December 14, 2020 - Vancouver City Council Meeting Minutes

WORKSHOPS

Workshops were conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City' s Facebook page, www.facebook.com/VancouverUS, or listen via the GoToMeeting conference call.

Councilmember Lebowsky absent from workshops.

Mayor McEnerny-Ogle arrived at 4:32 p.m. Mayor Pro Tem Linda Glover opened workshops.

4:30-5:30 p.m. City of Vancouver Climate Strategy

Aaron Lande, Senior Policy Analyst, 360-487-8612

Summary
Staff provided a recap of proposed climate strategy goals and options for Council discussion and feedback.

5:30-6:00 p.m. Development Agreement for Vancouver Clinic at Columbia Palisades

Keith Jones, Senior Planner, 360-487-7887

Councilmember Stober recused himself from this discussion as his husband is employed by the Vancouver Clinic.

Summary
Staff provided an overview of a proposed Vancouver Clinic facility to be built within the Columbia Palisades development and a request for a development agreement for that project.

COUNCIL CONSENT AGENDA MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda items and under the Citizen Forum was also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The consent agenda meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted remotely over video conference.

Present: Councilmembers Fox, Paulsen, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Absent: Councilmember Lebowsky

Motion by Councilmember Hansen, seconded by Councilmember Stober, and carried unanimously to excuse Councilmember Lebowsky.

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Brian Carlson, Interim Deputy City Manager; Chad Eiken, Community and Economic Development Director; Julie Hannon, Parks and Recreation Director; Aaron Lande, Senior Policy Analyst; Natasha Ramras, Chief Financial Officer; Bryan Snodgrass, Principal Planner; and members of the public.

Citizen Communication (Items 1-5) - see general protocol above

Council requested Items 2 and 4 be pulled for separate discussion.

Mayor McEnerny-Ogle noted Item 2 pertains to her neighborhood association, and as such she would recuse herself from discussion and action on that item. Mayor McEnerny-Ogle left the meeting at 6:32 p.m. Mayor Pro Tem Glover presided over testimony, discussion and action on Item 2.

Mayor Pro Tem Glover opened Citizen Communications for Item 2 and received the following testimony:

- Glen Yung, Vancouver, expressed concerns that not enough information has been provided about the proposed land exchange, potential impacts to the neighborhood and mitigation of traffic safety issues. He requested Council delay action on this item until further information can be provided to the Council and the public.
- Mark Didrickson, Vancouver, echoed Mr. Yung's comments and concerns. He expressed concerns regarding traffic safety and stated not enough detail has been provided about the site plan and the school district's proposed use for the park land to fully understand potential impacts or benefits.
- Terry Ibert, Vancouver, expressed similar concerns and asked whether the land swap is of equivalent benefit to the school district and the neighborhood and what the urgency of the exchange is. He expressed concerns that little information had been provided regarding the school's broader plans for the site.

There being no further testimony, Mayor Pro Tem Glover closed testimony on Item 2.

Julie Hannon, Parks and Recreation Director, stated the City has been in ongoing discussions with the school district about this property since early 2019. The district has been exploring options for increased parking at the Vancouver School for Arts and Academics (VSAA) and staff did not feel comfortable with two previous options presented. Staff felt the current proposal is a good compromise as all park amenities would still be covered, and there may be some excess land not used by the school that could be utilized to expand the park. She noted staff has heard a lot of concerns from neighbors regarding traffic on F Street, and part of the City's motivations have been to ensure mitigation of that in discussions with the school district.

Councilmember Hansen stated he believes this should be a workshop discussion and expressed some concerns about the lack of detail provided to the Council and the public about the plans for the school's intentions at the site.

Councilmember Fox expressed similar concerns noting the Council has received little information about what the final configuration of the property would be. She stated she would like to see this item delayed until more information is provided.

Councilmember Stober stated he would like staff to bring back information comparing traffic on F Street at Shumway Park versus traffic along Kauffman near John Ball Park to give a relevant comparison of the impact to a site like what is proposed. Councilmember Stober expressed concerns that the Council is again being dragged into a dispute between the school district and a neighborhood and is stepping into what is already a toxic relationship between VSAA and the Shumway Neighborhood Association. He stated this project would be a good opportunity for conversations between the parties regarding how to achieve mutual benefits, such as taking steps to relieve street level parking pressure. He expressed concerns about a lack of information regarding the school's plans for the site, and he supported remanding the item for further development before Council takes action on the proposal.

Councilmember Paulsen agreed and stated more information is needed regarding how the proposal benefits all parties.

Mayor Pro Tem Glover agreed and stated she also would like to see the school and the neighborhood association have further discussions.

Councilmember Hansen noted there are significant challenges at the school during pick-up times and urged the school to be creative in finding solutions to accessing the parking lot.

Mayor McEnerny-Ogle returned at 6:59 p.m.

Mayor McEnerny-Ogle opened Citizen Communications for Item 4 and received the following testimony:

- Glen Yung, Vancouver, stated he was surprised the previous proposal regarding the length of the comment period for Type III quasi-judicial land use applications had not moved forward to first reading, as Council had lengthy discussion on that issue at its previous workshop. He stated it seems that process may need a broader evaluation as well.

There being no further testimony, Mayor McEnerny-Ogle closed Citizen Communication for Item 4.

Councilmember Paulsen expressed concerns about the impact of the request in Ordinance A to change the Comprehensive Plan and zoning map designations on the balance of land for jobs to housing. He stated it seems the Gregory Landing project could move forward under the current zoning designation, and there is not a scarcity of 3-4 bedroom housing. He stated he would not be supportive of that change.

Councilmember Stober asked whether the remainder of the ordinance could move forward if Council removed the request to change the map designations from Ordinance A. City Attorney Jonathan Young confirmed Council could amend the ordinance to remove that request and the remainder of the ordinance could move forward to second reading and public hearing on December 21 as scheduled.

Motion by Councilmember Stober, seconded by Councilmember Paulsen to amend Ordinance A of Item 4 to remove the change of Comprehensive Plan and zoning map designations for the property at 7401 NE 18th Street.

City Manager Eric Holmes stated the amendment would essentially strike Sections 2 and 3 of Ordinance A. He asked for clarification as to whether Council wished staff to complete analysis on these issues in order for this request to come back for consideration as part of the current annual review cycle, or set the request aside for now, and the applicant could pursue the request as part of the 2021 annual review cycle if desired.

Councilmember Stober stated he did not believe there would be time for staff to complete the desired analysis for Council to reconsider the request as part of the current cycle.

Mr. Holmes stated staff would come back to Council with information regarding the scope of what such analysis would require.

Motion to amend Ordinance A of Item 4 approved unanimously.

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to approve the amended Ordinance A of Item 4 for second reading and public hearing on December 21, 2020.

Consent Agenda (Items 1-5)

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to approve Items 1, 3, 4 Ordinance B, and 5 of the Consent Agenda.

Councilmember Stober requested a vote on Item 2 to reflect Council's direction to remand the item to staff.

Motion by Councilmember Stober, seconded by Councilmember Fox, and carried unanimously to remand Item 2 to staff for further development. Mayor McEnerny-Ogle recused.

1. Award of grant funds from the PEG Capital Support Fund

Staff Report 184-20

A RESOLUTION relating to cable television and to the award of Public, Educational and Governmental ("PEG") capital contribution funds to The Vancouver Educational Telecommunications Consortium ("TV ETC") and Clark Vancouver Television ("CVTV") respectively, the designated educational and government access providers for the City of Vancouver.

Summary
The franchise agreements between the City of Vancouver, Clark County and Comcast Corporation provide for a capital contribution in the amount of $1/month per subscriber for support of Public, Education, and Government (PEG) access and monthly transport costs for public I-NET users. This contribution may only be awarded to designated access providers and iNET users.

The Vancouver Educational Telecommunications Consortium ("TV ETC"), the Designated Access Provider for Education and Clark/ Vancouver Television ("CVTV"), the Designated Access Provider for Government submitted applications for PEG capital support funds under the requirements established by the City/County Telecommunications Commission ("Commission"). In total, thirteen proposals were received totaling $448,592. Estimated funds available for distribution in 2020 are approximately $600,000. The grant applications were reviewed by outside technical experts and the PEG Committee, a subcommittee of the Commission.

The Telecommunications Commission through Resolution 2020-03 (attached) recommends that Vancouver City Council award PEG Capital Support Funding as follows:

Applicant	***Total Amount Requested***	***Total Amount Funded***
TV ETC	*$333,949.32*	*$329,745.56*
CVTV	*$114,643.00*	*$114,643.00*
Total PEG Access Capital Grant Funds	***$448,592.32***	***$444,388.56***

Request: On December 14, 2020, adopt a resolution, under the terms of the interlocal agreement between the City of Vancouver and Clark County, awarding from the PEG Capital Support Funds of $329,745.56 to TV ETC and $114,643.00 to CVTV. (Note: Under the terms of the Interlocal agreement between the City and the County, both Councils must approve the grants for funds to be awarded.)

Aaron Lande, Senior Policy Analyst, 360-487-8612

Motion adopted Resolution M-4111 to approve the request.

2. **Property exchange between the City of Vancouver and the Vancouver School District (VSD) sites known as Shumway Park and the Vancouver School of Arts and Academics (VSAA)**

Staff Report 185-20

Summary

SAA is undergoing significant expansion as well as corresponding parking capacity needs. VSD approached the City to discuss the project in 2019 and a revised site plan including a like-for-like property exchange proposal *was agreed upon to provide a better parking solution for VSD to address neighborhood concerns regarding traffic congestion while retaining the size and function of Shumway Neighborhood Park. The boundary adjustment replaces VPS's original proposal that located school parking on three sides of the current park ownership by relocating parking down-slope and west of the park to provide more visible connection to the adjoining neighborhood along F Street. Both parties support the equal area property exchange and believe the reconfiguration will result in minimal changes, if any, in park function.*

The VSAA project in its total scope has gone through a land use application review process and the contractor, Woodburn Construction, has pulled a building permit to begin work on the school building and grounds. At this time, a condition of the building permit is that no work will be done in the park area until this property exchange is approved by City Council. The pending exchange agreement as well as the site plan will ensure that public access to the adjoining school "track and open space" area will continue in perpetuity. The track area is scheduled to be replaced with a walking path, including access from the park on the north with ADA ramp accommodations, as well as from the southern park boundary.

The property is classified as a neighborhood park in the parks inventory and consists of a small playground, gazebo and several picnic tables. All amenities, with the exception of one picnic table will remain undisturbed by the property exchange. The one impacted picnic table will be replaced by VSD at a preferred location identified by the neighborhood association when the parking lot construction is completed. The park will remain open and available to the public during construction.

While Chapter 3.30 of the Vancouver Municipal Code establishes a uniform policy and procedure governing the disposition of real property that is surplus to the needs of the City, there are several exceptions to the application of this chapter. VMC 3.30.020(B)(3) provides, in part, that "intergovernmental transfers that are subject to RCW Chapter 39.33 [and] RCW 43.09.210" are not subject to the requirements of VMC Chapter 3.30. The proposed property exchange is between two governmental agencies where no monetary compensation is involved, and the parcels being swapped are of equal size and value, situated in the same location. Accordingly, the proposed transfer is subject to RCW Chapter 39.33 and RCW 43.09.210, instead of the City's disposition and sale process contained in VMC Chapter 3.30.

Vancouver School District was the lead agency for the State Environmental Policy Act (SEPA) for this project. Following the proposed property boundary realignment, a revised checklist and Notice of Application were circulated to include the revised site plan proposal. No comments were received regarding the park realignment component, and no appeals were *submitted. The district found that the proposal would not result in probable significant adverse environmental impacts provided that specified mitigation measures were employed. A Mitigated Determination of Nonsignificance (MDNS) was issued on May 13, 2020, including a requirement for VSD to work with the City to support provision of recreational opportunities and connectivity between Shumway Park and open space on the District's property.*

The Parks and Recreation Advisory Commission heard presentations on the proposal on two occasions. The first presentation and discussion were at the regular meeting on November 18, 2020. At that time, the PRAC called a special meeting, completed on November 23, 2020, to ensure they could hear the neighborhoods comments regarding the property exchange. The meeting concluded with PRAC forwarding a recommendation to City Council to approve the property exchange between the City and Vancouver School District.

Request: Approve the real property exchange agreement with Vancouver Public Schools and authorize the City Manager to execute the same.

Julie G. Hannon, Parks and Recreation Director, 360-487-8309

Item remanded to staff for further development.

3. **2020 Second Supplemental Budget**

Staff Report 186-20

AN ORDINANCE relating to the 2019-2020 Biennial Budget and making various appropriations in various funds; declaring an emergency.

Summary

The second supplemental of 2020 includes mostly administrative items, such as accounting true-ups and dissolution of several funds that are no longer needed.

The recommended expenditure appropriation increases for the City's Operating and Capital funds included in the 2020 Second Supplemental Budget total $18.2 million. All of the increase in appropriation is on the operating side; the recommended changes in the Capital budget and supporting transfers offset each other. The net impact on all City resources is a decrease of $5.9 million; the net impact on the General Fund is a $0.3 million increase.

The total Operating budget appropriation change in the General, Street and Fire funds represents an increase of $0.3 million. The remaining $17.9 million increase relates to changes in other funds.

Adjustments to the General, Street and Fire funds include an increase of $0.2 million for the 2017-19 Citywide Cost Allocation Plan true-up entry and minor other items.

The remaining appropriation increase relates to changes in other operating City funds. Major changes are summarized below:

- *Additional budget appropriation for the 2017-19 Citywide Cost Allocation Plan True-Up resulting in a $7.2 million dollar adjustment largely due to a change in accounting representation that differed from prior years.*

- *Increase in the appropriation of the City's Self-Insured Health Fund of $6.2 million, due to payment of several very large medical claims. A large portion of that amount, approximately $4.2 million, has been reimbursed by the City's stop/loss insurance carrier.*

- *Additional budget appropriation of $1.5 million added to the School District Impact Fee Fund due to a stronger construction economy than originally budgeted. This increase is fully offset by the revenue from developers.*

- *Increase of $1.0 million in the Risk fund appropriation adjusting for a $0.5 million increase in the cost of City's insurance premiums and $0.5 million for unemployment insurance to be fully reimbursed by the CARES grant for pandemic-related leaves.*

- *Increase of $0.4 million in the Grounds & Facilities Fund for increased costs related to pandemic-related janitorial services, increases in security contract rates, increases in natural gas and electrical/lighting supplies and mold testing at the City's Fire Stations.*

- *Increase of $0.4 million in the Tennis Center Fund to record the USTA's expenses for the year.*

The total net Capital Budget appropriation of $0.02 million (including internal transfers) is included in the Second Supplemental of 2020. Expenditures by project are outlined in Attachment C to the ordinance. Following are some of the changes to projects included in the Supplemental:

- *Parks capital projects totaling $0.4 million for:*
    - *True-up of three projects; Columbia Waterfront Trail, First Place*

Park Playground Improvements and Clearmeadows Park Development all to be funded with parks impact fees.

- *A reduction of $0.8 million in the Surface Water Management operating fund cash transfer to the capital fund to closer represent the support expected to fund capital projects.*

- *Appropriation to transfer the remaining $0.2 million to the Transportation Capital Fund from the TIF – I205/Mill Plan Overlay fund. An appropriation to transfer $0.2 million from the 2011 Transportation Bond Capital fund to Transportation Capital Fund. Both funds are being closed at the end of 2020.*

Request: On Monday, December 14, 2020, approve ordinance on first reading, setting date of second reading and public hearing for Monday, December 21, 2020.

Natasha Ramras, Chief Financial Officer, 360-487-8484

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

Motion approved the request.

4. Fall 2020 Comprehensive Plan and Zoning Code Map and Text Changes

Staff Report 187-20

A. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Comprehensive Plan and zoning map designations for property at 7401 NE 18th Street, tax lot 29378002; text of Vancouver Comprehensive Appendix E; and Vancouver Municipal Code 20.150, 20.210, 20.245, 20.410, 20.430, 20.440, 20.740, and 20.915; providing for severability; and establishing an effective date.

B. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Municipal Code 20.210, 20.265. 20.320, 20.510, 20.525; 20.690, 20.770, 20.885; 20.890; 20.945; 20.960; providing for severability; and establishing an effective date.

Summary
Council is requested to review and make final determinations on the proposed map corrections and text changes (see attached Ordinance A):

Comprehensive Plan/Zone Map Amendment – Gregory Landing

Change designations from Commercial/CC to Urban High Density/R-22 on a 2.6-acre undeveloped property at 7401 NE 18th Street. The Planning Commission unanimously recommended approval at a public hearing on October 27, finding that the application demonstrated there is sufficient existing commercial development and land in the surrounding area, and the proposed change would allow for likely future development of attached 3-4 bedroom townhomes which would expand rental opportunities for families in the area. Citywide there were 533 acres of vacant or underutilized commercial land in 2018 according to Clark County modeling data. One person testified at the Planning Commission hearing requesting more information about community benefits and how to ensure they are realized by future development that occurs following zone changes.

Comprehensive Plan Text Amendment

Amend Appendix E of the Comprehensive Plan to adopt by reference the 2021-2030 Parks, Recreation, and Natural Areas Capital Facilities Plan. The Planning Commission unanimously recommended approval at an October 13 public hearing for which no public testimony was received. The Parks Capital Facilities Plan has also been recommended by the Parks and Recreation Advisory Committee. It will become part of the overall update of the Parks Comprehensive Plan in 2022.

Zoning Code Text Amendments

Six changes were unanimously recommended by the Planning Commission at an October 13 public hearing, with no public testimony received. These are changes to floodplain standards and related definitions; changes to decision making procedures and conditional use permit standards to recognize electronic application submittals; changes to Planned Development standards to fully incorporate changes made in 2019; and changes to footnotes in the single family, commercial and industrial zoning use tables.

Council has also reviewed removal of outdated pronouns in the zoning code (see attached Ordinance B), and is requested to amend VMC Title 20 in 36 locations to eliminate references to "his" in describing the role of Planning Director or Planning Official; to be replaced with the title of the official being referenced or gender neutral they/them pronouns as appropriate.

Request: On Monday, December 14, 2020, approve ordinances on first reading, setting date of second readings and public hearing for Monday, December 21, 2020.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor McEnerny-Ogle read the titles of the ordinances into the record.

Motion approved Ordinance 4B for second reading and public hearing on December 21, 2020.

Motion approved Ordinance 4A as amended above for second reading and public hearing on December 21, 2020.

5. Approval of Claim Vouchers

Request: Approve claim vouchers for December 14, 2020.

Motion approved claim vouchers for December 14, 2020, in the amount of $11,872,751.41.

Citizen Forum - see general protocol above

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

- Brittney Samaduroff, Battle Ground, Washington, representing DC Visitation, stated she is a visitation supervisor for foster children, and noted there is no emergent placement program in Clark County for children ages 12-17 in foster care, and requested assistance in creating such a program.

- Don Steinke, Vancouver, urged the City to require the installation of electric vehicle infrastructure as part of new developments in the city.

- Alona Steinke, Vancouver, thanked the City for its work on climate strategy, and urged the City to aim high in setting emissions reduction targets.

- Cathryn Chudy, Vancouver, urged the City to aim high in setting emissions reduction targets.

- Rick Marshall, Vancouver, thanked the City for its regional leadership on the climate crisis, and urged the City to aim high in setting emissions reduction targets.

- Peter Fels, Vancouver, urged the City to tie development agreements with its work on climate action and incentivize clean energy building. He urged the City to eliminate development code vesting from agreements on such projects as the Columbia Palisades.

- Glen Yung, Vancouver, thanked staff for improved responsiveness on recent issues he had asked about.

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

Adjournment

7:34 p.m.

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

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

December 21, 2020 -
Vancouver City Council Meeting Minutes

WORKSHOPS

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4:00-5:00 p.m. Vancouver Innovation Center Update

Chad Eiken, Community and Economic Development Director, 360-487-7882; Bryan Snodgrass, Principal Planner, 360-487-7946; Ryan Lopossa, Streets and Transportation Manager, 360-487-7706; Julie Hannon, Parks and Recreation Director, 360-487-8309; Marc Esrig and Ronald Schinik, representing New Blueprint Partners

Summary
Staff provided Council with an updated on the proposed zone change, master plan and development agreement for the Vancouver Innovation Center. Representatives from the developer, New Blueprint Partners, provided an overview of the vision for the site.

5:00-6:00 p.m. Community Task Force on Council Representation Final Recommendations

Aaron Lande, Senior Policy Analyst, 360-487-8612; Jeff Swanson, Task Force consultant/facilitator

Summary
City staff and members from the Task Force on Council Representation provided the Council with the task force's final recommendations and range of options for Council consideration.

REGULAR COUNCIL MEETING

This meeting was conducted remotely over video conference utilizing a GoToMeeting platform. Members of the public were invited to view the meeting via the live broadcast on www.cvtv.org and CVTV cable channels 23 or HD 323, or on the City's Facebook page, www.facebook.com/VancouverUS. Public access and testimony on Consent Agenda and Public Hearing items were also facilitated via the GoToMeeting conference call.

Call to Order and Roll Call

The regular meeting of the Vancouver City Council was called to order at 6:30 p.m. by Mayor McEnerny-Ogle. This meeting was conducted remotely over video conference.

Present: Councilmembers Fox, Paulsen, Lebowsky, Glover, Stober, Hansen, Mayor McEnerny-Ogle

Absent: None

Also present on the call were the following: Eric Holmes, City Manager; Jonathan Young, City Attorney; Amanda Delapena, Assistant to the City Council; Brian Carlson, Interim Deputy City Manager; Brent Boger, Assistant City Attorney; Teresa Brum, Economic Development Division Manager; Linda Carlson, Property Management Specialist; Chris Christofferson, Traffic Engineer; Chad Eiken, Community and Economic Development Director; John Farra, Assistant City Attorney; Julie Hannon, Parks and Recreation Director; Rebecca Kennedy, Long Range Planning Manager; Aaron Lande, Senior Policy Analyst; Ryan Lopossa, Streets and Transportation Manager; Chris Malone, Public Works Finance and Asset Manager; Kevin McClure, City Prosecutor; Jeff Olson, Vancouver Police Sergeant; Heidi Ondler, Legal Assistant; Natasha Ramras, Chief Financial Officer; Peggy Sheehan, Community Development Programs Manager; Bryan Snodgrass, Principal Planner; Lisa Takach, Human Resources Director; Stephenie Ulrick, Senior Legal Assistant; Michael Whitney, Vancouver Police Commander; and members of the public.

Approval of Minutes

Minutes - November 23, 2020

Motion by Councilmember Glover, seconded by Councilmember Stober, and carried unanimously to approve the meeting minutes of November 23, 2020.

Minutes - December 7, 2020

Motion by Councilmember Stober, seconded by Councilmember Lebowsky, and carried unanimously to approve the meeting minutes of December 7, 2020.

Citizen Communication (Items 1-7) - see general protocol above

Mayor McEnerny-Ogle opened Citizen Communication and, receiving no testimony, closed Citizen Communication.

Consent Agenda (Items 1-7)

Council requested Item 4 be pulled for separate discussion, as summarized below.

Motion by Councilmember Fox, seconded by Councilmember Glover, and carried unanimously to approve the Consent Agenda.

1. **RegJIN Intergovernmental Agreement – Inquiry Only Participant**

Staff Report 188-20

Summary
On June 19, 2018, the City of Vancouver notified the RegJIN User Board of our intent to withdraw from RegJIN effective January 1, 2019.

The selection of the new RMS vendor (Mark43) occurred in 2018, and the Mark43 system went live on November 1, 2020. However, the legacy data migration process will likely not be completed and fully validated before our current agreement with RegJIN expires.

A transition from the current 'Full Entry' Agreement to an 'Inquiry Only' Agreement with the RegJIN system is needed to allow continued validation of legacy RMS data that was transferred into Mark43. Further, once the data migration process is completed, continued partnership with RegJIN will allow a limited number of investigators access to regional police report information that will be valuable in solving local investigations.

Request: Approve and authorize the City Manager or his designee to sign RegJIN Participant Intergovernmental Agreement Regional Partner Agency – Inquiry Only.

Michael Whitney, Vancouver Police Commander, 360-487-7354

Motion approved the request.

2. Speed limit reduction on NE Erwin O Reiger Memorial Hwy

Staff Report 189-20

A RESOLUTION relating to traffic and establishing new speed limits along NE Erwin O Reiger Memorial Hwy, and NW Erwin O Reiger Memorial Highway Spur.

Summary

The Washington State Department of Transportation (WSDOT) and the City of Vancouver Traffic Engineering Staff have investigated the current posted speed limits on NW Lower River Road from W 26th Ave to the City limits. The investigation included collecting traffic counts and speed survey data, site visits and review of current land use.

NW Lower River Road from West 26th Avenue (mile point 2.2) to the NE Erwin O Reiger Memorial Hwy Spur (mile point 5.29) is under the jurisdiction of WSDOT.

The NW Erwin O Reiger Memorial Hwy Spur from its intersection with NW Lower River Road to mile point 6.05 is under the jurisdiction of the City of Vancouver.

The NW Erwin O Reiger Memorial Hwy Spur north of mile point 6.05 is under the jurisdiction of the Washington State Department of Transportation.

Staff is recommending the changes based on the following:

NW Lower River Road has a posted speed limit of 45 MPH from W 26th Ave (mile point 2.2) to NW Lower River Rd (mile point 2.64). Lowering the speed limit to 35 MPH will extend the existing 35 MPH north to the existing 50 MPH zone.

The 50 MPH zone from NW Lower River Rd (mile point 2.64) to NW Erwin O Reiger Memorial Hwy Spur (mile point 5.29) does not currently meet requirements for lowering and will remain posted at 50 MPH.

The NW Erwin O Reiger Memorial Hwy Spur from its intersection with NW Lower River Road to Vancouver Lake Park has a posted speed limit of 50 MPH that extends to the City limits at mile point 6.05. Lowering the speed limit to 35 MPH will improve safety for cyclists and pedestrians who regularly access or cross the highway from the Clark County Rowing Club and Vancouver Lake Park.

Request: Adopt a resolution establishing speed limits of:

- 35 MPH on NW Lower River Road from West 26th Avenue (mile point 2.2) to NW Lower River Rd (mile point 2.64).

- 35 MPH on NW Erwin O Reiger Memorial Hwy Spur from its intersection with NE Erwin O Reiger Memorial Hwy to the City limits at mile point 6.05.

Chris Christofferson, City Traffic Engineer, 360-487-7716

Motion adopted Resolution M-4112 approving the request.

3. Land donation - David H. Christensen Trust

Staff Report 190-20

Summary

The family of Mr. Christensen has been working to settle his estate. As they reviewed his property holdings, it was found that he maintained ownership to a small strip of land (Assessor parcel No. 29625-000 – 3,049 square feet) that sits between City right-of-way at 18th & Murton. Upon further research, it was determined that in 1969 when Mr. Christensen donated property for the build-out of Murton Street, this sliver was missed in the transaction. The family would like to donate the property to the City as was originally intended. The City's Transportation Manager is in agreement that this should be City owned right-of-way.

This property has an assessed value of $494.00. As an aside, the property being donated and the portion of the existing right-of-way just south of it are encumbered with water and sewer utility lines making development economically challenging, as the utilities would have to be relocated.

The parcel submitted for Council review for acceptance of land donation is outlined in an attached map.

Request: On December 21, 2020, accept a donation of land from the

David H. Christensen Trust and authorize the City Manager to execute a deed transferring ownership to the City as public right-of-way.

Linda Carlson, Property Management Specialist, 360-487-8423

Motion approved the request.

4. **Approval of Claim Vouchers and Requests for Paid Time Off (PTO) Cash-out**

Staff Report 191-20

A RESOLUTION approving the payment of Paid Time Off cash-out requests by City employees

Payment vouchers are presented to Council for approval in the usual manner.

Employees of the City of Vancouver accrue Paid Time Off (PTO) in accordance with City policy as a benefit of employment. The City's leave policies assist in attracting exceptionally talented staff. The City has a longstanding policy that allows employees to cash out unused PTO hours at specified times throughout the year or upon separation from the City.

However, at the onset of the COVID-19 pandemic, the City suspended the provisions for PTO cash-out payments by non-represented employees under City Policy 226-A.2 to maintain closer control over City cash flow due to the projected financial crisis at the national level. The City has since rescinded this provision altogether opting to allow PTO cash-out.

Coincidentally during the period the PTO cash-out policy was suspended earlier in 2020, the City became aware of new guidance from the Internal Revenue Service (IRS) that informed a modification to the PTO cash-out policy and process. This guidance indicates that a policy that allows up to a certain number of hours to be cashed out prior to Council authorization may create a tax liability to the individual employees whether they elect to cash out PTO or not. Moving forward, the administrative policy has been amended to address this, allowing PTO cash-outs once per year upon approval of City Council.

As all non-represented employees were required to take two weeks of unpaid furlough earlier this year (or a proportionate pay reduction) in response to the pandemic, many employees have taken less PTO during 2020 and their PTO banks have grown. Employee PTO banks represent a *future liability that the City has the capacity to pay down at present day values upon request of employees.*

Request: On December 21, 2020, approve Cash Out of the PTO hours specified in Attachment A to the staff report concurrent with approval of payment vouchers.

Jonathan Young, City Attorney, 360-487-8500

Councilmember Fox expressed concerns that so many City employees would have so much unused paid time off available, noting it is important for employees to use their available leave for both emotional and physical health. She urged the Council and City managers to set a goal of encouraging staff to feel comfortable and supported in taking personal time off in 2021.

Motion approved the request.

5. Appointment to the Planning Commission

The Planning Commission (PC) serves as a volunteer advisory body and makes recommendations to the City Council on the topics related to the future growth and development of Vancouver.

Council Subcommittee 2 recently interviewed four candidates, including one seeking reappointment, for one full-term position on the commission and recommends the reappointment of Marjorie Ledell; with a term beginning immediately and expiring December 31, 2024.

Request: Reappoint Marjorie Ledell to the Planning Commission, term beginning immediately and expiring December 31, 2024.

Council Committee 2

Motion approved the request.

6. Appointment to the Culture, Arts and Heritage Commission

The Culture, Arts and Heritage Commission (CAHC) is nine-member volunteer citizen's group responsible for undertaking, assisting with and facilitating the development and promotion of a thriving cultural, art and heritage environment in the city through programs, ownership of buildings and public art, and community partnerships.

Committee 1 interviewed three applicants for one full-term position, and they recommend the appointments of Alicia Nilo; with a term beginning immediately and expiring December 31, 2023.

Request: Appoint Alicia Nilo to the Culture, Arts, and Heritage Commission, term beginning immediately and expiring December 31, 2023.

Council Committee 1

Motion approved the request.

7. **Appointment to the City/County Telecommunications Commission**

The City/County Telecommunications Commission (TCC) serves in an advisory capacity to the Vancouver City Council and the Clark County Council on matters related to telecommunications and cable television. The commission makes reports, monitors compliance with the city and county cable franchise agreements, and establishes rules and regulations regarding cable television and associated telecommunications issues.

Mayor McEnerny-Ogle interviewed two candidates, including one seeking reappointment, for one full-term position on the TCC and recommends the reappointment of Douglas Green; with a term beginning immediately and expiring December 31, 2023.

Request: Reappoint Douglas Green to the Telecommunications Commission, term beginning immediately and expiring December 31, 2023.

Council Committee - Mayor

Motion approved the request.

Public Hearings (Items 8-11) - see general protocol above

8. **Multifamily Tax Exemption: Aegis DA Amendment**

Staff Report 192-20

A RESOLUTION of the City Council of the City of Vancouver approving an amended agreement with East Evergreen Apartments LLC for limited property tax exemption.

Summary

The general intent of multifamily tax exemption ordinance is to encourage development that provides places to live closer to employment, shopping, entertainment and transit services and encourage affordable housing *opportunities.*

An application for the Aegis multi-family tax exemption was initially approved by City Council on September 17, 2018. The Applicant is requesting to amend the approved development agreement.

