to offer the greatest potential for meeting many immediate, daily needs of our homeless population. The acquisition of this facility will reduce the extended time often necessary to locate an alternate site that may require construction. I believe the property and the facility offer great promise for our community and for people in need.

— Second Step Housing will collaborate with this community project to the fullest extent that we are able.

All the best,

Tim

Tim Foley, MBA
Executive Director
Second Step Housing
Direct Line: 360.719.4070
Office: 360.993.5301 ext 1124
Cell: 360.487.9711
Fax: 360.993.5304
tfoley@secondstephousing.org
www.secondstephousing.org

From Sheehan, Peggy
To Wagner, Jon
Cc
Subject FW: Support for new facility on Grand Avenue

Date Tuesday, November 28, 2017 7:24:50 PM

Best Regards

Peggy Sheehan
City of Vancouver
360-487-7952 - Office
360-281-5645 -- Cell

From: Daniel Valliere [DValliere@reachcdc.org]
Sent: Tuesday, November 28, 2017 3:45 PM
To: Sheehan, Peggy
Cc: Ben Sturtz; Jessica Woodruff
Subject: Support for new facility on Grand Avenue

TO: Peggy Sheehan, City of Vancouver
FROM: Dan Valliere, on behalf of REACH Community Development
November 28, 2017

REACH fully supports the proposed acquisition and development of the facility on Grand Ave for a homeless day center, future shelter development and site for outreach from community support agencies.

There is a great need in the Vancouver area for new shelter and for better service coordination that will support individuals and families that find themselves without permanent, stable housing. As a provider of permanent, affordable housing in Vancouver, we see this new center as a great complement to affordable housing, as it will facilitate the process of matching people with permanent housing opportunities. It is important that the facility open quickly, and the proposed location offers the chance to quickly open this important new community resource. REACH will collaborate and support this important project as much as we are able.

Thank you for considering our views.

Dan

Daniel Valliere
Chief Executive Officer

REACH CDC

4150 SW Moody Ave. | Portland | OR | 97239

Office: 503-501-5730 | Cell: 503-519-2033

VDCR-000225A

Fax: 503-236-3429

[Facebook](#) | [YouTube](#) | [Twitter](#)

VDCR-000225B

<http://cvvault03.vancouver.root.local/EnterpriseVault/ViewMessage.asp?VaultId=105F807...> 2/26/2018

From Sheehan, Peggy
To Alex Engen (Student)
Cc Wagner, Jon
Subject Re: email

Date Tuesday, November 28, 2017 7:35:10 PM

Thanks alex

From: "Alex Engen (Student)" <aengen@students.uws.edu>
Sent: Tuesday, November 28, 2017 7:27 PM
To: "Sheehan, Peggy" <Peggy.Sheehan@cityofvancouver.us>
Subject: Re: email

Hello Peggy,

Thanks for following through with reaching out to me. Here is the original letter I wrote to you, though too be honest after tonight my concerns have increased and I may write you another one.

I've been told that I should voice my displeasure with the city's proposal of a centralized homeless day center at the old Washington State Fish and Wildlife building on Grand Ave.

I'm writing you with limited expectations of the city to change their plans; nonetheless, I feel it is my duty as a concerned citizen to voice my concern. My first priority is to protect my family and this effort, to move all homeless people to a single location, will challenge my ability to do so. With a larger population of homeless people in a single location you can expect an increase in littering, drug use, and other illegal actions. While not all homeless people are offenders of the aforementioned, it takes one bad apple to spoil the bunch.

That statement leads me to the next area of concern: an increased population of homeless people in a single location will be bad for the homeless people, themselves. With increased potential for drug use, littering, and other violations of city ordinance, the reputation and safety of the homeless community will be compromised. When the good reputation diminishes, they will have a harder time gaining favor with the public and ultimately hurt the support they currently have. Also, we can expect the increase in concentration of homeless people in one area to diminish the quality of resources available to them (When has mass production ever been good for the quality of a product? In this case the product would be the liveliness of the homeless community).

Lastly, the centralization of homeless people will hurt the local economy. Companies like Walmart, Subway, Black Rock Coffee, and Papa Murphy's will take a financial hit and, in time offer less jobs for the people in our community including the homeless we are trying to help. Even worse, the local property owners will hurt by this effort because their home and property value will decrease. When we examine this potential move economically, we can see the ramifications for both the corporate supporters and the local businesses that are trying to grow our community.

Ultimately, this proposal will hurt families in the community, the homeless community and the local economy. I hope that my letter exceeds my own expectations in influencing this decision. I urge people who can make a difference to save our community by refusing this proposal.

Sent from my iPad

On Nov 28, 2017, at 7:22 PM, Sheehan, Peggy <Peggy.Sheehan@cityofvancouver.us> wrote:

Hello, hope this email reaches you this time. Feel free to attach your comments and i will forward to Jon Wagner.

his email is jon.wagner@cityofvancouver.us

Best Regards

VDCR-000226A

Peggy Sheehan
City of Vancouver
360-487-7952 - Office
360-281-5645 -- Cell

From Anne McQuary
To Wagner, Jon
Cc
Subject Homeless Day Shelter

Date Wednesday, November 29, 2017 5:59:58 PM

Dear Mr. Wagner,

My name is Anne McQuary and I am a resident of the Central Park Neighborhood since 2006. I am concerned about the proposed day use homeless shelter proposed for the old Fish & Wildlife building just off 4th Plain. That area of Fourth Plain has JUST begun revitalization with the addition of the Vine transit, and a few new businesses. It seems counterintuitive to put a day use homeless facility in an area that has struggled for years, but is just now beginning to show improvements. In addition, our small neighborhood has undergone a dramatic increase in population, jamming apartment buildings into what should be residential lots. I know I am not alone in worrying about property values and safety in my neighborhood.

I understand that homelessness is a growing concern for our city. I work at an elementary school that has seen a dramatic rise in homeless students, and believe me, I understand the need. However, it seems the city has no concern for the residents of a neighborhood that is already overburdened with growing traffic and crime. How can this be addressed to reassure the current residents of my neighborhood that it will not reduce the values of our homes or lead to increased crime? Will there be extra police patrols? Will there be opportunities for those using the shelter to have training for work opportunities? If this is a day use facility, where will those using it go at night?

Making a good faith outreach effort to the neighborhood with information about how all these things will be addressed would go a long way toward garnering neighborhood support, rather than just saying it's happening.

Sincerely,

Anne McQuary

From bigger rig
To Wagner, Jon
Cc
Subject Maplewood Day Center

Date Monday, December 11, 2017 6:01:47 PM

Good afternoon Mr. Wagner,

I realize that the public comment period for this issue has expired, however, I was out of state for work and unable to access the internet for 2 weeks. I still hope this makes it across your computer screen.

My wife and I live on X Street in the Central Park neighborhood, less than 10 minutes by foot from the proposed new day center at the corner of 4th Plain and Grand. While we certainly appreciate the need for a center like, we are cautious about moving forward with the project. The need to help the homeless population in the Vancouver area is greater than ever, and both my wife and I believe that is time to start allocating resources further to the east of the downtown core, and the site located at the old Fish and Game headquarters is certainly a good choice.

However, we also would like to see what the City of Vancouver plans to do about the following issues that will inevitably occur when the new center is opened:

- Camping: A lot of areas nearby are open and would be sites for illegal camping.
- Lighting: Grand street will need additional lighting to prevent crime.
- Transportation: Buses or shuttles to take them to the night shelters after 5 pm.

If the City of Vancouver has an plan on how to minimize or address these issues, we would be very happy to hear to alleviate our concerns.

Thank you for your time on this issue.

Zach Twist & Karen Cornell
1601 X Street
Vancouver, WA 98661

From Elizabeth Madrigal

Date Wednesday, December 06, 2017 2:25:59 PM

To Wagner, Jon

Cc

Subject Public Comments : Proposed Day Center location on 2018 Grand in Vancouver

Dear Mr. Wagner,

I hope this email finds you well. I wanted to commend the City of Vancouver, as well as your other partners, for working so hard to address the homeless services needed in our community.

Please add my voice as a strong supporter of the proposed relocation of the Day Center to 2018 Grand Boulevard. There are so many pluses to that location, which include the bus service, parking, size of the facility, room for storage of supplies, possible bathroom facilities and the addition of on-site vendors if warranted.

It is heartbreaking to see so much homelessness and the reluctance of some to help. It has become not only unacceptable but unconscionable. With the current social policies nationally, it truly is up to our local community to work harder to solve these problems. This location will help us provide the needed services to help our vulnerable community members find a path to permanent housing and family security.

Thank you so much for considering my position. I emphatically encourage the City and the County to move forward with this project.

With warm regards,

Elizabeth Madrigal

elizabeth.madrigal@gmail.com

Tel: 360.281.1615

VDCR-000361A

From Esther Short Neighborhood
To Wagner, Jon
Cc
Subject Proposed Homeless Day Center

Date Monday, December 04, 2017 10:56:48 PM

Hello Jon,

Here are a few points of feedback regarding the proposed Homeless Day Center on Grand.

1. Where homeless will go outside of the day center hours needs to be addressed, otherwise the neighborhoods in the area may have the same type of negative impact that has affected Esther Short Neighborhood.

2. The availability of food needs to be on a larger scale. SHARE House in downtown should not be the only facility to serve meals in the city, this needs to be available in locations throughout the city and proper commercial kitchen equipment needs to be budgeted for. Space for a food pantry and clothing closet should be considered. There are a number of organizations that have volunteers to that can utilize the kitchen and assist with those functions. It is more appropriate for that space to be used than our parks.

3. Female restrooms, showers and perhaps even laundry facilities should be separated by large distance from male facilities. With plumbing, I understand these are generally put next to each other and I have seen the pencil napkin drawing. Since there are a number of females with sexual assault/rape/harrasment and other issues, I would like their safety and mental health to be considered priority in design if the city wants them to utilize the space.

Thank you for your time and attention.

Respectfully,

Carmen Caraballo
President
Esther Short Neighborhood Association

From cravemagrobin@gmail.com on behalf of Just Robin
Date Monday, December 04, 2017 8:09:27 PM
To Wagner, Jon
Cc
Subject Grand Blvd Day Shelter

December 4, 2017

Jon Wagner

City of Vancouver Planner

RE: proposed day shelter on Grand Blvd

Mr. Wagner,

I have lived in the Maplewood neighborhood almost a decade as a first time homeowner. I have been an active participant in my community and also the neighborhood association as Newsletter Editor and Volunteer. I am also a Single, Disabled Mother of an autistic, medically disabled child and as a vulnerable individual; I feel this shelter poses great safety concern to me and my children.

I am an active volunteer, and I have been homeless in my lifetime, and it has touched my family and friends closely. I do believe it is important that a shelter and these services be offered, however, I also believe it is going to pose some potentially dangerous circumstances to the most vulnerable of which this neighborhood is primarily made, single parents, elderly, and the disabled.

This is already a challenged, even disadvantaged neighborhood, and the gathering of so many of the mentally ill and homeless population is a very real concern. When I attended meetings about the proposed shelter, we were attacked and told we lacked compassion for our opinion, but I feel this is unfair.

I am concerned about my safety, about the unavoidable increase in crime, car prowls; break ins, physical attacks, overdoses, auto thefts, garbage, camping, needles, and many other potential situations that could arise with the day shelter nearby. It has been shown that people often stay in the area where services are offered, particularly in this case when at this time the shelter will close in the evening, and then our residential neighborhoods will have to absorb the overflow of people without adequate food, shelter or mental health resources. This neighborhood worked SO HARD to be livable, and I feel this will be a great setback after all we have already been through.

I understand that this shelter is necessary, but I feel that due to the already challenged neighborhood and limited resources in the surrounding area that this truly is a poor choice of location. Many families have already put their homes up for sale in anticipation of this happening. I'm on a fixed income, I can't leave, and I also don't feel like I would be safe in my home any longer with this shelter so close to me. I truly hope you will listen to the citizens who live here, and already suffer difficulty.

Thanks so much for listening,

VDCR-000365A

Robin Steeley –

3317 E. 17th St, Vancouver, WA 98661 - 360-991-9332 - justrobin1111@gmail.com

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~Thoughts Become Things~

From Kristy Sanchez **Date** Monday, December 04, 2017 4:42:46 PM
To Wagner, Jon
Cc
Subject Proposed Day Care Center Relocation at 2018 Grand Boulevard

Jon Wagner

City of Vancouver

Dear Mr Wagner,

I am the President of Regency Management, Inc.. We manage several residential multifamily properties in the area near to the location of the proposed Day Care Center Relocation at 2018 Grand Boulevard. I am in opposition to the current proposal.

There is currently an inadequate supply of housing. Investors wanting to invest in the Vancouver housing market are an asset and the key to solving the homelessness problem. If the city does not listen to their voice and show concern and action for their interests, they will go elsewhere. I urge you to hear their concern and act in a manner that is respectful to their interests.

Our company and our clients are very supportive of the City providing services to the homeless. These services done correctly are crucial in building and maintaining vibrant communities. We believe that multiple neighborhoods in Vancouver should each host a small homeless shelter, so that the homeless can be served in a manner that does not unfairly impact any particular neighborhood.

A major concern with the proposed Day Care Center Relocation is how are we going to control inevitable camping that will occur on or around our properties. We have an obligation and responsibility to our residents to maintain a community that is safe and enjoyable for them and their families. This center will likely result in a necessity for more services for security and trash clean-up. These additional services add costs to our operating budgets; higher operating costs are dealt with either by raising rents or devaluing the property. Rents can only be raised as far as the local labor force can afford, so inevitably the result is a decreased value of the property.

The property owners we serve have made large investments into their real estate purchases. They take pride in the care of their investments and treat their residents respectfully. They really want the community to be a nice home for their residents. These are the types of investors that the city should cherish and partner with in the care of the city. They have motivation for the neighborhood to thrive. Devaluing their properties with a disproportionate burden in caring for the homeless community will force them out of the neighborhood.

The law supports the concerns of my clients. In an effort to help make our clients voices heard, I am including information of how this proposed facility is in violation with the law.

First, VMC 20.870.040 states that approval of a facility requires that "The establishment, maintenance or operation of the facility **will not ... be significantly detrimental to the health, safety or general welfare of persons residing ... in the neighborhood** of such proposed use or **be significantly detrimental or injurious to the property or improvements in the neighborhood.**" As discussed above, the proposed location will unquestionably degrade the quality of life for the current residents and will substantially degrade the value of the property for the owners.

Second, VMC Section 20.870.010 states that "it is important that these (human services facilities) be regulated in a way that minimizes any adverse off-site impacts, particularly in established neighborhoods where such facilities tend to be located. **There is a particular concern that no area bear a disproportionate burden in the provision of these services.**" The proposed

VDCR-000366A

EXHIBIT C

**(Highlighted Portions of E-Mails not Included
in the Record)**

From Kristi Lusk
To Wagner, Jon
Cc
Subject Comments on Day Center

Jon,

I am a Resident on St Johns near where this proposed homeless day center would be. I am totally against this. Our area already has multiple places that are serving the homeless (Two Churches providing meals, Two food & Clothing distribution for homeless & Services for Mentally Ill & homeless at the V.A just to name a few). We are already doing our part and have a large amount of homeless in our area. We do not need to add to this number. Many in our neighborhood have been victims of petty crime and aggressive panhandling by the homeless. I am harassed at least 3 times per month while waiting for a C Tran bus for work on Ft Vancouver Way & 4th Plain by homeless beggars that will not take no for an answer or Mentally ill or homeless Men & Women using foul language directed at me. I have a daughter that will be going to school in this area and sure do not want her to be dealing with this. Why always our neighborhood and not others who have not provided any services to the homeless. C Tran bus lines go to every area of town so there is no issue getting to other parts of town. Please Stop always using this area as a dumping ground for the homeless.

Thank You
Kristi Lusk
1817 St Johns
Vancouver WA

From Al Jones
To Wagner, Jon
Cc
Subject Homeless shelter

Date Thursday, November 16, 2017 7:21:10 AM

THERE ARE POOR, HOMELESS PEOPLE , AND THERE ARE POOR, HOMELESS, MENTALLY ILL PEOPLE WHO DESERVE AND NEED A SHARE OF OUR ABUNDANCE. THERE IS NOTHING, ABSOLUTLY NOTHING WE CAN DO TO SOLVE THE HOMELESS PROBLEM BY PROVIDING FOOD AND SHELTER TO ADDICTED PEOPLE. EVERY DIME THAT THEY DO NOT HAVE TO SPEND ON SUPPORTING THEMSELVES IS MONEY THEY WILL BUY DRUGS WITH. THE ONLY SOLUTION FOR THEM IS PRAYER AND A SAVING FAITH IN CHRIST, WHO SAID IN JOHN 12:8 THAT THERE WILL ALWAYS BE POOR PEOPLE LIVING AMOUNG US.

WHICH KIND DO WE AS A NEIGHBORHOOD WANT TO ATTRACT AND SUPPORT?

I AM A HOMEOWNER OF 8 YEARS. ONE BLOCK FROM THE PROPOSED SITE IS A CLUSTER OF HALFWAY HOMES FOR ASSORTED FELONS. THE NEIGHBORHOOD IS ALREADY HAUNTED BY NIGHT CREATURES WHO MARCH THROUGH TO AVOID GRAND AND FOURTHPLAIN WHERE THEY MAY BE SEEN BY OUR POLICE.

I GIVE BUT DO NOT WANT TO BE TAXED FOR THE PROPOSED FACILITY. THE MONEY WILL NEVER REACH THE INDIGENT. IT FEELS AS THOUGH OUR FINANCIALLY STRAPPED NEIGHBORS ARE UNABLE TO FIGHT CITY HALL FINANCIALLY.

WE ARE CONSIDERED A RESIDENTIAL DUMP TO BE IGNORED AND NOT IMPROVED UPON.

1 Thank

From Melissa Baker**Date** Friday, November 17, 2017 4:40:48 PM**To** Wagner, Jon**Cc****Subject** Proposed Day Center Location

Hello,

Thank you for the opportunity to share my thoughts on the new location of the day center.

People in our community who are experiencing homelessness are often stereotyped as criminals and violent individuals. These people are generalized as those who commit crimes and cause problems. This stereotype is a reflection of a very small portion of the population in Vancouver, whether homeless or not. With the increase in housing costs over the past few years, the most common image of households that are forced to live in their cars or on the streets are those of families. People with small children, or elderly with a fixed income. These people are the new "homeless" in Clark County.

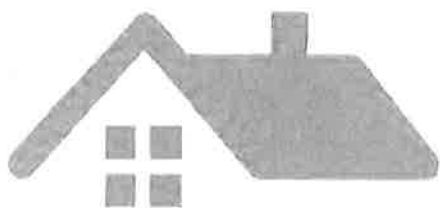
This proposed day center will provide a vast array of services for people who want to utilize them. The current day center is unable to provide all of the services that are needed for this community. Not only because of the lack of space, but also because of the inability to access services due to transportation difficulties that are commonly experienced when a household is experiencing homelessness.

Contradictory to popular opinion, no one *wants* to be homeless. No one *chooses* to live on the street. It is an unfortunate reality for people who have not been able to receive the services that they need and have been forced to adapt to the reality of life on the street. This is now their daily life. Just as if an American was to suddenly move to a foreign land, live there for years and then try to re-assimilate to American culture. It would take time, along with a strong support network, to be successful. The main difference is that these folks who have been homeless for such a long time, do not have an adequate support network. **This day center can provide that support.**

By moving the current day center to the proposed location on Grand Avenue, our community will be able to serve not only those that have been homeless for quite some time and have been camping in local parks, but also those who have a hard time accessing services in the downtown concentration. The new day center is also located on the new Vine bus route. This will allow more households experiencing homelessness the opportunity to reduce their housing and employment barriers. By increasing access to services for those experiencing homelessness, the new day center location will be able to increase the access to those services.

This new location for the day center will *help our community*. There is crime in the neighboring communities, just like there is crime in every community. The difference is, is that by offering services at this location, individuals and families that struggled to access services before, will have a better chance at success.

Thank you again,
Melissa Baker



HOMELESSNESS IN VANCOUVER

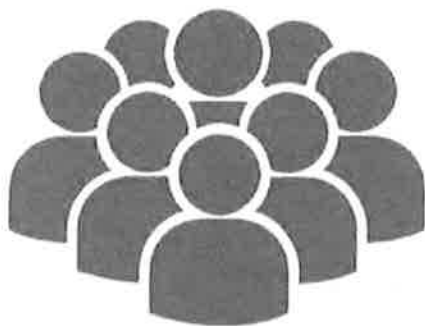
Current Day Center for People Who Are Homeless
1600 W 20th Street

In December 2015, a temporary day center for people who are homeless opened near downtown Vancouver. This temporary day center is funded by Clark County, the City of Vancouver and the Vancouver Housing Authority, and is operated by Share and Friends of the Carpenter.



Since opening, the center has served **968** people.

December 2015-November 2016



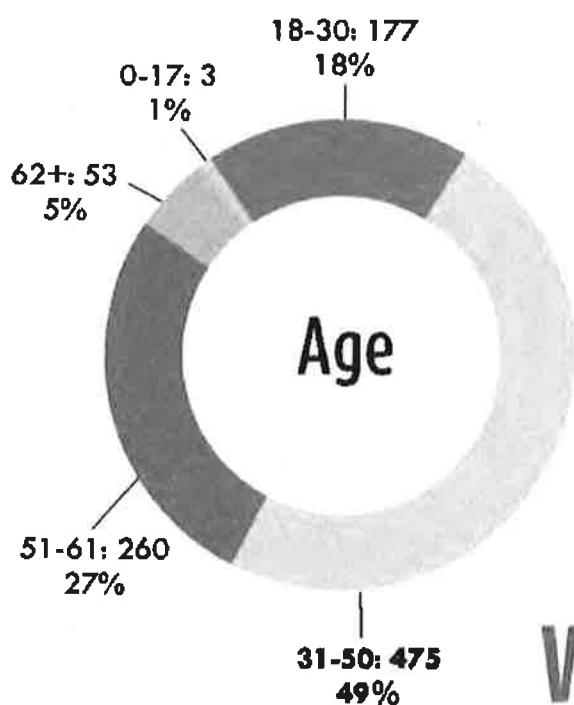
691 men



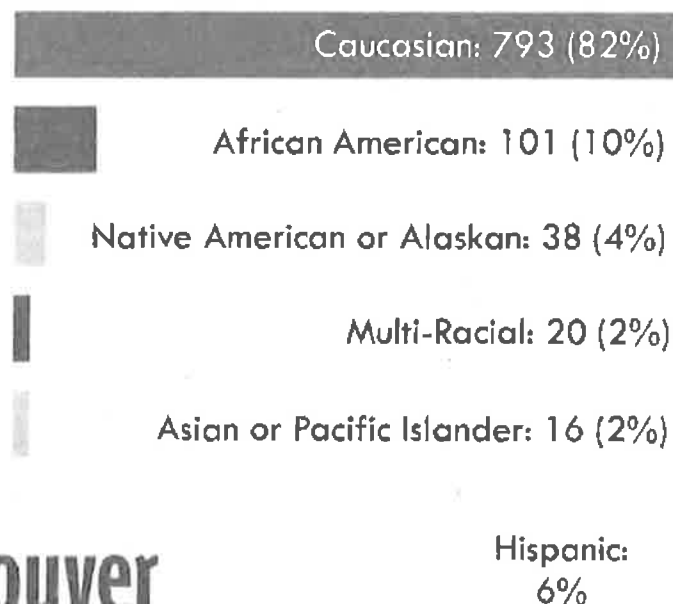
274 women



3 children



Race/Ethnicity



Services provided at the Day Center



300 people
have used lockers for
storage of personal items



258 people
received help accessing benefits such as
food stamps, disability or social security



186 people
have received help
looking for jobs



17 people
received long-distance travel assistance to
live with family members in other cities

Additional services available



Mailing address



Transportation assistance



Information about cold weather
shelters (during winter months)



Help filling out forms (health
insurance or other benefits)



Telephone use and
mobile phone charging

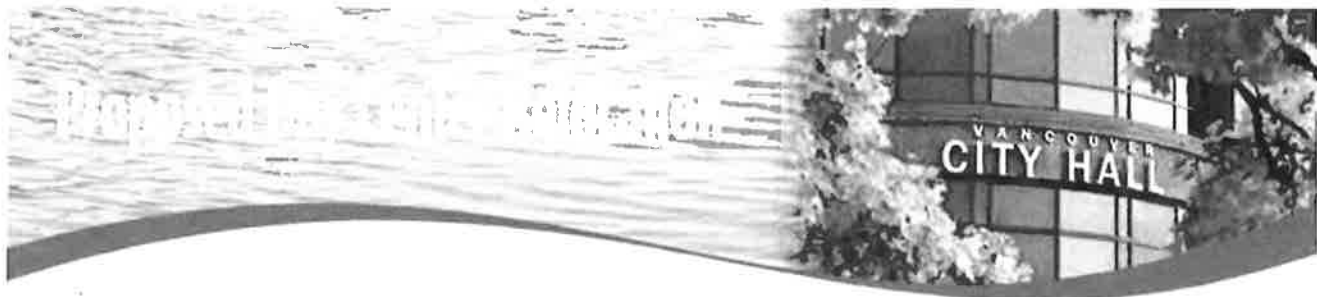


Clothing

What's next?