The requested changes include:

- *Reducing the commercial retail space from 12,808 to 7,016 square feet*
- *Increasing the residential units from 140 to 147*
- *Eliminating a free standing pedestrian canopy*

Amended Aegis Project Description:

- *2 buildings of 5 and 6 stories / 162,854 sq. ft. residential development in VCCV sub-district*
- ***147 apartment units** including studio, 1 bedroom and 2 bedroom units.*
- ***7,016 sq. ft. commercial space***
- *151 parking spaces available on-site*
- *Total estimated development cost of $41.36 million*

For this project the Applicant ch~~o~~ose to provide public benefit elements in lieu of affordable housing units. The public benefits included providing:

- *New development in a low/moderate income neighborhood*
- *Public plaza space with public art and historical information*
- *A LEED certified building*

The Applicant's request to reduce commercial area and increase residential units was a result of the loss of a prospective commercial tenant. Without a specific committed tenant, the applicant believes the larger commercial space would be vacant for a long period of time making it economically not viable. The applicant believes that there is more demand for apartments than commercial space in the area at this time.

The request to eliminate the freestanding canopy results from several issues. The applicant has noted that:

- *The structural requirements for the canopy resulted in a bulkier design than preferred.*
- *The canopy would partially obstruct views of the historic Academy building.*
- *The freestanding canopy might create shelter for unwanted camping.*
- *The cost of the canopy was significantly increasing the cost of the plaza as a whole. The canopy resources could be more effectively focused on other elements of the plaza including public art.*

Request: On Monday, December 21, 2020, subject to public hearing, adopt a resolution authorizing the City Manager or his designee to sign the Amended Multi-Unit Housing Limited Property Tax Exemption Agreement with East Evergreen Apartments LLC.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

Peggy Sheehan, Community Development Programs Manager, provided an overview of the proposed amendments to the development agreement and an update on the proposed project. Ms. Sheehan noted that Aaron Wigood, representing the applicant, was available to address questions.

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

- Glen Yung, Vancouver, expressed his concerns about the MFTE program as a whole, and especially regarding the vagueness of the public benefit definition and requirement. He expressed concerns about the proposed changes to this project because of the reduction in the commercial space planned.

- Terry Ibert, Vancouver, expressed concerns about a lack of information regarding why the amendments are needed for this project at this time and the projected profitability of the project. He stated more time and information is needed before Council is asked to make a decision on the proposed amendments.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Councilmember Fox expressed concerns regarding the reduction of commercial space on the ground floor and asked whether live/work units could be built on that floor to provide some flexibility and at least an option for some commercial use. She also asked what the developer was proposing to include as a public benefit in exchange for removing the canopy from the public pavilion, as originally proposed.

Mr. Wigood stated the developer is not proposing to eliminate all ground-floor commercial space, noting there will still be about 6,700 square feet available. He explained the proposal is to remove the commercial space on the north side of the project, as that side faces a mostly residential neighborhood and the lack of foot traffic would make the viability of commercial uses difficult. Regarding the removal of the canopy, Mr. Wigood stated the developer was concerned the covered pavilion would attract overnight camping, and the design of the canopy had become much bulkier than originally envisioned due to structural requirements. He stated the developer had proposed allocating the originally $25,000 proposed for the canopy to the public art portion of the project.

Councilmember Stober stated this project has been particularly troublesome, and he had previously expressed displeasure with the design elements of the building. He stated if the developer was willing to change the exterior design so that it blends better with the existing Academy building, he would be better able to support the proposed amendments.

Councilmember Glover stated she believes eliminating the canopy is the right decision if the design would need to be bulky. She noted there is an abundance of retail space in the downtown area, and what downtown businesses need are more opportunities for people to live downtown and patron their businesses. She stated she would support reallocating the funding for the canopy to the public art portion of the public benefit for this project.

Councilmember Fox asked staff for more information pertaining to how well live/work units have worked in the downtown area. Chad Eiken, Community and Economic Development Director, stated the City Center Redevelopment Authority had reviewed the proposed amendments to this project, and agreed that it would be extremely difficult to fill the ground floor with retail tenants.

Mr. Wigood stated the developer would love for that northern end of the project to be very active with restaurants, but he thinks if it was developed as retail space it would sit vacant. Regarding the design aesthetics of the project, he stated it is a very subjective element of a project and the developer has spent a lot of time trying to make it as pleasing as possible.

Councilmember Hansen stated he was supportive of having retail space on the ground floor, noting that while the space might not be needed immediately, it may be needed in the future. He expressed concerns that by converting that space to residential, it will not be taken off the tax rolls for eight years under the abatement. He noted this is difficult for Council because it is not the first time a developer has come to them requesting changes, but he is concerned because the changes are long-term for Vancouver.

Mr. Wigood noted that the commercial space is not a part of the public benefits offered by the project. It is a part of this presentation now because the developer wanted to make Council aware of all the changes being made.

Motion by Councilmember Glover, seconded by Councilmember Lebowsky to adopt the resolution.

Councilmember Fox stated she wanted to amend the proposal to ensure the $25,000 for the canopy is reallocated to the public art portion of the project. City Attorney Jonathan Young confirmed that is included in the development agreement amendment.

Councilmember Paulsen noted this project highlights the tension regarding the public benefit option of the MFTE program and that is why it is important it is going to be part of the program review in 2021. He stated he also would like to see retail space on the ground floor, but he also wants to see the supply of multifamily housing units increased downtown, which is the ultimate goal of the program.

Motion carried 6-1 to adopt Resolution M-4113 approving the request. Councilmember Stober voted No.

9. **Multifamily Tax Exemption: Timber House Apartments Waterfront Block 3**

Staff Report 193-20

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with TIMBER OP LLC for an 8 year property tax exemption with public improvements for the abutting property located at 500 W Columbia Way in Vancouver, Washington.

Summary

The applicant is requesting an 8-year exemption with development agreement for providing public improvements in lieu of affordable units. The proposed project will take place at 500 W Columbia Way.

The developer is proposing an 8-story building containing a total of 220 units with 223 on-site parking spaces. The estimated development cost is $79 million.

Unit types will include:

72 Studio units	*$1,425 mo.*
94 1BR/ 1BA units	*$1,725 mo.*
6 1BR/ 1BA Townhomes	*$2,500 mo*
49 2BR/ 2BA units	*$3,175 mo.*
6 3BR/ 2BA units	*$3,600 mo.*

For the public benefit component the applicant is proposing to provide:

- *Public Art- Gateway element up to $150,000 working with Cultural Arts Commission*
- *Providing more parking spaces required by zoning code without using allowable reductions.*
- *Resulting in 4 additional parking spaces above code requirement with a construction cost value of $93,648*
- *Enhanced building materials (Public plaza materials) $135,000*
- *Portland Loo funding for Esther Short Park $100,000*

Over 20 years (allowing development with the exemption) the project is estimated to generate nearly $7.46 million in taxes benefiting all taxing *districts (ports, county, city, etc.) with $812,816 specifically generated for the City of Vancouver. Potentially foregone revenue is estimated at $2,726,000 for all taxing districts and $845,000specifically for Vancouver. Without the exemption the site might forego the higher developed site tax revenues as well as affordable residential housing units. Following the exemption period the project will return to the tax rolls at full value.*

The project design was presented to the City Center Redevelopment Authority on Thursday November 19, 2020. The CCRA forwarded a unanimous recommendation of approval to City Council.

Request: On Monday, December 21, 2020, following a public hearing, adopt a resolution approving an agreement with Timber Op LLC and authorizing the City Manager or designee execute a multi-family housing limited property tax exemption agreement and take any and all action necessary to enforce the terms thereof.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

Ms. Sheehan provided an overview of the proposed project and MFTE request. She noted Mark Heffernon and Seth Henderson, representing the applicant, were available to address questions.

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

- Mark Heffernon, representing the applicant, stated the project is about the community, and the developer intends to own and manage the property. He noted the building will include a public art program to highlight local artists. He stated he is aware the MFTE program is scheduled to be reviewed and undergo changes, and he requested Council review this project and application in the context of the current regulations in place.

- Glen Yung, Vancouver, stated he only sees one true public benefit being offered by this project, the building of the Portland Loo in Esther Short Park. He stated the public art proposal is more of a benefit for the developers, as it will attract people to their project. He requested more discussion on the cost for providing services to this building once it is occupied in comparison to the public benefit being provided. He expressed concerns about the MFTE program as a whole.

- Terry Ibert, Vancouver, asked whether this an other projects would be built without the MFTE program, and also expressed concerns about what the cost of City services would be. He requested more information on the specifics of the project and the financials and asked Council to defer a decision on this application until that information is available.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Councilmember Paulsen asked to whom the four additional parking spaces being proposed as a public benefit would be available. Mr. Heffernon stated the developer is proposing using a structured parking system, and the additional spaces would be accessible to tenants of the building and would thereby further relieve the on-street parking system by keeping those vehicles off the street.

Councilmember Fox asked what kind of environmental efficiency elements would be included in the project. Mr. Heffernon stated the building will achieve certification through Green Globe, and it will provide an outdoor experience on the second-floor roof deck.

Councilmember Stober asked whether electric vehicle charging stations would be included in the parking structure and how difficult it would be to add additional EV infrastructure in the future if the demand for it increased. Mr. Heffernon stated the project will include some capacity for EV stations. Mr. Henderson stated the developers are proposing 6 percent capacity being dedicated to EV stations upon initial occupancy of the building, with up to 10 percent capacity being available. He stated if demand increased beyond that, they may need to upgrade the transformer to support it.

Councilmember Stober noted that the City can include the value of new construction as part of the annual property tax levy. He asked when the value of an MFTE project is considered new construction and eligible to be included in that levy. City Manager Eric Holmes stated an MFTE project is added to the tax base at the end of the approved exemption period and is considered at the new construction value at that time.

Councilmember Glover stated this is an exciting development for the Waterfront, and stated she is glad the developer is using enhanced building materials. She stated public art on a building is a public benefit, as it enhances the experience of walking through canyons of buildings. She stated there are a lot of questions regarding the MFTE program, and it feels like developer are trying to work within the current parameters. She stated there is a lot the Council needs to address, but they should not be subjecting each developer to that broader discussion.

Councilmember Fox asked at what point does staff decide on the ratio of the value of the proposed public benefit of a project to the amount of the tax exemption to the developers. Mr. Eiken stated there is nothing spelled out in the code of what is an appropriate ratio. Staff looks at precedent from previous projects and takes each application on a case-by-case basis when negotiating with a developer. He noted that staff is also frustrated with how loosely defined the public benefit is in the City code.

Councilmember Fox stated she does recognize this project will provide public benefits, but she is struggling with the $845,000 tax exemption, noting the City could purchase Portland Loos on its own and provide other services with the amount of money that is being exempted. But she stated she recognizes these are the rules that are currently in place and it seems everyone is working in good faith.

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to adopt Resolution M-4114 approving the request.

10. **2020 Second Supplemental Budget**

Staff Report 186-20

AN ORDINANCE relating to the 2019-2020 Biennial Budget and making various appropriations in various funds; declaring an emergency.

Summary

The second supplemental of 2020 includes mostly administrative items, such as accounting true-ups and dissolution of several funds that are no longer needed.

The recommended expenditure appropriation increases for the City's Operating and Capital funds included in the 2020 Second Supplemental Budget total $18.2 million. All of the increase in appropriation is on the operating side; the recommended changes in the Capital budget and supporting transfers offset each other. The net impact on all City resources is a decrease of $5.9 million; the net impact on the General Fund is a $0.3 million increase.

The total Operating budget appropriation change in the General, Street and Fire funds represents an increase of $0.3 million. The remaining $17.9 million increase relates to changes in other funds.

Adjustments to the General, Street and Fire funds include an increase of $0.2 million for the 2017-19 Citywide Cost Allocation Plan true-up entry and minor other items.

The remaining appropriation increase relates to changes in other operating City funds. Major changes are summarized below:

- *Additional budget appropriation for the 2017-19 Citywide Cost Allocation Plan True-Up resulting in a $7.2 million dollar adjustment largely due to a change in accounting representation that differed from prior years.*

- *Increase in the appropriation of the City's Self-Insured Health Fund of $6.2 million, due to payment of several very large medical claims. A large portion of that amount, approximately $4.2 million, has been reimbursed by the City's stop/loss insurance carrier.*

- *Additional budget appropriation of $1.5 million added to the School District Impact Fee Fund due to a stronger construction economy than originally budgeted. This increase is fully offset by the revenue from developers.*

- *Increase of $1.0 million in the Risk fund appropriation adjusting for a $0.5 million increase in the cost of City's insurance premiums and $0.5 million for unemployment insurance to be fully reimbursed by the CARES grant for pandemic-related leaves.*

- *Increase of $0.4 million in the Grounds & Facilities Fund for increased costs related to pandemic-related janitorial services, increases in security contract rates, increases in natural gas and electrical/lighting supplies and mold testing at the City's Fire Stations.*

- *Increase of $0.4 million in the Tennis Center Fund to record the USTA's expenses for the year.*

The total net Capital Budget appropriation of $0.02 million (including internal transfers) is included in the Second Supplemental of 2020. Expenditures by project are outlined in Attachment C to the ordinance. Following are some of the changes to projects included in the Supplemental:

- *Parks capital projects totaling $0.4 million for:*
  - *True-up of three projects; Columbia Waterfront Trail, First Place Park Playground Improvements and Clearmeadows Park Development all to be funded with parks impact fees.*

- *A reduction of $0.8 million in the Surface Water Management operating fund cash transfer to the capital fund to closer represent the support expected to fund capital projects.*

- *Appropriation to transfer the remaining $0.2 million to the Transportation Capital Fund from the TIF – I205/Mill Plan Overlay fund. An appropriation to transfer $0.2 million from the 2011 Transportation Bond Capital fund to Transportation Capital Fund. Both funds are being closed at the end of 2020.*

Request: On Monday, December 21, 2020, subject to second reading and public hearing, approve ordinance.

Natasha Ramras, Chief Financial Officer, 360-487-8484

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

Natasha Ramras, Chief Financial Officer, provided a summary of the proposed supplemental budget.

Mayor McEnerny-Ogle opened the public hearing and, receiving no testimony, closed the public hearing.

Motion by Councilmember Paulsen, seconded by Councilmember Glover, and carried unanimously to approve Ordinance M-4324.

11. **Fall 2020 Comprehensive Plan and Zoning Code Map and Text Changes**

Staff Report 187A-20

A. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending text of Vancouver Comprehensive Plan Appendix E; and Vancouver Municipal Code 20.150, 20.210, 20.245, 20.410, 20.430, 20.440, 20.740, and 20.915; providing for severability; and establishing an effective date.

B. AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Municipal Code 20.210, 20.265. 20.320, 20.510, 20.525; 20.690, 20.770, 20.885; 20.890; 20.945; 20.960; providing for severability; and establishing an effective date.

Summary
Council is requested to review and make final determinations on the proposed text changes (see attached Ordinance A) as follows:

Comprehensive Plan Text Amendment

Amend Appendix E of the Comprehensive Plan to adopt by reference the 2021-2030 Parks, Recreation, and Natural Areas Capital Facilities Plan. The Planning Commission unanimously recommended approval at an October 13 public hearing for which no public testimony was received. The Parks Capital Facilities Plan has also been recommended by the Parks and Recreation Advisory Committee. It will become part of the overall update of the Parks Comprehensive Plan in 2022.

Zoning Code Text Amendments

> *Six changes were unanimously recommended by the Planning Commission at an October 13 public hearing, with no public testimony received. These are changes to floodplain standards and related definitions; changes to decision making procedures and conditional use permit standards to recognize electronic application submittals; changes to Planned Development standards to fully incorporate changes made in 2019; and changes to footnotes in the single family, commercial and industrial zoning use tables.*

Council has also reviewed removal of outdated pronouns in the zoning code (see attached Ordinance B), and is requested to amend VMC Title 20 in 36 locations to eliminate references to "his" in describing the role of Planning Director or Planning Official; to be replaced with the title of the official being referenced or gender neutral they/them pronouns as appropriate.

Request: On Monday, December 21, 2020, subject to second readings and public hearing, approve the ordinances.

Bryan Snodgrass, Principal Planner, 360-487-7946

Mayor McEnerny-Ogle read the titles of the ordinances into the record.

Bryan Snodgrass, Principal Planner, provided an overview of the proposed Comprehensive Plan and Zoning Code text amendments in front of Council for final consideration.

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

- Steve Horenstein, representing Ginn Development Group, noted the annual review previously included one site-specific zoning change request from Ginn, and his client was confused as to why it had been removed on first reading. He requested the map change be reconsidered by Council and allowed to go to a public hearing.

There being no further testimony, Mayor McEnerny-Ogle closed the public hearing.

Councilmember Paulsen responded to the public testimony, noting he has no reason to oppose the site-specific request moving forward to public hearing procedurally; he explained his objection at the first reading was strictly on the issue itself and not on the process. He stated if other Councilmembers supported moving it forward to a hearing, he would as well.

Councilmember Lebowsky agreed she would support it moving forward in terms of the process.

City Attorney Young stated that would constitute a change in substance to what is currently in front of Council and would require Council to hold an additional reading and public hearing at a subsequent meeting.

Mayor McEnerny-Ogle asked whether Council could approve what is currently before them and consider the site-specific map change request separately. Mr. Young advised that as it was a part of the annual Comprehensive Plan review, it would be appropriate to amend the entire package and bring it back with the map change included.

Council spoke at length regarding the most appropriate process moving forward.

Motion by Councilmember Paulsen to amend Ordinance A to add back in the site-specific request.

Mr. Holmes clarified for the record that the intent of the motion is to consider on second reading and public hearing the Comprehensive Plan and Zoning Code amendment to change the designation from community-commercial to a Urban High Density R-22 residential designation on a 2.6-acre undeveloped property at 7401 NE 18th Street.

Councilmember Paulsen amended his motion to include the description provided by the City Manager above. Motion seconded by Councilmember Lebowsky.

Councilmember Stober stated Council had discussed removing this request from the annual review as there was information Council had requested regarding the balance of inventory of housing to commercial land in the city, and staff had intended on bring that information back to Council at a later date. He asked when this site-specific map change would need to be adopted. Mr. Young stated the Comprehensive Plan and zoning code only needs to be amended once per year, and the effective date of the proposed map change should coincide with the effective date of the text amendments being proposed if Council wished to include it in this year's review.

Mr. Holmes stated that in past years, when there have been questions about specific requests within the package of annual review proposals, the Council has taken some serial actions within a close timeframe in order to delve deeper into those questions, which usually have pertained to such site-specific designation requests. He noted staff will not be able to have the longitudinal analysis referenced by Councilmember Stober completed in time for Council to consider it in the context of the subject map change in early January.

Mr. Young advised the Council they need to vote on the motion before them, and then there would be two options available to them moving forward: The Council could vote to approve and push forward an entire package of material into January, or they could vote in opposition to the current motion to amend the ordinance, and strike it down so they could then bring a new motion forward to approve the ordinances before them as written, and direct staff to return with a separate ordinance in January to consider the site-specific map amendments.

Motion to amend Ordinance A failed 0-7.

Motion by Councilmember Paulsen, seconded by Councilmember Hansen, and carried unanimously to approve Ordinance M-4325 (A) and Ordinance M-4326 (B).

Motion by Councilmember Stober, seconded by Councilmember Paulsen, and carried unanimously to direct staff to bring forward at its next meeting the previously proposed amendments to the Comprehensive Plan and zoning code maps for the parcel at 7401 NE 18th Street.

Communications

A. From the Council

B. From the Mayor

a. Interstate Bridge Replacement Program - Executive Sponsors Group Update

Aaron Lande, Senior Policy Analyst, provided Council with a summary of the November 30 meeting of the Interstate Bridge Replacement Program Executive Sponsors Group.

C. From the City Manager

a. Driving While License Suspended in the Third Degree (City Attorney briefing)

City Attorney Jonathan Young provided Council with an overview of a pilot program to change the approach of the City Attorney's Office in its prosecution practices relative to the crime of Driving While License Suspended in the Third Degree in an effort to address systemic inequities.

Adjournment

9:11 p.m.

____

Anne McEnerny-Ogle, Mayor

Attest:

____

Natasha Ramras, City Clerk

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

MEMORANDUM

DATE: December 21, 2020

TO: Mayor and City Council

FROM: Cayla Cothron, Associate Planner, Community & Economic Development Department; Keith Jones, Senior Planner

RE: Draft amended Shoreline Master Program (SMP), including text and map changes, for the periodic review and update

CC: Eric Holmes, City Manager

Vancouver is currently conducting a periodic review of its Shoreline Master Program (SMP) as mandated by the Washington State Shoreline Management Act (SMA), RCW 90.58.080(4), and in coordination with the Washington State Department of Ecology. The Act requires each local SMP to be reviewed and revised, if needed, every eight years to ensure consistency with changes to state laws and rules and other city plans and regulations, and responsiveness to changed circumstances, new information, and improved data.

The Shoreline Management Act (SMA) of 1971 provides a statewide framework for managing, accessing, and protecting shorelines with an overarching goal "to prevent the inherent harm in an uncoordinated and piecemeal development of the state's shorelines." Under the Act, cities and counties are required to prepare and adopt a Shoreline Master Program (SMP) which is used to jointly administer the SMA with the State Department of Ecology (Ecology). The SMP consists of a long-range plan that defines goals and policies for shoreline development consistent with the Comprehensive Plan, a set of regulations that applies to any change in land use or permitted activity that occurs within shoreline jurisdiction, and a framework for permit review and approval and enforcing regulations.

In alignment with Ecology guidance on the periodic review process, project staff reviewed the existing SMP and identified proposed amendments, which were presented at a July 14 Planning Commission workshop, August 3 City Council workshop, and September 16 public open house held virtually due to COVID-19 limitations (materials for these can be viewed on the project website). Feedback from the Commission consisted of clarifying questions about implementation, and details and potential implications of the proposed amendments. Council feedback focused on high intensity designations, implications of specific proposed amendments, and the format of the public open house.

Community input received at the September 16 public open house included concerns about enforcement of violations in shoreline jurisdiction, specifically related to impacts of unauthorized camping along Burnt Bridge Creek to shorelines and water quality. The project team reviewed these issues in coordination with Ecology and determined that they are not within the purview of the periodic review planning process. While enforcement provisions exist in the SMP, jurisdictions are constrained in their ability to address these activities in the same way as other code enforcement issues per court rulings and city policy surrounding homelessness and the COVID-19 pandemic. Related to water quality concerns, the City addresses water quality protection and improvement across a variety of programs, both citywide and specific to Burnt Bridge Creek. More information about these city efforts can be viewed here.

Project staff drafted language for the draft amended SMP which was reviewed by the Planning Commission at a December 8 workshop prior to being brought before City Council at the upcoming January 4 workshop. The draft amended SMP includes proposed text changes in strikethrough/underline format, associated proposed map changes, and the updated Summary of Proposed Amendments in the format of the Periodic Review Checklist provided by Ecology. These deliverables can be found in attachments to this memorandum and on the project website.

Proposed Amendments

A majority of the proposed amendments required or recommended to maintain compliance with state laws and rules are administrative or process-oriented, and are generally not substantive in nature. These include revising cost thresholds, including a new shoreline permit exemption per state law, and clarifying process, definitions, and/or references (see Table 1 in the Summary of Proposed Amendments for the full detailed list). Ecology updates to wetlands regulations are the only exception as they include substantive changes to align with the most recent guidance. These include changes to address noncompliance of allowances within Category I and II wetlands, updates to the stormwater management facilities provision within wetland buffers to meet current guidelines, and decreases in certain allowances to the outer 25% of a wetland buffer vs. 50%.

The proposed locally-initiated amendments have not significantly deviated from what was presented at earlier workshops with the Planning Commission and Council, and can be viewed in detail in Table 2 of the Summary of Proposed Amendments. These generally consist of:

- Amendments that came out of issues identified through implementation of the SMP, additional changes to state policies, or coordination with Ecology on the periodic review. These primarily clarify regulations or address outdated provisions requiring immediate attention.

- Project staff's proposed amendments to address three primary issues that emerged from ongoing coordination with the Port of Vancouver (POV). These generally include applying standard shoreline jurisdiction to high and medium intensity designations within city limits (and not already included in the areas where standards jurisdiction currently applies along the Columbia River from the eastern boundary of Wintler Park to Port Parcel 3) and updating Shoreline Designation Maps to reflect this; removing the conditional use permit requirement from structural shoreline stabilization projects in high intensity designations; and allowing a signage master plan or sign program to be developed through a Special Sign District Process.

- Amendments brought forward to fix errors and address issues of clarity, consistency, redundant or inaccurate language and/or process, and relevancy of regulations that were identified through implementation and review of the SMP.

Commission deliberation at the December 8 workshop primarily consisted of questions about the SMA's role in addressing unauthorized camping along shorelines, inclusion of the full extent of the 100-year floodplain in shoreline jurisdiction as part of the 2012 comprehensive update and the circumstances surrounding the proposed changes to shoreline jurisdiction, technical details of several proposed amendments, and clarifications on how SMP regulations are implemented and their relationship to other development codes, such as floodplain or critical areas regulations. Commissioner questions and responses by project staff are summarized below:

- Questions about long-term legal risk and implications to the City of not enforcing violations caused by unauthorized camping along shorelines were raised by two commissioners. The staff attorney clarified that court rulings constrain actions that can be taken by the City to address this issue and that he does not believe there is legal liability. Ecology staff also explained that the agency recognizes this is a larger issue that impacts more than just shorelines, and while the state acknowledges that there is an issue, the SMA is not where it will be addressed.
- Questions about the intent of the proposed change to shoreline jurisdiction and inclusion of the full extent of the 100-year floodplain as part of the 2012 comprehensive update to the SMP were also raised by two commsisioners. Staff responded that the 2012 comprehensive update was undertaken as a coalition with Clark County and other jurisdictions within the County where the decision to voluntarily include the full extent of the 100-year floodplain in shoreline jurisdiction was made. Staff also clarified that the proposed amendment is intended to maintain the full extent of the 100-year floodplain in designations intended for conservancy, and address the issue of SMP regulations applying to properties located a significant distance from a shoreline, which primarily impacts properties at the Port of Vancouver or along Fruit Valley Road that are industrially-zoned.
- Other questions from Commissioners clarified the relationship between SMP regulations and floodplain and critical areas code; implementation of the SMP such as how the Ordinary High Water Mark (OHWM) is measured; specific details about the proposed amendments such as the new American with Disabilities Act (ADA) exemption, reducing subjectivity for revetments, and changing structural shoreline stabilization projects to a permitted use in high intensity designations; and other inquiries such as whether there are upland dredging deposit sites in the City and if any changes to the SMP help position Vancouver Lake as a potential mitigation bank.

An audio recording of the full December 8 Planning Commission workshop discussion is available here.

Next Steps

Following review of the draft amended SMP at the upcoming January 4 workshop with the Council, the project team will begin the joint local and state review process early next year, which consists of the 30-day public comment period (including the Planning Commission public hearing scheduled for February 9) and a SEPA process. The Planning Commission public hearing is considered part of the joint public comment period, and any testimony provided at the hearing will be included as public comment received.

The amended SMP will then be submitted to Ecology for initial determination of consistency, brought before City Council for adoption hearings anticipated in spring 2021, and the adopted SMP will be submitted to Ecology for final agency approval.

Please contact Cayla Cothron (cayla.cothron@cityofvancouver.us, (360) 487-7899) for additional information.

ATTACHMENTS

A. Summary of Proposed Amendments (December 2020)
B. Draft Amended SMP – Proposed Text Changes
C. Proposed Amendments to Shoreline Designation Maps

Shoreline Master Program (SMP) Periodic Review and Update

January 4, 2020

City Council Workshop

Cayla Cothron, Associate Planner, and
Keith Jones, Senior Planner, Community & Economic Development Department

Presentation Purpose

- Council review and confirmation on proposed changes to the City's Shoreline Master Program, including discretionary locally-initiated changes, in advance of joint state/local public review and Planning Commission and Council public hearings

Presentation Overview

- Prior Planning Commission & City Council Review
- Periodic Review Process
- Shorelines Background
- Proposed Amendments for Draft Amended SMP
- Next Steps

Planning Commission and City Council Review

- July 14 Planning Commission workshop
- August 3 City Council workshop
- December 8 Planning Commission workshop

City Council Feedback

- At the August 3 workshop, Council had questions on the following:
  - Amount of high intensity along the Columbia River
  - Impacts of the proposed amendment related to structural shoreline stabilization projects
  - Format of the public open house

What is a Periodic Review?

- State mandated by the Washington Shoreline Management Act (SMA)
- Review and revise, if needed, every eight years
- Narrower scope than the 2012 comprehensive update

City of Vancouver Washington

What is a Periodic Review?

- Ensures the Shoreline Master Program (SMP) is:
  – Current with changes in state laws and rules
  – Consistent with other City of Vancouver plans and regulations
  – Responsive to changed circumstances, new information, and improved data
- City awarded a grant from the state to complete the process by June 30, 2021

Process and Timeline

WINTER 2019

Periodic Review Kick-off

- Establish the Public Participation Plan
- Launch periodic review webpage
- Initial public notification

SPRING – SUMMER 2020

Staff Review and Analysis

- Periodic Review Checklist and identifying proposed amendments
- Public Open House

FALL 2020 – EARLY 2021

Draft Shoreline Master Program

- SEPA Process
- Planning Commission Workshop and Public Hearing
- City Council Workshop and Public Hearing

Public Outreach and Engagement

- Updates to the project email list
- September 16 virtual public open house
- Individual stakeholder meetings with interested parties
- Joint state and local 30-day public comment period
- Planning Commission and City Council public hearings

Stakeholder Feedback

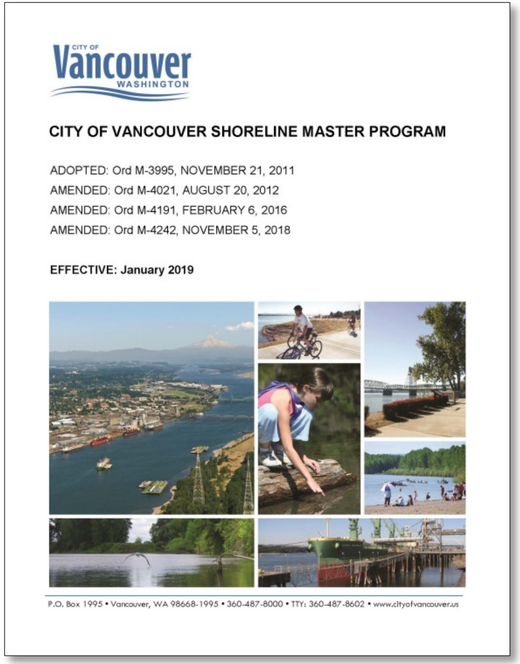
- September 16 virtual public open house
- Concerns were raised about enforcement of violations due to unauthorized camping, and impacts to shorelines and water quality specifically around Burnt Bridge Creek

City of Vancouver Washington

Stakeholder Feedback

- Project staff in coordination with Ecology have determined that these issues raised at the open house are not within the purview of the periodic review planning process
  - Jurisdictions are constrained in addressing these activities in the same way as other code enforcement issues
  - Water quality protection and improvement are addressed through other city programs and efforts

Shoreline Master Program Overview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CITY OF VANCOUVER SHORELINE MASTER PROGRAM

ADOPTED: Ord M-3995, NOVEMBER 21, 2011
AMENDED: Ord M-4021, AUGUST 20, 2012
AMENDED: Ord M-4191, FEBRUARY 6, 2016
AMENDED: Ord M-4242, NOVEMBER 5, 2018

EFFECTIVE: January 2019

P.O. Box 1995 • Vancouver, WA 98668-1995 • 360-487-8000 • TTY: 360-487-8602 • www.cityofvancouver.us

- A long range plan with goals and policies
- A set of regulations governing shoreline use and development
- A framework for permit review and approval, and enforcement

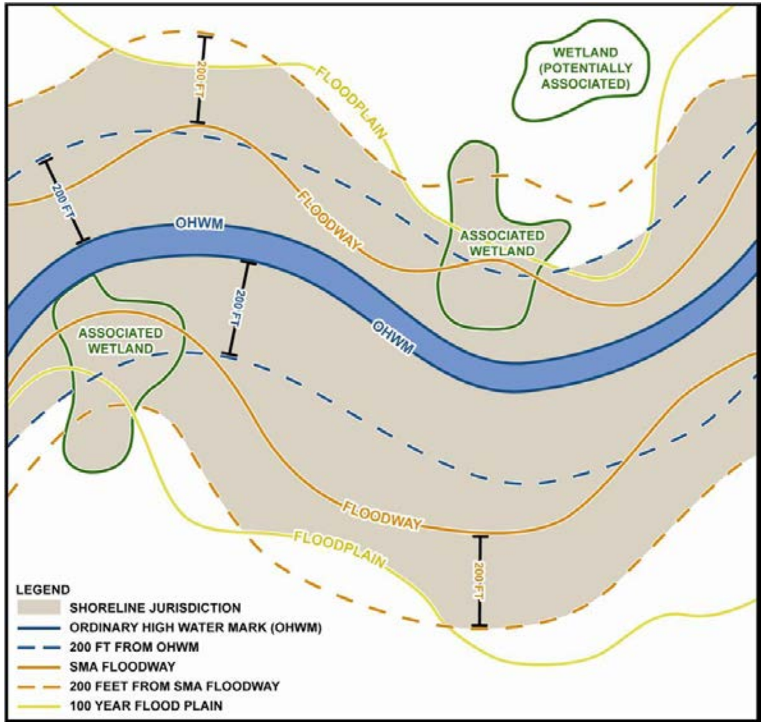
What activities/uses are regulated by the SMP?

- New or expanded structures, such as houses, sheds and decks;
- Land development and alteration, such as clearing, grading, dredging or filling; and
- Other activities along the shorelines, including restoration (e.g. riparian planting, bank stabilization), trail construction, and public access

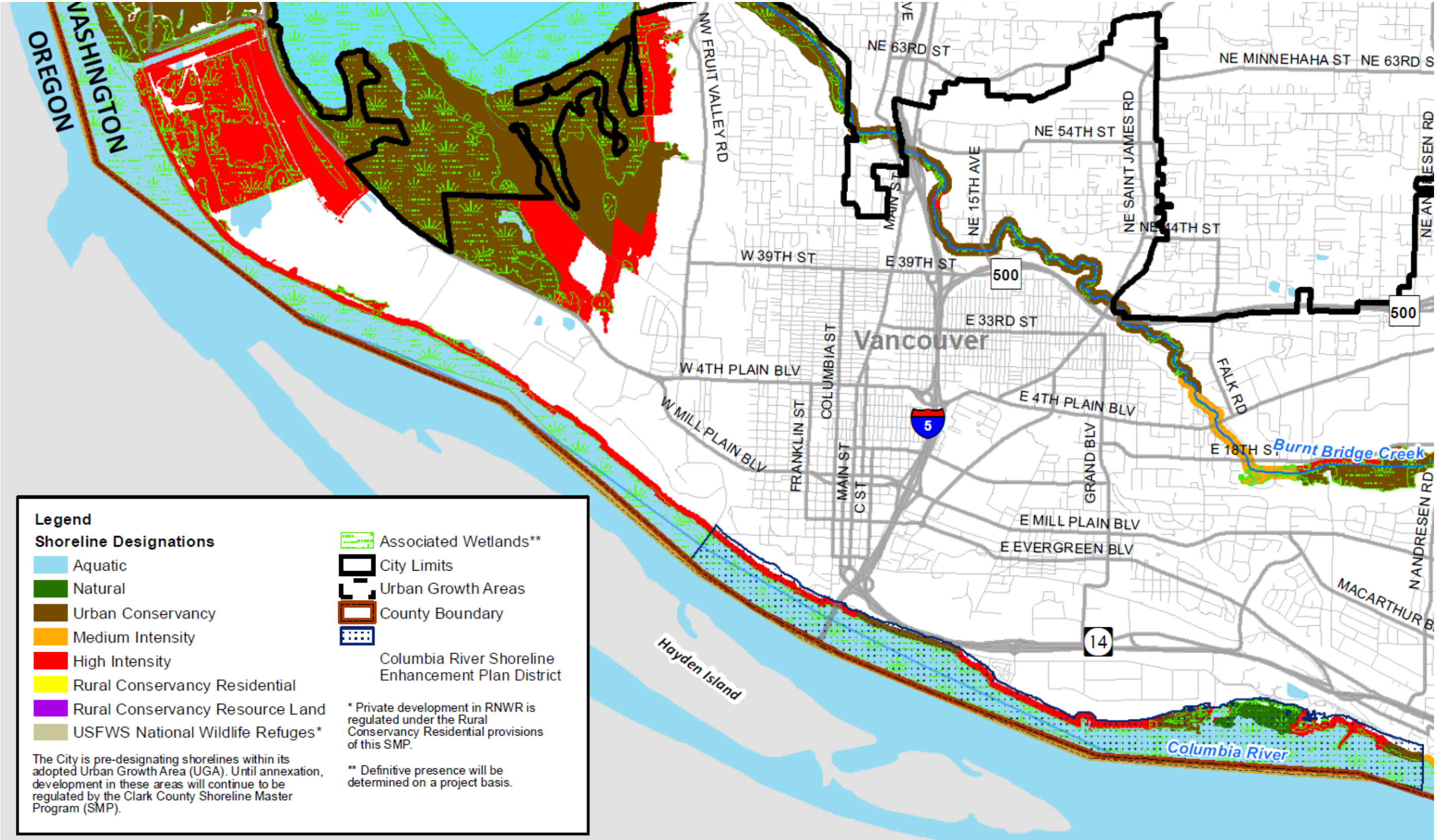
Where does the SMP apply?

Vancouver Shorelines of the State

- Columbia River
- Vancouver Lake
- Burnt Bridge Creek
- Fifth Plain Creek
- Lacamas Creek
- Salmon Creek
- Mill Creek
- Curtin Creek
- Lake River
- Other waterbodies

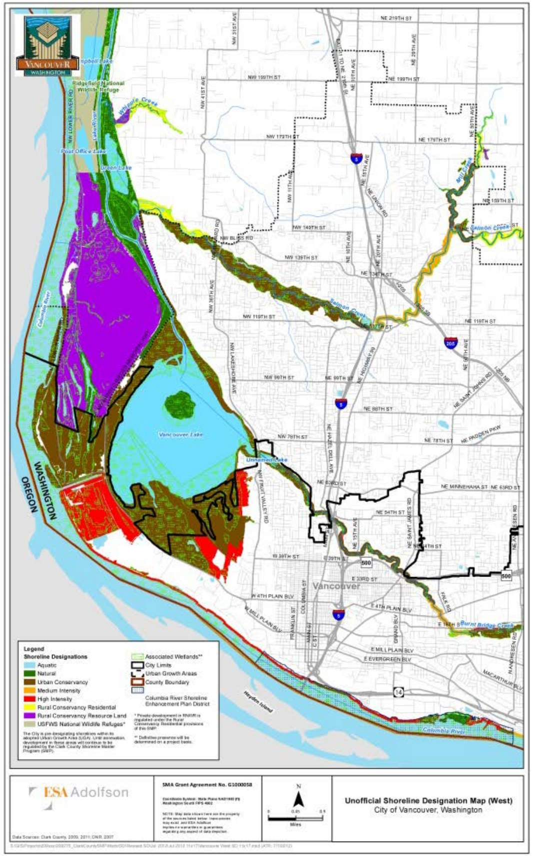


Where does the SMP apply?

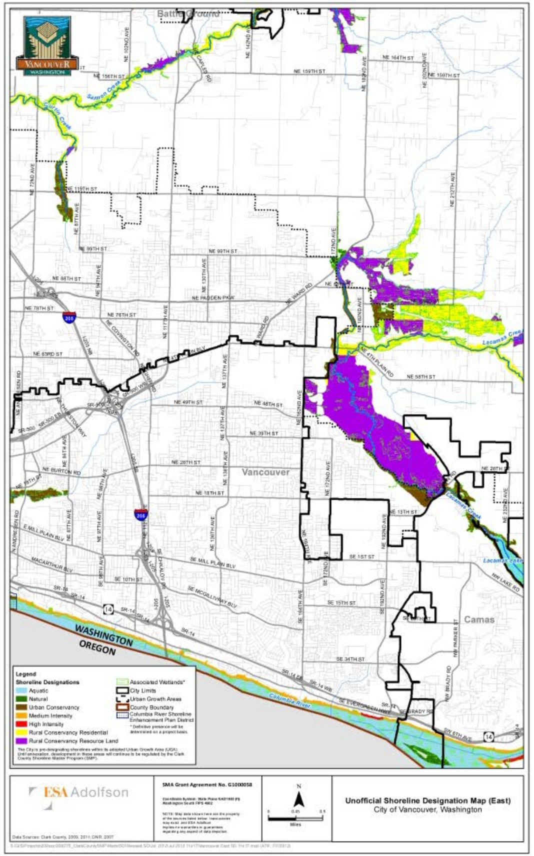


Where does the SMP apply?

West



East



Proposed Amendments Categories

State Legislative Amendments

- Consistency with state law and rule changes

Additional Amendments

- Consistency with city plans and regulations
- Locally-initiated amendments

State Legislative Amendments

- Revising cost thresholds
- New shoreline permit exemption to comply with the Americans with Disabilities Act
- Clarifying process, definitions, and/or references to state law
- Updates to wetlands regulations to align with Ecology's most recent critical areas guidance

Additional Amendments

- Amendments that came out of issues identified through implementation of the SMP, additional changes to state policies, or coordination with Ecology on the periodic review.
- Amendments to address three primary issues that emerged from ongoing coordination with the Port of Vancouver.
- Amendments brought forward to fix errors and address issues of clarity, consistency, redundant or inaccurate language and/or process, and relevancy of regulations.

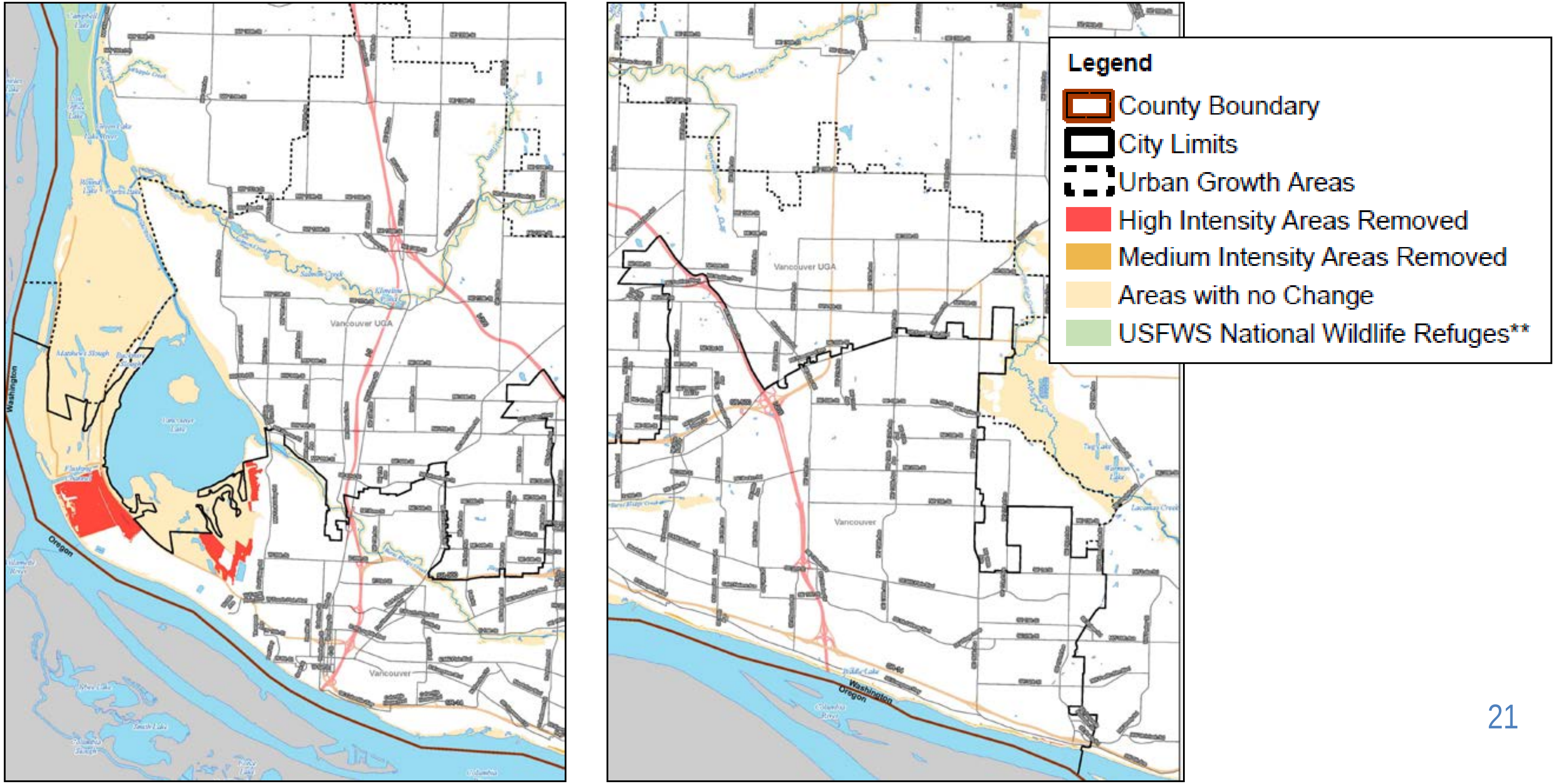
Additional Amendments

- Expand options for mitigating adverse impacts to shallow-water habitat to include creation, enhancement, and/or payment of mitigation bank credits.
- Clarify circumstances where revetments can be located partially below the OHWM, how they are regulated, and when requiring the creation of shallow-water habitat applies.
- Remove provisions from the flood code not required to be included in the SMP, and include a soft reference to the Title 20 critical areas regulations.
- Make substantive updates to wetlands regulations as identified in Ecology's evaluation.

Additional Amendments

- For all other shorelines within city limits not included in the area along the Columbia River from Wintler Park to the Vancouver Flushing Channel, maintain the full extent of the 100-year floodplain in shoreline jurisdiction for conservancy designations, and apply minimum jurisdiction in high intensity and medium intensity designations to allow for reasonable use of land and development where intended.

Additional Amendments



Additional Amendments

- Change structural shoreline stabilizations to a permitted use in high intensity designations to eliminate undue process on properties that already have developed shorelines.
- Allow a signage master plan or sign program to be developed through a Special Sign District Process in order to supersede SMP requirements, where appropriate.

Additional Amendments

- Change non-water oriented institutional uses in high and medium intensity designations to a permitted use to reduce undue process while maintaining provisions that encourage water-oriented uses, where feasible.
  - *Intended to address limitations for existing property owners along Burnt Bridge Creek but distanced from the shoreline*
- Include allowances for non-water-oriented commercial uses per state law to provide flexibility where appropriate or where water-oriented uses are not feasible.
  - *This flexibility in state law is not incorporated in the existing SMP*

Additional Amendments

- Update Chapter 5A to be consistent with Title 20 Critical Areas Protection code updates since 2012, and amend for applicability in shoreline jurisdiction.
- Clarify the relationship between critical areas regulations and their applicability in shoreline jurisdiction.
- Make height limitation 35’ for non-water-oriented commercial uses in medium and high intensity designations to be consistent with the allowance for other uses.

Additional Amendments

- Defer to the review and approval under federal requirements for disposal of dredging material and encourage environmentally sound beneficial uses, when feasible.
- Only require mailings for exemptions that require a federal permit.
- Make amendments to address non-substantive items that will improve readability and usability.

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Planning Commission Feedback

- Questions about legal implications of not enforcing violations from unauthorized camping along shorelines
- Question about intent of the proposed change to shoreline jurisdiction and inclusion of the full extent of the 100-year floodplain as part of the 2012 comprehensive update
- Other clarifying questions about the relationship between SMP regulations and other development codes, implementation of the SMP, and other specific details about proposed amendments

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Next Steps

- Initiate joint local and state 30-day public comment period in January
- SEPA Review
- Planning Commission public hearing (scheduled February 9)
- Ecology initial determination for draft amended SMP
- City Council adoption process and Ecology final agency approval anticipated spring 2021

Questions and Discussion

- Cayla Cothron, CED, cayla.cothron@cityofvancouver.us
- Keith Jones, CED, keith.jones@cityofvancouver.us

cityofvancouver.us/ced/page/smp-periodic-review

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Multi-Family Tax Exemption Program Update – Proposed Work Program

January 4, 2021
City Council Workshop

CITY OF Vancouver WASHINGTON

Chad Eiken, CED Director
Peggy Sheehan, Community Services Manager

Presentation Overview

- Proposed Workshop Objectives
- Summary of Overview of Prior Council Feedback on MFTE Program
- Intent and Evolution of the MFTE Program
- Program Results Since 2001
- Flexibility to Tailor Program
- Proposed Work Program to Adjust MFTE Regulations
- Council Feedback on Proposed Areas of Revisions
- Specific Interim Proposal to Address Affordable Option Concern
- Specific Proposal to Revise Public Benefit Definition

Proposed Workshop Objectives

1. Review prior Council feedback on the MFTE Program regarding purpose and objectives, and areas where adjustments may be needed;
2. Obtain consensus direction from Council regarding areas that still need attention; and
3. Discuss proposed work program elements and schedule to achieve desired program changes in 2021
4. Time permitting, discuss specific proposals for addressing public benefit and affordability issue

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Prior Council Feedback on MFTE Program

- December 7, 2020 Public Hearing
  - Amendment of program definition of “affordability” considered by Council but not passed
  - Concerns expressed regarding diminished effectiveness of the program as well as other possible unintended consequences
  - City Center Redevelopment Authority recommended Council defer action on the affordability issue until a discussion of the market rate option

Prior Council Feedback on MFTE Program

- Maintain program as an economic development tool;
- Ensure income-based units are tied to Vancouver household incomes, balanced with desire to ensure viability of tool;
- Sharpen definition of "public amenity" for market rate projects;
- Expand geographic boundaries of program to other areas of the City (e.g. Mill Plain Corridor, The Heights);
- Tailor program tools to advance related policy objectives by geographic area;
- Use holistic approach to making program changes in pursuit of balancing identified policy goals (market vs. income-based, owner occupancy, number of bedrooms, etc.)

Program Intent and Evolution – STATE LAW

- RCW 84.14 (1995) authorized jurisdictions to adopt MFTE programs. Stated purpose:

  (T)o encourage increased residential opportunities in cities within urban centers and (t)o stimulate the construction of new multifamily housing and the rehabilitation of existing vacant and underutilized buildings for multifamily housing in urban centers that will increase and improve residential opportunities within these urban centers.

Program Intent and Evolution – STATE LAW

- Originally intended to incentivize higher density development in urban centers, consistent with the Growth Management Act
  - No mention of affordable housing as a goal and no limitations on income or rent
- Amended in 2007 to insert "affordable housing"
  - Four times into the purpose statement
  - Added a 12-year "affordable" option at 115% of area median income (AMI)

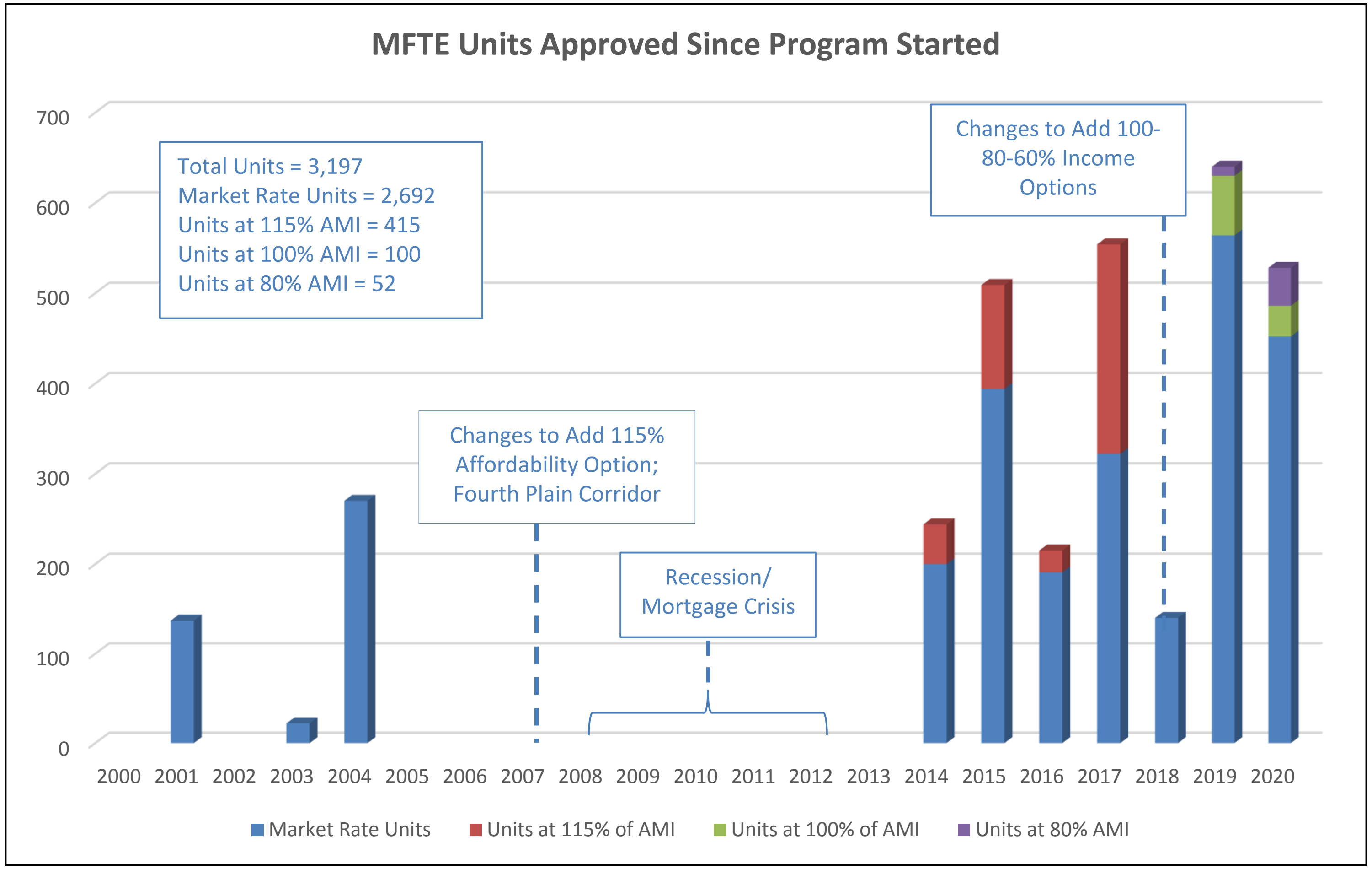
Program Intent and Evolution – LOCAL ORDINANCE

- 2007: Vancouver MFTE ordinance changed to add the 12-year 115% of AMI option
- Soon after, the mortgage crisis and resulting recession led to increase in demand for apartments which coincided with decrease in supply of new housing and increased rents;
- By 2015, cities across the U.S. were experiencing a housing affordability crisis
- In 2016, Mayor's Task Force on Affordable Housing recommended more affordable housing options be added to the MFTE Program

Program Intent and Evolution – LOCAL ORDINANCE

- 2018: MFTE ordinance amended to replace the 12-year, 115% AMI option with:
    - 12 year with 20% of new units at 60% AMI
    - 10 year with 20% of new units at 80%
    - 8 year with 20% of new units at 100% of AMI
    - 8 year with all new units at market rate <u>with</u> provision of "public benefit"
        - "public benefit" loosely-defined; intended to ensure no "free pass" for tax benefit, but has been difficult to quantify

Program Results Since 2001



Program Results – Units by Stage of Development

Stage of Development	Units (VCCV)	Units (Fourth Plain)
Constructed/Renting	1,266*	248
Under Construction	773	
Land Use Review	140	
Pre-Application/MFTE approved	705	
Subtotal by Area	2,884	248
Total Units under MFTE	3,132	

*MFTE projects since 2001

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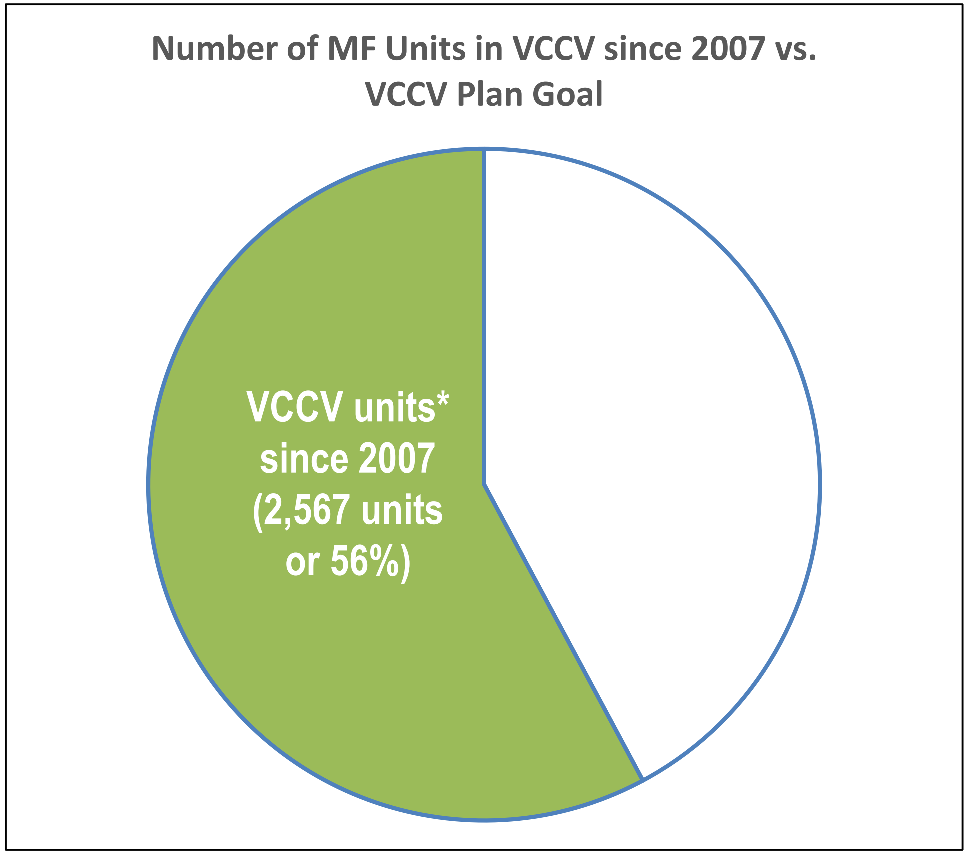
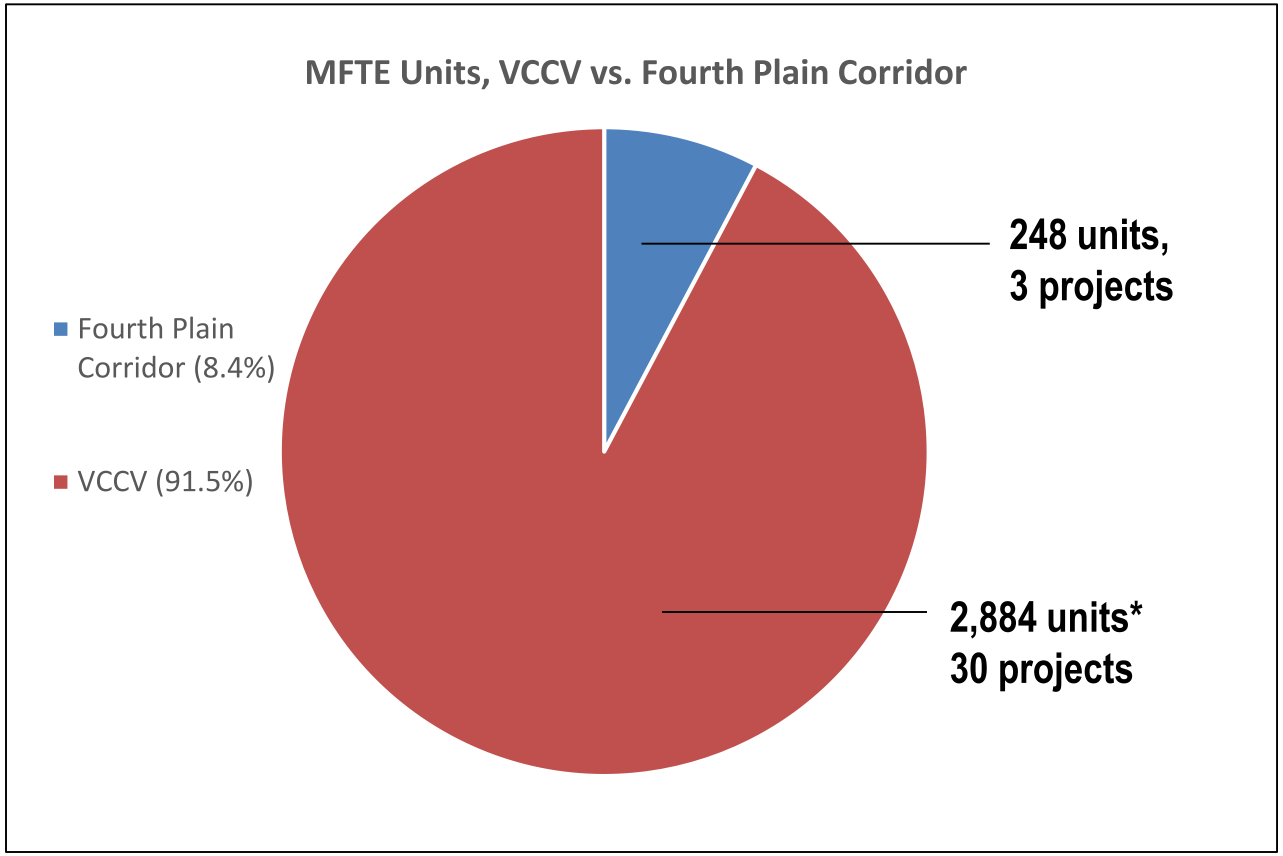
Program Results Since 2001: VCCV (Downtown)



*Constructed or in permitting process

- Total number of *existing* multi-family units downtown = 3,083
- 2007 VCCV Plan and EIS anticipated 4,551 new multi-family units over 20 years
- No private project has been built in VCCV since 2007 without utilizing MFTE program
- 949 units have been constructed under MFTE program since 2007; 1,266 since 2001
- Another 1,618 units are under construction or in permitting process = 2,884 MFTE units since 2001 (2,567 since VCCV Plan/2007)

Program Results Since 2001: Fourth Plain vs. VCCV



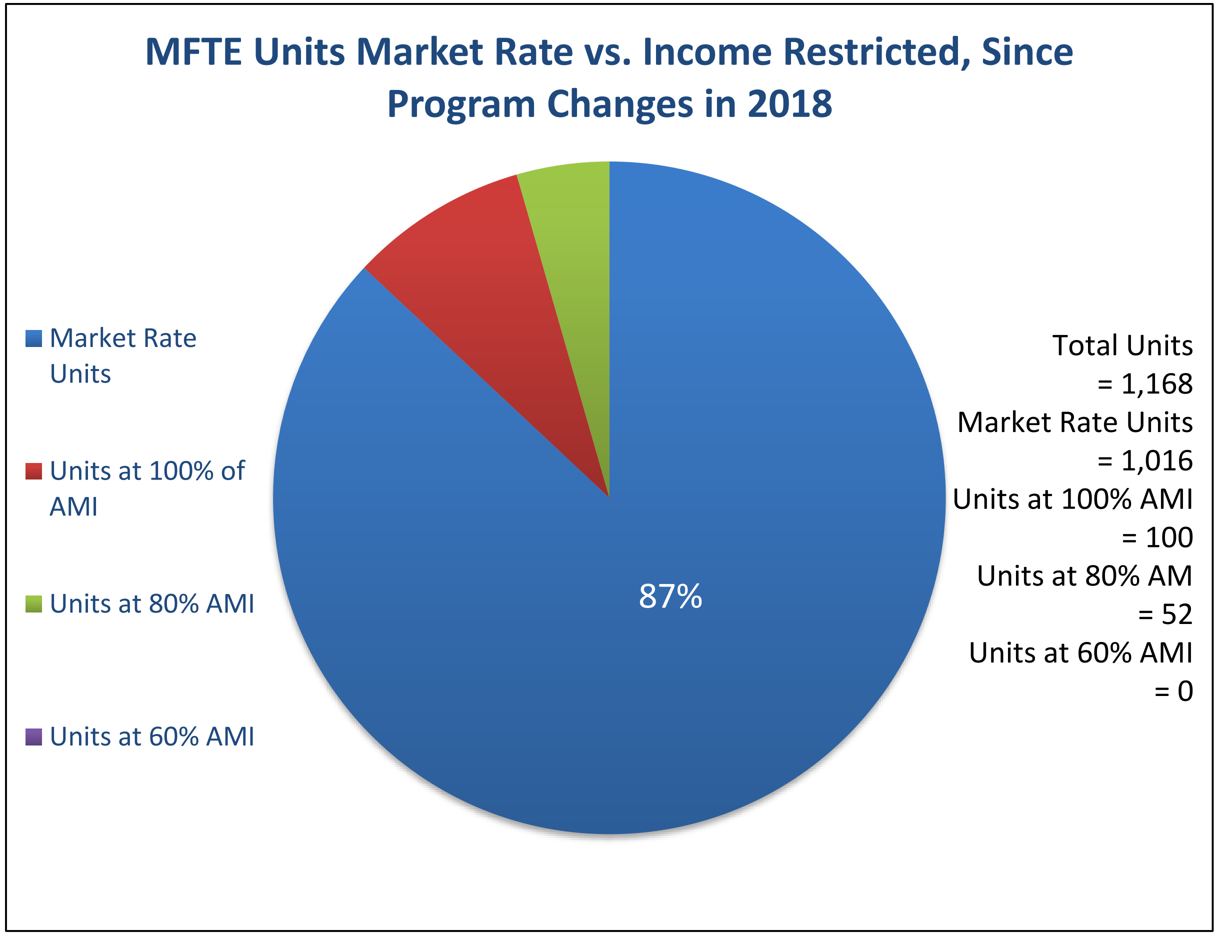
*Constructed or in permitting process

Projects Approved or Constructed

- Estimated direct private investment (construction) ~ $600 million
- Immediate sales tax on value of construction and impact fee benefit to jurisdictions
- Indirect positive economic impact from construction jobs, residents in urban areas, increased vitality
- First four MFTE projects back on tax rolls (total $237,900/year)

MFTE Use as Affordable Housing Tool

- To date, no affordable housing targets have been set
- 2018 changes to income thresholds have not resulted in a significant number of new affordable units
- Recent analysis shows current income thresholds are higher by about 30%
- Current tax incentive options for affordable housing are not attractive enough for developers to build units with rent restrictions



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Summary of Program Results To-Date

- MFTE Program has been an effective economic development tool, particularly in the Downtown which has resulted in hundreds of millions in direct investment, 5,900+/- new residents who support local businesses, and eventually millions of dollars in new taxes
- Downtown behind pace (-391 units) to meet VCCV Plan goal of 4,551 new units by 2027
- Despite being an option since 2007, only three MFTE projects approved in Fourth Plain corridor, none of which have been market-rate projects
- Attempts to create options for construction of new affordable housing have only resulted in 13% of units having some level of income restriction
- Analysis has shown that even “affordable units” under the program may be out of reach for Vancouver residents at low and moderate income levels

Flexibility to Tailor MFTE Program

- MFTE Program as established by state law allows some flexibility for local jurisdictions to tailor the tool to implement local policy objectives, with a few key limitations:
  - MFTE area must be within an urban center and lack sufficient residential housing
  - Market rate projects eligible for maximum of 8 years of tax exemption
  - Projects providing at least 20% of units at rents based on 115% of area median income eligible for a maximum of 12 years of tax exemption

- City Council can otherwise tailor program to meet policy objectives, such as adjusting affordability requirement, “turning off” market rate option in areas, promoting owner-occupied housing, incentivizing three-bedroom units, etc.