In 2017, the City of Vancouver will research the development of a permanent day center on the property located across from Share House (1115 W. 13th St.). If funded and permitted, it will be operated by Share and will feature:

- Showers
- Laundry facilities
- Restrooms
- Storage
- Small conference room for case management



In December 2015, the City of Vancouver assisted in siting and funding a temporary day center for people who are homeless at the Friends of the Carpenter Warehouse, 1600 W. 20th St. near downtown Vancouver. Since then, the temporary day center has been used by nearly 1,000 people. However, the building size, location, and property limitations have deterred the effectiveness of the operation. The current site does not allow for showers, laundry, or storage of personal items and C-TRAN has discontinued bus service to this location.

Working with project partners and stakeholders, it was determined that the day center should be moved to a larger, more accessible, permanent site to increase service effectiveness.

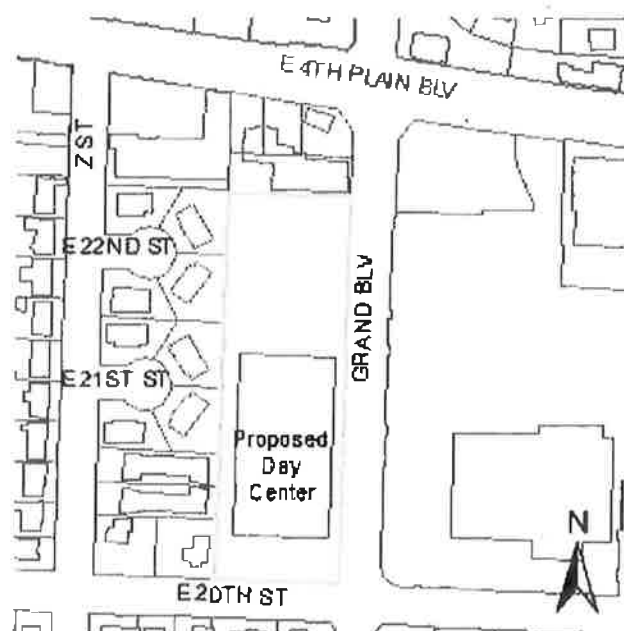
Over the past year, the City, along with its partners, looked at approximately 20 properties that were for sale or lease in search of an appropriate site. In October 2017, the City entered into an agreement to explore the purchase of a building located at 2018 Grand Blvd. in central Vancouver for the purpose of relocating the day center and developing a more integrated approach to providing homeless services.

Highlights of Proposed New Location

- Address: 2018 Grand Blvd.
- Size: 25,000 square ft. building
- Commercially zoned
- Large parking lot
- On C-TRAN bus line
- Room for showers, restrooms and laundry facilities
- Size of building allows for potential of service providers to be located on-site

Share House, the current operator of the temporary day center, will continue as operator until an Request for Proposals for operators is issued in 2018. Services planned to be offered at the new location include:

- Mental health counseling
- General education classes
- Case management
- Personal belongings storage
- Mail and phone charging stations
- Job search assistance
- Restrooms, showers and laundry
- Inclement weather shelter
- Trash pickup
- Hours: 7 days a week, 7 a.m. to 5 p.m.



Peggy Sheehan, Community & Economic Development Programs Manager
 (360) 487-8600 | TTY: (360) 487-8602
 415 W. 6th St. | Vancouver, WA 98668-1995
www.cityofvancouver.us



Project Partners

- The City of Vancouver
- Clark County Community Services
- Share
- Vancouver Housing Authority

Operating Funds

The City and Clark County have been providing annual financial support for the current day center operations since 2015, and a funding mechanism for the new day center operations is being developed.

Public Outreach

City Staff is proactively reaching out to neighborhood associations and businesses adjacent to the new location to provide information and answer questions on the relocation project. City staff is available to meet with any interested parties upon request. Project updates will be posted on the City's web site at www.cityofvancouver.us.

Next Steps & Timeline

Oct. 30: Human Services Siting application submitted by the City of Vancouver.

Nov. 3 to Dec. 4: Human Services Siting application comment period. Written comments can be submitted to Jon Wagner, City of Vancouver Planner, by mail (to the City's mailing address listed in footer below) or email (jon.wagner@cityofvancouver.us).

Nov. 15: Public open house/information session, 4 to 6 p.m., Aspen meeting room, City Hall, 415 W. 6th St.

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Dec. 19: Human Services Siting application public hearing with Hearings Examiner, 6 p.m., Council Chambers, City Hall, 415 W. Sixth St.

Dec. 20 to Jan. 2: Hearing Examiner announces decision.



To request other formats, please contact: Peggy Sheehan, Community & Economic Development Programs Manager
peggy.sheehan@cityofvancouver.us | (360) 487-8600 | TTY: (360) 487-8602



Homeless Facility 2018 Grand Boulevard

CITY OF
Vancouver
WASHINGTON

Peggy Sheehan, Community Development Program Manager
Commander Dave King, Vancouver Police Department

Proposed Homeless Facility

Purpose: Discuss use of property at 2018 Grand Blvd for proposed homeless facility, including day center and potential overnight shelter

Presentation overview:

- Homelessness in our community
- Homeless shelters – present situation
- Day center/shelter opportunity
- Human Service Siting process



Existing Day Center

Friends of the Carpenter Warehouse –
1600 W 20th Street



Existing Day Center

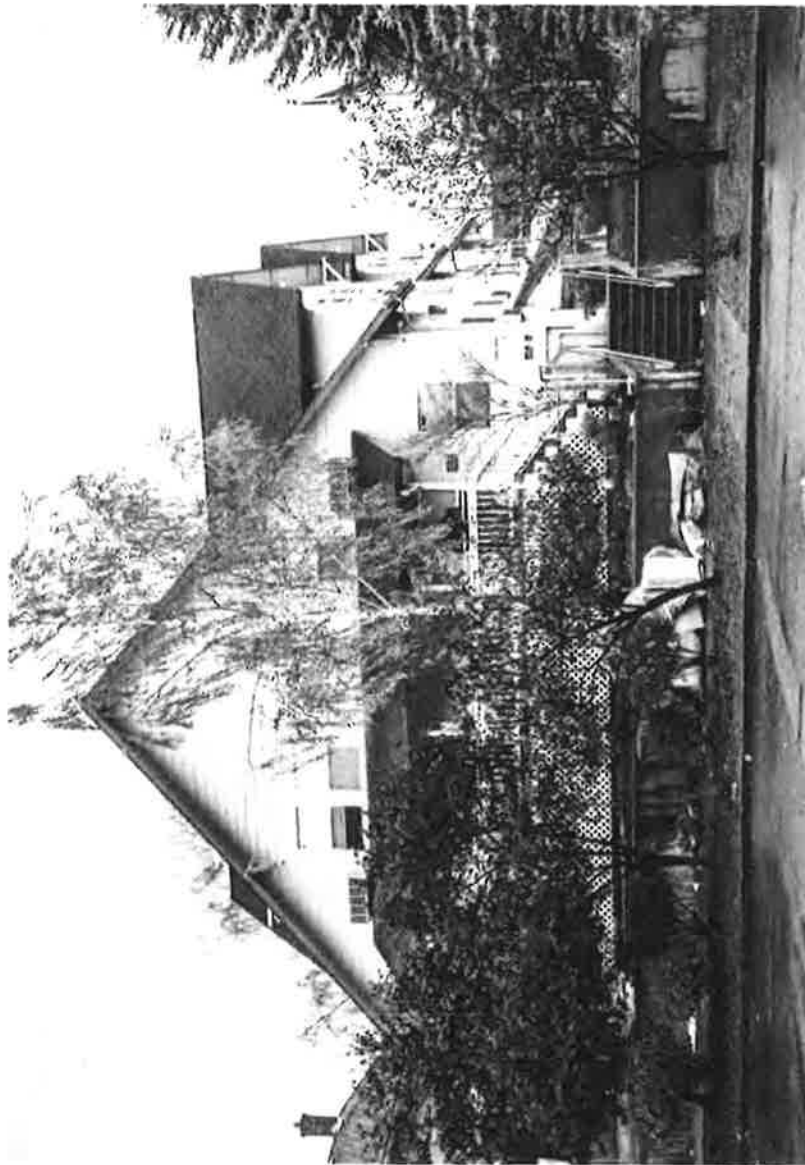


Existing Day Center



Share House Overnight Men's Shelter

1115 W 13th Street



Homelessness in Our Community

A nationwide challenge:

L.A. to declare 'state of emergency' on homelessness, commit \$100 million

Portland Mayor: City Must Do More To Address Homelessness

After 10-Year Plan, Why Does Seattle Have More Homeless Than Ever?



Proposed Homeless Facility - 7

Homelessness in Our Community

**January 2017
countywide point in
time count:**

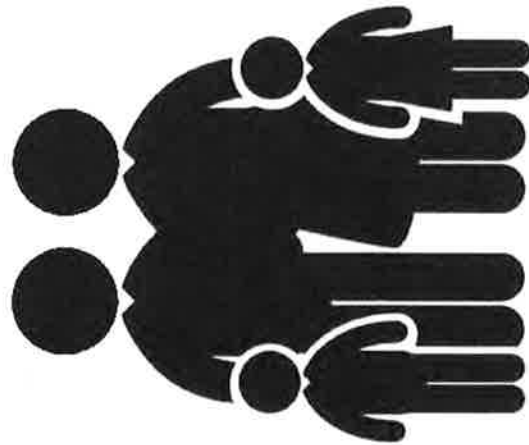
Sheltered: 480 people



Vancouver
WASHINGTON

Proposed Homeless Facility - 8

Homelessness in Our Community



In 2016:

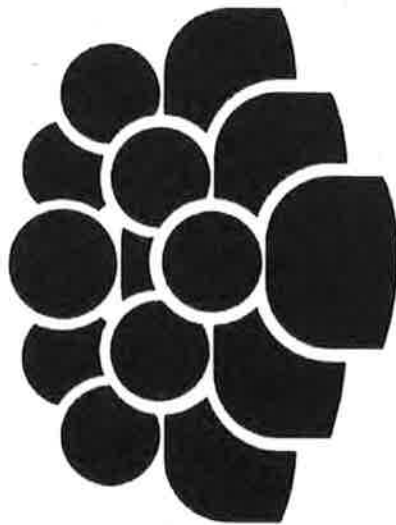
**496 homeless households
with children requested
emergency shelter**



Data source: 2016 Council for the Homeless

Proposed Homeless Facility - 9

Homelessness in Our Community



In 2016:

**1,482 homeless single
adults requested emergency
shelter**



Data source: 2016 Council for the Homeless

Proposed Homeless Facility - 10

Homelessness in Our Community

- Median 2-BR rent in Vancouver increased by \$550 between Nov. 2015 and Nov. 2017 (Apartment List National Rent Report)
- For people living in poverty, each \$100 increase in median rent is associated with an average increase in homelessness of 14.5% in metro areas (Journal of Urban Affairs, November 2012)



Camping Ordinance



As of Oct. 2015, it is legal to camp overnight on most publicly-owned property in Vancouver between the hours of 9:30 p.m. and 6:30 a.m. This does not include public parks, which close nightly from 10 p.m. to 5 a.m.



Overnight Shelters in Clark County

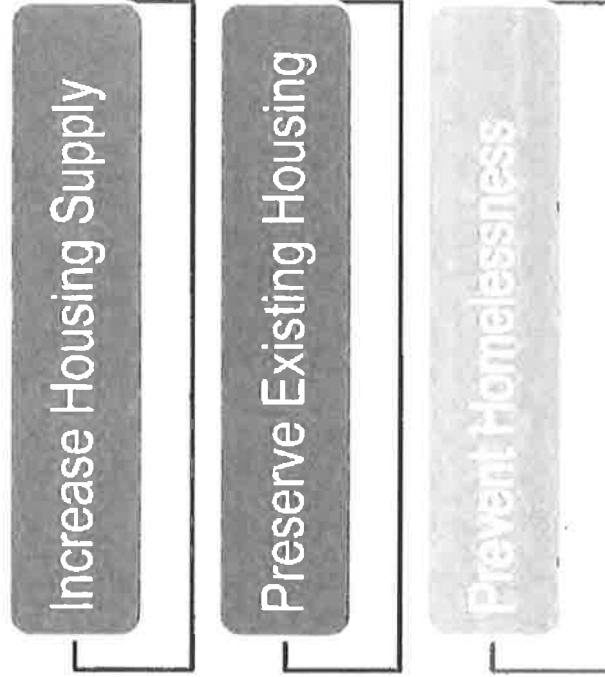
Shelter	People served daily	Neighborhood
Share House	30 single men	Esther Short
Domestic Violence Shelter	23 men, women with children	Rose Village
Inn at the Orchard	46 people, 4 single women (12 families)	Orchards
Valley Homestead	46 people, 4 single women (12 families)	Hazel Dell Ave. in Vancouver
Oak Bridge	11 youth	Forest Ridge
Women's Housing and Transition	18 women	Arnada
TOTAL	182 people daily (increases by 99 in winter)	