Conceptual Work Program (High Level)

Timeframe	Issue/Task	Objective
Q1, 2021 (Phase 1)	Address public benefit definition for market rate units as a separate ordinance; add fee-in-lieu option; rename affordable option as "income based" or "below market"	Create predictable and consistent public benefit requirement that is proportional to tax benefit; fix "affordable" language until AMI issue resolved
Q2, 2021 (Phase 2)	Additional analysis regarding use of MFTE for affordable housing; bring in outside construction finance and affordable housing experts to better understand/address barriers; consider setting affordable housing targets	Tailor affordable options to increase usage of affordable options and link to Vancouver incomes if possible
Q2-Q3, 2021 (Phase 2 cont.)	Consider expansion of MFTE program area to include Mill Plain Corridor, expansion of VCCV and Fourth Plain. Evaluate characteristics of geographic areas to determine how program can advance identified policy goals	Propose a highly customized program, by area, that is responsive to specific policy goals (e.g. unit type, affordability, owner occupancy, etc.)
Q3, 2021	Return to Council with set of comprehensive changes	Maximize use of MFTE Program in areas where higher density housing is desired

Council Feedback on Work Plan Requested

- What is the priority for maintaining program as an economic development tool?
- Should program base income-restricted units on Vancouver-specific incomes, even if this decreases participation in the program?
- Is there still support for sharpening definition of “public amenity” for market rate projects, to include a fee-in-lieu option?
- Is there support for expanding geographic boundaries of program (e.g. Mill Plain Corridor; expand VCCV and Fourth Plain)?
- While analysis of data will inform specific housing needs in program areas, what key policy objectives would you like staff to explore?

Specific Interim Proposal Regarding Affordability

- Current MFTE program affordable options are not resulting in rents affordable under Vancouver median incomes; options are “affordable” in name only
- More analysis is required to balance goal of creating truly affordable option(s) without significantly affecting participation in the program
- As interim solution, staff proposes the four options be retained, but that the term “affordable” be replaced throughout by the term “income-based” or “below market” housing
- An ordinance could be drafted and presented to Council in early February

Public Benefit for Market Rate Apts.

Current broad definition of “public benefit” for 8-year market rate housing projects in exchange for not providing any affordable units has led to inconsistencies and confusion.

- *enhanced design*
- *public art*
- *additional parking or structured parking*
- *enhanced landscaping*
- *homeownership component*
- *energy efficiency*
- *consistency with subarea plan*
- *enhanced infrastructure (e.g. wider sidewalks, undergrounding utilities)*

Options for Addressing Public Benefit Issues

Option 1: Improve Definition	Option 2: Fee-in-Lieu	Option 3: Hybrid
Retain the public benefit but define it more clearly: 1) type of qualifying improvement; 2) minimum monetary value/cost of the improvement; and 3) where the public benefit should be located	Eliminate the public benefit and instead, require payment of a fee-in-lieu of $2,000 per unit; to be directed to public projects (e.g. infrastructure, public art, etc.) and/or Affordable Housing Fund	Define public benefit more clearly as in Option 1, <u>and</u> provide an alternative path to compliance by payment of a fee-in-lieu per unit as in Option 2

Option 1: Revise Definition of Public Benefit

Add Definition of Public Benefit as follows:

Public Benefit. For the purposes of the market-rate option, public benefit shall consist of public infrastructure beyond what is required by development standards (on-site or off-site), a plaza accessible to the public, or public art, as approved by Council.

- Public benefit should be located on or near the project site, but may upon Council approval be located off-site within the applicable MFTE area;
- Cost of public benefit shall be valued at approximately $2,000 per proposed unit;
- Public benefit shall be completed and accepted by the City prior to issuance of a certificate of occupancy.

Option 2: Fee-in-Lieu

Replace Public Benefit Requirement with a Fee-in-Lieu of providing affordable units:

- CCRA recommends $2,000 per proposed unit as being substantial yet tolerable by project budgets
- Public benefit shall be completed and accepted by the City prior to issuance of a certificate of occupancy.
- Funds should be spent within the MFTE district in which the project is located
- Funds could be directed to the Affordable Housing Fund and/or a to-be-created public opportunity fund for identified public projects in each MFTE district
- Council could allocate funding to selected projects or delegate authority

Option 3: Hybrid (Public Benefit or Fee-in-Lieu)

Maximize flexibility for public benefit requirement

- Refine definition of public benefit as described in Option 1
- Add an alternative to providing a public benefit through a fee-in-lieu as described in Option 2

Relative Merits of Three Options

	Pros	Cons
Option 1	• Refines existing requirement • Addresses type of amenity and value • Allows for flexibility, creativity	• Adds time to negotiate • Adds process (D.A. approval)
Option 2	• Predictable, no negotiation • Can be used to fund larger projects with greater impact • City decides how funds used	• Would require new processes re. identification of public projects and allocating funds to projects
Option 3	• Maximizes flexibility regarding use of public benefit requirement	• May lessen overall fees collected, "watering down" impact of funds

Questions and Discussion

Chad Eiken, CED Director
chad.eiken@cityofvancouver.us
Peggy Sheehan, Community Services Mgr.
peggy.sheehan@cityofvancouver.us

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MEMORANDUM

TO: City Council

FROM: Eric Holmes, City Manager

DATE: September 28, 2020
Updated December 28, 2020

SUBJECT: Proposed Revision to the Multi-Family Tax Exemption Program

This memo summarizes the background and substantive elements of a proposal to revise the City's multi-family tax exemption (MFTE) program and updates the September 28 memo to Council. Note: Updated text is shown in italics.

Based on feedback from Council on December 7, 2020 regarding the proposal to revise the Area Median Income (AMI) benchmark used by the program, staff has revised the proposed work program to combine a more comprehensive analysis of the affordable options into the broader look at how the program is working, areas where it might be expanded, and how the program can be further refined to address specific policy goals in each area. At the January 4, 2021 Council workshop, staff will provide more data on how the MFTE program has been used since 2001, and an overview of the proposed work program for addressing the above issues in a more holistic manner.

At the December 7 public hearing, while Council acknowledged more time would be needed to develop a more comprehensive set of revisions to the program, they expressed an interest in continuing to more quickly advance changes to the MFTE ordinance that address: 1) the lack of clarity in the public benefit requirement for market rate housing, and 2) the use of the term "affordable" in the ordinance when the maximum rents under the "affordable" options have been found to not be affordable to families earning below the Vancouver-specific median income level.

The first phase, consisting of more targeted fixes, could be implemented as soon as February:

1. *Replacement of the term "affordable" with another more accurate term such as "income-based," "below market," or "workforce" as an interim solution to the discrepancy between Vancouver incomes and the income benchmark used by the program*
2. *Select one of three options to sharpen the what is meant by "public benefit" for market rate housing such as: 1) refine definition regarding type of qualifying amenity/infrastructure, minimum value, and location; 2) replace requirement for provision of a public amenity with a fee-in-lieu of $2,000 per unit; or 3) a "hybrid" option that allow developers to provide a qualifying public benefit, or instead pay a fee-in-lieu.*

The second phase, which would likely take most of 2021 to complete, would consist of a more comprehensive evaluation of how the MFTE Program is working and ways that it should be adjusted to be a more effective tool in furthering city goals. The second phase would include:

1. *Additional analysis regarding the use of the MFTE program for affordable housing*
2. *Consideration of an expansion of geographic boundaries of program to include Mill Plain Corridor, broaden Fourth Plain Corridor, and expand the Vancouver City Center Vision MFTE boundary; and*
3. *Analysis of the overall efficacy of the program to review and refine policy goals and adjust the incentive by area as needed to accomplish policy goals.*

Staff will be presenting an overview of the proposed work program as well as specific changes that respond to the two priority areas Council asked staff to address. After receiving direction from City Council staff will work with the CCRA and stakeholders on specific revisions to the MFTE program to bring back to City Council for further discussion and action.

A brief background of the MFTE program is provided below followed by more specific information on the proposed revisions.

<u>Background</u>

The State of Washington established the MFTE program in 1995 (Revised Code of Washington (RCW) Chapter 84.14) to help cities stimulate residential development in designated urban centers and to assist local governments in meeting density goals to help lower the infrastructure and operating costs associated with local government services. The 1995 MFTE program exempted the value of eligible housing improvements from property taxes for a period of 10 years and had no affordable housing requirement. In 2007 the state revised the MFTE statute and reduced the 10-year exemption to 8 years and offered a 12-year exemption to projects that included at least 20% of their units as affordable housing at 115% of Area Median Income (AMI). Under the MFTE program land and non-residential improvements are not exempt.

The City of Vancouver adopted a multi-family tax exemption program in 1997 to stimulate the construction or rehabilitation of multifamily housing as part of the Esther Short Redevelopment Plan and create a more active and vibrant downtown. The MFTE program was a major part of the City's downtown redevelopment strategy and provided an incentive to attract more residents to the downtown area. Currently, the city offers the MFTE program in two designated residential target areas: The Vancouver City Center Vision Area (VCCV) and the Fourth Plain Corridor Subarea (added in 2007).

The Vancouver City Council enacted a modification to the city's MFTE program in January 2017. The city's 2017 modification made the following tax exemption options available to applicants:

- An 8-year exemption for market-rate projects offering public benefits negotiated through a development agreement process.
- An 8-year exemption for projects with 20% of units affordable to households earning up to 100% of area median income (AMI).
- A 10-year exemption for projects with 20% of units affordable to households earning up to 80% AMI.
- A 12-year exemption for projects with 20% of units affordable to households earning up to 60% AMI.

The City has approved 30 MFTE program applications to date representing an estimated $550 million private investment. The table below provides a summary of the approved projects. As shown, the city has approved nearly 2,600 units including 653 affordable units. Of the 653 affordable units 424 are in projects that received Federal tax credit financing support and are required to limit monthly rents to amounts affordable to households earning 60% of the Portland median family income. Another 25 units are affordable due to other financing. The remaining 204 affordable units are in projects that only received a MFTE tax exemption.

Table 1. Summary of Projects and Units under the MFTE Program (2001-Present)

Multi-Family Tax Exemption Program Summary	Completed	In Construction	In Permitting	TOTAL
Approved Projects				
VCCV	17	6	4	**27**
Fourth Plain	2	1	0	**3**
Total Approved Projects	**19**	**7**	**4**	**30**
Total Units				
VCCV	1,266	663	420	**2,349**
Fourth Plain	212	36	0	**248**
Total Units	**1,478**	**699**	**420**	**2,597**
Affordable Units				
VCCV	308	43	82	**433**
Fourth Plain	212	8	0	**220**
Total Affordable Units	**520**	**51**	**82**	**653**
Affordable Units				
Federal Tax Credit Projects	424	0	0	**424**
Other Program Units			25	**25**
MFTE Only Projects	96	51	57	**204**
Total Affordable Units	**520**	**51**	**57**	**653**

Issue 1: Revisions to Affordable Rent Levels

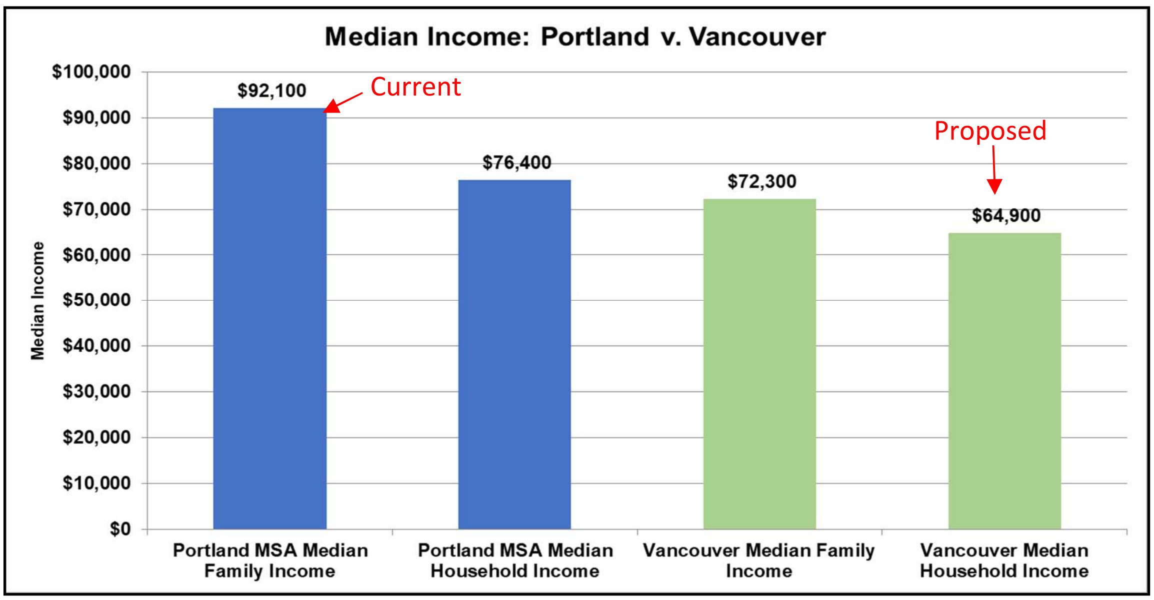
City Council, CCRA board members, city staff, and the public have all commented on the fact that the MFTE program's affordable rent levels are significantly higher than the average rent in Vancouver and Clark County. The city's MFTE program currently defines affordable rent in Vancouver using the Portland metropolitan statistical area (MSA) median family income which is the same source the federal Housing and Urban Development (HUD) program uses for Vancouver Community Development Block Grant (CDBG) programs. As discussed in this memo, City staff recommend using Vancouver's median household income as the basis for establishing affordable rent limits and applying a reduction factor to the Portland MSA Median Family Income index.

Adjusting the MFTE income level based on the Vancouver median household income will provide a more appropriate basis for establishing affordable rents used in the MFTE program. Shortcomings associated with using the Portland MSA's median family income as the base include:

- The U.S. Census Bureau's definition of a "family" includes a group of two people or more related by birth, marriage, or adoption and residing together. It excludes single individuals and non-family households (roommates) which are 35% of the households in Vancouver and 36% of the households in the MSA.
- Vancouver "Families" represent roughly 10% of the total Portland MSA families – meaning Vancouver's families and their incomes are woefully underrepresented in the estimate of Portland MSA median family income.
- Family income is higher than overall household income since it only includes households of two or more persons that are related.

The below table illustrates the difference between incomes in the Portland MSA and City of Vancouver using the median family income or median household income as the basis for the program.

Table 2. Comparison of Median Family Income and Median Household Income (Family of 4).



In addition, the MFTE program's use of median family income to determine affordability is in conflict with the MFTE program's definition of households which includes "…a single person, family or unrelated persons living together." HUD's median family income estimate is based on the U.S. Census Bureau's American Community Survey (ACS) median family income data. The ACS defines a family as "…a group of two people or more (one of whom is the householder) related by birth, marriage, or adoption and residing together." Family households are a subset of total households and exclude single person households or households with unrelated individuals.

The data and methodology for establishing the Vancouver median household income comes from the same source and uses the same method as the Portland MSA median family income. The data source for the 2020 estimate is the Census Bureau's American 2017 Community Survey (ACS) 1-year estimate inflated to 2020 using the Consumer Price Index and the same methodology used by HUD. The 2020

Vancouver median household income estimate can then be converted to income limits for various household sizes and then to affordable rent levels (at 30% of income) for each unit size using the same methodology used by HUD.

Vancouver's 2020 median household income estimate using HUD's methodology is $64,900 and is 29.5% lower than the $92,100 Portland MSA median family income. Despite the smaller sample size, the accuracy of the ACS estimate of Vancouver's median household income is well within the criteria used by HUD.

A table comparing the current MFTE program affordable rent level to the affordable rent level using Vancouver's median household income (adjustment in column 3) is provided below.

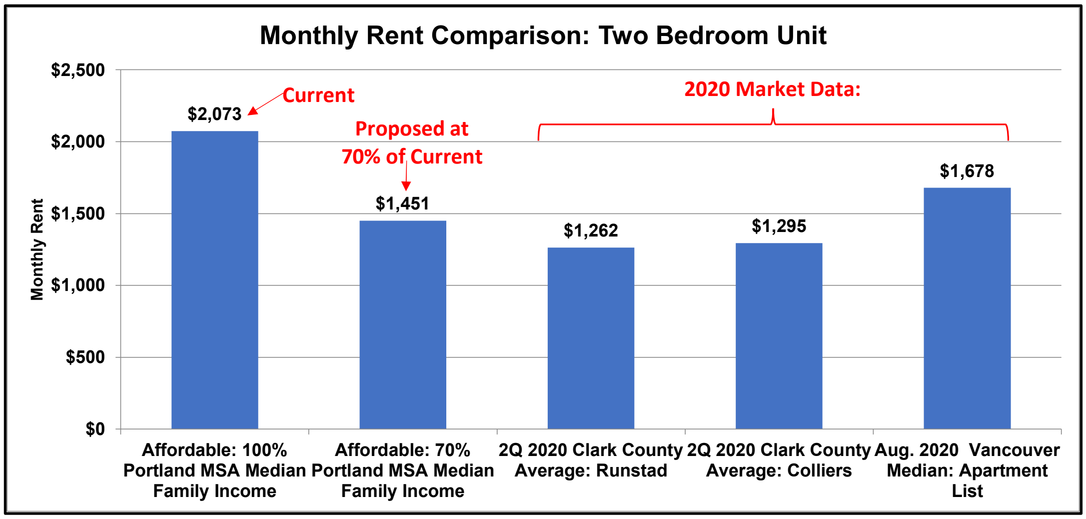
Table 3. Comparison of Rents Using Median Family Income vs. Median Household Income*

Unit Size (#BR)	Current Affordable Rent Using Portland MSA Median Family Income	Proposed Affordable Rent Using 70% Adjustment Factor	Reduction: Dollar Amount	Reduction: Percent
Studio	$1,613	$1,128	-$485	-30%
1	$1,728	$1,209	-$519	-30%
2	$2,073	$1,451	-$622	-30%
3	$2,384	$1,668	-$716	-30%
4	$2,672	$1,870	-$802	-30%

*100% of Area Median Income

As shown, the proposed affordable rent level for a two-bedroom apartment is $1,451 or $622 lower than the rent using the Portland MSA median family income. For context several surveys suggest the proposed affordable rent level is comparable to the current market rent. Data for the average rent in Clark County from the Washington Center for Real Estate Research 2Q Apartment Report and Colliers 2Q 2020 Multi-Family Market Report and data from Apartment List on the median rent in Vancouver suggest the market rent for a two bedroom apartment is between $1,262 and $1,678. The midpoint of this range is $1,470 or $19 (1.3%) higher than the proposed affordable rent using Vancouver median household income.

Table 4. Comparison of Median Income Indices to Actual Rents in Vancouver.



Current MFTE program rules allow an 8, 10 or 12-year exemption for providing 20% of units affordable to households earning 100%, 80% and 60% of Portland MSA median family income respectively. Under the proposed approach, an 8, 10 or 12-year exemption would be available for providing 20% of units affordable at rent levels of 100%, 80% and 60% of Vancouver median household income. A table summarizing the proposed rent levels for each unit size under the three affordable housing options is provided below. Note that the MFTE affordable rent levels would be adjusted annually on April 1 using the HUD methodology and the most recent ACS data on Vancouver median household income.

Table 5. Proposed Rent Levels (8-10-12 Year Exemption) Using Median Household Income.

	8 Year Exemption	10 Year Exemption	12 Year Exemption
Unit Size (#BR)	Affordable at 70% of Portland Median Family Income	Affordable at 55% of Portland Median Family Income	Affordable at 45% of Portland Median Family Income
Studio	$1,128	$886	$725
1	$1,209	$950	$777
2	$1,451	$1,140	$933
3	$1,668	$1,311	$1,072
4	$1,870	$1,469	$1,202

The change to Vancouver's MFTE Program to adjust the Median Family Income threshold by -30 percent (derived from the Vancouver Median Household Income) will result in rents under the 8, 10 and 12-year Affordable Housing Options that are more aligned with actual incomes and rents in Vancouver.

City Council is authorized to adopt adjustments to affordability and income eligibility criteria by RCW 84.14.030(2) as follows: *"The multiple-unit housing must meet guidelines as adopted by the governing authority that may include height, density, public benefit features, number and size of proposed development, parking, income limits for occupancy, limits on rents or sale prices, and other adopted requirements indicated necessary by the city or county."*

UPDATE: *On December 7, 2020, staff proposed an ordinance for Council approval that would have adjusted the AMI used to determine maximum affordable rents by -30% to be more representative of Vancouver's median income. Following a discussion after the public hearing, Council voted to not approve the ordinance, citing concerns about how such a change might inadvertently reduce participation in the MFTE Program and therefore decrease the supply of new units.*

Council remains concerned about the disparity between the "affordable income" benchmark used by the program and Vancouver-specific incomes, and asked staff to return with a proposal that would balance the desire to base the affordable options on Vancouver median income with a desire for the program to continue to provide an attractive incentive for development of new housing.

One Councilmember suggested that, at a minimum, the term "affordable housing" should be replaced throughout the ordinance with some other term that is more accurate. While it will take some time to develop an alternative to the current affordable option that balances the above goals, staff could return to Council on a fairly short time frame with an ordinance that replaces "affordable housing" with "below market," "work force," or "income-based."

Issue 2: Adjustment of the Public Benefit Option

The city's MFTE program currently allows an applicant to receive an 8-year property tax exemption, without providing 20% of the units as affordable housing, so long as the developer provides other public benefits over and above those required by the city's approval of the project. The Vancouver Municipal Code (VMC) section for the MFTE provides general guidance on what a public benefit is including "…enhanced design, public art, additional parking or structured parking, enhanced landscaping, enhanced infrastructure (e.g. wider sidewalks, undergrounding utilities), homeownership component, energy efficiency…".

The VMC guidance provides examples of the types of public benefit but lacks specific criteria which has made the review and approval process a challenge for applicants, staff, and decision makers. For example, there is no direction on the minimum cost or value of the public improvements, the nexus between the value of the forgone affordable units, or the location and accessibility of the public improvements – all of which has caused confusion.

To-date the city has received five applications using the public benefit approach and city staff have negotiated with each applicant to determine the public benefit to be provided. Each negotiation requires significant staff and developer time. A final agreement regarding the negotiated public benefit is required by the VMC to be memorialized in a development agreement that is approved by City Council. The formal approval process adds cost to applicants and requires an additional investment of time by staff and City Council.

The subjective nature of the public benefit and the lack of guidance on the appropriate value or cost have made negotiations with applicants a challenge for staff. In response to these challenges the proposed revision eliminates the public benefit option altogether. As an alternative, staff propose providing a fee-in-lieu option for developers that do not wish to include affordable housing in their projects.

The City Center Redevelopment Authority, which is charged in their bylaws with periodically reviewing the effectiveness of the MFTE Program, recommended that the city's MFTE program provide an option for an applicant to pay a fee in-lieu of providing affordable housing or a public benefit. The fee-in-lieu option might be appealing to applicants who do not want the administrative burden that comes with offering affordable units. The exemption term associated with the fee-in-lieu option would be limited to eight years.

Under a fee-in-lieu option the applicant would pay a fee of $2,000 per multi-family unit to the city in exchange for the exemption from certain taxes under the program. The staff recommendation is to have the fee go into the city's existing Affordable Housing Fund (AHF). The AHF is funded by a six-year voter approved property tax levy and supports several programs to expand the availability of affordable housing for the most vulnerable households within the city which earn 50 percent or less of the area median income. AHF programs include grants to build and preserve affordable housing in Vancouver, rental assistance and services to help households avoid an eviction or access a rental unit and temporary shelter for people experiencing homelessness. AHF grants require units to be retained as affordable for a full 20 years instead of the 8, 10 or 12 years under the current MFTE program.

The $2,000 per unit fee amount is based on a June 2019 analysis that looked at:

- Fees on new development related to affordable housing charged by other cities.
- The impact on developer/owner rental income of requiring affordable housing.
- The value of the tax exemption to the developer/owner over the exemption period.

The 2019 affordable housing fee analysis found that fees in some cities ranged up to $20 per square foot or $20,000 for a 1,000 square foot unit. The CCRA recommended a fee of $10,000 per affordable unit (assuming affordable units are 20% of total units) or a fee of $2,000 per unit for all units. For context, the city's AHF provides grants of up to $50,000 per affordable unit for a 20-year affordable housing commitment. The equivalent value for an 8-year commitment to affordability would be $20,000. In addition, the estimated net present value benefit of an 8-year tax exemption to the owner was estimated at just over $50,000 per affordable unit or $10,000 per unit for all units.

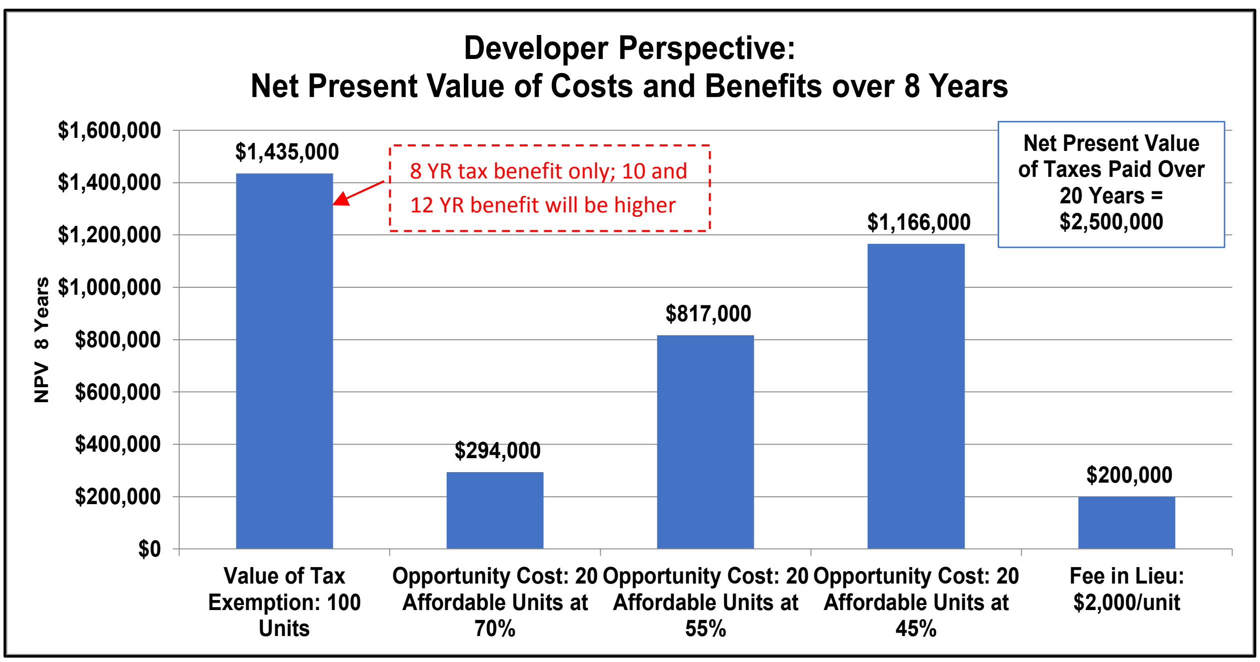
The CCRA identified $10,000 per affordable unit as the appropriate fee citing the MFTE program's main goal of encouraging residential housing in targeted areas, the higher cost of developing projects in the two target areas and the other benefits the city receives from the creation of more housing and long term generation of tax revenue in the targeted urban areas.

A fee in lieu requirement in lieu of providing affordable units, in conjunction with elimination of the current "public benefit" requirement, would create a supplemental source of funding for affordable housing which has been identified as a high priority by City Council. The fee in lieu would streamline the review process by eliminating lengthy negotiations over the adequacy of proposed public amenities as well as the need for a development agreement. Further, the fee in lieu would provide greater consistency among market rate MFTE projects.

UPDATE: *The fee in lieu could also be directed to (or split with) a new public fund that is specifically intended for public projects that are needed in MFTE district where the project is located. Such projects could include public infrastructure not provided by developers as part of the housing development (e.g. public parking, Portland-style loos, sidewalks and trails, public art, gateway features, etc.). Such a fund - yet to be created - would also require development of new decision-making procedures to identify public projects and allocate the funds.*

The below table compares the net present value of the tax benefit for a 100-unit, market rate project (8 years) with the opportunity cost of providing affordable rents to 20% of the project under the 60%, 80% and 100% of AMI options (note that the tax benefit is greater for the 60% and 80% options since the exemption period is 10 and 12 years, respectively). The fee-in-lieu of providing affordable units is also shown for comparison purposes. In the below example, the proposed fee-in-lieu is slightly less than the opportunity cost of affordable units under the 8-year, 100% of AMI option.

Table 6. Value of Tax Exemption vs. Opportunity Costs and Fee-in-Lieu



Possible Hybrid Approach to Fee-in-Lieu

Staff and the CCRA Development Subcommittee considered an alternative approach that would:

1) Retain the public benefit requirement but define it more clearly in terms of:
    - Value (public amenity should approximate $2,000 per unit in value
    - Proximity to the project site (preference for amenity that is on the project site or within several blocks); and
1) Type of public improvement (park or trail improvements, public art installation, or transportation improvement beyond typical requirements of development);
2) Allow for a fee-in-lieu of the required public benefit to be paid at $2,000 per unit, at the option of the developer; and
3) Split the fee-in-lieu between affordable housing (directed to the AHF) and a to-be-created public amenity fund (with program administration also to be determined)

Staff discussed this approach with the CCRA Development Subcommittee on September 10, 2020, which noted several concerns. Leaving the public benefit as an option instead of simply requiring payment of a fee-in-lieu of affordable housing would mean there would still be significant time spent in negotiating with developers on the adequacy of proposed public benefits, although better defining the value, proximity and type of public benefit would make such negotiations easier. Splitting the fee between a new public amenity program and the Affordable Housing Program, in their opinion, would "water down" the impact of such funding. The subcommittee felt that developers and the public would want to know where the fee is being spent, and that everyone could understand if the City directed such funds toward more affordable housing instead of one-off public projects.

City Center Redevelopment Authority Input

The CCRA reviewed the currently proposed revisions to the MFTE program at a special meeting on September 21, 2020 *and again on December 3, 2020 (update in italicized print)*.

The consensus of the CCRA was:

- *Council should not adjust the AMI by -30% as proposed by staff, due to concerns that the "affordable" options would no longer be used, which would reduce the number of new housing units.*
- Support for offering a fee in lieu option and a fee of $2,000 per unit seems reasonable and should not adversely affect the role of the incentive; however, they noted that developers should weigh in on this proposal to provide a more complete picture of how this might impact new housing.
- Support for using any MFTE fee in lieu payment to support affordable housing, as this is a primary city goal and one which everyone agrees should be a priority.

Development Stakeholder Outreach

UPDATE: *Four separate developer stakeholder listening sessions were held between September and November, with participation from approximately 25 individuals. The consensus among every developer* *we spoke with was that the proposed decrease in the AMI would render all of the affordable options unattractive as an incentive. This feedback was provided to City Council at the December 21 public hearing.*

Regarding the proposed changes to the public benefit, the stakeholders who participated were generally comfortable with the proposed fee-in-lieu as an option but indicated a preference to retain the ability to propose a public benefit near their project so there is more flexibility. The proposal to require value of the public benefit (or fee-in-lieu) to be $2,000 per unit was generally supported by the stakeholders who participated.

Item #1.

Staff Report 001-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021

SUBJECT Approval for One Year Health Insurance Stop Loss Policy with Symetra Life Insurance Company

Key Points

- In 2015, the City moved from a fully insured to a self-insured health benefits program for employees in an effort to reduce rising health care costs. The City goal was to move toward a less costly "unbundled" group of services (TPA, Health network, Stop Loss Insurance)
- The City has continued to be unbundled and wishes to remain so in 2021.
- During 2018, the City went out to bid for Stop Loss coverage. Symetra Life Insurance Company was the selected bidder for Stop Loss coverage.
- In 2020, Symetra again offered favorable and competitive renewal terms for 2021.
- Staff is now ready to seek Council approval for the Stop Loss policy for the 2021 policy period.
- Symetra has verified in writing that coverage for the City is effective 1/1/2021.
- Stop loss coverage is required by the State of Washington for the City to maintain its self-insured status.

Strategic Plan Alignment

N/A

Present Situation

City staff worked with its broker, Davidson Benefits Planning, to seek stop loss coverage for its self-insured health benefits program. Symetra Life Insurance Coverage was the successful bidder and continues to offer competitive renewal terms. Council approval is needed to provide payment on the premium for the policy.

The individual deductible included in the renewed policy is $250,000. The City's self-insurance covers eligible claims below that threshold. The aggregate reimbursement maximum per policy period included in the insurance is $2 million. The stop loss insurance covers prescription coverage as well as vision coverage.

Advantage(s)

1. Continue reduced costs from fully insured program.
2. Stop Loss protects the City in the event an employee or their dependent's health costs exceed coverage under our health insurance.

Disadvantage(s)

None

Budget Impact

The cost of the stop loss insurance will be approximately $907,318.00 for one year. Sufficient budget has been included in the 2021-2022 Budget to cover the cost of the insurance coverage.

Prior Council Review

None

Action Requested

Authorize the City Manager or designee to sign all necessary contract documents and approve payment of premiums to Symetra Life Insurance Company for Stop Loss coverage consistent with the terms described above. Authorize the City Manager to approve any legal action necessary to enforce the terms of such contracts.

Lisa Takach, Human Resources Director, 360-487-8611

ATTACHMENTS:

- Symetra Life Insurance Company Excess Loss Insurance Policy
- Symetra Excess Loss Schedule of Benefits for 2021

SYMETRA®
RETIREMENT | BENEFITS | LIFE

Symetra Life Insurance Company

Excess Loss Insurance

POLICY

SYMETRA
RETIREMENT | BENEFITS | LIFE

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200
Bellevue, Washington 98004-5135

EXCESS LOSS INSURANCE POLICY

POLICY SPECIFICATIONS

Policyholder: City of Vancouver

Policy Number: 16-013831-00

Policy Effective Date: January 1, 2019

Premium Due Date: Premium is due on the Policy Effective Date and the first of each month beginning with February 1, 2019.

Policy Anniversary: January 1st of each year beginning in 2020.

Governing Jurisdiction: This Policy is delivered in and governed by the laws of the state of Washington.

This Policy has been issued in consideration of the signed Policyholder Acceptance and payment of premium. This Policy renews on each Policy Anniversary.

Symetra Life Insurance Company issues this Policy and agrees to pay the benefits of this Policy subject to its terms and conditions.

Symetra Life Insurance Company has, by its President and Secretary, executed this Policy as of the Policy Effective Date and caused it to be duly countersigned at Bellevue, Washington.

Michael Fry

Michael Fry, Executive Vice President

Margaret Meister

Margaret Meister, President

LGC-12000/WA 06/12

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SYMETRA
RETIREMENT | BENEFITS | LIFE

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200
Bellevue, Washington 98004-5135

EXCESS LOSS SCHEDULE OF BENEFITS

A. Policyholder: City of Vancouver

Policy Number: 16-013831-00

Effective Date of Coverage: January 1, 2019

Policyholder Anniversary Date: January 1st of each year beginning in 2020.

Premium Due Date: Premium is due on the Effective Date of Coverage and the first of each month beginning with February 1, 2019.

Enrollment (at the beginning of the Policy Period):

Single 128 Family 358

Retirees covered under Excess Loss: ☒ Yes ☐ No
Individual and Aggregate coverages

B. This Schedule of Benefits applies to the Policy Period: from 01-01-2019 to 01-01-2020

C. Individual Excess Loss Insurance: ☒ Yes ☐ No

1. Individual Deductible per Covered Unit: $225,000
   Note: The minimum Individual Deductible is $100,000 or 5% of expected claims, whichever is less.

2. Alternate Individual Deductibles applicable?
   ☒ Yes (See Excess Loss Alternate Reimbursement Endorsement) ☐ No

3. Covered Expenses:
   ☐ Medical excluding all Prescription Drugs
   ☒ Medical including Prescription Drugs defined as **ONE** of the following:
   ☒ Rx Card and Mail Order ☐ Rx Card Only ☐ Rx Mail Order Only **OR**
   ☐ Rx as part of Medical Plan subject to a Deductible and Coinsurance
   ☐ Other: ______________________________

4. Symetra's Reimbursement Percentage:
   100% of Covered Expenses in excess of the Individual Deductible.

Applies to Policy Period: from 01-01-2019 to 01-01-2020

5. Individual Lifetime Reimbursement Maximum: Unlimited per Covered Unit
   Policy Period Reimbursement Maximum: Unlimited per Covered Unit

6. Premium Rates:

Covered Units	
Composite	$93.82

7. Reimbursement Option:
   Covered Expenses incurred on or after the Policy Effective Date and paid during the Policy Period with:

Run-in Period	12	months	Run-in Limit	Unlimited
Run-out Period	0	months	Run-out Limit	N/A

8. Individual Excess Loss Terminal Provision applicable? ☐ Yes ☒ No

9. Individual Excess Loss Advantage Provision applicable? ☐ Yes ☒ No

D. Aggregate Excess Loss Insurance: ☒ Yes ☐ No

1. Covered Expenses:
   - ☐ Medical excluding all Prescription Drugs
   - ☒ Medical including Prescription Drugs defined as **ONE** of the following:
     - ☒ Rx Card and Mail Order ☐ Rx Card Only ☐ Rx Mail Order Only **OR**
     - ☐ Rx as part of Medical Plan subject to a Deductible and Coinsurance
   - ☒ Vision
   - ☐ Dental
   - ☐ Short-Term Disability
   - ☐ Other ______

2. Aggregate Attachment Point will be set by Symetra.

3. Symetra's Reimbursement Percentage:
   100% of Covered Expenses in excess of the Aggregate Attachment Point.

4. Aggregate Reimbursement Maximum per Policy Period: $2,000,000

5. Monthly Aggregate Accommodation Provision applicable? ☐ Yes ☒ No

EXCESS LOSS SCHEDULE OF BENEFITS

Applies to Policy Period: from 01-01-2019 to 01-01-2020

6. Reimbursement Option:
   Covered Expenses incurred on or after the Policy Effective Date and paid during the Policy Period with:

Run-in Period	12	months	Run-in Limit	Unlimited
Run-out Period	0	months	Run-out Limit	N/A

7. Minimum Aggregate Attachment Point:
   100% of the first Monthly Aggregate Attachment Point x 12.
   Note: The minimum Aggregate Attachment Point may not be less than 120% of expected claims.

8. Monthly Aggregate Attachment Factors:

Covered Units	
Single	$836.47
Family	$1,977.22

9. Aggregate Excess Loss Terminal Provision applicable? ☐ Yes ☒ No

10. Aggregate Excess Loss premium: $6.15
    Paid: per employee per month

11. Net Claim Limit: $225,000 per Covered Unit

E. Medical Conversion Privilege: ☐ Yes ☒ No

F. Endorsements Included

☒ Individual Excess Loss Advance Funding Endorsement
☒ Excess Loss Alternate Reimbursement Endorsement

G. Additional Information:

Claims determined to be eligible under the Employee Benefit Plan in final and binding external review by independent review organizations (IROs) will also be deemed Covered Expenses under the Policy. Claim exception requests pending and under IRO review at the end of the Policy Period will continue to be considered for coverage.

City of Vancouver has been identified as an Alera/BAN client and is subject to the terms and conditions of the Alera/BAN-Symetra 2018 Stop Loss Agreement.

H. Associated Companies:

Name	Effective Date	Termination Date
Vancouver Housing Authority	01-01-2019	

DEFINITIONS

The following words and phrases are used throughout this Policy and have specific meaning for purposes of this Policy.

AGGREGATE ATTACHMENT POINT means for the Policy Period or any portion of the Policy Period, the amount of Covered Expenses for which the Policyholder is responsible to pay. The Aggregate Attachment Point must be met in each Policy Period and will be determined at the end of each Policy Period.

AGGREGATE REIMBURSEMENT MAXIMUM means the limit of Symetra's liability in excess of the Aggregate Attachment Point per Policy Period as shown on the Schedule.

ALTERNATE INDIVIDUAL DEDUCTIBLE means the amount shown on the Policy page entitled Excess Loss Alternate Reimbursement Endorsement and is the amount for which the Policyholder is responsible to pay. The Alternate Individual Deductible applies separately to each Covered Unit or Covered Family Unit shown on the Excess Loss Alternate Reimbursement Endorsement.

ASSOCIATED COMPANY means an affiliate or subsidiary of the Policyholder as shown on the Schedule.

CLAIMS ADMINISTRATOR means a firm or person, selected by the Policyholder, having a written agreement with the Policyholder to process Employee Benefit Plan benefits and provide administrative services.

The term "Claims Administrator" as used in this Policy does not refer to the Plan Administrator used in the Employee Retirement Income Security Act (ERISA) of 1974, as amended, unless the Policyholder has specifically appointed the Claims Administrator as such.

COVERED EXPENSES means the eligible charges payable under the terms of the Employee Benefit Plan.

Covered Expenses do not include charges that are:

a. in excess of or not covered by the express terms of the Policyholder's Employee Benefit Plan Document whether or not such charges were approved by the Plan Administrator or Claims Administrator based upon the exercise of discretion neither arbitrary nor capricious; or
b. specifically excluded or limited by this Policy, the Policyholder's Schedule, any endorsements or any amendments.

COVERED FAMILY UNIT means any eligible individual who becomes covered for benefits under the Employee Benefit Plan and that individual's dependents.

COVERED UNIT means any eligible individual who becomes covered for benefits under the Employee Benefit Plan.

DISCLOSURE STATEMENT means the written statement from the Policyholder provided to and accepted by Symetra that provides certain underwriting information regarding Covered Units or Covered Family Units.

DEFINITIONS (continued)

EMPLOYEE BENEFIT PLAN means the employee welfare benefit plan established by the Policyholder. The Employee Benefit Plan must be defined in written form and be in effect on the Effective Date of the Policyholder's coverage under this Policy. A copy of the Employee Benefit Plan and any amendments must be provided to and approved by Symetra.

EXCESS LOSS refers to the coverage provided to the Policyholder by Symetra under this Policy.

FINAL POLICY PERIOD means the Policy Period shown on the Schedule that is in effect when coverage is terminated.

INCURRED means the date on which services for Covered Expenses were rendered for a Covered Unit or Covered Family Unit according to the terms of the Employee Benefit Plan.

INDIVIDUAL ADVANTAGE DEDUCTIBLE means the amount shown on the Schedule for which the Policyholder is responsible to pay. It applies collectively to each Covered Unit or Covered Family Unit for each Policy Period.

INDIVIDUAL DEDUCTIBLE means the amount shown on the Schedule for which the Policyholder is responsible to pay. The Individual Deductible applies separately to each Covered Unit or Covered Family Unit for each Policy Period.

INDIVIDUAL LIFETIME REIMBURSEMENT MAXIMUM means the limit of Symetra's liability as shown on the Schedule in excess of the Individual Deductible for a Covered Unit or Covered Family Unit during the lifetime of that Covered Unit or Covered Family Unit.

LARGE CLAIM means paid or pending Covered Expenses greater than or equal to 50% of the Individual Deductible.

MATERIAL CHANGE means a change which may have an economic impact on Symetra's liability under this Policy. Material changes include, but are not limited to, the following:

a. changes in:
    1. the information disclosed by the Policyholder upon which Symetra's assessment of risk was based;
    2. the Employee Benefit Plan; or
    3. the Claims Administrator;
b. an increase or decrease of the number of enrolled Covered Units or Covered Family Units by more than 25% from the Enrollment shown on the Schedule;
c. a merger, acquisition, divestiture or similar transaction involving the Policyholder or an Associated Company.

NET CLAIM LIMIT means the maximum amount of Covered Expenses per Covered Unit or Covered Family Unit which accumulates toward the Aggregate Attachment Point for the purposes of calculating the aggregate benefit. The Net Claim Limit is shown on the Schedule.

PAID CLAIM means that:

a. the Covered Expense is adjudicated according to the terms of the Employee Benefit Plan;
b. a check is written and mailed or electronically deposited directly to the payee within the Policy Period; and
c. funds are available to honor the check. To be sure that funds are available, they must be on deposit no later than the first working day following the end of the Policy Period.

POLICY refers to the terms and provisions of this contract.

DEFINITIONS (continued)

POLICYHOLDER means the entity named on the Schedule and to whom this Policy is issued.

POLICY MONTH means each calendar month within a Policy Period. If the effective date of this coverage is other than the first day of the calendar month, then the first Policy Month is from the effective date to the last day of the same month.

POLICY PERIOD means the period of time shown on the Schedule.

POTENTIAL LARGE CLAIM means any Covered Expense included on the list of Potential Large Claims shown in the claims provisions section.

REIMBURSEMENT PERCENTAGE means the rate at which Symetra will reimburse the Policyholder as shown on the Schedule.

RUN-IN LIMIT means the maximum amount shown on the Schedule paid by the Policyholder for Covered Expenses incurred prior to the Policy Period or during the Run-in Period which will be considered for reimbursement by Symetra.

RUN-IN PERIOD means the number of months immediately prior to the Policy Period as shown on the Schedule.

RUN-OUT LIMIT means the maximum amount shown on the Schedule paid by the Policyholder during the Run-out Period for Covered Expenses incurred during the Policy Period which will be considered for reimbursement by Symetra.

RUN-OUT PERIOD means the number of months immediately following the Policy Period as shown on the Schedule.

SCHEDULE means the Excess Loss Insurance Schedule of Benefits that is a part of this Policy.

TERMINAL RUN-OUT PERIOD means the number of months immediately following the final Policy Period as shown on the Schedule.

WORKERS' COMPENSATION means benefit payments to any eligible individual as required by state law for accidents or occupational disease arising out of or in connection with the individual's employment.

INDIVIDUAL EXCESS LOSS

This benefit applies only if indicated on the Schedule.

INDIVIDUAL EXCESS LOSS BENEFIT

Upon acceptance of proof of loss, Symetra will reimburse the Policyholder for payments of Covered Expenses that the Policyholder makes that exceed the Individual Deductible shown on the Schedule for Paid Claims that are:

a. incurred while the Employee Benefit Plan is in force;
b. paid for Covered Units or Covered Family Units according to the terms of the Employee Benefit Plan; and
c. incurred during the Policy Period or during the Run-in Period shown on the Schedule and paid during the Policy Period or during the Run-out Period shown on the Schedule.

Payments for Covered Expenses that are eligible for more than one Policy Period will apply toward the Policy Period in which the Covered Expenses were actually incurred.

Reimbursements will be subject to the Run-in Limit and Run-out Limit shown on the Schedule. The Run-out Period(s) will not apply if the Individual Excess Loss benefit terminates prior to the end of the Policy Period.

The benefit reimbursed by Symetra will be at the Reimbursement Percentage shown on the Schedule and will not exceed the Individual Lifetime Reimbursement Maximum shown on the Schedule.

INDIVIDUAL EXCESS LOSS ADVANTAGE PROVISION

This provision applies only if indicated on the Schedule.

Symetra will reimburse the Policyholder for payments of Covered Expenses that the Policyholder makes that exceed the Individual Advantage Deductible shown on the Schedule. The Individual Advantage Deductible applies in addition to the Individual Deductible for Paid Claims that are:

a. incurred while the Employee Benefit Plan is in force;
b. in excess of the Individual Deductible shown on the Schedule;
c. paid for Covered Units or Covered Family Units according to the terms of the Employee Benefit Plan; and
d. incurred during the Policy Period or during the Run-in Period shown on the Schedule and paid during the Policy Period or during the Run-out Period shown on the Schedule.

Payments for Covered Expenses that are eligible for more than one Policy Period will apply toward the Policy Period in which the Covered Expenses were actually incurred.

Reimbursements will be subject to the Run-in Limit and Run-out Limit shown on the Schedule.

Covered Expenses for more than one Covered Unit or Covered Family Unit may be combined to satisfy the Individual Advantage Deductible.

Covered Expenses that apply toward the Alternate Individual Deductible shown on the Excess Loss Alternate Reimbursement Endorsement will not apply toward the Individual Advantage Deductible.

The benefit reimbursed by Symetra will be at the Reimbursement Percentage shown on the Schedule and will not exceed the Individual Lifetime Reimbursement Maximum shown on the Schedule.

The Individual Advantage Deductible may be applied toward the Aggregate Attachment Point if indicated on the Schedule.

INDIVIDUAL EXCESS LOSS TERMINAL PROVISION

This provision applies only if indicated on the Schedule.

If the Individual Excess Loss benefit terminates at the end of the Policy Period, Paid Claims will apply toward the Individual Deductible for the final Policy Period only if they are:

a. incurred while the Individual Excess Loss benefit is in force or during the Run-in Period subject to the Run-in Limit; and
b. paid within the final Policy Period or the Terminal Run-out Period shown on the Schedule.

This provision will not apply if the Individual Excess Loss benefit terminates before the end of the Policy Period.

INDIVIDUAL EXCESS LOSS EXCLUSIONS AND LIMITATIONS

The following exclusions and limitations apply to all Individual Excess Loss Provisions.

Symetra will not reimburse the Policyholder for Paid Claims that:

a. have been reimbursed by another insurance company or reinsurance company;
b. are incurred after the Policyholder's Individual Excess Loss benefit terminates;
c. exceed Symetra's Individual Lifetime Reimbursement Maximum as shown on the Schedule; or
d. have been excluded under the terms described in the Excess Loss Alternate Reimbursement Endorsement.

AGGREGATE EXCESS LOSS

This benefit applies only if indicated on the Schedule.

AGGREGATE EXCESS LOSS BENEFIT

Upon acceptance of proof of loss, Symetra will reimburse the Policyholder for payments of Covered Expenses that the Policyholder makes that exceed the Aggregate Attachment Point for Paid Claims that are:

a. incurred while the Employee Benefit Plan is in force;
b. paid for Covered Units or Covered Family Units according to the terms of the Employee Benefit Plan;
c. incurred during the Policy Period or during the Run-in Period shown on the Schedule and paid during the Policy Period or during the Run-out Period shown on the Schedule; and
d. not in excess of the Net Claim Limit per Covered Unit or Covered Family Unit.

Payments for Covered Expenses that are eligible for more than one Policy Period will apply toward the Policy Period in which the Covered Expenses are actually incurred.

Reimbursements will be subject to the Run-in Limit and Run-out Limit shown on the Schedule. The Run-out Period(s) will not apply if the Aggregate Excess Loss benefit terminates prior to the end of the Policy Period.

The benefit reimbursed by Symetra will be at the Reimbursement Percentage shown on the Schedule and will not exceed the Aggregate Reimbursement Maximum shown on the Schedule.

AGGREGATE ATTACHMENT POINT

The Aggregate Attachment Point is equal to the greater of:

a. the sum of the Monthly Aggregate Attachment Points for the Policy Period shown on the Schedule; or
b. the Minimum Aggregate Attachment Point shown on the Schedule.

If the Aggregate Excess Loss benefit terminates before the end of the Policy Period, the Minimum Aggregate Attachment Point is equal to the greater of:

a. the sum of the Monthly Aggregate Attachment Points to the date of termination; or
b. the Minimum Aggregate Attachment Point shown on the Schedule.

CALCULATION OF MONTHLY AGGREGATE ATTACHMENT POINT

Each Monthly Aggregate Attachment Point is equal to the sum of the number of Covered Units or Covered Family Units for that month multiplied by the corresponding Monthly Aggregate Attachment Factor(s) shown on the Schedule, and is subject to the modifiers below.

Changes in Enrollment
The Monthly Aggregate Attachment Point in any Policy Month cannot be less than 95% of the Monthly Aggregate Attachment Point for the immediately preceding Policy Month. If this rule is used to calculate the Monthly Aggregate Attachment Point for a particular Policy Month, this calculated amount will be used as the basis for determining if the rule applies to the following Policy Month.

Renewals
The number of Covered Units or Covered Family Units used to calculate the Monthly Aggregate Attachment Point in the first month of the second or subsequent Policy Period cannot be less than 95% of the number of reported Covered Units or Covered Family Units 90 days prior to the end of the immediately preceding Policy Period.

Work Interruption
If any number of the Policyholder's employees are absent from work due to a strike, lockout or work stoppage, the number of Covered Units or Covered Family Units utilized to calculate the Monthly Aggregate Attachment Factor for each Policy Month during the work interruption will remain at the level used for the month preceding the interruption.

AGGREGATE EXCESS LOSS TERMINAL PROVISION

This provision applies only if indicated on the Schedule.

If the Aggregate Excess Loss benefit terminates at the end of the Policy Period, Paid Claims will apply toward the Aggregate Attachment Point for the final Policy Period only if they are:

a. incurred while the Aggregate Excess Loss benefit is in force or during the Run-in Period subject to the Run-in Limit; and
b. paid during the final Policy Period or the Terminal Run-out Period shown on the Schedule.

The Annual Aggregate Attachment Point for the Policy Period will be increased by an amount equal to the average number of Covered Units or Covered Family Units during the last 3 months of the Policy Period multiplied by the terminal factor(s) shown in the Schedule.

This provision will not apply if the Aggregate Excess Loss benefit terminates before the end of the Policy Period.

AGGREGATE EXCESS LOSS
MONTHLY AGGREGATE ACCOMMODATION PROVISION

This provision applies only if indicated on the Schedule.

Symetra will reimburse the Policyholder during the current Policy Period if, at the end of any month during that period, the Net Covered Expenses (defined below) exceed the sum of the Monthly Aggregate Attachment Points for the same period by $1,000 or more.

Net Covered Expenses means the sum of the payments for Covered Expenses made by the Policyholder:

a. less Covered Expenses in excess of the Individual Deductible shown on the Schedule; and
b. less any applicable Monthly Aggregate Accommodation reimbursements made by Symetra.

The Monthly Aggregate Accommodation Provision will not apply during the last month of the Policy Period or during the Run-out Period.

OVERPAYMENT BY SYMETRA

Symetra may, at its option, require repayment of any previous Monthly Aggregate Accommodation reimbursement and may also reduce subsequent Excess Loss reimbursements if at any time during the Policy Period the total of all:

a. Monthly Aggregate Accommodation reimbursements;
b. Individual Excess Loss reimbursements; and
c. Monthly Aggregate Attachment Points;

for the previous Policy Months in that Policy Period exceeds the total Paid Claims for the same Policy Months in that Policy Period.

END OF POLICY YEAR RECONCILIATION

At the end of the Policy Period, any Monthly Aggregate Accommodation reimbursement that exceeds the amount payable under the Aggregate Excess Loss provisions must be repaid within 31 days of written notice from Symetra.

AGGREGATE EXCESS LOSS EXCLUSIONS AND LIMITATIONS

The following exclusions and limitations apply to all Aggregate Excess Loss provisions.

Symetra will not reimburse the Policyholder for Paid Claims that:

a. have been reimbursed by another insurance company or reinsurance company;
b. are incurred after the Policyholder's Aggregate Excess Loss benefit terminates;
c. have been reimbursed by Symetra under Individual Excess Loss Insurance;
d. exceed Symetra's Individual Lifetime Reimbursement Maximum or the Aggregate Reimbursement Maximum as shown on the Schedule; or
e. have been excluded under the terms described in the Excess Loss Alternate Reimbursement Endorsement.

GENERAL EXCLUSIONS AND LIMITATIONS

LIMITATIONS ON ELIGIBILITY FOR REIMBURSEMENT UNDER THIS POLICY

Symetra will not reimburse the Policyholder for Covered Expenses incurred by Covered Units or Covered Family Units that qualify as Potential Large Claims unless disclosed and accepted by Symetra.

In the event of nondisclosure by the Policyholder, Symetra reserves the right to:

a. change or modify the premium rates, Monthly Aggregate Attachment Factors or Individual Deductible amount(s); or
b. adjust the terms of the Aggregate and Individual Excess Loss benefit.

Covered Expenses will be limited to those expenses paid in accordance with the express terms of the Employee Benefit Plan. No exercise of discretion by the Plan Administrator or Claims Administrator to pay claims contrary to the express terms of the Employee Benefit Plan will be binding upon Symetra.

EXCLUSIONS

Symetra will not reimburse any loss or expense caused by or resulting from any of the following:

a. expenses for occupational accidents or illnesses or expenses that the Employee Benefit Plan covers that are covered or eligible for coverage by Workers' Compensation including any payments made by Workers' Compensation carriers as exceptions or payments with no liability concerning Workers' Compensation coverage;
b. the cost of the administration of claims, payments or other service(s) provided by the Claims Administrator for consulting fees; or
c. expenses incurred as a result of travel within any foreign country which is covered at the time of the expense by an active U.S. Department of State issued Travel Warning.

MATERIAL CHANGES

Symetra must be notified of any Material Change ("Change") in writing and provided prior to the effective date of Change(s).

If notice is not received prior to the effective date of Change, Symetra has the right to establish the effective date of the amendment to this Policy that results from the Change.

Upon receipt of a Change, Symetra retains the right to:

a. accept the Change without revising the Premium Rates, Monthly Aggregate Attachment Factors and coverage terms;
b. accept the Change and revise the Premium Rates, Monthly Aggregate Attachment Factors and coverage terms as outlined in the Premium Provisions;
c. not accept the Change but continue to provide coverage and adjudicate claims as if the Change had not occurred; or
d. terminate this Policy as outlined in the Contract Termination and Renewal provision.

Until Symetra makes a determination regarding notice of a Change in the Employee Benefit Plan which would alter the type or amount of benefits provided or the terms or conditions for eligibility or participation, only Covered Expenses for benefits provided by the most current Symetra approved Employee Benefit Plan will be considered for reimbursement.

CLAIMS PROVISIONS

EMPLOYEE BENEFIT PLAN'S CLAIMS ADMINISTRATION

The Policyholder must retain a Claims Administrator at all times. All Claims Administrator(s) must be approved by Symetra. The Claims Administrator performs as the Policyholder's agent and Symetra will not be held liable for any act or omission of the Claims Administrator.

Symetra will only reimburse the Policyholder for claims paid by the Claims Administrator(s).

The Claims Administrator will:

a. supervise the administration and adjustment of all claims and verify the accuracy and computation of all claims in accordance with the terms of the Employee Benefit Plan;
b. maintain accurate records of all claim payments;
c. maintain separate records of expenses not covered; and
d. provide Symetra with the following data for the preceding Policy Month on or before the 30th day of each succeeding Policy Month:
   1. number of Covered Units or Covered Family Units;
   2. notice of claims that reach 50% of the Individual Deductible; and
   3. total amount of claims paid.

LARGE CLAIMS AND POTENTIAL LARGE CLAIMS

Notice of Large Claim
The Policyholder or the Policyholder's Claims Administrator(s) must notify Symetra in writing within 10 business days of receiving information indicating that Covered Expenses qualify as a Large Claim.

If the Policyholder receives information that any claim may be or become a Large Claim, the Policyholder will immediately notify the Policyholder's Claims Administrator.

Notice of Potential Large Claim
The Policyholder or the Policyholder's Claims Administrator must notify Symetra of any Potential Large Claim in writing within 10 business days of receiving any information indicating that the claim qualifies as a Potential Large Claim.

If the Policyholder receives information that any claim may be or become a Potential Large Claim, the Policyholder will immediately notify the Policyholder's Claims Administrator.

LIST OF POTENTIAL LARGE CLAIMS

Covered Expenses which qualify as Potential Large Claims are listed below. Symetra retains the right to add to or delete from the list of Potential Large Claims with 30 days' written notice to the Policyholder.