Homeless Facility - 13

Affordable Housing Fund

- Proposition 1 approved by 58% of the voters in November
- \$6 million annually for 7 years (\$42 million total)
- Applies to all taxable property in the city



Affordable Housing Fund – 2017 Projects

Project	Units
Caples Terrace	28
Downtown Apartments	30
Isabella Court Phase II	49
McKibbin Commons	4
Meriwether Place	30
The Pacific	18
The Shipyard	78
Community Services NW	7
Kleen Streets Recovery	4
New Beginnings Maternity Home	4
TOTAL	237

City is pursuing other strategies in addition to fund to address the affordable housing issue

Proposed Homeless Facility - 15



Proposed Day Center Relocation

- Current day center located at Friends of the Carpenter Warehouse (1600 W 20th Street) since December 2015
- Serves approx. 1,000 people annually (approx. 40 people/day)
- Current location has space, amenities and location constraints
- Share currently holds contract to operate, City plans to issue RFQ in 2018 for operator

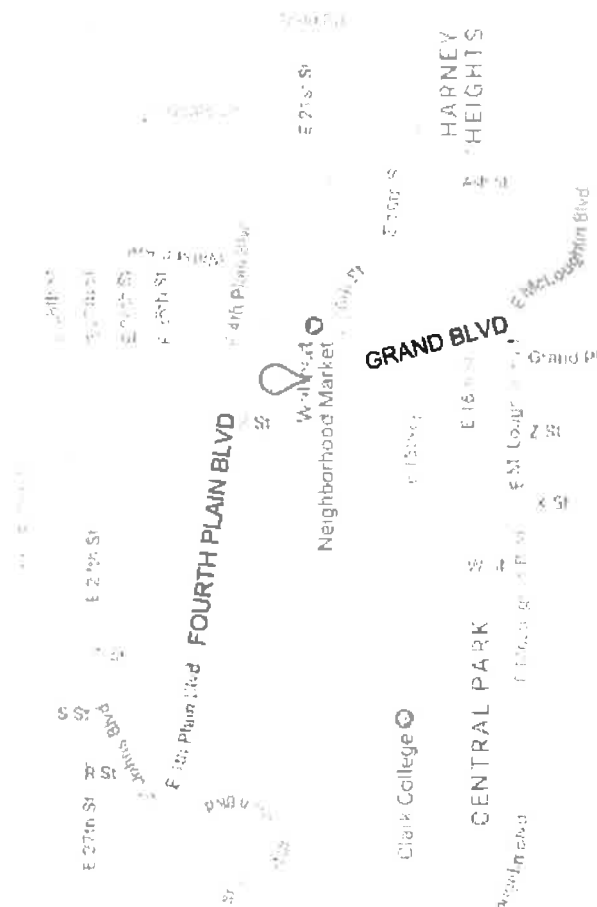


Homeless Facility Location Criteria

Minimum Required	High Priority	Desirable
Access/proximity to social services	Existing building, available space, willing property owner	Measures to mitigate impacts on neighboring uses
Served by transit	Commercial zone	Space for full services
Capacity to accommodate: - Day center - Emergency weather shelter	Capacity to accommodate: - Long term permanent shelter for special populations (single women, families) - Work with community to determine numbers and population	Multiple locations and geographic dispersal to serve entire city/ region
Adequate parking	Land area for future expansion	Vacant land ~1 ac.

Potential Homeless Facility: 2018 Grand Blvd.

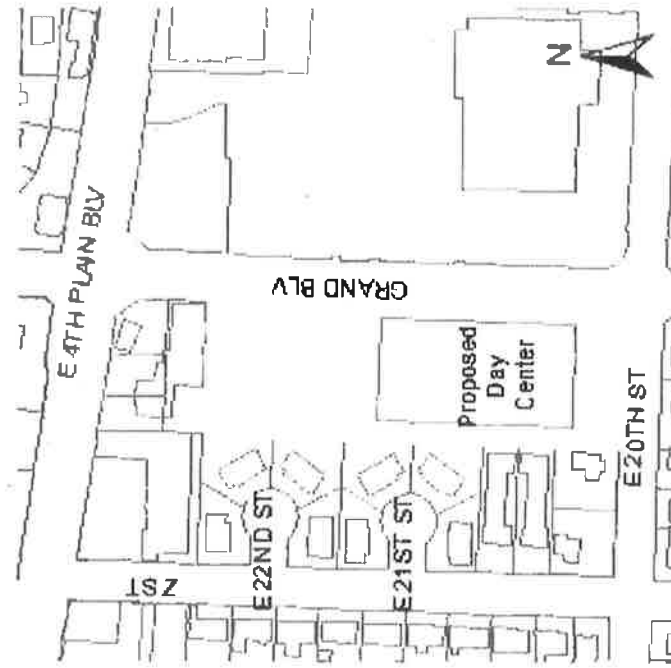
- 25,000 square foot building
- Day center – 4,000 sq. ft.
- Commercial zone
- On bus route
- Adequate parking
- Close to services
- Room for showers, restrooms, laundry facilities



Proposed Homeless Facility - 18

Proposed Day Center Services

- Open 7 days/week, 7 a.m. to 5 p.m.
- Restrooms, showers, laundry
- Personal belongings storage
- Mental health counseling
- Case management and job search assistance
- Mail and phone charging stations
- Trash pickup
- Inclement weather shelter



Proposed Homeless Facility - 19

Future Plans: 2018 Grand Blvd.

City will work with community stakeholders to determine needs and potential other uses of building, such as:

- Overnight shelter with food service
- Offices for service providers



Next Steps & Timeline

Oct. 30: Human Services Siting application submitted by the City of Vancouver.

Nov. 3 to Dec. 4: Human Services Siting application public comment period.

Written comments can be submitted to Jon Wagner, City of Vancouver Planner, by mail (P.O. Box 1995, Vancouver, WA 98668) or email to: jon.wagner@cityofvancouver.us.

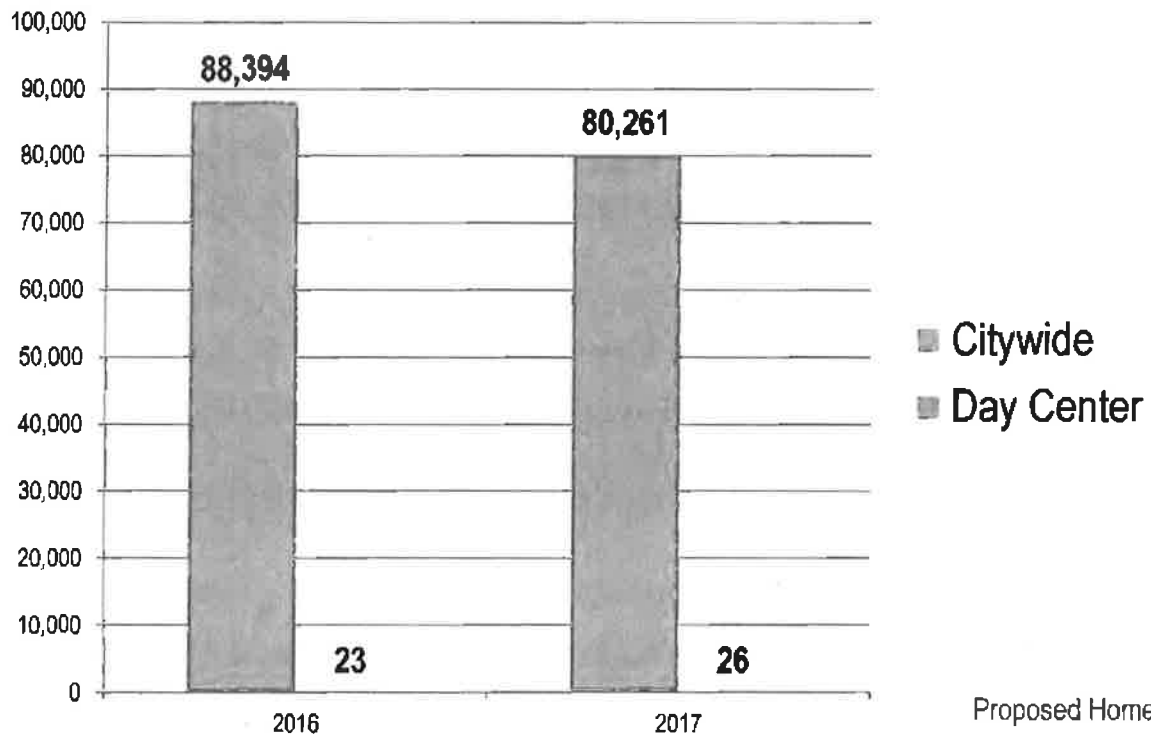
Dec. 19: Human Services Siting application public hearing with Hearings Examiner, 6 p.m., Council Chambers, City Hall, 415 W. Sixth St.

Dec. 20 to Jan. 2: Hearing Examiner announces decision.

Fourteen day appeal period begins the day decision is issued.



Vancouver Police Department – Calls for Service



Questions and Discussion

Peggy Sheehan, Community Development Program Manager

peggy.sheehan@cityofvancouver.us

(360) 487-7952

www.cityofvancouver.us/affordablehousing

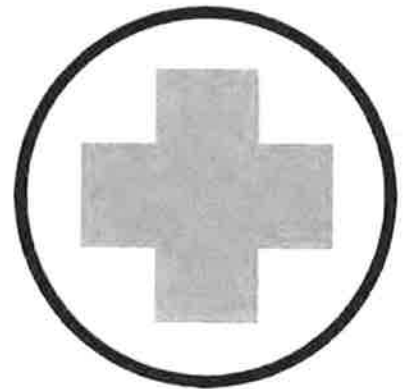


Purchase and Rehab Costs: 2018 Grand Blvd.

According to a 2013 study in Washington County (Oregon), the public cost per chronically homeless person for medical services, emergency shelter, mental health and law enforcement was:

- Single adults - \$40,156 over three year period
- Family adults - \$10,801 over three year period
- Children - \$4,073 over three year period

<https://www.pdx.edu/nerc/the-cost-of-homelessness-in-wa>



Purchase and Rehab Costs: 2018 Grand Blvd.

Approx. 25,000 sq. ft. building on 2.5 acre parcel

Property purchase: \$4.3 million

Rehabilitation (estimated): \$500,000

= **\$192** per sq. ft.

In comparison, the cost of purchase and new construction for...

- City's new fire stations is \$404 to \$603 per sq. ft.
- New multifamily housing is \$300 to \$400 per sq. ft.

Proposed Day Center Relocation FAQs

November 2017

CITY OF
Vancouver
WASHINGTON

The City of Vancouver has entered into an agreement to explore the potential purchase of a building, located at 2018 Grand Blvd. in central Vancouver, as a strategic acquisition to assist in addressing our community's need for homeless services including operation of a day center. Below are answers to some frequently asked questions. If you have a question that is not addressed here, please feel to contact City staff listed below.

There already is a day center, why move it?

There are many limitations to the current day center site, such as the inability to add showers and laundry facilities, the size of the space, and the lack of service by bus transit. The City has been searching for more than a year to find a larger space for the day center that would allow for a broader array of services than are possible at the current facility--such as showers, restrooms, storage, laundry, lockers, food, and a place to go during inclement weather--additionally the new site must be on a bus line, commercially zoned, have adequate parking, a willing property owner, and be close to services.

Who will operate the day center?

Share is the operator of the current day center and is expected to stay on as operator at the new location until an RFP for an operator is released in 2018. Staff will monitor the visitors to the site.

What services will be offered at this day center?

Plans for services include mental health counseling, general education classes, case management, personal belongings storage, mail and phone charging stations,

job search assistance, restrooms, showers and laundry. These services will be added gradually to the location as funding permits.

What hours will the day center be open?

Seven days a week, from 7 a.m. to 5 p.m.

How many people will visit the day center?

A daily average of 35 people visit the current day center at the Friends of the Carpenter location. We anticipate over time the new location will provide services to an average of 50 people a day.

Is camping allowed outside around the building?

There is no public right of way that would allow for camping outside of the building. Staff will monitor visitors to the site.

What if there is trash around the building, how will it be taken care of?

On-site garbage service will be provided. We are also looking into the potential of starting a program that would provide for a trash pickup service operated by day center participants, modeled after the "Talkin' Trash" program currently at Share.

Where will people go in the evening after the day center closes?

From November 1- March 31, the Winter Hospitality Overflow shelters are open for overnight stays. The City, County, and Vancouver Housing Authority, along with other community partners, are in the process of planning for additional shelter beds to be made available.

Peggy Sheehan, (360) 487-7952, peggy.sheehan@cityofvancouver.us

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

Who will serve as the contact for the day center?

There will day center operations staff on-site who will be available to assist with any questions or concerns. The phone number can be provided as soon as it is available. Peggy Sheehan, at the City of Vancouver, can also be contacted at (360)487-7952.

Are there other plans for the building?