ICD-10 Range	Diagnosis	ICD-10 Range	Diagnosis
B19.20-B19.21	Hepatitis C	M15-M19.93	Osteoarthritis
C01-C95.92	Malignant Neoplasms	M31-M36.8	Connective tissue disease
D46-D46.9	Myelodysplastic Syndrome	M45-M48.9	Spondylopathies
D55-D59.9	Hemolytic anemias	M86-M86.69	Osteomyelitis
D61-D61.9	Aplastic anemias	N18.1-N19	Chronic and End Stage Kidney Disease
D66-D68.311	Hemophilia and coagulation defects	P07-P07.39	Premature infants
D80-D89.9	Immunodeficiency disorders	P77-P77.39	Necrotizing Enterocolitis
E75.21-E75.22	Lipidosis, includes Gaucher's Disease	Q03-Q07.9	Congenital anomalies (brain and spine)
E76.01-E76.9	Mucopolysaccharidosis	Q20-Q26.8	Congenital anomalies (heart)
E84-E84.9	Cystic Fibrosis	Q38-Q45.9	Congenital anomalies (gastrointestinal tract)
E88.01	Alpha – 1 – Antitrypsin Deficiency	S02.1-S09.93XS	Head and facial injury
G60-G65.2	Polyneuropathies	S12-S38.3XXS	Neck and trunk injury
G70-G70.9	Myasthenia Gravis	T30-T32.99	Burns
G682.50-G682.54	Paraplegia and Quadriplegia	T81-T86.99	Surgical and medical care complications
I21-I52	Heart and lung disease	Z94.0-Z94.9	Organ or tissue transplants
I60-I67.89	Cerebrovascular disease	Z95-Z95.9	Cardiac and vascular implants/grafts
I71-I72.9	Artery disease and aneurysms	Z95.811	Heart assist device (i.e. VAD)
I80-I82.91	Venous disease	Z95.812	Artificial heart implant
J96-J99	Respiratory failure	Z99.2	Dependence on renal dialysis
K50.01-K K70-K76.9	Liver disease		
K50.919	Crohn's disease		
K85-K86.9	Pancreas disease		
M05.2-M06.9	Rheumatoid arthritis		

ALTERNATIVE CARE

Symetra recognizes that under certain circumstances it may be cost effective to allow alternative care or treatment that is not covered under the Employee Benefit Plan. The Claims Administrator or Symetra may recommend alternative care. If the Policyholder allows such charges to be considered eligible, these charges will also be considered as Covered Expenses under this Policy.

NOTICE OF EXCESS LOSS CLAIM

Aggregate Excess Loss Claim
The Policyholder will submit a written Request for Reimbursement ("Request") for Aggregate Excess Loss Covered Expenses to Symetra within 31 days of the date Covered Expenses have reached the Aggregate Attachment Point.

Individual Excess Loss Claim
The Policyholder will submit a written Request for Individual Excess Loss Covered Expenses to Symetra within 31 days of the date the Covered Expenses, with respect to a Covered Unit or Covered Family Unit, have reached the Individual Deductible.

PROOF OF LOSS

The Policyholder's failure to submit a written Request within 31 days will not invalidate or reduce any reimbursement if it were not reasonably possible to submit said Request within such time. However, the Request must be submitted as soon as possible but in no event later than 1 year after the date written Request for Reimbursement is first required.

The Policyholder or the Policyholder's Claims Administrator(s) will submit on a timely basis all proofs of loss, reports, and supporting documents that Symetra may require.

All uncontested Requests will be reimbursed within 30 days after receipt of proof of loss, reports and supporting documents that Symetra may require.

AUDIT

Symetra or its duly authorized representative(s), prior to making a reimbursement, will have the right to inspect and audit all of the Policyholder's and the Policyholder's Claims Administrator's records and procedures as well as any other records and procedures that pertain to this Policy. Symetra will also have the right to require proof that payment of Covered Expenses has been made.

SUBROGATION

In the event of any payment(s) of Covered Expenses under the Employee Benefit Plan due to an illness and/or injury to a Covered Unit or Covered Family Unit caused by a third party, the Policyholder may be entitled to a recovery from such third party. Symetra retains the right to pursue any recovery received by the Policyholder and to collect any and all reimbursements made to the Policyholder. In the event Symetra recovers an amount greater than its reimbursement, the excess, reduced by the costs to obtain the recovery, will be returned to the Policyholder. Symetra is entitled to first recovery of payments as an offset to the deductible paid by the Policyholder.

If the Policyholder receives a recovery prior to Symetra reimbursing any Covered Expenses under the Policy, the Policyholder must deduct these payments from any reimbursement request. If the Policyholder receives a recovery after Symetra has made reimbursement for some or all of a particular claim then the Policyholder must reimburse Symetra to the extent of the reimbursement within 30 days.

The obligation of the Policyholder to reimburse Symetra remains regardless of whether the Policy is still in force on the date of recovery. In addition, this provision is applicable even if it is determined the amount of the Covered Unit's or Covered Family Unit's recovery does not fully indemnify or make whole the Covered Unit or Covered Family Unit. The Policyholder's payment to Symetra may be reduced by the reasonable and necessary expenses incurred in recovering from the other party.

SURCHARGES PROVISIONS

Symetra will reimburse surcharges required by state statute and/or regulations as Covered Expenses. In order for surcharges to be considered Covered Expenses under the Excess Loss Policy, the provider bills must be for Covered Expenses according to the terms of the Employee Benefit Plan.

EXCLUSIONS AND LIMITATIONS

Symetra will not reimburse any expenses that are:

a. surcharges made on a per Covered Unit or Covered Family Unit basis; or
b. penalties or fines assessed by a state against the Policyholder.

PREMIUM PROVISIONS

PAYMENT OF PREMIUMS

Premiums for this Policy must be received on or before the Premium Due Date, as shown on the Schedule, by Symetra. Payment of premium will continue Excess Loss coverage only until, but not including, the next Premium Due Date.

If the Policyholder chooses to use any third party to pay premium on its behalf, such third party is the agent of the Policyholder and the Policyholder is responsible for ensuring that the premium is received by Symetra. Symetra will not be held liable for any act or omission of the third party.

GRACE PERIOD

If premium is not received on the Premium Due Date, a 31 day grace period will be granted starting from and including the Premium Due Date. If premium is not received at the end of the 31 days, this Policy will terminate on the last date of coverage for which premium has been paid.

CHANGES IN PREMIUM RATES AND MONTHLY AGGREGATE ATTACHMENT FACTORS

Symetra has the right to establish new Premium Rates and Monthly Aggregate Attachment factors on each Policyholder Anniversary Date.

Symetra will provide the Policyholder a 45 day advance written notice in the event of any change in premium rates or Monthly Aggregate Attachment Factors at renewal.

Symetra has the right to establish new Premium Rates and new Monthly Aggregate Attachment Factors at any time during a Policy Period if:

a. the number of enrolled Covered Units or Covered Family Units changes by more than 25% from the Enrollment shown on the Schedule;
b. Symetra discovers an individual who was not disclosed and whom Symetra determines to be an unacceptable risk;
c. an amendment is made to the Employee Benefit Plan;
d. a change in the terms of Excess Loss coverage occurs; or
e. the Policyholder experiences a Material Change as outlined in the Material Change provision.

CONTRACT TERMINATION AND RENEWAL

TERMINATION BY THE POLICYHOLDER

The Policyholder may terminate its coverage under this Policy at any time by giving Symetra 31 days' advance written notice.

TERMINATION BY SYMETRA

Symetra may terminate the Policyholder's coverage under this Policy by giving the Policyholder 45 days' written notice. Symetra can only terminate for the following reasons:

a. the Policyholder fails to comply with a provision of this Policy;
b. the Policyholder fails to perform the obligations under this Policy in good faith;
c. the Policyholder is covering fewer than 50 employees;
d. the Policyholder fails to provide the information required in the Excess Loss Disclosure Statement; or
e. the Policyholder experiences a Material Change deemed unacceptable by Symetra.

This Policyholder's coverage under this Policy will automatically terminate if:

a. the Policyholder does not pay all premiums that are due by the end of the Grace Period;
b. the Policyholder does not pay claims or make available funds to pay claims as required by this Policy;
c. the Policyholder's Employee Benefit Plan terminates; or
d. the Policy is terminated by the Policyholder.

RENEWAL

Symetra may refuse to renew the Policyholder's coverage under this Policy by giving the Policyholder 45 days' advance written notice. Otherwise, the coverage under this Policy will automatically renew on each Policyholder's Policy Anniversary Date if the Policyholder continues to pay premiums at the rates set by Symetra.

GENERAL CONTRACT PROVISIONS

ENTIRE CONTRACT

This entire contract consists of:

a. the pages of this Policy, including any amendments or endorsements;
b. the Policyholder's Acceptance;
c. the Excess Loss Schedule of Benefits;
d. the Policyholder's Employee Benefit Plan(s) together with and as qualified by the Plan Approval Notification(s); and
e. the Disclosure Statement.

LIABILITY AND INDEMNIFICATION

Symetra is not liable for any costs the Policyholder incurs because of any disputes or contested claims under the Employee Benefit Plan. Symetra is not liable for punitive, exemplary or consequential damages. The Policyholder must hold Symetra harmless from damages of any kind which are not caused by Symetra's own acts or omissions.

OBLIGATION

Symetra is acting only as a provider of insurance to the Policyholder. Symetra is not and will not be considered a fiduciary. Symetra assumes no obligations required by the Employee Retirement Income Act (ERISA) of 1974, as amended.

Symetra has no responsibility or obligation to directly reimburse any Covered Unit or Covered Family Unit. This Policy will not create any right or legal relationship between Symetra and any Covered Unit or Covered Family Unit. Symetra's sole obligation under this Policy is to the Policyholder.

ASSOCIATED COMPANIES

Excess Loss Insurance is extended to the Policyholder's Associated Companies listed on the Schedule. Additions and terminations may only be made by amendment to coverage under this Policy. Termination of an Associated Company is treated as termination of coverage for that company only.

NOTICE

For purposes of any notice required under this Policy, notice to the last known Claims Administrator will be considered notice to the Policyholder. Notice to the Policyholder will be considered notice to the Claims Administrator.

RECORDS

The Policyholder must:

a. keep appropriate records regarding administration of the Employee Benefit Plan;
b. allow Symetra to review and copy, during normal business hours, all records affecting Symetra's liability; and
c. ensure that Symetra receives monthly status reports and other data as requested under the Claims Provisions of this Policy.

CLERICAL ERROR

Clerical error, whether by the Policyholder or Symetra, will not invalidate coverage validly in force or affect coverage validly terminated. Clerical errors should be reported and corrected. Symetra will make appropriate adjustments in the premiums due for claims eligible for reimbursement under this Policy. Refunds and credits are limited to the 12 month period prior to the request for adjustment.

LEGAL ACTION

No legal action may be brought to recover on this Policy within 60 days after written proof of loss has been furnished. No legal action may be brought after 3 years from the time written proof of loss is required to be furnished.

AMENDMENTS TO THIS POLICY

This Policy or the Policyholder's coverage under this Policy may be amended at any time by mutual consent between the parties. Such modification must be by written agreement signed by Symetra's President, Vice President or Secretary. Only these Officers have the authority to modify coverage under this Policy, waive any of Symetra's rights or requirements or make any promise with respect to benefits under this Policy.

TAXES

If premium taxes should be assessed against the Policyholder, with respect to claims paid under the Policyholder's Employee Benefit Plan, the Policyholder shall hold Symetra harmless from any tax liability.

MEDICAL CONVERSION PRIVILEGE

This benefit applies only if indicated on the Schedule.

An employee whose coverage under the Employee Benefit Plan ends solely due to termination of employment or change in classification may be eligible for an individual medical conversion policy. A dependent whose coverage under the Employee Benefit Plan ends solely due to loss of dependency status or change in classification may also be eligible.

Eligibility for conversion is determined as follows:

a. the person must have been covered for medical benefits under the Employee Benefit Plan for at least 3 months;
b. proof of good health will not be required;
c. the person must be under the age of 65;
d. the person must be a resident of the United States;
e. the person's coverage under the Employee Benefit Plan must end prior to termination of the Policyholder's coverage under this Policy; and
f. the person must not currently have an individual medical conversion policy issued through Symetra or be covered by or eligible for any other group, individual, employer-based or government major medical policy or plan.

Symetra, or its designee, will issue an individual medical conversion policy subject to the following:

a. the eligible person must apply for conversion and the application and first premium payment must be received by Symetra or its designated conversion carrier within 31 days after the date coverage under the Employee Benefit Plan terminates;
b. a then current individual medical conversion policy will be issued at the rate in use on the conversion effective date; and
c. the effective date of the individual medical conversion policy will be the day after coverage terminates under the Employee Benefit Plan.

SYMETRA
RETIREMENT | BENEFITS | LIFE

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200
Bellevue, Washington 98004-5135

POLICYHOLDER ACCEPTANCE

Policy Number: 16-013831-00

The Policyholder: City of Vancouver
(Legal Name)

has received a Symetra contract (LGC-12000) and has approved and accepted the terms of this contract.

No reimbursement under this Policy will be paid until such time as this Policyholder Acceptance has been executed and received by Symetra.

It is a crime to knowingly provide false, incomplete, or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines, and denial of insurance benefits.

Name: ______________________ (Please Print Name of Signatory)   Title: ______________________ (Please Print)

By: ______________________ (Signature of Policyholder)

Signed at: ______________________ (City / State)   On: ______________________ (Date)

Witness: ______________________ (Signature)   Title: ______________________ (Please Print)

Instructions to Policyholder: **(1) Sign and return to Symetra.**
(2) Retain copy with your Policy.

INDIVIDUAL EXCESS LOSS ADVANCE FUNDING ENDORSEMENT

The Policyholder may request Advance Funding for Covered Expenses when all of the following conditions have been met:

a. the request must be made in writing to Symetra;
b. the Covered Expenses that apply toward the Individual Deductible shown on the Schedule or the Alternate Individual Deductible for a Covered Unit or Covered Family Unit must be a Paid Claim;
c. Covered Expenses are adjudicated before the Policy Period ends; and
d. the minimum request must be $1,000 per Covered Unit or Covered Family Unit.

In order for Covered Expenses to be eligible for Advance Funding Symetra must receive the requests:

a. during the Policy Period;
b. during the Run-out Period; or
c. within 30 days after the Policy Period or the Run-out Period ends.

Advanced Funds must be used to pay the Covered Expenses within 5 working days after the Policyholder receives the funds. If the funds or any portion of the funds are not used as required within this timeframe, the Policyholder must repay the advanced funds to Symetra within 10 working days after receiving the funds.

SYMETRA

RETIREMENT | BENEFITS | LIFE

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200
Bellevue, WA 98004-5135
www.symetra.com

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200
Bellevue, Washington 98004-5135

EXCESS LOSS SCHEDULE OF BENEFITS

A. Policyholder: City of Vancouver

Policy Number: 16-013831-00

Effective Date of Coverage: January 1, 2019

Policyholder Anniversary Date: January 1st of each year beginning in 2020.

Premium Due Date: Premium is due on the Effective Date of Coverage and the first of each month beginning with February 1, 2019.

Enrollment (at the beginning of the Policy Period):

Single	139	Family	385

Retirees covered under Excess Loss: ☒ Yes ☐ No
Individual and Aggregate coverages

B. This Schedule of Benefits applies to the Policy Period: from 01-01-2021 to 01-01-2022

C. Individual Excess Loss Insurance: ☒ Yes ☐ No

1. Individual Deductible per Covered Unit: $250,000
   Note: The minimum Individual Deductible is $100,000 or 5% of expected claims, whichever is less.

2. Alternate Individual Deductibles applicable?
   ☒ Yes (See Excess Loss Alternate Reimbursement Endorsement) ☐ No

3. Covered Expenses:
   ☐ Medical excluding all Prescription Drugs
   ☒ Medical including Prescription Drugs defined as **ONE** of the following:
   ☒ Rx Card and Mail Order ☐ Rx Card Only ☐ Rx Mail Order Only **OR**
   ☐ Rx as part of Medical Plan subject to a Deductible and Coinsurance
   ☐ Other: ____________________

4. Symetra's Reimbursement Percentage:
   100% of Covered Expenses in excess of the Individual Deductible.

JT

Applies to Policy Period: from 01-01-2021 to 01-01-2022

5. Individual Lifetime Reimbursement Maximum: Unlimited per Covered Unit
   Policy Period Reimbursement Maximum: Unlimited per Covered Unit

6. Premium Rates:

Covered Units	
Single	$58.80
Family	$175.16

7. Reimbursement Option:
   Covered Expenses incurred on or after the Policy Effective Date and paid during the Policy Period with:

Run-in Period	48	months	Run-in Limit	Unlimited
Run-out Period	0	months	Run-out Limit	N/A

8. Individual Excess Loss Terminal Provision applicable? ☐ Yes ☒ No

9. Individual Excess Loss Advantage Provision applicable? ☐ Yes ☒ No

D. Aggregate Excess Loss Insurance: ☒ Yes ☐ No

1. Covered Expenses:
   ☐ Medical excluding all Prescription Drugs
   ☒ Medical including Prescription Drugs defined as **ONE** of the following:
   ☒ Rx Card and Mail Order ☐ Rx Card Only ☐ Rx Mail Order Only **OR**
   ☐ Rx as part of Medical Plan subject to a Deductible and Coinsurance
   ☐ Vision
   ☐ Dental
   ☐ Short-Term Disability
   ☐ Other ______________________________

2. Aggregate Attachment Point will be set by Symetra.

3. Symetra's Reimbursement Percentage:
   100% of Covered Expenses in excess of the Aggregate Attachment Point.

4. Aggregate Reimbursement Maximum per Policy Period: $2,000,000

5. Monthly Aggregate Accommodation Provision applicable? ☐ Yes ☒ No

EXCESS LOSS SCHEDULE OF BENEFITS

Applies to Policy Period: from 01-01-2021 to 01-01-2022

6. Reimbursement Option:
   Covered Expenses incurred on or after the Policy Effective Date and paid during the Policy Period with:

Run-in Period	48	months	Run-in Limit	Unlimited
Run-out Period	0	months	Run-out Limit	N/A

7. Minimum Aggregate Attachment Point:
   100% of the first Monthly Aggregate Attachment Point x 12.
   Note: The minimum Aggregate Attachment Point may not be less than 120% of expected claims.

8. Monthly Aggregate Attachment Factors:

Covered Units	
Single	$903.26
Family	$2,160.48

9. Aggregate Excess Loss Terminal Provision applicable? ☐ Yes ☒ No

10. Aggregate Excess Loss premium: $9.22
    Paid: per employee per month

11. Net Claim Limit: $250,000 per Covered Unit

E. Medical Conversion Privilege: ☐ Yes ☒ No

F. Endorsements Included

☒ Individual Excess Loss Advance Funding Endorsement
☒ Excess Loss Alternate Reimbursement Endorsement
☒ Excess Loss Rate Cap Endorsement

G. Additional Information:

Claims determined to be eligible under the Employee Benefit Plan in final and binding external review by independent review organizations (IROs) will also be deemed Covered Expenses under the Policy. Claim exception requests pending and under IRO review at the end of the Policy Period will continue to be considered for coverage.

City of Vancouver has been identified as an Alera/BAN client subject to the Alera/BAN-Symetra 2018 Stop Loss Agreement.

H. Associated Companies:

Name	Effective Date	Termination Date
Vancouver Housing Authority	01-01-2019	
Fire Marshall's Office	12-01-2019	

Symetra Life Insurance Company
777 108th Avenue NE, Suite 1200 | Bellevue, WA 98004-5135
Phone 1-800-796-3872 | www.symetra.com]

EXCESS LOSS RATE CAP ENDORSEMENT

Symetra and City of Vancouver agree that this Endorsement is effective January 01, 2021 for the Policy Period from 01-01-2021 to 01-01-2022.

In consideration for the premium shown in the Excess Loss Schedule of Benefits, the Excess Loss Insurance Policy (the “Policy”) will be revised to include this Excess Loss Rate Cap Endorsement.

RATE CAP

The maximum Premium Rate increase at renewal will be capped at 50% inclusive of any increase to the Individual Advantage Deductible. This cap assumes that there will be (1) no Material Change, (2) no change in the provider network used by the Policyholder’s Employee Benefit Plan, (3) no significant change to the Schedule for the renewal Policy Period (“Changes”), and (4) no change in Policyholder’s broker of record or commission rate for or during the renewal Policy Period. If there are Changes, then the renewal Premium Rates will first be calculated based on the cap and the current Policy coverage. Additional adjustments for Changes may then be applied as needed. If there is a change in Policyholder’s broker of record, this cap will be ineffective for any renewal Policy Period beginning thereafter.

All other provisions of the Excess Loss Insurance Policy remain unaffected by this Endorsement.

City of Vancouver	Symetra Life Insurance Company
	Margaret Meister
By: ______________________ (Signature of Policyholder)	By: Margaret Meister, President
Title: ______________________	Registrar: Janet Trayler
Date: ______________________	Date: December 01, 2020

Instructions to Policyholder:

(1) Sign and return to Symetra
(2) Retain copy with your policy.

Staff Report 002-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021

SUBJECT Adjustment to Evergreen School District Impact Fees - Four Seasons Apartments Phase II

Key Points

- The purpose of the school impact fees (SIF) is to ensure that adequate facilities are available to serve new growth and development, and to promote orderly growth and development by requiring that new development pay a proportionate share of the cost of new facilities needed to serve growth.
- In order for the City to collect SIF on behalf of a school district, said school district's capital facilities plan (CFP) shall be adopted as a portion of the City of Vancouver's Comprehensive Plan in accordance with the provisions of this section.
- The multi-family fee amount in the recently adopted Evergreen Public Schools CFP 2019-2025 decreased from $7,641 to $3,753.
- The proponent of the Four Seasons Apartment Phase II development has requested that their school impact fees, which were assessed when the impact fees were higher in 2019, be adjusted by City Council to be consistent with the revised impact fees that were proposed by Evergreen School District and adopted by City Council. VMC 20.915.070.C allows the development review authority (in this case City Council) the ability to reduce or eliminate the impact fee upon application from the developer.

Strategic Plan Alignment

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

Present Situation

The City's impact fee program requires school districts to prepare and adopt CFPs meeting the specifications of the Growth Management Act (GMA) and City ordinances. Impact fees are calculated in accordance with the local jurisdiction's formula, which is based on projected school facility costs necessitated by new growth contained in the District's CFP. The formula allocates a portion of the cost for new facilities to the single family and multi-family house that create the demand (or need) based on a student factor, or the average number of students who live in new single family and multi-family homes. The formula also provides a credit for state match and Bond Proceeds (or property taxes).

In December 2019 the City Council adopted the Evergreen Public Schools Capital Facilities Plan 2019-2025 as part of the annual Comprehensive Plan and zoning map corrections, and text changes. The current SIF is listed on page 14 in the attached Evergreen School District Capital Facilities Plan and is reflected within VMC Table 20.915.060-1 School District Impact Fees. The SIF for multi-family development decreased by approximately 50% per multi-family unit from $7,641 to $3,753.

Importantly, while the City Council establishes the school impact fees by ordinance, it merely collects such fees from developers on behalf of the school districts.

The City recently received a request from an approved multi-family project to reduce the impact fee amount that was assessed under the previous Evergreen Public Schools CFP. The project details are shown below:

1. Four Seasons Apartments Phase II - 92 unit development located at 11211 NE 20th St.

Per VMC 20.915.020.C, the impact fee for new multi-family development is calculated at the time of site plan approval and due and payable at time of building permit issuance. The project noted above received site plan approval on March 12, 2019 prior to the current Evergreen Public Schools CFP being adopted. The development subsequently applied for building permits in 2020. As a result, the project would be required to pay the older Evergreen SIF of $7,641/unit that was in place at the time of site plan approval.

VMC 20.915.070.C further allows the development approval authority setting the impact fee, upon application by the developer, to reduce or eliminate such fee if it is shown that the formulae contained in Sections VMC 20.915.060 School Impact Fees does not accurately reflect traffic, park, or school impacts, respectively. The City Council is the authority that sets the impact fees.

The proponent of the development is requesting that City Council reduce their SIF to the 2020 impact fee amount reflected in the current Evergreen Public Schools CFP because it is their position that the 2020 impact fee amount most accurately reflects that cost of the public school facility impacts.

Additionally, City staff has heard from Evergreen School District regarding this request and although they are not necessarily in support of these request they understand the code provision that exists that allow such a request to be made.

<u>Advantage(s)</u>

1. Approving the request would result in the collection of impact fees that are in line with the Evergreen School District's updated Capital Facilities Plan.
2. Approving this request would be consistent with the previous Council action taken on December 7, 2020.

Disadvantage(s)

None

Budget Impact

No City budget impact. The proposed adjustment would result in a total reduction in school impact fees of $357,696 for the Four Seasons Apartment Phase II project.

Prior Council Review

On December 7, 2020, the City Council approved two similar Evergreen Public School SIF reduction requests for the Acero Parkside project and the Kestrel Apartments project.

Action Requested

Adopt a resolution approving the request to reduce the impact fee to the current 2020 Evergreen Public School impact fee for the Four Seasons Apartment Phase II project.

Jason Nortz, Development Review Manager, 360-487-7844

ATTACHMENTS:

- Resolution
- Evergreen Public Schools Capital Facilities Plan 2019-2025
- Four Seasons Apartments Request

01/04/20

RESOLUTION NO. M______

A RESOLUTION approving the reduction of school impact fees (SIF) for the Four Seasons Phase II Apartment Project pursuant to Vancouver Municipal Code Section 20.915.020(C).

WHEREAS, the purpose of school impacts fees (SIF) is to ensure adequate facilities are available to serve new growth and development, and to promote orderly growth and development by requiring that new development pay a proportionate share of the cost of new facilities needed to serve growth; and

WHEREAS, in order for the City to collect SIF on behalf of a school district, said school district's capital facilities plan (CFP) shall be adopted as a portion of the City of Vancouver's Comprehensive Plan; and

WHEREAS, the multi-family fee amount in the recently adopted Evergreen Public Schools CFP decreased from $7,641 to $3,753; and

WHEREAS, the proponents of two multi-family developments have requested that their school impact fees; and

WHEREAS, Vancouver Municipal Code (VMC) Section 20.915.070(C) provides for a process whereby an project proponent can petition the development approval authority setting the impact fee, upon application by the developer supported by studies and data, may reduce an impact fee if it is shown that the fee does not accurately reflect the school impact fees; and

WHEREAS, RCW 82.02.060(5) also mandates that the local impact fee ordinance "allow the county, city, or town imposing the impact fees to adjust the standard impact fee at the time the fee is imposed to consider unusual circumstances in specific cases to ensure that impact fees are imposed fairly; and

WHEREAS, the Four Seasons Apartment Project Phase II, Community and Economic Development project number LUP-71764, a 92-unit residential development has submitted an application for an impact fee reduction pursuant to VMC 20.915.070(C) citing the more recent Evergreen School District CFP and impact fee calculation as a more accurate reflection of the current impact on school facilities of the project; and

WHEREAS, the Vancouver City Council as the development authority setting school impact fees in the City of Vancouver, agrees that the more current Evergreen School District CFP more accurately reflects the impacts of the Kestrel Apartments and Acero Parkside projects.

NOW, THEREFORE,

BE IT RESLOVED BY THE CITY COUNCIL OF THE CITY OF VANCOUVER:

Section 1. Finding. The City Council of the City of Vancouver finds that

The school impact fee applied to the Four Seasons Apartment Project Phase II based on the fee in effect at the time of site plan approval is a less accurate calculation of the impact of such project than the more recent impact fee in effect at the time of building permit issuance.

Section 2. Impact Fee to be Applied.

(a) The school impact fee to be applied for the Four Seasons Apartments Project Phase II shall be $3753 per unit.

(b) Any fees collected in excess of the foregoing shall be refunded to the project proponent.

SIGNED this________day of___________________, 2021.

____
Anne McEnery-Ogle, Mayor

Attest:

____
Natasha Ramras, City Clerk

Approved as to form:

____
Jonathan Young, City Attorney

EVERGREEN PUBLIC SCHOOLS
CAPITAL FACILITIES PLAN

2019-2025

BOARD OF DIRECTORS

Julie Bocanegra, Board President
Victoria Bradford, Board Vice President
Rob Perkins, Director
Ginny Gronwoldt, Director
Rachael Rogers, Director

INTERIM SUPERINTENDENT

Mike Merlino

EXECUTIVE DIRECTOR OF FACILITIES

Susan Steinbrenner

Adopted by the Evergreen School District Board of Directors
May 14, 2019

I. EXECUTIVE SUMMARY

The Evergreen Public Schools Capital Facilities Plan (CFP) is a six year plan prepared by district staff as the organization's capital facility planning document, in part, to support the use of school impact fees as provided for under the Washington State Growth Management Act (the "GMA"). School districts adopt capital facilities plans to satisfy the requirements of the GMA and to provide Clark County (the "County) and the Cities of Vancouver and Camas (the "City") with a schedule and financing program for the district's capital improvement needs over the next six years (2019-2025) to ensure that adequate school facilities are available to serve new growth and development.

In accordance with the Growth Management Act and the County and City Impact Fee Ordinances, this CFP contains the following required elements:

- A description of space requirements for educational programs (Section II)
- An inventory of existing capital facilities owned by the District (Section III)
- Future enrollment projections for each grade span (Section IV)
- A forecast of proposed capacities of expanded or new capital facilities over the next six years based on the inventory of existing facilities and the standard of service (Section V)
- A six-year plan for financing capital facilities within projected funding capacities, which identifies sources of public funds for such purposes. The financing plan separates projects and portions of projects which add capacity from those which do not, since the latter are generally not appropriate for impact fee funding (Section VI)
- A calculation of impact fees based on the formula in the County and City impact fee ordinances and supporting data substantiating such fees (Section VII)

In developing this CFP, the District used the following guidelines:

- The District will use information from recognized sources, such as professional demographers and planners, county and city adopted land use plans and county GIS data.
- The District will use data it generates from reasonable methodologies.
- The CFP and methodology to calculate the impact fees will comply with the GMA and county and city codes.
- The six year facility needs are based on an enrollment forecast that takes local development trends into account.
- The District plans to construct permanent/bricks and mortar facilities for its students and will develop a CFP to accomplish that objective. At the same time, the District expects there will be a time period when some of the students that the District serves will be housed in portables. Housing students in portables, temporarily, is necessary to qualify for state funds that are needed to build new schools.

The Evergreen School District is comprised of 54 square miles. It serves a significant portion of the Vancouver Urban Growth Area and smaller areas in the Camas Urban Growth Area and rural Clark County.

The District serves residents from the cities of Vancouver and Camas and from unincorporated Clark County. The District is bordered by Vancouver School District to the west, Camas School District to the east and Battle Ground and Hockinson School Districts to the north. The Columbia River and state line border the district to the south.

The District serves a population of 25,601 students (October 2018 enrollment). For purposes of facility planning, the CFP considers grades K-5 as an elementary, grades 6-8 as a middle school, and grades 9-12 as a high school.

In addition, Cascadia Technical Academy (formerly known as the Clark County Skills Center) is located in and operated by Evergreen Public Schools serving students half days from all Clark County school districts. The district serves home schooled students in grades K-8 through a supplemental program operated by Home Choice Academy and pre-school special needs students at four elementary schools. Alternative programs include 49th Street Academy, serving students with special needs in grades K-12, Transitions Program, serving students aged 18-21, and Legacy High School, an alternative program for students in grades 9-12.

In February 2018, voters approved a bond measure which includes funding for the projects noted below. Construction of the new elementary school and the addition to Heritage High School will increase capacity to serve forecast growth.

- Replacement of five elementary schools (Burton, Ellsworth, Marrion, Image, and Sifton)
- Construction of one new elementary school with capacity for 550 students
- Replacement of Wy'east Middle School
- Replacement of Mountain View High School
- A permanent addition to Heritage High School
- A new District Office
- Replacement of alternative schools, including Legacy, 49th Street Academy, and the Transitions program.

II. DISTRICT EDUCATIONAL PROGRAMS AND STANDARDS OF SERVICE

The District's standard of service is based on program year, class size by grade span, number of classrooms, types of facilities, and the District's adopted educational program. Quality education plays a vital role in growing a strong local economy. To provide quality education, the District must have quality facilities to serve as the supporting space for developing the whole child within a community to prepare them for a competitive world. The educational program standards which typically drive facility space needs include grade configuration, optimum facility size, class size, educational program offerings, classroom utilization and scheduling requirements.

In addition to student population, other factors such as collective bargaining agreements, government mandates, state and federal funding requirements and community expectations affect classroom space requirements. Programs, such as special education, bilingual education, preschool and daycare programs, and other specialized programs, often supplement traditional educational programs. These programs can have a significant impact on the available student capacity of school facilities.

The District's current program and educational standards are summarized below. The program and educational standards may vary during the six year CFP planning horizon. Absent significant changes in factors that are beyond the District's control, the District will provide the following programs and standards of service in 2019 through 2025. If significant changes occur that require new facilities or improvements, beyond what is identified in this CFP, the District will prepare and submit an updated CFP.

A. Elementary Educational Standards

Elementary schools provide education in all core subject areas including reading, writing, math, social studies and science. All students receive instruction in P.E., music, art and have access to media programs. Full day kindergarten is provided at each elementary school. The District educational standards of service, which directly affect elementary school capacity, include:

- Class sizes for grades K-3 are targeted not to exceed 23 students per class.
- Class sizes for grades 4-5 are targeted not to exceed 25 students per class.
- Music instruction and physical education are provided in separate (pull-out) classrooms.
- All elementary schools have a library media resource center which includes additional space for a technology lab.
- Special education is provided for some students in self-contained classrooms are separate from regular teaching stations (pull-out program). Special education classrooms serve 5 to 15 students.

B. Middle and High School Program Standards

Middle schools provide instruction in the core disciplines of english, math, social studies, science, physical education, music and art. Students have elective offerings available including music, art and technology courses.

High schools provide course work including english, history, science, math, physical education, music and art. Additionally elective offerings include vocational technical programs.

The District educational standards of service, which directly affect middle school and high school capacity include:

- Class sizes for grades 6-8 are targeted not to exceed 25 students per class.
- Class sizes for grades 9-12 are targeted not to exceed 25 students per class.
- Special programs, such as music, art, physical education, drama, home and family education learning assistance, are provided in separate instructional space. The class size ranges from 20 to 70 students.
- The District provides science classroom space that supports advanced coursework at the secondary level that require water, sinks, gas, hoods, safety equipment, etc. Schools are working to meet expanded science standards and this will require spaces that cannot typically be met by adding portables.
- It is not possible to achieve 100% utilization of all regular teaching stations throughout the day due to schedule conflicts, the need for specialized rooms for certain programs and the need for teachers to have work space during their planning period.

C. District-wide Educational Programs:

In addition to Elementary, Middle, and High School program standards, the Evergreen School District's core services and program offerings include the following:

- Physical education space is provided to meet strengthened health standards. This can include covered play areas, field space, gyms and other multi-use spaces.
- Technology access is necessary and expectations are increasing. Technology (either within the classroom or in dedicated labs) takes extra space that is not calculated in current state square footage allowances, but is necessary for student learning. Technology support and infrastructure needs are also increasing, which further erodes the state square footage allowances.
- Art and music spaces are critical to the District's educational programs. As student population grows, additional support space for these essential programs is required.
- Library/Media demands are crucial. In an information driven environment, access to knowledge through appropriately sized library/media spaces is essential.
- Extra-curricular activities need space in order to be supported properly with growing student populations.

D. District-wide Support and Special Services:

In addition to the above core educational programs, the following support services are essential to the District's educational program:

- Food service preparation, delivery and use space. As student populations increase, cafeteria, food preparation and delivery space must be enlarged. Miscalculating the need for this core service can have significant impacts on the overall learning environment for students.

- Other support centers, including Transportation, Maintenance, Warehouse and Print Shop facilities are critical to support the educational program and the business operation.

The following special services are also necessary to meet the needs of special populations:

- Special Education programs are provided at all schools within the District. Special needs program standard change year to year as a result of various external or internal changes. External changes may include mandates or needs for special programs, or use of technology. Internal changes may include modifications to the program year, class sizes, and grade span configurations. Changes in physical aspects of the school facilities also affect special educational program standards.
- Special populations require special support, which often requires special spaces. Federal and state programs, including Title 1 reading and math, highly capable, and bilingual are required but come with limited funds that do not cover the expense of adding facilities to support the program.
- Early Childhood programs, such as new or expanded preschool programs are a vital service and an essential educational component. They place additional demands on facilities.
- Supplementary services in core academic areas and multiple pathways that prepare students for a broader range of post-secondary learning opportunities require additional space.

III. CAPITAL FACILITIES INVENTORY

The facilities inventory serves to establish a baseline for determining the facilities needed to accommodate future demand at acceptable levels of service. This section provides an inventory of capital facilities owned and operated by the District including schools, portables, undeveloped land and support facilities. Portable classrooms are used on an interim basis to house students until funding can be secured to construct permanent classrooms.

A complete listing of district facilities can be found in Appendix A.

A. SCHOOL SITES

Facility Type	No. of Schools	No. of Classrooms Permanent	Temporary	Capacity Permanent	Temporary
Elementary Schools	21	469	175	10,931	2,528
Middle Schools	6	230	120	4,403	1,966
High Schools	6	330	75	7,685	1,431

(1) Capacity is based on the space requirements for the District's educational programs as outlined in Section II. Portable classrooms are excluded from capacity calculation but shown above for reference.

(2) High schools include four comprehensive high schools and two alternative high schools. Other special programs that provide district wide support are included in Section B. Services below.

B. SERVICES

In addition to schools, the District owns and operates additional facilities which provide special programs and operational support functions to the schools.

SUPPORT FACILITIES	Location	Description
Administrative Service Center	13501 NE 28th Street Vancouver, WA 98682	Supports all Facilities
Maintenance Facility	3004 NE 124th Avenue Vancouver, WA 98682	Supports all Facilities
McKenzie Stadium	2205 NE 138th Avenue Vancouver, WA 98682	Supports all Facilities
Transportation	13909 NE 28th Street Vancouver, WA 98682	Supports all Facilities
Warehouse (Central Receiving & Distribution)	2205 NE 138th Avenue Vancouver, WA 98684	Supports all Facilities
Crestwood Business Park (Leased)	1168 SE Mill Plain Blvd Vancouver, WA 98684	Temporary space for Transitions Program
49th Street Academy	14619-B 49th Street Vancouver, WA 98682	Specialized services for K-12
Cascadia Technical Academy	12200 NE 28th Street Vancouver, WA 98682	Consortium program with pull-out enrollment

C. Land Inventory

The District owns undeveloped sites in addition to the sites with built facilities. The sites listed below are planned to house new school facilities funded by the 2018 bond measure.

- 9.8 acres located at NE 39th Street and NE 162nd Avenue, Vancouver, WA 98682. The District will build a new elementary school on this site with funds from the 2018 bond measure approved by voters.
- 20 acres located at NE 52nd Street and NE 132nd Avenue, Vancouver WA 98682. The District will replace Image Elementary School on this site with funds from the 2018 bond measure approved by voters.
- 12.67 acres on north of NE 9th Street and west of NE 136th Avenue, Vancouver WA 98682 where the district will build the new district office, and alternative campus as part of the 2018 bond measure approved by voters.

The undeveloped sites listed below are for future growth, including:

- 6.05 acres south of NE 9th Street and east of NE 136th Avenue, Vancouver WA 98682 for a future small high school.
- 0.68 acres located at 14309 NE 28th Street, Vancouver WA 98684 for the expansion of the District's Transportation Complex.

IV. STUDENT ENROLLMENT PROJECTIONS

A. Projected Student Enrollment 2015-2021 (Headcount)

The District's six year enrollment projection is based on a forecast prepared by E.D. Hovee & Company, LLC., which considers enrollment projection models to estimate future enrollment, including cohort survival, grade progression, and population ratio. Local population and housing and development trends are also considered.

Even with renewed population growth county-wide, K-12 enrollment appears to have plateaued with lower birth projections for Clark County than previously projected. Baseline conditions indicate modest enrollment increases to less than 25,650 students by 2024-25. Using high growth conditions, it is conceivable (though less likely) that enrollment could increase by as much as 3,000 students in 6 years to a 2024-25 headcount of over 28,500, but because the transition from baseline to high growth conditions is increasingly uncertain, and because baseline conditions appear to be more likely over at least the near term, the District used baseline projections as the basis for calculating growth in the Capital Facilities Plan.

Partially offsetting these downward trends is the increase in identified planned residential projects which are up by about 50% from what was planned two years ago. Almost half (47%) of planned units are multi-family with associated lower student generation rates.

Grade	Fall 2018	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Total K-5	11,027	11,010	10.996	11,019	11,037	11,167	11,261
Total 6-8	5,910	5,979	5,866	5,745	5,643	5,513	5,433
Total 9-12	8,664	8,764	8,903	8,991	9,131	9,065	8,951
TOTAL	***25,601***	***25,753***	***25,765***	***25,755***	***25,811***	***25,745***	***25,645***

V. CAPITAL FACILITIES NEEDS

A. Forecast Facility Needs

Facility needs for purposes of the Growth Management Act and impact fees are based on existing capacity and forecast enrollment. The 2025 Facility needs are shown in the table below and the amount of the facility need that is attributed to forecast growth is described under the table.

Facility	2018 Capacity	2025 Projected Enrollment	2025 Facility Need
Elementary Schools	10,931	11,261	330
Middle Schools	4,403	5,433	1,030
High Schools	7,685	8,951	1,266
TOTAL	***23,019***	***25,645***	***2,626***

- Elementary Schools: The baseline enrollment forecast shows an increase of 234 students. The 2018 bond funds the replacement of 5 elementary schools and construction of a new elementary school, which will add capacity for 550 students.
- Middle Schools: The baseline enrollment forecast for grades 6 through 8 shows a slight decline. The 2018 bond measure funds the replacement of an existing middle school. The replacement school will have additional classrooms in bricks and mortar, increasing the permanent capacity for another 200 students. Because the middle school enrollment forecast does not currently project an increase, the district is not treating the construction of middle school capacity as a growth related facility need.
- High Schools: The baseline enrollment forecast show an increase of 287 students. The 2018 bond will fund the expansion of Heritage High School which will add permanent capacity for 350 students.

B. Land Acquisition

Acquisition of new school sites in advance of enrollment needs is critical to prepare to meet the challenge of potentially increasing enrollment and addressing existing needs. Since it is uncertain how or when land will ultimately be developed or how the district may deliver services in the future, the district anticipates that it may acquire more sites than the minimum supported by enrollment projections. The district currently owns one potential small high school site and one small site to accommodate the expansion of support services. As growth occurs and both development regulations and educational programming are modified over time, these sites may not be suitable for development at the time when construction is needed.

The district is committed to constructing neighborhood schools for elementary schools and maximizing the opportunity for students to walk to school. This policy supports the Clark County GMA, Chapter 10 School Element.

In addition to the walkability and neighborhood schools, in siting schools the district will look to construction and operation costs, effectiveness of site to meet educational programming needs, and access to infrastructure. The availability of connections to public infrastructure such as water, electricity, sewer, and roads are important factors for the district in planning and siting schools.

In order to accommodate future growth, the district anticipates acquiring sites consistent with estimated maximum enrollment of proposed development. Recent development patterns show a greater degree of residential development occurring within the northern and southeast quadrants of the district which is consistent with Clark County projections.

A majority of the improvements that are planned in the 2018 bond measure do not add capacity to serve forecast growth, however, they are important capital facility improvements that must be constructed to provide the educational program described in this CFP. Only the portion of the planned improvements that add capacity to serve growth is included in the District's impact fee calculations. The capacity and cost for the planned and required improvements are shown in the table below:

Project Description	Added Capacity	Estimated Cost	Cost for Added Capacity to Serve Forecast Growth*
Elementary #22	550	$37,280,736	$12,561,015
Heritage HS Addition	350	$26,939,489	$17,249,843
Wy'east Middle School	200	$80,012,065	$0
Transportation	Equal to growth	$10,000,000	N/A
Land Acquisition	Equal to growth	$12,000,000	N/A
Remaining Bond Projects**	0	$664,817,710	$0
TOTAL	***1,100***	***$831,050,000***	***$29,810,858***

**Cost attributed to forecast growth is the proportionate share of the total cost to construct the improvement that is equal to forecast growth. Forecast growth at the elementary level is 234 and added capacity is 550. The percentage of cost for added elementary school capacity is .425% (234/550) and at the high school it is .82% (287/350). The estimated total costs includes all the costs to construct the improvement. Architect, engineer, professional services, furniture/fixtures/equipment, permit and owner contingency costs have been excluded from the cost allocated to serve forecast growth.*

*** The majority of these improvements are replacement facilities or capital renewal projects. A detailed list of the planned bond improvements with project specific costs is on file with the district.*

VI. CAPITAL FACILITIES FINANCE PLAN

A. Six Year Financing Plan

Facility Capacity Need	Total	Estimated Impact Fees	State Match	Bonds
Secured	$802,000,000	$12,000,000	$95,000,000	$695,000,000
Unsecured	$29,050,000	Source TBD		

The total cost estimate for all the planned bond projects, the transportation facility improvements and property acquisition is $831,050,000. Funding for planned improvements is typically secured from a number of sources including voter approved bonds, state match funds, and impact fees. The following information explains each of the funding sources in greater detail.

1. General Obligation Bonds

Bonds are typically used to fund construction of new schools and other capital improvement projects. A 60% voter approval is required to approve the issuance of bonds. Bonds are then retired through collection of property taxes. The District must pass a bond since it is the primary source of funding for the capital improvements listed in this plan.

2. State Match Funds

State match funds come from the Common School Construction Fund (“the Fund”). Bonds are sold on behalf of the Fund, and then retired from revenues accruing predominantly from the sale of timber from the common school lands. If these sources are insufficient, the Legislature can appropriate funds or the State Board of Education can change the standards. School districts may qualify for state match funds for specific capital projects based on a prioritization system.

3. Impact Fees

Impact fees are a means of supplementing traditional funding sources for construction of public facilities needed to accommodate new development. School impact fees are generally collected by the permitting agency at the time plats are approved or building permits are issued.

Anticipated property acquisition and new construction is based on the enrollment forecast, capacity, the District's educational standards and the community's support of finance tools to fund the improvements.

In the event that planned construction projects and property acquisition does not fully address space needs for student growth and a reduction in interim student housing (portables), the Board could consider various courses of action, including, but not limited to:

- Increase class sizes;
- House students in additional portables;
- Alternative scheduling options;
- Change the instructional model, or
- Modify the school calendar

VII. SCHOOL IMPACT FEES

The GMA authorizes jurisdictions to collect impact fees to supplement funding of additional public facilities needed to accommodate new development. Impact fees cannot be used for the operation, maintenance, repair, alteration, or replacement of existing capital facilities used to meet existing service demands.

A. School Impact Fees

The county's and city's impact fee programs require school districts to prepare and adopt CFPs meeting the specifications of the GMA and the county and city ordinances. Impact fees are calculated in accordance with the local jurisdiction's formula, which is based on projected school facility costs necessitated by new growth contained in the District's CFP. The formula allocates a portion of the cost for new facilities to the single family and multi-family house that create the demand (or need) based on a student factor, or the average number of students that live in new single family and multi-family homes. The formula also provides a credit for state match and Bond Proceeds (or property taxes).

B. Methodology and Variables Used to Calculate School Impact Fees

The District's impact fees have been calculated utilizing the formula in the Clark County and cities of Vancouver and Camas Impact Fee Ordinances. Application of the formula is shown in Appendix A which follows on the next page.

C. Proposed Impact Fee Schedule

In accordance with the school impact fee calculation in Appendix A, the District's school impact fees are:

$ 6,432 per single family home (2019-25)

$3,753 per multi-family unit (2019-25)

Evergreen School District
2019 Impact Fee Calculation

APPENDIX A

$$SIF = \left[CS(SF) - (SM) - \left(\frac{(1+i)^{10} - 1}{i(1+i)^{10}} \times AAV \times TLR \right) \right] \times A - FC$$

Single Family Residence:

Elementary	Middle School	High School	Formula
$12,561,015.34	$0.00	$17,249,843.08	Facility Cost
234	1000	287	Additional Capacity
$53,679.55	$0.00	$60,103.98	Cost per Student (CS)
0.200	0.102	0.122	Student Factor (SF)
$10,735.91	$0.00	$7,332.69	**CS x SF**
$225.97	$225.97	$225.97	Boeck Index
90.00	117.00	130.00	OSPI Sq Ft
67.75%	67.75%	67.75%	State Match Eligibility %
$2,755.70	$1,827.03	$2,428.08	State Match Credit (SM)
$7,980.21	**$0.00**	**$4,904.60**	**CS x SF - SM**
		$12,884.81	**Cost per Single Family Residence**
		0.00395	Average Interest Rate
		0.040209559	Tax Credit Numerator
		0.004108828	Tax Credit Denominator
		9.786138967	Tax Credit Multiplier (TCM)
		$314,058.53	Average Assessed Value (AAV)
		3073420.418	TCM x AAV
		0.00173	Tax Levy Rate (TLR)
		5317.017324	**TCM x AAV x TLR = (TC)**
		$7,567.79	**Cost per Single Family Residence - Tax Credit**
		$1,135.17	15% reduction (A)
		$6,432.62	**Calculated Single Family Fee Amount**
			Recommended Fee Amount

Multi-Family Residence:

Elementary	Middle School	High School	Formula
$12,561,015.34	$0.00	$17,249,843.08	Facility Cost
234	1000	287	Additional Capacity
$53,679.55	$0.00	$60,103.98	Cost per Student (CS)
0.105	0.046	0.064	Student Factor (SF)
$5,636.35	**$0.00**	**$3,846.65**	CS x SF
$225.97	$225.97	$225.97	Boeck Index
90.00	117.00	130.00	OSPI Sq Ft
67.75%	67.75%	67.75%	State Match Eligibility %
$1,446.74	$823.96	$1,273.75	State Match Credit (SM)
$4,189.61	**$0.00**	**$2,572.91**	**CS x SF - SM**
		$6,762.52	**Cost per Multi-Family Residence**
		0.00395	Average Interest Rate
		0.040209559	Tax Credit Numerator
		0.004108828	Tax Credit Denominator
		9.786138967	Tax Credit Multiplier (TCM)
		$138,615.44	Average Assessed Value (AAV)
		1356509.959	TCM x AAV
		0.00173	Tax Levy Rate (TLR)
		2346.762229	**TCM x AAV x TLR = (TC)**
		$4,415.75	**Cost per Multi-Family Residence - Tax Credit**
		$662.36	15% reduction (A)
		$3,753.39	**Calculated Multi- Family Fee Amount**
			Recommended Fee Amount

K-5 Total Headcount

Elementary Enrollment Scenarios

Year	Baseline Scenario							Alternative Scenario						
	K	1	2	3	4	5	Total	K	1	2	3	4	5	Total
2007	1,775	1,937	1,969	2,019	2,032	2,007	11,739	1,775	1,937	1,969	2,019	2,032	2,007	11,739
2008	1,789	1,924	1,926	1,988	2,039	2,071	11,737	1,789	1,924	1,926	1,988	2,039	2,071	11,737
2009	1,741	1,901	1,947	1,948	2,010	2,071	11,618	1,741	1,901	1,947	1,948	2,010	2,071	11,618
2010	1,859	1,862	1,861	1,966	1,944	2,016	11,508	1,859	1,862	1,861	1,966	1,944	2,016	11,508
2011	1,927	1,948	1,867	1,885	1,995	1,961	11,583	1,927	1,948	1,867	1,885	1,995	1,961	11,583
2012	1,949	1,930	1,914	1,863	1,891	1,998	11,545	1,949	1,930	1,914	1,863	1,891	1,998	11,545
2013	1,926	1,953	1,875	1,915	1,869	1,897	11,435	1,926	1,953	1,875	1,915	1,869	1,897	11,435
2014	1,821	1,983	1,942	1,915	1,918	1,882	11,461	1,821	1,983	1,942	1,915	1,918	1,882	11,461
2015	1,838	1,864	1,967	1,963	1,937	1,956	11,525	1,838	1,864	1,967	1,963	1,937	1,956	11,525
2016	1,844	1,879	1,886	1,988	2,030	1,983	11,610	1,844	1,879	1,886	1,988	2,030	1,983	11,610
2017	1,735	1,848	1,833	1,881	1,981	1,997	11,275	1,735	1,848	1,833	1,881	1,981	1,997	11,275
2018	1,746	1,752	1,838	1,838	1,868	1,985	11,027	1,746	1,752	1,838	1,838	1,868	1,985	11,027
2019	1,864	1,795	1,742	1,856	1,867	1,886	11,010	1,855	1,794	1,741	1,854	1,865	1,884	10,992
2020	1,855	1,890	1,772	1,743	1,867	1,869	10,996	1,896	1,922	1,809	1,779	1,905	1,907	11,218
2021	1,879	1,880	1,865	1,772	1,754	1,869	11,019	1,973	1,960	1,934	1,845	1,825	1,944	11,481
2022	1,874	1,904	1,854	1,865	1,785	1,755	11,037	2,021	2,036	1,969	1,969	1,890	1,859	11,744
2023	1,870	1,899	1,877	1,854	1,878	1,789	11,167	2,072	2,083	2,041	2,001	2,014	1,924	12,135
2024	1,869	1,895	1,873	1,878	1,866	1,880	11,261	2,128	2,132	2,085	2,071	2,042	2,045	12,505
2025	1,866	1,894	1,869	1,874	1,890	1,868	11,261	2,150	2,151	2,096	2,078	2,078	2,037	12,591
2026	1,886	1,892	1,868	1,871	1,886	1,891	11,294	2,197	2,168	2,111	2,086	2,082	2,070	12,715
2027	1,905	1,912	1,866	1,870	1,883	1,887	11,323	2,245	2,212	2,125	2,098	2,087	2,071	12,837
2028	1,923	1,932	1,887	1,868	1,882	1,884	11,375	2,291	2,256	2,164	2,109	2,095	2,073	12,988

6-8 Total Headcount

Middle School Enrollment Scenarios

Year	Baseline Scenario				Alternative Scenario			
	6	7	8	Total	6	7	8	Total
2007	2,022	2,063	1,951	6,036	2,022	2,063	1,951	6,036
2008	2,040	2,122	2,143	6,305	2,040	2,122	2,143	6,305
2009	2,073	2,086	2,153	6,312	2,073	2,086	2,153	6,312
2010	2,108	2,089	2,109	6,306	2,108	2,089	2,109	6,306
2011	2,051	2,175	2,154	6,380	2,051	2,175	2,154	6,380
2012	2,045	2,053	2,200	6,298	2,045	2,053	2,200	6,298
2013	2,026	2,084	2,113	6,223	2,026	2,084	2,113	6,223
2014	1,928	2,049	2,151	6,128	1,928	2,049	2,151	6,128
2015	1,881	1,928	1,977	5,786	1,881	1,928	1,977	5,786
2016	1,959	1,932	1,941	5,832	1,959	1,932	1,941	5,832
2017	1,964	1,947	1,965	5,876	1,964	1,947	1,965	5,876
2018	1,992	1,967	1,951	5,910	1,992	1,967	1,951	5,910
2019	1,973	1,997	2,008	5,979	2,006	2,010	1,980	5,996
2020	1,889	1,977	2,000	5,866	1,928	2,055	2,058	6,041
2021	1,872	1,892	1,981	5,745	1,951	1,972	2,102	6,026
2022	1,872	1,876	1,896	5,643	1,987	1,994	2,015	5,996
2023	1,759	1,875	1,879	5,513	1,899	2,027	2,036	5,962
2024	1,794	1,761	1,879	5,433	1,964	1,935	2,068	5,968
2025	1,885	1,796	1,765	5,447	2,052	1,968	1,940	5,961
2026	1,873	1,888	1,801	5,562	2,042	2,054	1,972	6,068
2027	1,896	1,876	1,893	5,665	2,072	2,041	2,055	6,168
2028	1,892	1,899	1,881	5,671	2,071	2,068	2,041	6,180

9-12 Total Headcount

High School Enrollment Scenarios

Year	Baseline Scenario					Alternative Scenario				
	9	10	11	12	Total	9	10	11	12	Total
2007	1,926	1,919	2,029	2,115	**7,989**	1,926	1,919	2,029	2,115	**7,989**
2008	2,052	2,003	2,154	2,208	**8,417**	2,052	2,003	2,154	2,208	**8,417**
2009	2,187	2,047	2,225	2,392	**8,851**	2,187	2,047	2,225	2,392	**8,851**
2010	2,229	2,193	2,252	2,373	**9,047**	2,229	2,193	2,252	2,373	**9,047**
2011	2,191	2,184	2,350	2,322	**9,047**	2,191	2,184	2,350	2,322	**9,047**
2012	2,159	2,102	2,334	2,563	**9,158**	2,159	2,102	2,334	2,563	**9,158**
2013	2,197	2,192	2,265	2,508	**9,162**	2,197	2,192	2,265	2,508	**9,162**
2014	2,123	2,235	2,406	2,517	**9,281**	2,123	2,235	2,406	2,517	**9,281**
2015	2,074	2,059	2,400	2,535	**9,068**	2,074	2,059	2,400	2,535	**9,068**
2016	2,007	2,124	2,385	2,467	**8,983**	2,007	2,124	2,385	2,467	**8,983**
2017	1,983	2,021	2,459	2,405	**8,868**	1,983	2,021	2,459	2,405	**8,868**
2018	1,970	2,016	2,276	2,402	**8,664**	1,970	2,016	2,276	2,402	**8,664**
2019	2,135	1,975	2,343	2,312	**8,764**	2,137	1,975	2,343	2,313	**8,769**
2020	2,173	2,102	2,283	2,346	**8,903**	2,198	2,156	2,342	2,407	**9,103**
2021	2,166	2,140	2,401	2,284	**8,991**	2,282	2,217	2,525	2,402	**9,426**
2022	2,148	2,135	2,439	2,410	**9,131**	2,331	2,300	2,599	2,595	**9,826**
2023	2,065	2,115	2,437	2,448	**9,065**	2,249	2,347	2,694	2,670	**9,961**
2024	2,049	2,034	2,421	2,447	**8,951**	2,276	2,265	2,754	2,768	**10,062**
2025	2,049	2,019	2,349	2,430	**8,847**	2,277	2,252	2,648	2,781	**9,958**
2026	1,938	2,018	2,336	2,358	**8,650**	2,151	2,249	2,643	2,675	**9,718**
2027	1,976	1,909	2,338	2,345	**8,568**	2,186	2,126	2,649	2,669	**9,630**
2028	2,068	1,946	2,239	2,347	**8,600**	2,272	2,159	2,542	2,676	**9,649**

ELEMENTARY SCHOOLS	ADDRESS	SITE (ACRES)	OCCUPANCY	Building SF per WAC	Attached Covered Play SF	Detached Covered Play SF	Portable SF	Modular SF	Other	*Total SF*
Burnt Bridge Creek	14619-A NE 49th Street Vancouver, WA 98682	11	1988	49,414	4,230	0	6,272	0	500	***60,416***
Burton	14015 NE 28th Street Vancouver WA 98682	13	1970	40,642	1,500	3,634	10,976	0	200	***56,952***
Columbia Valley	17500 SE Sequoia Circle Vancouver, WA 98683	12	2004	60,556	2,200	0	0	0	0	***62,756***
Crestline	13003 SE 7th Street Vancouver, WA 98683	11	2014	60,143	3,761	3,634	0	0	0	***67,538***
Early Childhood Center (Operated by SWCCC)	14405 NE 28th Street Vancouver, WA 98682	20	1989	0	0	0	4,704	0	0	***4,704***
Ellsworth	512 SE Ellsworth Road Vancouver, WA 98664	10	1958	38,014	0	3,634	8,904	0	0	***50,552***
Endeavour	2701 NE Four Seasons Lane Vancouver, WA 98682	11	2008	60,556	2,200	0	6,272	0	0	***69,028***
Evergreen Flex Academy	13501 NE 28th Street Vancouver, WA 98682	0.88	2003	0	0	0	0	13,295	0	***13,295***
Fircrest	12001 NE 9th Street Vancouver, WA 98684	11	1976	54,400	4,500	0	3,136	0	500	***62,536***
Fisher's Landing	3800 SE Hiddenbrook Drive Vancouver, WA 98683	12	1996	49,972	4,010	0	9,408	0	500	***63,890***
Harmony	17404-A NE 18th Street Vancouver, WA 98684	11	1991	49,519	4,020	0	12,544	0	500	***66,583***
Hearthwood	801 NE Hearthwood Boulevard Vancouver, WA 98684	11	1981	49,100	4,500	0	3,136	5,040	500	***62,276***
Illahee	19401 SE 1st Street Camas, WA 98607	11	2001	55,699	4,016	0	4,704	0	500	***64,919***
Image	4400 NE 122nd Avenue Vancouver, WA 98682	15	1976	54,400	4,500	0	6,272	0	500	***65,672***
Marrion	10119 NE 14th Street Vancouver, WA 98664	19	1968	40,158	0	3,634	10,752	0	500	***55,044***
Mill Plain	400 SE 164th Avenue Vancouver, WA 98684	9	1952	48,565	3,160	0	6,496	0	0	***58,221***
Orchards	11405 NE 69th Street Vancouver, WA 98662	13	2004	60,556	2,200	0	3,136	5,040	0	***70,932***
Pioneer	7212 NE 166th Avenue Vancouver, WA 98682	11	1993	49,519	4,020	0	9,408	0	0	***62,947***
Riverview	12601 SE Riveridge Drive Vancouver, WA 98683	11	1976	54,400	4,500	0	3,136	0	500	***62,536***
Sifton	7301 NE 137th Avenue Vancouver, WA 98682	10	1958	37,822	0	3,634	11,360	0	0	***52,816***
Silver Star	10500 NE 86th Street Vancouver, WA 98662	12	1973	41,463	1,728	3,634	11,508	0	0	***58,333***
Sunset	9001 NE 95th Street Vancouver, WA 98662	14	1976	54,400	4,500	0	4,704	0	500	***64,104***
York	9301 NE 152nd Avenue Vancouver, WA 98682	11	2003	56,108	2,200	0	0	0	0	***58,308***
TOTAL ELEMENTARY		**269.88**		**1,065,406**	**61,745**	**21,804**	**136,828**	**23,375**	**5,200**	***1,314,358***

MIDDLE SCHOOLS	ADDRESS	SITE (ACRES)	OCCUPANCY	Building SF per WAC	Attached Covered Play SF	Detached Covered Play SF	Portable SF	Modular SF	Other	*Total SF*
49th Street Academy	14619-B 49th Street Vancouver, WA 98682	2.71	1988	10,799	0	0	1,568	0	0	***12,367***
Cascade	13900 NE 18th Street, Vancouver, WA 98684	16.4	2004	110,315	0	6,570	3,136	8,064	1,000	***129,085***
Covington	11200 NE Rosewood Road, Vancouver, WA 98662	21.45	2006	112,361	0	0	7,840	8,064	1,000	***129,265***
Frontier	7600 NE 166th Avenue, Vancouver, WA 98682	28	1996	101,046	0	0	17,248	0	2,000	***120,294***
Evergreen Flex Academy / IQ Academy - see ASC	13501 NE 28th Street, Vancouver, WA 98682	w/Elem	2003	w/Elem	w/Elem	w/Elem	w/Elem	w/Elem	w/Elem	***0***
Pacific	2017 NE 172nd Avenue, Vancouver, WA 98684	17.18	1983	106,581	0	2,946	29,792	0	500	***139,819***
Shahala	601 SE 192nd Avenue, Vancouver WA 98683	20	2001	104,298	0	3,224	18,816	0	720	***127,058***
Wy'east	1112 SE 136th Avenue, Vancouver WA 98683	29.88	1979	118,207	3,840	0	17,248	0	1,000	***140,295***
TOTAL MIDDLE SCHOOLS		**136**		**663,607**	**3,840**	**12,740**	**95,648**	**16,128**	**6,220**	***798,183***

HIGH SCHOOLS	ADDRESS	SITE (ACRES)	OCCUPANCY	Building SF per WAC	Attached Covered Play SF	Detached Covered Play SF	Portable SF	Modular SF	Other	*Total SF*
49th Street Academy	14619-B 49th Street, Vancouver, WA 98682	w/MS	1988	w/MS	w/MS	w/MS	w/MS	w/MS	w/MS	***0***
Crestwood Business Park	11818 SE Mill Plain Blvd, Vancouver, WA 98684	Leased	Leased	2,642	0	0	0	0	0	***2,642***
Evergreen	14300 NE 18th Street, Vancouver, WA 98684	34.4	1969/2007	264,354	0	0	13,748	0	0	***278,102***
HeLa	9105 NE 9th Street, Vancouver, WA 98664	2.89	2013	69,008	0	0	0	0	0	***69,008***
Heritage	7825 NE 130th Avenue, Vancouver, WA 98682	45	1999	219,841	0	0	31,360	0	1,700	***252,901***
IQ Academy (See ASC)	13501 NE 28th Street, Vancouver, WA 98682	w/ASC	2003	w/Elem	w/Elem	w/Elem	w/Elem	w/Elem	w/Elem	***0***
Legacy	2205 NE 138th Avenue, Vancouver, WA 98683	w/EHS	1987	11,554	0	0	3,144	5,180	0	***19,878***
Mountain View	1500 SE Blairmont Drive, Vancouver, WA 98683	41.09	1981	238,075	0	0	9,044	0	3,250	***250,369***
Union	6201 NW Friberg/Strunk Street, Camas, WA 98607	54.75	2007	234,900	0	0	0	11,648	0	***246,548***
TOTAL HIGH SCHOOLS		**178**		**1,040,374**	**0**	**0**	**57,296**	**16,828**	**4,950**	***1,119,448***
Cascadia Technical Academy	12200 NE 28th Street, Vancouver, WA 98682	11.92	1983 to 2014	100,704	0	0	0	0	0	***100,704***
TOTAL CCVSC		**12**		**100,704**	**0**	**0**	**0**	**0**	**0**	***100,704***

Administrative Service Center	13501 NE 28th Street, Vancouver, WA 98682	16.12	1993	0	0	0	70,000	11,600	0	***81,600***
Maintenance	3004 NE 124th Avenue, Vancouver, WA 98682	3	1981	7,000	0	0	0	0	0	***7,000***
McKenzie Stadium	2205 NE 138th Avenue, Vancouver, WA 98682	6	1984	2,000	0	0	0	0	0	***2,000***
Transportation	13909 NE 28th Street, Vancouver, WA 98682	9	1960's	9,170	0	0	2,464	0	0	***11,634***
Warehouse (Central Receiving)	2205 NE 138th Avenue, Vancouver, WA 98684	1	1976	25,000	0	0	0	0	0	***25,000***
TOTAL SUPPORT FACILITIES		**35.12**		**43,170**	**0**	**0**	**72,464**	**11,600**	**0**	***127,234***

Future School Site	NE 52nd St / NE 131st Ave, Vancouver, WA 98682	20.99	N/A	0	0	0	0	0		***0***
Future School Site	NE 39th St / NE 162nd Ave, Vancouver, WA 98682	9.8	N/A	0	0	0	0	0		***0***
Future School Site	NE 9th St / NE 136nd Ave, Vancouver, WA 98682	12.67	N/A	0	0	0	0	0		***0***
Future School Site	NE 9th St / NE 136nd Ave, Vancouver, WA 98682	6.05	N/A	0	0	0	0	0		***0***
TOTAL SUPPORT FACILITIES		**49.51**		**0**	**0**	**0**	**0**	**0**		***0***

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December 11, 2020

VIA E-MAIL TO ALL RECIPIENTS
City of Vancouver, Permit Center
Kristin Lehto, Supervisor
Jason Nortz
Brent Boger
Chad Eiken
415 W. 6th Street
Vancouver, WA 98660

Re: **Payment Under Protest of School Impact Fees for Four Seasons Apartments Phase 2**

Dear Kristin, Jason, Brent and Chad:

As you know our office represents the Ginn Group ("Ginn") and we are writing this letter to protest the forthcoming overpayment of school impact fees ("SIFs") as authorized by Vancouver Municipal Code 20.915.070(C)(1) and (2) for the Four Seasons Apartments Phase 2 project.