Future plans for the building could include an overnight shelter and office space for service providers, which would enable a more comprehensive approach to providing needed services such as case management, mental health care, counseling, job training, and housing support. The addition of any services will go through a permitting process as required by the City.

How will the day center be funded?

The City, County and Vancouver Housing Authority have been providing financial support for the current day center operations and a funding mechanism for the new day center is being developed. The interior remodeling needed to accommodate the day center will be funded with City Community Development Block Grant dollars.

Will Prop. 1 Affordable Housing Fund Dollars be used for this project?

To date there are no specific plans to use the Affordable Housing Funds for this project. The 2017 Affordable Housing Fund Administration and Financing Plan allows for \$300,000 annually to be used to support a shelter, however these funds have not been allocated to this project. Any additional allocations of the Affordable Housing Fund require prior approval by Vancouver City Council.

Is there an opportunity for the public to provide comments?

The relocation of the day center requires the City to apply through the Human Services Siting Ordinance.

Interested parties can provide written comments to Jon Wagner, jon.wagner@cityofvancouver.us. There is a public hearing on the Human Services Siting application on December 19, 2017 at 6 pm in the City Council chambers at City Hall, 415 W 6th Street, Vancouver.

How can I find out more information?

More information can be found by contacting Peggy Sheehan, at the City of Vancouver, (360)487-7952.

City staff is available to attend community meetings upon request. There will be two public meetings held in the Aspen meeting room at City Hall, 415 W. 6th Street, on November 15 and November 28 from 4 – 6pm.

Timeline:

Oct. 30: Human Services Siting application submitted by the City of Vancouver.

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Written comments can be submitted to Jon Wagner, City of Vancouver Planner, by mail (to the City's mailing address listed in footer below) or email (jon.wagner@cityofvancouver.us).

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Peggy Sheehan, (360) 487-7952, peggy.sheehan@cityofvancouver.us
City of Vancouver, P.O. Box 1995, Vancouver, WA 98668 | www.cityofvancouver.us



From Sheehan, Peggy
To Wagner, Jon
Cc
Subject Judy Hawkins comments

Date Monday, November 20, 2017 9:35:05 AM

From: Judy Hawkins [mailto:judyhawkins262@gmail.com]
Sent: Monday, November 20, 2017 8:54 AM
To: Sheehan, Peggy
Subject: Additional Information Required

Thank you, Peggy, for attending the Maplewood Neighborhood meeting last week.

I (We) need information about the locations, size, and current amount of people being served at the various satellite centers serving the homeless within the Vancouver City limits, and the same regarding other locations within Clark County. In addition, I need specific information about what services each currently provides.

This information is essential **to put together a concise and complete alternative plan to expand services to the homeless** without detrimental effects of a centralized, large magnet facility which would not be directly beneficial to the various groups of homeless currently being served at other locations, or worse yet, being turned away from needed services, as is invariably done to some today. A Central Location will have a negatively overwhelming effect on the residents, homeowners, and business owners in the Maplewood, close-in East 4th Plain, and Rose Village area and neighborhoods.

This is not an issue of local residents, homeowners and business owners concerned with pointing out obvious problems, but rather one of serving the needs of the homeless throughout the city and county areas in which they are currently trying to live. Proper planning and allocation of services for all citizens, city- and countywide, is essential. Centrally locating one large facility is not the best answer.

There are residents with significant experience in public sector financial management and construction management. There is one with with extensive Architectural experience. I have no doubt here is myriad additional experience which could be utilized to allow local citizens to provide assistance to the City in a positive manner.

Please call me at either **360-635-2880** (cell) or **360-699-1817** (land line) as soon as possible to further discuss the information required. Thank you for your time,

Judy Hawkins
20th & Z Street, Vancouver

From Phil Straub **Date** Friday, November 24, 2017 1:44:06 AM
To Wagner, Jon
Cc
Subject Homeless Center Comments

I am asking the city of Vancouver to please not allow a homeless day center to open at 2018 Grand in Vancouver. Please think how you would feel if you have 3 children under 12 and live 2 blocks away and having sex offenders, drug addicts and mentally ill people wandering by all day. A center like this should be away from a neighborhood and not close to a city park (Waterworks Park) that is always dealing with drugs and homeless issues. I sure hope you will think hard about the neighborhood people that will have to deal with the criminal activity this center will bring.

Phil Straub of Vancouver, WA

From Leila Ahmadi
To Wagner, Jon
Cc
Subject Public comment on Proposed Daycare Center for Homeless
November 24, 2017

Dear City Planner, Wagner:

RE: Proposed daycare center for homeless.

This comment is written in opposition to the City's proposed plan to relocate a homeless daycare center in the vicinity of our Rose Village neighborhood.

Placing the daycare center in an already struggling working-class neighborhood—one that has worked to increase its property areas and draw in new families—is not the right thing to do; it does not send the message to the home-owning constituents in this neighborhood that their opinion or safety is valued.

Of particular concern is the fact that the clients of the center will leave the space at 5:00 p.m. and will have no where to sleep in the evening. That lack of resource at such a critical time equates to leaving homeowners in the area vulnerable to crime and other foreseeable activities.

- It will draw more homeless to the area, including out of state;
- It will increase crime, vagrancy, panhandling, loitering;
- It will impact the market value of homeowner's property;
- It will draw transient sex offenders to the area.

Please consider our concerns before embarking on this project further.

Sincerely,
Leila Orton

From Rich Baranzano
To Wagner, Jon; Sheehan, Peggy
Cc
Subject Columbia Sportswear may close Portland office over death threats, public defecation by homeless people

Date Monday, November 27, 2017 11:09:48 AM

I thought you might be interested in this article [Columbia Sportswear may close Portland office over death threats, public defecation by homeless people](#).



Columbia Sportswear may be the next business to flee downtown Portland after a series of frightening encounters with the city's homeless population, including car break-ins, human waste dumped by the office's front door and threats to its employees.

Sent via the Fox News App. Download the app [here](#).

Project ID: LUP-65374 John, Even before Portlands Management of the Homeless Problem in Close-In Areas became National News today(see attached), It was clear that Portlands loss could be Vancouver's gain. Lesson here is that Facilities need to be spread out across Entire Metropolitan Areas. In this case of this submittal according to the Vancouver Crime Mapping App, The Project Address at 2018 Grand BV, Vancouver, WA 98661 is already tightly(.5 Mile Radius) centered on the highest Crime Rate Area of Clark County. Have you given up on this Area ? Your faculties need to be spread out and smaller. In addition, City Sponsored Homeless Facilities should be at least .25 Miles from any Single Family Zoned Properties. Are you prepared for what is going to happen here ? Have you given up on this Area ? Respectfully, Richard Baranzano, 2519-2619 East Fourth Plain, Vancouver, WA 98661

VDCR-000215A

Patti McEllrath | Senior Planner



Community & Economic Development

415 W 6th St • Vancouver WA 98660

(360) 487-7893

www.cityofvancouver.us

From Sheehan, Peggy **Date** Tuesday, November 28, 2017 9:37:06 AM
To 'Tim Foley'
Cc Wagner, Jon
Subject RE: Grand Avenue Homeless Facility

Thanks Tim – I will forward this to the planner in charge.

From: Tim Foley [mailto:tfoley@secondstephousing.org]
Sent: Tuesday, November 28, 2017 9:34 AM
To: Sheehan, Peggy
Subject: Grand Avenue Homeless Facility

Hi Peggy,

I would like to express my support for the proposed acquisition and development of the facility on Grand Avenue for use as a day center for our homeless neighbors. This site should also be considered for future shelter development and as a site for outreach from community support agencies. The selection of this facility appears to offer the greatest potential for meeting many immediate, daily needs of our homeless population. The acquisition of this facility will reduce the extended time often necessary to locate an alternate site that may require construction. I believe the property and the facility offer great promise for our community and for people in need.

Second Step Housing will collaborate with this community project to the fullest extent that we are able.

All the best,

Tim

Tim Foley, MBA
Executive Director
Second Step Housing
Direct Line: 360.719.4070
Office: 360.993.5301 ext 1124
Cell: 360.487.9711
Fax: 360.993.5304
tfoley@secondstephousing.org
www.secondstephousing.org

From Sheehan, Peggy
To Wagner, Jon
Cc
Subject FW: Support for new facility on Grand Avenue

Date Tuesday, November 28, 2017 7:24:50 PM

Best Regards

Peggy Sheehan
City of Vancouver
360-487-7952 - Office
360-281-5645 -- Cell

From: Daniel Valliere [DValliere@reachcdc.org]
Sent: Tuesday, November 28, 2017 3:45 PM
To: Sheehan, Peggy
Cc: Ben Sturtz; Jessica Woodruff
Subject: Support for new facility on Grand Avenue

TO: Peggy Sheehan, City of Vancouver
FROM: Dan Valliere, on behalf of REACH Community Development
November 28, 2017

REACH fully supports the proposed acquisition and development of the facility on Grand Ave for a homeless day center, future shelter development and site for outreach from community support agencies.

There is a great need in the Vancouver area for new shelter and for better service coordination that will support individuals and families that find themselves without permanent, stable housing. As a provider of permanent, affordable housing in Vancouver, we see this new center as a great complement to affordable housing, as it will facilitate the process of matching people with permanent housing opportunities. It is important that the facility open quickly, and the proposed location offers the chance to quickly open this important new community resource. REACH will collaborate and support this important project as much as we are able.

Thank you for considering our views.

Dan

Daniel Valliere
Chief Executive Officer

REACH CDC

4150 SW Moody Ave. | Portland | OR | 97239

Office: 503-501-5730 | Cell: 503-519-2033

VDCR-000225A

Fax: 503-236-3429

[Facebook](#) | [YouTube](#) | [Twitter](#)

From Sheehan, Peggy
To Alex Engen (Student)
Cc Wagner, Jon
Subject Re: email

Date Tuesday, November 28, 2017 7:35:10 PM

Thanks alex

From: "Alex Engen (Student)" <aengen@students.uws.edu>
Sent: Tuesday, November 28, 2017 7:27 PM
To: "Sheehan, Peggy" <Peggy.Sheehan@cityofvancouver.us>
Subject: Re: email

Hello Peggy,

Thanks for following through with reaching out to me. Here is the original letter I wrote to you, though too be honest after tonight my concerns have increased and I may write you another one.

I've been told that I should voice my displeasure with the city's proposal of a centralized homeless day center at the old Washington State Fish and Wildlife building on Grand Ave.

I'm writing you with limited expectations of the city to change their plans; nonetheless, I feel it is my duty as a concerned citizen to voice my concern. My first priority is to protect my family and this effort, to move all homeless people to a single location, will challenge my ability to do so. With a larger population of homeless people in a single location you can expect an increase in littering, drug use, and other illegal actions. While not all homeless people are offenders of the aforementioned, it takes one bad apple to spoil the bunch.

That statement leads me to the next area of concern: an increased population of homeless people in a single location will be bad for the homeless people, themselves. With increased potential for drug use, littering, and other violations of city ordinance, the reputation and safety of the homeless community will be compromised. When the good reputation diminishes, they will have a harder time gaining favor with the public and ultimately hurt the support they currently have. Also, we can expect the increase in concentration of homeless people in one area to diminish the quality of resources available to them (When has mass production ever been good for the quality of a product? In this case the product would be the liveliness of the homeless community).

Lastly, the centralization of homeless people will hurt the local economy. Companies like Walmart, Subway, Black Rock Coffee, and Papa Murphy's will take a financial hit and, in time offer less jobs for the people in our community including the homeless we are trying to help. Even worse, the local property owners will hurt by this effort because their home and property value will decrease. When we examine this potential move economically, we can see the ramifications for both the corporate supporters and the local businesses that are trying to grow our community.

Ultimately, this proposal will hurt families in the community, the homeless community and the local economy. I hope that my letter exceeds my own expectations in influencing this decision. I urge people who can make a difference to save our community by refusing this proposal.

Sent from my iPad

On Nov 28, 2017, at 7:22 PM, Sheehan, Peggy <Peggy.Sheehan@cityofvancouver.us> wrote:

Hello, hope this email reaches you this time. Feel free to attach your comments and i will forward to Jon Wagner.

his email is jon.wagner@cityofvancouver.us

Best Regards

VDCR-000226A

Peggy Sheehan
City of Vancouver
360-487-7952 - Office
360-281-5645 -- Cell

From Anne McQuary
To Wagner, Jon
Cc
Subject Homeless Day Shelter

Date Wednesday, November 29, 2017 5:59:58 PM

Dear Mr. Wagner,

My name is Anne McQuary and I am a resident of the Central Park Neighborhood since 2006. I am concerned about the proposed day use homeless shelter proposed for the old Fish & Wildlife building just off 4th Plain. That area of Fourth Plain has JUST begun revitalization with the addition of the Vine transit, and a few new businesses. It seems counterintuitive to put a day use homeless facility in an area that has struggled for years, but is just now beginning to show improvements. In addition, our small neighborhood has undergone a dramatic increase in population, jamming apartment buildings into what should be residential lots. I know I am not alone in worrying about property values and safety in my neighborhood.

I understand that homelessness is a growing concern for our city. I work at an elementary school that has seen a dramatic rise in homeless students, and believe me, I understand the need. However, it seems the city has no concern for the residents of a neighborhood that is already overburdened with growing traffic and crime. How can this be addressed to reassure the current residents of my neighborhood that it will not reduce the values of our homes or lead to increased crime? Will there be extra police patrols? Will there be opportunities for those using the shelter to have training for work opportunities? If this is a day use facility, where will those using it go at night?

Making a good faith outreach effort to the neighborhood with information about how all these things will be addressed would go a long way toward garnering neighborhood support, rather than just saying it's happening.

Sincerely,

Anne McQuary

From bigger rig
To Wagner, Jon
Cc
Subject Maplewood Day Center

Date Monday, December 11, 2017 6:01:47 PM

Good afternoon Mr. Wagner,

I realize that the public comment period for this issue has expired, however, I was out of state for work and unable to access the internet for 2 weeks. I still hope this makes it across your computer screen.

My wife and I live on X Street in the Central Park neighborhood, less than 10 minutes by foot from the proposed new day center at the corner of 4th Plain and Grand. While we certainly appreciate the need for a center like, we are cautious about moving forward with the project. The need to help the homeless population in the Vancouver area is greater than ever, and both my wife and I believe that is time to start allocating resources further to the east of the downtown core, and the site located at the old Fish and Game headquarters is certainly a good choice.

However, we also would like to see what the City of Vancouver plans to do about the following issues that will inevitably occur when the new center is opened:

- Camping: A lot of areas nearby are open and would be sites for illegal camping.
- Lighting: Grand street will need additional lighting to prevent crime.
- Transportation: Buses or shuttles to take them to the night shelters after 5 pm.

If the City of Vancouver has an plan on how to minimize or address these issues, we would be very happy to hear to alleviate our concerns.

Thank you for your time on this issue.

Zach Twist & Karen Cornell
1601 X Street
Vancouver, WA 98661

From Elizabeth Madrigal

Date Wednesday, December 06, 2017 2:25:59 PM

To Wagner, Jon

Cc

Subject Public Comments : Proposed Day Center location on 2018 Grand in Vancouver

Dear Mr. Wagner,

I hope this email finds you well. I wanted to commend the City of Vancouver, as well as your other partners, for working so hard to address the homeless services needed in our community.

Please add my voice as a strong supporter of the proposed relocation of the Day Center to 2018 Grand Boulevard. There are so many pluses to that location, which include the bus service, parking, size of the facility, room for storage of supplies, possible bathroom facilities and the addition of on-site vendors if warranted.

It is heartbreaking to see so much homelessness and the reluctance of some to help. It has become not only unacceptable but unconscionable. With the current social policies nationally, it truly is up to our local community to work harder to solve these problems. This location will help us provide the needed services to help our vulnerable community members find a path to permanent housing and family security.

Thank you so much for considering my position. I emphatically encourage the City and the County to move forward with this project.

With warm regards,

Elizabeth Madrigal

elizabeth.madrigal@gmail.com

Tel: 360.281.1615

From Esther Short Neighborhood
To Wagner, Jon
Cc
Subject Proposed Homeless Day Center

Date Monday, December 04, 2017 10:56:48 PM

Hello Jon,

Here are a few points of feedback regarding the proposed Homeless Day Center on Grand.

1. Where homeless will go outside of the day center hours needs to be addressed, otherwise the neighborhoods in the area may have the same type of negative impact that has affected Esther Short Neighborhood.
2. The availability of food needs to be on a larger scale. SHARE House in downtown should not be the only facility to serve meals in the city, this needs to be available in locations throughout the city and proper commercial kitchen equipment needs to be budgeted for. Space for a food pantry and clothing closet should be considered. There are a number of organizations that have volunteers to that can utilize the kitchen and assist with those functions. It is more appropriate for that space to be used than our parks.
3. Female restrooms, showers and perhaps even laundry facilities should be separated by large distance from male facilities. With plumbing, I understand these are generally put next to each other and I have seen the pencil napkin drawing. Since there are a number of females with sexual assault/rape/harrasment and other issues, I would like their safety and mental health to be considered priority in design if the city wants them to utilize the space.

Thank you for your time and attention.

Respectfully,

Carmen Caraballo
President
Esther Short Neighborhood Association

From cravemagrobin@gmail.com on behalf of Just Robin
Date Monday, December 04, 2017 8:09:27 PM
To Wagner, Jon
Cc
Subject Grand Blvd Day Shelter

December 4, 2017

Jon Wagner

City of Vancouver Planner

RE: proposed day shelter on Grand Blvd

Mr. Wagner,

I have lived in the Maplewood neighborhood almost a decade as a first time homeowner. I have been an active participant in my community and also the neighborhood association as Newsletter Editor and Volunteer. I am also a Single, Disabled Mother of an autistic, medically disabled child and as a vulnerable individual; I feel this shelter poses great safety concern to me and my children.

I am an active volunteer, and I have been homeless in my lifetime, and it has touched my family and friends closely. I do believe it is important that a shelter and these services be offered, however, I also believe it is going to pose some potentially dangerous circumstances to the most vulnerable of which this neighborhood is primarily made, single parents, elderly, and the disabled.

This is already a challenged, even disadvantaged neighborhood, and the gathering of so many of the mentally ill and homeless population is a very real concern. When I attended meetings about the proposed shelter, we were attacked and told we lacked compassion for our opinion, but I feel this is unfair.

I am concerned about my safety, about the unavoidable increase in crime, car prowls; break ins, physical attacks, overdoses, auto thefts, garbage, camping, needles, and many other potential situations that could arise with the day shelter nearby. It has been shown that people often stay in the area where services are offered, particularly in this case when at this time the shelter will close in the evening, and then our residential neighborhoods will have to absorb the overflow of people without adequate food, shelter or mental health resources. This neighborhood worked SO HARD to be livable, and I feel this will be a great setback after all we have already been through.

I understand that this shelter is necessary, but I feel that due to the already challenged neighborhood and limited resources in the surrounding area that this truly is a poor choice of location. Many families have already put their homes up for sale in anticipation of this happening. I'm on a fixed income, I can't leave, and I also don't feel like I would be safe in my home any longer with this shelter so close to me. I truly hope you will listen to the citizens who live here, and already suffer difficulty.

Thanks so much for listening.

VDCR-000365A

Robin Steeley -

3317 E. 17th St, Vancouver, WA 98661 - 360-991-9332 - justrobin1111@gmail.com

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~Thoughts Become Things~

From Kristy Sanchez

Date Monday, December 04, 2017 4:42:46 PM

To Wagner, Jon

Cc

Subject Proposed Day Care Center Relocation at 2018 Grand Boulevard

Jon Wagner

City of Vancouver

Dear Mr Wagner,

I am the President of Regency Management, Inc.. We manage several residential multifamily properties in the area near to the location of the proposed Day Care Center Relocation at 2018 Grand Boulevard. I am in opposition to the current proposal.

There is currently an inadequate supply of housing. Investors wanting to invest in the Vancouver housing market are an asset and the key to solving the homelessness problem. If the city does not listen to their voice and show concern and action for their interests, they will go elsewhere. I urge you to hear their concern and act in a manner that is respectful to their interests.

Our company and our clients are very supportive of the City providing services to the homeless. These services done correctly are crucial in building and maintaining vibrant communities. We believe that multiple neighborhoods in Vancouver should each host a small homeless shelter, so that the homeless can be served in a manner that does not unfairly impact any particular neighborhood.

A major concern with the proposed Day Care Center Relocation is how are we going to control inevitable camping that will occur on or around our properties. We have an obligation and responsibility to our residents to maintain a community that is safe and enjoyable for them and their families. This center will likely result in a necessity for more services for security and trash clean-up. These additional services add costs to our operating budgets; higher operating costs are dealt with either by raising rents or devaluing the property. Rents can only be raised as far as the local labor force can afford, so inevitably the result is a decreased value of the property.

The property owners we serve have made large investments into their real estate purchases. They take pride in the care of their investments and treat their residents respectfully. They really want the community to be a nice home for their residents. These are the types of investors that the city should cherish and partner with in the care of the city. They have motivation for the neighborhood to thrive. Devaluing their properties with a disproportionate burden in caring for the homeless community will force them out of the neighborhood.

The law supports the concerns of my clients. In an effort to help make our clients voices heard, I am including information of how this proposed facility is in violation with the law.

First, VMC 20.870.040 states that approval of a facility requires that "The establishment, maintenance or operation of the facility **will not ... be significantly detrimental to the health, safety or general welfare of persons residing ... in the neighborhood** of such proposed use or **be significantly detrimental or injurious to the property or improvements in the neighborhood.**" As discussed above, the proposed location will unquestionably degrade the quality of life for the current residents and will substantially degrade the value of the property for the owners.

Second, VMC Section 20.870.010 states that "it is important that these (human services facilities) be regulated in a way that minimizes any adverse off-site impacts, particularly in established neighborhoods where such facilities tend to be located. **There is a particular concern that no area bear a disproportionate burden in the provision of these services.**" The proposed

VDCR-000366A

location is self-evidently a violation of these principles of law, since it will attract homeless people from other parts of the City and result in a concentration of encampments in this neighborhood.

Serving the homeless can be better accomplished by disbursing shelters throughout the City. This will accomplish the following:

- It will comply with VMC 20.870.040 and 20.870.010.
- It will reduce homelessness, giving people a warm, safe place to sleep and keep their possessions.
- It will provide environments where the City can provide mental health, training, and other services.
- It will fairly apportion the burden of serving the homeless among the City's neighborhoods.

For all these reasons, we urge the City to reject the proposed location and rethink its approach to serving its neediest residents. Thank you very much.

Sincerely,

Kristy Sanchez

Property Manager

Broker, Washington

Regency Management, Inc.

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Kristy Sanchez

Direct Line 503-207-6971

Regency Management, Inc.

Please note our new mailing address: PO Box 1459, Beaverton, Oregon 97075

**BEFORE THE HEARING EXAMINER
FOR THE CITY OF VANCOUVER**

In the Matter of the Application of	)	NO. PRJ-157777/ LUP-65374
	)	
Vancouver Day Center Relocation	)	
	)	COMMUNITY AND ECONOMIC
	)	DEVELOPMENT BRIEF
For a	)	
Class 3 Human Services Facility	)	
_____	)	

I. INTRODUCTION

This appeal is different from the vast majority of matters Council considers. In most matters, the Council acts legislatively in adopting City policy and has wide discretion to so act. Here the Council is acting in a quasi-adjudicatory capacity. The Council's role is similar to that of appellate judges and must apply the law to the facts with its review limited only to the record established before the Hearing Examiner.

In this appeal, under the Vancouver Municipal Code (VMC) and Washington law, the Council must affirm the ruling of the Hearing Examiner if: (1) her findings are supported by substantial evidence; and (2) that her interpretation and application of law was not "clearly erroneous". A review of the record clearly shows that her decision is supported by substantial evidence and is legally correct.

The two central issues under Chapter 20.870 VMC, the Human Services Facilities Ordinance, is whether the approval of the subject Human Services Facility (HSF) would or would not be "significantly detrimental" to the neighborhood and that all other requirements of the Chapter are complied with.¹

Thus, in order for the Appellants' to prevail in this appeal, Council will have to conclude that the Hearing Examiner's findings are not supported by substantial evidence and/or her decision was "clearly erroneous" in her interpretation and application of the law because the proposal will be significantly detrimental to the neighborhood or some other provision of Chapter 20.870 is not complied with.

The Appellants have a heavy burden to meet. In spite of their passion and concern, as shown later in this brief, the Appellants have presented little other than stereotypes, fear and

¹ VMC 20.870.040

speculation. Without being able to point to evidence or legal error, the primary thrust of Appellants' arguments asks the council to assume that a different project is being proposed than the one that is actually now before the Council. Moreover, it asks the Council to read things into the VMC that are not there.

Community and Economic Development (CED) staff understand and sympathize with the concerns of the Appellants and others commenting in opposition to this proposal. The Appellant and other opponent's concerns, though, seem to be more about the existing status of the nearby neighborhoods and not about this proposal per se. A proposal that has not come to fruition cannot be the cause of those problems. In fact, the day center relocation proposal is expected to mitigate and improve conditions for the homeless and non-homeless alike.² Hopefully, these proceedings will begin a conversation with the neighborhoods and improve the conditions there.

II. THE PROCEEDINGS BELOW

Procedurally what is before Council is the Maplewood and Rose Village Neighborhood Associations' appeal of Vancouver Hearing Examiner decision approving the relocation of a Class 3 human service facility from 1600 West 20th Street to the former Washington Department of Fish and Wildlife building located at 2018 Grand Boulevard. The proposal would convert approximately 5,000 square feet of the existing 25,000 square-foot building to a day center for persons who are homeless. An open-record hearing was held before Vancouver Hearing Examiner, Sharon Rice, on December 19, 2017, for the proposed facility.³

The Hearing Examiner approved the Class 3 facility proposal on January 4, 2018 in 21-page decision.⁴ The Rose Village and Maplewood Neighborhood Associations filed separate appeals on January 17 and 18, 2018. The appeals are very similar and will be considered together.⁵

III. COUNCIL JURISDICTION

The Vancouver City Council delegated many land use decisions to the Vancouver City Hearing Examiner. In the case of Human Services Facility siting, Council delegated the authority to determine facts and make a final decision, unless appealed, to the Hearing Examiner in the

² Record at 16.

³ The Open Record Public Hearing was recorded with a DVD provided for Council review. Where this brief cites the hearing, it will identify the location on the DVD where the testimony can be heard.

⁴ Record 2-22.

⁵ This brief will refer to the "Maplewood Appeal" because the facility is in that neighborhood and the Rose Village Appeal is nearly identical.

case of human services facilities.⁶ The Council retained authority as an appellate body.⁷ The appeal hearing is closed record⁸ meaning the hearing is limited to argument from the appellants, the applicant, and city staff. The record consists of the testimony at the original hearing and any other materials submitted into the record prior to or at the Hearing.⁹

IV. STANDARD OF REVIEW

The Hearing Examiner's findings are reviewed on appeal under the Substantial Evidence Test and her interpretation and application of the VMC is reviewed under the Clearly Erroneous Test. As shown below, if her ruling satisfies both tests, her decision must be affirmed.

A. Substantial Evidence Test for Findings of Fact.

Findings are reviewed under the Substantial Evidence Test where the Council acts only as an appellate body with its determination based solely on the original record.¹⁰ Under that test, the Council "is not empowered to substitute its judgment for that of the examiner, and it must sustain the examiner's findings of fact if they are supported by substantial evidence."¹¹

"Substantial evidence" is defined as "evidence which would convince an unprejudiced, thinking mind of the truth of the declared premise."¹² The purpose of the test is to give the trier of fact (the Hearing Examiner), deference where it resolves conflicting testimony, evaluates the credibility of witnesses, and generally weighs the persuasiveness of evidence.¹³

Since the review on this appeal is deferential, the Council views

"the evidence and the reasonable inferences therefrom in the light most favorable to the party who prevailed in the highest forum that exercised fact-finding authority, a process that necessarily entails acceptance of the factfinder's views regarding the credibility of witnesses and the weight to be given reasonable but competing inferences."¹⁴

⁶ See VMC Section 20.870.030 providing that a new human service facility shall be reviewed as a Type III land use decision, and see VMC Table 20.210.130-1 providing for appeal authority of Type III land use decision to the City Council.

⁷ VMC Table 20.210.020-1.,

⁸ VMC 20.210.130-1.

⁹ VMC 20.210.130(C)(3)(b).

¹⁰ *Maranatha Mining v. Pierce County* 59 Wn.App. 795, 801 (1990).

¹¹ 59 Wn.App. at 801. Also see *Carl Construction v. City of Tacoma* 1999 Wash.App. LEXIS 116.

¹² *Nord v. Shoreline Sav. Ass'n*, 116 Wn.2d 477, 486, (1991)

¹³ *State v. Johnson* 1996 LEXIS 492.

¹⁴ *State ex rel. Lige & Wm. B. Dickson Co. v. County of Pierce*, 65 Wn. App. 614, 618, review denied, 120 Wn.2d 1008 (1992). Also see *Freeburg v. City of Seattle*, 71 Wn. App. 2d 367, 371-372 (1993).

Here, the Examiner is the highest fact-finding authority and Council should review the evidence and draw inferences in the light most favorable to the prevailing party below.¹⁵

B. Clearly Erroneous Test Applies to the Interpretation and Application of the Law to the Findings of Fact.

In reviewing the hearing examiner's interpretation and application of the law to the findings of fact, the appellate body reviews the underlying decision under the "clearly erroneous" test.¹⁶ That test requires the Council to uphold the Hearing Examiner's decision unless the Council reaches "a firm and definite conviction that a mistake has been made" in either an interpretation of law or in the application of the law to findings of fact.¹⁷

**V. THE HEARING EXAMINER'S DECISION
MUST BE UPHELD**

Thus, applying the standard of reviews discussed above to the Hearing Examiner's decision shows that the Council can only reverse the decision if the Council reaches a firm and definite conviction that a mistake has been made.¹⁸ This test has also been described as being satisfied that there is no evidence in the record that would convince a thinking mind of the truth of the findings she made.¹⁹ The remainder of this brief will apply those standards to the arguments presented in the appeals.

A. SUBSTANTIAL EVIDENCE IN THE RECORD SUPPORTS THE HEARING EXAMINER'S FINDINGS

The Hearing Examiner's made her findings and conclusions based on the evidence in the record.²⁰ Each of her findings of fact has a citation to the record where the evidence is found supporting those findings. The appellants have not directly attacked her findings, but question some facts recited in those findings. Few, if any, of the appellants arguments are based on evidence and certainly do not overcome the deference given to a finder-of-fact like the Hearing Examiner in appellate proceedings.

1. Appellants' Arguments are not Based on Substantial Evidence.

The Appellants have one primary argument concerning the concerning the classification

¹⁵ *Freeburg v. City of Seattle*, 71 Wn. App. 2d 367, 371-372 (1993).

¹⁶ *Cingular Wireless v. Thurston County* 131 Wn.App. 756, 768 (2006).

¹⁷ *Cougar Mountain Assoc v. King County*, 111 Wn. 2d 742, 747 (1988).

¹⁸ *Thurston County v. Cooper Point Ass'n* 108 Wn. App. 429, 435 (2001)

¹⁹ *Jefferson County v. Seattle Yacht Club* 73 Wn.App. 576, 588 (1994)

²⁰ Vancouver Day Center Record (Record) at 3-16.

proposed facility and some secondary arguments which are addressed below.

a. The Application was Properly Filed because the Proposed Center is a Class 3 Facility

The Appellants' main argument is that the proposal was misclassified as a Class 3 when they say it should have been classified as a Class 2.²¹ The proposal will serve an average of 20-74 clients per day based on the number of days per week it serves its clients.²² The VMC classifies such facilities as Class 3 human service facilities.²³ The significance of that number to these appeals is that if the clients per day exceed 74, it will be a Class 2 facility. The dispersion requirements are more restrictive for Class 2 facilities.²⁴ Appellants point out that a Class 2 facility is too close to this proposal to comply with those dispersal requirements.²⁵

The Appellants argument largely rests on the assertion that they think it is unreasonable to believe the facility will serve fewer than 75 people per day. One fact that shows reasonableness of such belief is that the current day center serves an average of 35 to 40 clients per day.²⁶ There is no evidence to indicate that that number will double.

Appellants cite as another basis for their argument the City's approval of the Seventh Day Adventist (SDA) facility with roughly the same area of the proposed day center that was processed as a Class 2 facility.²⁷ A review of the SDA facility proposal shows that it will serve 125 people. That facility will also be doing something much different than this proposal: distributing clothing and food. Different activities result in differing numbers of people present on site. An office of 5000 square feet, for example, will generate less traffic and other impacts than a grocery store of the same size.

The Hearings Examiner believed City staff when they stated that the daily average would be monitored.²⁸ Appellants only cite a statement in the initial application that consideration is being given to citing a homeless shelter with office space for companion homeless service providers.²⁹ Yet appellants fail to mention that this statement is qualified immediately following by "there isn't sufficient information regarding design, capacity, funding or operation

²¹ A potentially confusing aspect of this appeal is that the proposed facility is a Class 2 under Chapter 20.870 VMC but it is reviewed using a Type III process under VMC 20.210.060.

²² Record at 7, paragraph 12.

²³ VMC Section 20.870.020(C)

²⁴ VMC Section 20.870.050(B).

²⁵ Maplewood Appellant Brief at 3-4.

²⁶ Hearing Examiner Finding, Paragraph 3, Record at 4.

²⁷ Record at 403-11.

²⁸ Record at 6-7, Paragraph 10.

²⁹ Record at 50.

of a shelter to enable it to be permitted".³⁰ In addition the City Housing Manager testified at the hearing on December 19th that there was no funding available to cite a shelter at this location.³¹

The Hearing Examiner concluded, based on her findings, that "concerns about whatever uses might be proposed in the remainder of the building in the future...are outside the scope of the instant proceedings"³² She was right.

Because the Hearing Examiner correctly concluded that the proposal is a Class 3 facility, the Appellants' dispersal arguments collapse.

b. The Appellant's Other Arguments Related to Findings of Fact are not based on Substantial Evidence.

The only other argument Appellants' advance concerning facts is that they suggest that the City failed to consider that there are houses within 50 feet of the facility and that other service centers are farther away than that.³³ The Hearing Examiner considered the impact on adjoining neighborhoods and concluded that there would be no impact because the activities of the day center will be inside, mitigation measures will be applied, and that some impacts of the day center use would be less than the prior Washington Fish and Wildlife Department.³⁴ She imposed conditions on the approval to address impacts that could be identified.³⁵ Appellants noting the location of housing does not negate the fact the Hearing Examiner decision is supported by substantial evidence nor does it overcome the deference owed to her findings.

The Appellants do not say a great deal about perceived crime impacts. A number of other commenters, however, have expressed that concern.³⁶ The Hearing Examiner properly relied on expert testimony of a Vancouver Police Commander who noted his experience that the current day center not generating a significant number of crime-related calls. He provided empirical data as well.³⁷ A day center that does not yet exist cannot be the cause of those crime impacts near the proposed Grand Boulevard location.

Concerns were also expressed at the hearing and in written comments about the proposed day center's impact on property values.³⁸ No expert property appraisal was

³⁰ Record at 50.

³¹ Public Hearing DVD, Peggy Sheehan testimony at 23:00-25:00.

³² Record at 15.

³³ Maplewood Appeal at page 5.

³⁴ Record at 14-16.

³⁵ Record at 17.

³⁶ Record at 11.

³⁷ Record at 13.

³⁸ Record at 11.

presented, however. Hearsay testimony about persons purportedly moving out of an apartment complex nearby was also presented.³⁹ Hearsay is admissible in administrative proceedings if it is reliable but one tenant moving out is not substantial evidence.

As the Hearing Examiner stated “with specific regard to property values, courts have acknowledged that neighbors' fears can reduce property values; however, courts have found that there is an important distinction between well-founded fears and those based on inaccurate stereotypes and popular prejudices.”⁴⁰ The project opponents presented no substantial evidence that the proposed day center would reduce property values.

2. The Hearing Examiners Findings are Supported by Substantial Evidence

As shown above, the Hearing Examiner considered the concerns of all of the public comments and the specific challenges cited in the Appellants' briefs. The Hearing Examiner also found substantial evidence to meet the criteria of the Ordinance.

The Human Services Facilities Ordinance has two approval criteria: (1) that the proposal will not be significantly detrimental to residents, workers, property or improvements in the neighborhood; and (2) that the proposal complies with the requirements of the Human Services Chapter.⁴¹ Substantial evidence supports her findings in support of the first criterion. The second criterion concerns interpretations and applications of law which will be addressed later in this brief.

The Hearing Examiner considered and made findings with citations to the record concerning the following:

1. The location of the site and features and discusses the Vancouver Human Services ordinance.⁴²
2. The current day center's, need for expansion and relocation, as well as the search for a new facility.⁴³
3. The proposed center's location, and zoning (where she notes the applicability of the Human Services Facilities Ordinance to the proposal).⁴⁴

³⁹ Public Hearing DVD at 1:57.

⁴⁰ Record at 17, citing *Sunderland Servs. v. Pasco*, 127 Wn.2d 782 “In the past, this court has acknowledged that neighbors' fears may reduce property values. See *Park v. Stolzheise*, 24 Wn.2d 781, 793-94, 167 P.2d 412 (1946) (location of a sanatorium for mental patients). See *J.W. v. Tacoma*, 720 F.2d 1126, 1132 n.7 (9th Cir 1983). Courts have long held the latter cannot justify zoning restrictions. E.g., *Buchanan v. Warley*, 245 U.S. 60, 82, 38 S. Ct. 16, 62 L. Ed. 149 (1917) (zoning restrictions based on race).”

⁴¹ VMC 20.870.040

⁴² Hearing Examiner Findings, paragraphs 1-3. (Record 3-4).

⁴³ Hearing Examiner Findings, paragraphs 4-6. (Record (4-5)).

4. The details of the proposal.⁴⁵ Significantly she notes that the proposal involves no exterior modifications of the building and that all activities will take place inside.
5. That the proposal will have less traffic impacts than the prior use. She also finds in this paragraph that “[b]ased on the City’s experience with the existing day center, the proposal is expected to decrease the existing impacts of homeless populations in the neighborhood by providing needed services.”⁴⁶
6. The consideration of the “if you build it, they will come argument” by noting testimony of Andy Silver that 84% of the homeless lived in Clark County before they became homeless.⁴⁷
7. The maintenance plans, physical conditions of the site and operations and concluding that either the proposal will have no impacts on the neighborhood or that they can be mitigated.⁴⁸
8. A summary of the comments received and grouped them into economic impacts, public health and safety concerns, and adequacy of notice.⁴⁹

In each case, Hearing Examiner cited substantial evidence in support of these findings. That evidence is sufficient to uphold her decision. Even if Appellants also cited substantial evidence in support of denial, the her decision must be affirmed.

B. THE HEARING EXAMINER CORRECTLY INTERPRETED AND APPLIED THE LAW TO HER CONCLUSIONS AND FINDINGS OF FACT

While not clear, some of the arguments advanced by the Appellants rely on some arguments in the nature that the Hearing Examiner committed legal error. As noted above⁵⁰, in order to prevail on these arguments, the Appellants’ will have to show that the Hearing Examiner was “clearly erroneous” in her interpretation of the law and in its application to her findings.

It would be accurate to say the Appellants’ arguments regarding legal error are “clearly erroneous.” To accept the Appellants’ arguments, would require the Council to consider a

⁴⁴ Hearing Examiner Findings, paragraphs 7-8. (Record 5)

⁴⁵ Hearing Examiner Findings, paragraphs 9-11 (Record 5-6)

⁴⁶ Hearing Examiner Findings, paragraph 12 (Record 7)

⁴⁷ Hearing Examiner Findings, Paragraph 12 (Record 6-7)

⁴⁸ Hearing Examiner Findings, paragraphs 15-27, 31-32, and 39. (Record 8-11).

⁴⁹ Record at 11-12.

⁵⁰ See, supra notes 21-32.

proposal that has not been applied for and to read into the Vancouver Municipal Code provisions that are not there.

1. The Legal Argument that the Proposed Facility is a Class 2, Requires Reviewing a Different Application than the One Filed.

The Appellant spends roughly half of its brief arguing that the proposed facility would be a Class 2 facility. As noted above, the record is almost entirely bereft of evidence supporting such an assertion⁵¹. The legal effect of arriving at that conclusion, if accepted, is discussed here.

First, the Appellant's point to the Seventh Day Adventist clothing and food distribution center which was discussed earlier and will not be repeated here.⁵² However, once the Hearing Examiner found that the Proposed facility is a Class 3, the only dispersal requirement is for other Class 3 facilities.⁵³

Appellants point to nearby apartments that take in "low income and homeless" as was discussed in a letter from the apartment owner⁵⁴. Those apartments are not human service facilities. There is no definition of Human Service Facility in the VMC Title 20.⁵⁵ We can look for guidance as to what a human service facility is in the purpose section of the Ordinance.⁵⁶ The first sentence states: "facilitating the provision of basic shelter, food, job training and other health and social services to those City residents in need is an important function of the community." Once that apartment takes in a homeless person, that person is no longer homeless. Appellants' argument would make many apartment buildings in the City "human service facilities" and would further stigmatize low income and homeless people. Moreover, even if they are human service facilities, Appellants present no evidence that they house more than 74 people to make them a Class 2 facility.

Next, Appellants refer to a proposal on Share's website to open the Fromhold Service Center less than two miles away.⁵⁷ Even if the day center is considered a Class 2 facility, Appellant's only suggest that it is within two miles. Class 2 facility siting requires that any other

⁵¹ See notes 29 to 30, *supra*. The only thing close to "evidence" to support this assertion is the statement in the application that a shelter is being considered but no funding is available for it.

⁵² Maplewood Appeal at 2.

⁵³ VMC 20.870.050(C)(1).

⁵⁴ Maplewood Appeal at 4.

⁵⁵ VMC 20.150.040(B).

⁵⁶ Section 20.870.010.

⁵⁷ Maplewood Appeal at page 4. This evidence is outside of the record and cannot be considered. We are responding to this evidence in the interest of completely addressing all of the Appellant's arguments.

Class 1, Class 2, or Class 3's be 1,320 feet away—a quarter mile.⁵⁸ Thus, another facility being approximately two miles away is meaningless.

Finally, the Appellants point to Lifeline Connections, a substance abuse and mental health treatment center.⁵⁹ They do not specify whether this facility is a Class 2 or Class 3. If it is a Class 2, it does not effect the location of a Class 3 facility for the reasons discussed earlier.⁶⁰ Appellants' only argue it is within 2000 feet (more than a quarter mile).⁶¹ The only restriction on Class 3 facilities is that no more than 4 can be located within 2000 feet of each other.⁶² The presence of a Class 2 facility does not hinder the location of a Class 3 facility under the VMC. Also note that the locations of some of these other facilities are more than 2000 feet away.⁶³

2. Appellants Cannot Amend the Vancouver Municipal Code to Support Their Appeal

Appellants argue that their neighborhoods carry a disproportionate share of the impacts of homelessness today, regardless of the day center, and there are less burdensome alternatives "as required by law".⁶⁴ It may well be that their neighborhoods bear a disproportionate share of the problems of homelessness and that there are less burdensome alternatives. Selection of a less burdensome alternative, however, is not required by law because Chapter 20.870 says nothing of the sort.

Even if there was such a requirement that the City select a less burdensome alternative or that the neighborhoods bear a disproportionate share of human services facilities, Appellants have not shown that this proposal will create more burdens or impact. Quite the contrary, for example, according to Andy Silva's testimony at the hearing and materials presented there, the area near the day center has the second highest number of homeless.⁶⁵ This facility will lessen the impacts of homelessness.

The City Council dealt with the disproportionate share issue by adopting specific dispersal requirements in 20.870. This proposal meets those specific dispersal requirements. Appellants' argument amounts to reading into the ordinance a requirement that in addition to the dispersal requirement, no neighborhood can be disproportionately impacted by human

⁵⁸ VMC 20.870.010

⁵⁹ Maplewood Appeal at 4.

⁶⁰ VMC 20.870.050(C)(1).

⁶¹ Appellants also make reference to "Exhibit B" about Lifeline presented by the Community and Economic Development Director on November 27, 2017. It is unclear what the Appellants think the importance of this reference.

⁶² VMC 20.870.050(C)(1).

⁶³ Maplewood Appeal at 4.

⁶⁴ Maplewood Appeal at 5-7.

⁶⁵ Record at 25.

services facilities. The argument is based only on the Human Service Facilities ordinance purpose section.⁶⁶

Purpose sections have no operative effect and serve only as a guide to the intended effect.⁶⁷ This purpose section states that “there is a particular concern that no area bear a disproportionate burden.” This section does not provide for, nor does it allow the imposition of more rigorous dispersal requirements than those already provided for elsewhere in Chapter 20.870. Appellants are in effect arguing that those dispersal requirements are not good enough to protect their neighborhoods and should be increased. Such an argument is completely within their rights to submit to the Council. Changing the dispersal requirements, however, is a legislative, not quasi-judicial matter and beyond the scope of this proceeding.

Appellants also argue that less burdensome alternatives could be taken.⁶⁸ Even they acknowledge that the less burdensome alternatives consideration requirement is only “implied”. Appellants do not identify what those alternatives are in any case.

3. Appellants’ Have Failed to Show that the Notice Provided by the City was Inadequate.

Appellants next turn to an apparent contention that notice was inadequate. This argument is difficult to understand. This contention appears to be a mixed question of law and fact and to the extent it is a factual matter, the Hearing Examiner made a finding that notice was adequate⁶⁹ and must be affirmed if supported by substantial evidence.⁷⁰

Appellants do not specifically explain what was wrong with the notice. Accordingly, we cannot respond further.⁷¹

⁶⁶ VMC 20.870.010.

⁶⁷ *HJS Dev v. Pierce County* 148 Wn. 2d 451, 480 (2003)

⁶⁸ Maplewood Appeal 6-7.

⁶⁹ Hearing Examiner Conclusions, Paragraph 2 at Record 15.

⁷⁰ The substantial evidence is the participation of the Maplewood Neighborhood Association at least by October 20, 2017 indicating they knew about this proposal along with the evidence of mailing of the Notice of Application at Record 63-72.

⁷¹ Appellants also take issue with the waiver of the pre-application conference which affected neighborhood associations should receive notice of under VMC 20.210.080(E) as well as the waiver thereof under VMC 20.210(B)(1). Maplewood Appeal, page 5. Appellants suggest that the waiver was improper because of the serious issues presented by the day center application and cite *Samson v. City of Bainbridge Island* 148 Wn. App. 33 at 44 (2009) for the proposition that not conducting the pre-application conference is grounds for invalidity of the day center approval. The evident purpose of the pre-application conference from a neighborhood association standpoint is notice. Many projects are non-controversial and before a procedural step is waived the affected neighborhood association should be notified because the associations may not hear of project until after the project is approved. The *Samson* case is of no assistance to Appellants because it involved the City of Bainbridge Island applying regulatory guidelines before they were effective. In this case, by their participation in these proceedings, the appellant neighborhood associations obviously received actual notice.

4. Future Changes to the Human Services Facilities Ordinance are Beyond the Scope of this Proceeding.

Appellants do not stop there. They seem to be arguing that this Council constrain future Councils in considering possible future changes to Chapter 20.870. First this Council cannot bind future ones.⁷² Second whatever a future Council does or does not do with respect to Chapter 20.870, is complete speculation. Third, what Council does legislatively is beyond the scope of this quasi-adjudicatory proceeding.

Appellants argue that if Chapter 20.870 is amended that the amendments would be a retroactive application to the facility. It would not be. A change to the ordinance would apply to future applications. Council has legislative authority to change its zoning ordinances. Even if it is a retroactive application, Council can adopt retroactive legislation so long as it does not interfere with vested rights.⁷³ A vested right "is something more than ...a mere expectation as may be based on the continuance of the present general laws."⁷⁴ Appellants have no reasonable expectation and certainly no vested right to continuance of all of the terms of Chapter 20.870.

VI. CONCLUSION

Appellants, Neighborhood Associations of the City of Vancouver, are entitled to respect from their City government. To their credit, their appeals attempt to be based on the VMC. Unfortunately, the VMC provides no basis for the relief they seek in this proceeding. The Council, however, might seriously consider their concerns in future legislative proceedings amending Chapter 20.870 VMC.

Unfortunately, a few participants at the hearing chose to submit unfounded fears and stereotypes into the record. Vancouver City staff and potentially the Council may be criticized based on those fears. The Hearing Examiner addressed them in her decision. The Council may find her perspective useful in arriving at its decision on this appeal:

"Despite the strong feelings and deep worries expressed in written and verbal comments from project opponents, the record contains no empirical data that tend to show their concerns would be realized. Their concerns are best characterized as generalized community displeasure primarily based on stereotypes rather than on professional experience. In weighing these opposing opinions, the undersigned finds the opinions of those who work with and professionally study homeless populations, including law enforcement, to be more persuasive regarding potential impacts to the neighborhood.

⁷² *Fabre v. Town of Ruston* 180 Wn. App. 150, 161 (2014).

⁷³ *Gillis v. King County* 42 Wn. 2d 373, 376 (1953).

⁷⁴ 42 Wn.2d at 376.

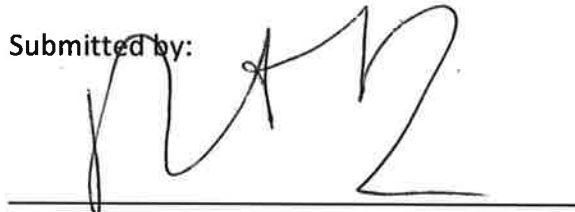
Washington courts have held that the opposition of the community, without evidence demonstrating that the proposal fails to meet criteria for approval, cannot alone justify a local land use decision. The instant record does not contain evidence that shows failure of the application to satisfy criteria for approval....⁷⁵

The Appellants do not address the fact that this proposal to build a day center is intended to be beneficial for their neighborhoods. They acknowledge that there are already problems with crime and homelessness there. City staff does not always get things right but the intent is to help the neighborhood. Appellants and the other opponents have not shown that the day center will not help their neighborhoods. They certainly have not shown that it will harm it.

For the foregoing reasons, the Community and Economic Development requests that the Hearing Examiner ruling be affirmed in total.

Dated this 13th day of February, 2018.

Submitted by:

A handwritten signature in black ink, appearing to be "B. Boger", written over a horizontal line.

Brent Boger, WSBA #22359
Assistant City Attorney

⁷⁵ Record 16-17. *Citing Sunderland Servs. v. Pasco*, 127 Wn.2d 782, 797 (1995); *Maranatha Mining, Inc. v. Pierce County*, 59 Wn. App. 795, 805 (1990); *Kenart & Assocs. v. Skagit County*, 37 Wn. App. 295, 303, review denied, 101 Wn.2d 1021 (1984).