On several occasions in the past several months the City has demanded that Ginn pay the 2019 SIF at the time any building permit is issued for any portion of the Four Seasons Project because it received site plan approval prior to the implementation of a City Council approved 2020 reduction in SIFs. Ginn continues to believe the SIF should be the 2020 rate consistent with state vesting law related to impact fees. Our client believes there is ambiguity in the code that favors their position.

This past Monday on December 7, 2020 the City Council held a hearing and approved a resolution for the Acero Parkside Project and Kestrel Apartments (Fifth Plain Creek Station) that recognized that the applicable SIF would be the 2020 amount. We are to understand that the Four Seasons Apartments Phase 2 will move forward to City Council on the consent agenda on January 4, 2021 for a similar resolution to these other projects. And while we do not think it is necessary to get a resolution nonetheless, we will demur to City in order for our client to pick up their building permits and to mitigate additional costs being absorbed by delays in construction.

Given the above, we request that the development approval authority direct all SIF amounts paid under protest related to the Project in excess of the 2020 SIF rates be refunded to the Developer immediately upon passage of the resolution on January 4th. We will ask that the excess amounts be held in a distinct account to effectuate the immediate refund on January 5th.

Lake Oswego, Oregon | Vancouver, Washington | Bend, Oregon

This letter serves to preserve our client's position.

We thank staff.

Very truly yours,

JORDAN RAMIS PC

Jamie D. Howsley

Cc: Greg Turner
Phil Wuest

Item #3.

Staff Report 003-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021
2/1/2021

SUBJECT Proposed Comprehensive Plan and Zoning map designation change - Gregory Landing

Key Points

- The proposal would change map designations from Commercial/CC to Urban High Density Residential/R-22 on an undeveloped 2.6-acre property at 7401 NE 18th Street.
- Council directed the proposal be returned to staff at an initial December 14, 2020, first reading, in order to develop more information on the implications for jobs-housing balance in the context of overall city land supplies and map change trends. On December 21, 2020, Council directed staff to return the proposal for first reading on January 4, 2021.

Strategic Plan Alignment

N/A

Present Situation

The applicant indicates that development of a 48-unit townhome development will be proposed if the map designation change is approved, consisting of 3-4 bedroom units. In 2019, prior to the rezone application, the applicant obtained preliminary approval for a 125-unit mixed use market rate apartment building.

The Planning Commission unanimously recommended approval at an October 27 public hearing, finding that the applicant's market study (see page 13 of hearing staff report) demonstrated there is sufficient existing commercial development and undeveloped commercial land in the surrounding area, and the proposed change would allow for likely future development of attached 3-4 bedroom townhomes which would expand rental opportunities for families in the area. One person testified at the Planning Commission hearing requesting more information about community benefits and how to ensure they are realized by future development that occurs following zone changes.

As noted previously, citywide there were 533 acres of vacant or underutilized commercially zoned land in 2018 according to the most recent Clark County modeling data available here, along with 1,192 acres of vacant or underutilized residential land. Local rezoning history was also considered by the Planning Commission in their review of this proposal, with data showing a recent trend towards proposed conversions of employment land to residential, but, with the exception of this year's Vancouver Innovation Center (VIC) proposal, in amounts that were small relative to available land supplies even when considered in the aggregate.

The following additional information has been gathered by staff:

- There are currently 1.26 jobs per dwelling unit in the City of Vancouver, with unincorporated Clark County and the small cities all registering less than one job per household. See Attachment A. Historically employment has tended to concentrate somewhat more closely near a metropolitan region's core than population. King County data also included in Attachment A indicates the strength of that region's economy, as well as the impacts of relatively newer suburban job growth. Most of the King County jurisdictions have higher jobs-to-housing ratios than Vancouver, with some of the suburban cities also well ahead of Seattle.

- Both jobs and housing are needed in healthy communities. Higher levels of jobs to housing are generally associated with better fiscal and economic health, and lesser transportation impacts with fewer long work commutes outside the jurisdiction. More jobs and fewer housing units can have negative impacts on housing accessibility and affordability. Neither Vancouver's Comprehensive Plan nor CREDC's Clark County Comprehensive Economic Development Plan proscribe a specific jobs-to-housing target ratio.

- Immediately available studies on jobs-to-housing balance focus on the transportation rather than economic and fiscal implications, and in that context some suggest ratios in the range of 1.3 to 1.5 jobs per housing unit generally represent balance, depending heavily on local circumstances. See here and here.

Fully estimating whether Vancouver has adequate land supplies and policies to meet future economic needs requires a more thorough analysis, which will be incorporated in the next full Comprehensive Plan update scheduled to begin in 2022 and be completed by 2025.

Complicating the issue is the need to assess future implications of the pandemic, the sharing economy, e-commerce and new transportation technology, among other trends evident since the current Comprehensive Plan was adopted in 2011.

City criteria for evaluating the proposed rezone call for comparison of likely development under the existing and proposed designations. If the current CC zoning is maintained, it is unknown whether the property would develop for commercial and residential mixed use as proposed by the applicant in 2019, or commercial only. If R-22 zoning is established, it is likely but not certain to develop as attached 3-4 bedroom townhomes. The relative citywide prevalence or scarcity of 3-bedroom rental units was also considered by the Council as part of the recent 112th Avenue rezone, with relevant information available here.

Advantage(s)

The rezone from CC to R-22 would allow for likely future development of attached 3- and 4-bedroom townhomes, which would expand rental opportunities for families in the general vicinity, in an area that already contains ample commercial uses and commercially zoned land.

Disadvantage(s)

The rezone would remove 2.6 acres of developable commercial land and lessen associated economic activity.

Budget Impact

No significant impacts anticipated.

Prior Council Review

November 16, 2020 workshop (see memorandum including links to the full Planning Commission record); December 14, 2020 initial first reading.

Action Requested

On Monday, January 4, 2021, approve ordinance on first reading, setting date of second reading and public hearing for Monday, February 1, 2021.

Bryan Snodgrass, Principal Planner, 360-487-7946

ATTACHMENTS:

- Attachment A - Current Jobs-to-Housing Counts
- Attachment B - Ordinance

ATTACHMENT A CURRENT JOBS-TO-HOUSING COUNTS

	2019		
Jurisdiction	Jobs	Housing	Ratio
Battle Ground	5,679	7,290	77.9%
Camas	8,577	8,678	98.8%
La Center	858	1,186	72.3%
Ridgefield	2,019	3,074	65.7%
Vancouver	99,110	78,646	126.0%
Washougal	3,675	6,364	57.7%
Yacolt	123	539	22.8%
Total incorporated	120,041	105,777	113.5%
Unincorporated	37,904	82,588	45.9%
Unknown/Woodland	927	53	NA
Total	158,872	188,418	84.3%

	2019		
Jurisdiction	Jobs	Housing	Ratio
Seattle	615,374	367,806	167.3%
Bellevue	154,178	62,372	247.2%
Redmond	100,187	28,619	350.1%
Kent	76,044	48,228	157.7%
Renton	66,893	42,855	156.1%
Kirkland	48,010	39,312	122.1%
Tukwila	45,879	8,445	543.3%
SeaTac	35,194	10,855	324.2%
Shoreline	17,215	24,127	71.4%
Burien	13,966	20,793	67.2%

	2019		
Jurisdiction	Jobs	Housing	Ratio
Clark County	158,872	188,418	84.3%
Clackamas County	168,167	170,716	98.5%
Multnomah County	516,926	359,802	143.7%
Washington County	301,657	234,162	128.8%
Yamhill County	36,722	39,901	92.0%

Sources:
Employment: Washington Employment Security Department/LMEA
Oregon Employment Department (excludes private household employers)
Clark data also excludes DSHS COPES employment (part of NAICS 624120)

Housing units: for Washington, OFM,
for Oregon, 2019 ACS 1-year
estimates

01/04/21
02/01/21

ORDINANCE NO. M_______

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Comprehensive Plan and zoning map designations for property at 7401 NE 18^{th} Street, tax lot 29378002; providing for severability; and establishing an effective date.

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

WHEREAS, the Vancouver Planning Commission reviewed the proposed changes at duly advertised work sessions on September 8, and October 13, 2020, and duly advertised public hearing on October 27, 2020, and at those hearings, in consideration of cumulative impacts of all the proposed Comprehensive Plan changes, voted to recommend approval of the Comprehensive Plan and zoning text amendments described herein for adoption to the City Council; and

WHEREAS, the City Council conducted a duly advertised public work session on November 16, a first reading of the proposed ordinance on December 14, and a public hearing on December 21 2020, following which the Council directed that the proposal be rescheduled for first reading on January 4, 2021.

WHEREAS, following a duly advertised first reading on January 21 and duly advertised public hearing on February, the City Council agrees with the Planning Commission recommendations for changes addressed herein; and

WHEREAS, the cumulative environmental impacts of the proposed 2020 Comprehensive Plan and zoning changes have been reviewed and determined to be nonsignificant pursuant to the

State Environmental Policy Act. Notices of Determinations of Non-significance (DNS) were issued on September 23, 2020 for the proposed Comprehensive Plan and zoning text changes, and no SEPA comments or appeals were received; and

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

NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF VANCOUVER:

Section 1. Findings and Conclusions. The Planning Commission findings and conclusions as set forth in the staff reports, testimony and deliberation for the October 27, 2020 public hearing, are hereby adopted as the City Council's findings of fact; and

Section 2. Comprehensive Plan Map Amendment. The Vancouver Comprehensive Plan Land Use Map, established as part of the Vancouver Comprehensive Plan 2011-2030, adopted through Ordinance M-3994, is amended to change the Comprehensive Plan Land Use Map designation on 7401 NE 18th St , Tax Lot # 29378002 from Commercial to Urban High Density.

Section 3. Zoning Code Map Amendments. The City of Vancouver Zoning Map established under VMC 20.130.020 is hereby amended on 7401 NE 18th Street, Tax Lot # 29378002 from CC to R-22.

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

Section 5. **Effective Date**. This ordinance shall go into effect 60 days after adoption.

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

Read First Time:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

Read Second Time:

PASSED BY THE FOLLOWING VOTE:

Ayes: Councilmembers

Nays: Councilmembers

Absent: Councilmembers

SIGNED this ________day of___________________, 2021

Anne McEnerny-Ogle, Mayor

Attest:

Natasha Ramras, City Clerk

Approved as to form:

Jonathon Young, City Attorney

SUMMARY

ORDINANCE NO. M_______

AN ORDINANCE relating to Comprehensive Plan and Zoning for the City of Vancouver and Vancouver Municipal Code (VMC) Title 20; amending Vancouver Comprehensive Plan and zoning map designations for property at 7401 NE 18th Street, tax lot 29378002; providing for severability; and establishing an effective date.

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

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:

$ 20,166,518.28 **this 4th day of January 2021.**

MAYOR

COUNCILMEMBER

12/28/2020

AUDITING OFFICER

COUNCILMEMBER

DATE	INCLUSIVE CHECK NUMBERS	CHECK TOTAL
December 15 - December 28	Accounts Payable Checks (see attached)	**$ 16,575,077.40**
December 15 - December 28	Hansen City Payments (see attached)	**$ 21,751.90**
December 15 - December 28	Visa Refunds (see attached)	**$ -**
December 15 - December 28	Payroll Checks (see attached)	**$ 3,569,688.98**
TOTAL		**$ 20,166,518.28**

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Manual Wire	No Reference	12/2/2020	95,919.45	Bank Of America N.A. - Remit-To: Account Analysis	
Supplier Payment	Manual Wire	No Reference	12/10/2020	666.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit	
Supplier Payment	Manual Wire	No Reference	12/15/2020	41,667.76	Gallagher Bassett Services Inc	
Supplier Payment	Manual Wire	No Reference	12/15/2020	752,424.82	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire	No Reference	12/16/2020	52,436.83	Symetra Life Insurance Company	
Supplier Payment	Manual Wire	No Reference	12/17/2020	7,025,564.31	Fidelity National Title Co of Washington	
Supplier Payment	Manual Wire	No Reference	12/17/2020	2,004.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit	
Supplier Payment	Manual Wire	No Reference	12/21/2020	135,385.80	Blue Cross Blue Shield of Oregon	
Supplier Payment	Manual Wire	No Reference	12/21/2020	58,962.96	Gallagher Bassett Services Inc	
Supplier Payment	Manual Wire	No Reference	12/21/2020	17,725.20	Washington Dental Service	
Supplier Payment	Manual Wire	No Reference	12/23/2020	26,042.56	Gallagher Bassett Services Inc	
Supplier Payment	Manual Wire	No Reference	12/23/2020	1,154,962.23	Internal Revenue Service	
Procurement Card Payment	Manual Wire	No Reference	12/24/2020	516,017.74	CoV Procurement Card	
Supplier Payment	Manual Wire	No Reference	12/24/2020	75.00	HRA VEBA Plan	
Supplier Payment	Manual Wire	No Reference	12/24/2020	16,246.55	ICMA 401A	
Supplier Payment	Manual Wire	No Reference	12/24/2020	180,053.96	ICMA Corp	
Supplier Payment	Manual Wire	No Reference	12/24/2020	26,947.71	ING	
Supplier Payment	Manual Wire	No Reference	12/24/2020	560.50	Oregon SDU	
Supplier Payment	Manual Wire	No Reference	12/24/2020	1,353.00	State of Washington Department of Licensing - Remit-To: DOL - Seattle Remit	
Supplier Payment	Manual Wire	No Reference	12/24/2020	57,049.16	State of Washington Department of Retirement System (PERS)	
Supplier Payment	Manual Wire	No Reference	12/24/2020	1,555.81	Vancouver Fire Command Officers	
Supplier Payment	Manual Wire	No Reference	12/24/2020	24,558.53	Vancouver Firefighters Union Health & Welfare Trust	
Supplier Payment	Manual Wire	No Reference	12/24/2020	4,630.26	Washington SDU	
Supplier Payment	Manual Wire	No Reference	12/24/2020	20,200.00	Washington State Firefighters	
Supplier Payment	Manual Wire	No Reference	12/24/2020	18,919.03	Western States Health & Welfare Trust	
Supplier Payment	Manual Wire	No Reference	12/28/2020	316.46	State of Arizona	
Supplier Payment	Manual Wire	No Reference	12/28/2020	23.60	State of California	
Supplier Payment	EFT	EFT-00082471	12/15/2020	5,793.70	Go Connect	
Expense Payment	Direct Deposit	EFT-00082472	12/17/2020	222.78	Lauren DiPalma	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082473	12/17/2020	350.00	Joseph Stewart	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082474	12/17/2020	225.00	Isidoro Flores	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082475	12/17/2020	74.58	Joseph Hudson	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082476	12/17/2020	120.14	Jordan Macfarlane	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082477	12/17/2020	292.64	Josh Honomichl	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082478	12/17/2020	363.93	Frank Dick	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082479	12/17/2020	77.25	William Ashford	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082480	12/17/2020	350.00	Stuart Morley	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082481	12/17/2020	216.67	Patricia Clerf	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082482	12/17/2020	130.00	Phillip Medina	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082483	12/17/2020	182.10	Denver Taylor	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00082484	12/17/2020	102.00	Derek Olivas	Employee Reimbursement
Supplier Payment	EFT	EFT-00082485	12/17/2020	922,042.41	Lee Contractors LLC	
Supplier Payment	EFT	EFT-00082486	12/17/2020	4,514.50	Boys and Girls Clubs of Southwest Washington	
Supplier Payment	EFT	EFT-00082487	12/17/2020	4,514.86	Fire Systems West	
Supplier Payment	EFT	EFT-00082488	12/17/2020	888.00	Rotschy Inc	

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

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	EFT	EFT-00082489	12/17/2020	5,870.48	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	EFT	EFT-00082490	12/17/2020	15,821.31	MacKay Sposito Inc	
Supplier Payment	EFT	EFT-00082491	12/17/2020	2,200.00	JCI Jones Chemicals Inc	
Supplier Payment	EFT	EFT-00082492	12/17/2020	1,483.24	State of Washington Consolidated Technology Services	
Supplier Payment	EFT	EFT-00082493	12/17/2020	174,929.77	Rotschy Inc	
Supplier Payment	EFT	EFT-00082494	12/17/2020	150,367.55	Operations Management International Inc	
Supplier Payment	EFT	EFT-00082495	12/17/2020	19,694.93	Evoqua Water Technologies LLC	
Expense Payment	Direct Deposit	EFT-00084283	12/24/2020	225.58	Eric Stinson	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084284	12/24/2020	350.00	Joseph Brannan	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084285	12/24/2020	203.30	Patrick Herzog	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084286	12/24/2020	42.84	Suzanne Hebert	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084287	12/24/2020	225.00	Lance Leedom	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084288	12/24/2020	182.10	Gavin Craig	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084289	12/24/2020	180.00	Sean Crawford	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084290	12/24/2020	119.00	Douglas Swartz	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084291	12/24/2020	350.00	JT Thomas	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084292	12/24/2020	114.00	Douglas Martel	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084293	12/24/2020	100.00	Kory Sorenson	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084294	12/24/2020	200.00	Michelle Cary	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084295	12/24/2020	250.00	Susan McNutt-Koning	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084296	12/24/2020	222.21	David Coffey	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084297	12/24/2020	16.09	Julie Cleveland	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084298	12/24/2020	96.00	Justin Brooke	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084299	12/24/2020	129.29	Wesley Kandoll	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084300	12/24/2020	79.50	Emery Oldham	Employee Reimbursement
Expense Payment	Direct Deposit	EFT-00084301	12/24/2020	120.00	William Robertson	Employee Reimbursement
Supplier Payment	EFT	EFT-00084302	12/24/2020	6,467.33	Go Connect	
Supplier Payment	EFT	EFT-00084303	12/24/2020	14,568.96	International Graphics & Nameplate Inc	
Supplier Payment	EFT	EFT-00084304	12/24/2020	1,413.81	Consolidated Supply Co	
Supplier Payment	EFT	EFT-00084305	12/24/2020	92,250.00	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	EFT	EFT-00084306	12/24/2020	6,110.50	Fire Systems West	
Supplier Payment	EFT	EFT-00084307	12/24/2020	3,897.25	Otak Inc	
Supplier Payment	EFT	EFT-00084308	12/24/2020	7,871.65	Universal Field Services Inc	
Supplier Payment	EFT	EFT-00084309	12/24/2020	45,039.21	Share Inc	
Supplier Payment	EFT	EFT-00084310	12/24/2020	6,103.81	Operations Management International Inc	
Supplier Payment	EFT	EFT-00084311	12/24/2020	9,023.01	MacKay Sposito Inc	
Supplier Payment	EFT	EFT-00084312	12/24/2020	180.29	Praxair Distribution Inc	
Supplier Payment	EFT	EFT-00084313	12/24/2020	660,934.94	Rotschy Inc	
Supplier Payment	EFT	EFT-00084314	12/24/2020	316,963.76	Lee Contractors LLC	
Supplier Payment	EFT	EFT-00084315	12/24/2020	68.12	Legal Shield	
Supplier Payment	EFT	EFT-00084316	12/24/2020	12,858.77	Allegiance Benefit Plan Management Inc	
Ad Hoc Payment	Check	18810	12/16/2020	200.43	Aaron Brown / Jennifer Brown	refund overpmt SCIP loan #6000064
Ad Hoc Payment	Check	18811	12/16/2020	31,104.00	Acero 136th, LLC	CMI-275027 (T)
Ad Hoc Payment	Check	18812	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280432 (E)
Ad Hoc Payment	Check	18813	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280936 (A)
Ad Hoc Payment	Check	18814	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280950 (U)
Ad Hoc Payment	Check	18815	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280951 (V)
Ad Hoc Payment	Check	18816	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280953 (C)
Ad Hoc Payment	Check	18817	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280954 (S)

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Ad Hoc Payment	Check	18818	12/16/2020	46,656.00	Acero 136th, LLC	CMI-280955 (R)
Ad Hoc Payment	Check	18819	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284193 (B)
Ad Hoc Payment	Check	18820	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284194 (D)
Ad Hoc Payment	Check	18821	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284195 (F)
Ad Hoc Payment	Check	18822	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284196 (G)
Ad Hoc Payment	Check	18823	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284197 (H)
Ad Hoc Payment	Check	18824	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284198 (I)
Ad Hoc Payment	Check	18825	12/16/2020	46,656.00	Acero 136th, LLC	CMI-284199 (K)
Ad Hoc Payment	Check	18826	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285219 (J)
Ad Hoc Payment	Check	18827	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285220 (Q)
Ad Hoc Payment	Check	18828	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285222 (M)
Ad Hoc Payment	Check	18829	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285223 (N)
Ad Hoc Payment	Check	18830	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285224 (O)
Ad Hoc Payment	Check	18831	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285225 (L)
Ad Hoc Payment	Check	18832	12/16/2020	46,656.00	Acero 136th, LLC	CMI-285473 (P) refund
Ad Hoc Payment	Check	18833	12/16/2020	19.43	Audrey J Williams	refund overpmt SCIP loan #6000242
Ad Hoc Payment	Check	18834	12/16/2020	1,392.00	Brennan Jones	Utility Refunds: 0084033700-04
Ad Hoc Payment	Check	18835	12/16/2020	25.00	Carl Flintoff	refund overpmt pkg cit #7202700900
Ad Hoc Payment	Check	18836	12/16/2020	199.26	Cathryn King	Utility Refunds: 0086017631-08 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18837	12/16/2020	177.00	CHAD MERCER	VOUCHER 2008000.030
Ad Hoc Payment	Check	18838	12/16/2020	106.19	Ciera N Lembke and Victor C Portal	Utility Refunds: 0070088757-02
Ad Hoc Payment	Check	18839	12/16/2020	20.00	Colf Landscape Construction	Utility Refunds: 0000009102-06
Ad Hoc Payment	Check	18840	12/16/2020	74.14	Conservice REO Utilities	Utility Refunds: 0009075500-12
Ad Hoc Payment	Check	18841	12/16/2020	65.20	CTM Electric Inc.	MPE-292035 refund
Ad Hoc Payment	Check	18842	12/16/2020	672.40	Dan and Chelean Hood	Utility Refunds: 0138002272-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18843	12/16/2020	152.00	DANEILLE FORD	VOUCHER 2007998.030
Ad Hoc Payment	Check	18844	12/16/2020	14.43	Danial G Meyers / Kathleen B Myers	refund overpmt SCIP loan #6000479
Ad Hoc Payment	Check	18845	12/16/2020	1,016.94	D R Horton Inc	RES-291409 refund
Ad Hoc Payment	Check	18846	12/16/2020	1,016.94	D R Horton Inc	RES-291398 refund
Ad Hoc Payment	Check	18847	12/16/2020	929.34	D R Horton Inc	RES-291386 refund
Ad Hoc Payment	Check	18848	12/16/2020	28.49	Edilberto Rosas	Utility Refunds: 0000002931-02
Ad Hoc Payment	Check	18849	12/16/2020	62.65	Egan Deeks	refund overpmt pkg cit #7202301182
Ad Hoc Payment	Check	18850	12/16/2020	126.69	Fernando Munoz-Escobedo and,Reny Rodriguez	Utility Refunds: 0000001103-06
Ad Hoc Payment	Check	18851	12/16/2020	100.00	Gary & Krista Reaves	refund overpmt SCIP loan #6000408
Ad Hoc Payment	Check	18852	12/16/2020	253.34	Gary P Wunderlich	Utility Refunds: 0073002825-02
Ad Hoc Payment	Check	18853	12/16/2020	13.00	Gregory Bailor	refund overpmt SCIP loan #6000072
Ad Hoc Payment	Check	18854	12/16/2020	134.28	Howard D Karstens	refund overpmt SCIP loan #6000337
Ad Hoc Payment	Check	18855	12/16/2020	80.66	James A McCarty / Pamela S McCarty	refund overpmt SCIP loan #6000447
Ad Hoc Payment	Check	18857	12/16/2020	84.30	Jason L Rubey	refund overpmt SCIP loan #6000389
Ad Hoc Payment	Check	18858	12/16/2020	40.00	John Cagle	refund pkg permit COVE00256
Ad Hoc Payment	Check	18859	12/16/2020	94.15	John F Martin / Katherine E Martin	refund overpmt 600 SCIP loan #6000279
Ad Hoc Payment	Check	18860	12/16/2020	184.00	Joshua Holbrook and Ronald Holbrook	Utility Refunds: 0158000760-03
Ad Hoc Payment	Check	18861	12/16/2020	178.86	Katherine Grendal	refund PCEM ORT
Ad Hoc Payment	Check	18862	12/16/2020	8.18	Kerry Crow	refund overpmt 907 CDBG loan #9070004
Ad Hoc Payment	Check	18863	12/16/2020	27.37	Kimberly Knebel	refund overpmt SCIP loan #6000291
Ad Hoc Payment	Check	18864	12/16/2020	300.02	Latitude 45	Utility Refunds: 0500002203-01
Ad Hoc Payment	Check	18865	12/16/2020	201.00	Louise Coury	Utility Refunds: 0004009300-13
Ad Hoc Payment	Check	18866	11/25/2020	157.00	Lupe Alvarez, Trustee	Utility Refunds: 0005029000-03
Ad Hoc Payment	Check	18867	12/16/2020	228.00	MARIA LESNIAK	VOUCHER 2008001.030
Ad Hoc Payment	Check	18868	12/16/2020	67.39	Matthew D Green and Leslie Prieto	Utility Refunds: 0005037300-06

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Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Ad Hoc Payment	Check	18869	12/16/2020	681.34	Michael Harrington	Utility Refunds: 0035063900-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18870	12/16/2020	172.19	Michael McCarthy / Maryl McCarthy	refund overpmt SCIP loan #6000051
Ad Hoc Payment	Check	18871	12/16/2020	29.71	Nicholas Bare / Diane Bare	refund overpmt SCIP loan #6000366
Ad Hoc Payment	Check	18872	12/16/2020	120.42	Nylund Homes Inc	Utility Refunds: 0002000111-02
Ad Hoc Payment	Check	18873	12/16/2020	538.42	Nylund Homes Inc	Utility Refunds: 0003007500-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18875	12/16/2020	1,020.00	PAC312 NW LLC	Utility Refunds: 0078000058-01
Ad Hoc Payment	Check	18876	12/16/2020	20.00	Premier Property Management	ref overpmt alarm
Ad Hoc Payment	Check	18877	12/16/2020	45.48	Rainey Ertell	Utility Refunds: 0074018124-07
Ad Hoc Payment	Check	18878	12/16/2020	120.50	Rhiannon Moore	Utility Refunds: 0000005049-03
Ad Hoc Payment	Check	18879	12/16/2020	45.00	Robert Anderson / Gaylene ANderson	refund overpmt 600 SCIP loan #6000132
Ad Hoc Payment	Check	18880	12/16/2020	61.21	Robert Harms Jr / Julie Harms	refund overpmt 600 SCIP loan #6000073
Ad Hoc Payment	Check	18881	12/16/2020	115.15	Roger McLeskey / Kristina McLeskey	refund overpmt SCIP loan #6000484
Ad Hoc Payment	Check	18882	12/16/2020	22.86	Signpost Homes Inc	Utility Refunds: 0009075500-12
Ad Hoc Payment	Check	18883	12/16/2020	110.17	Steven R Trinkle/ Dorothy Wager-Trinkle	refund overpmt 600 SCIP loan #6000365
Ad Hoc Payment	Check	18884	12/16/2020	105.00	Tami J Poyner	Utility Refunds: 0025028000-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18885	12/16/2020	391.93	Tammy Cleveland	ENG-79961 refund
Ad Hoc Payment	Check	18886	12/16/2020	4,435.44	Ten Talents Investments 21, LLC	Utility Refunds: 0014067828-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	18887	12/16/2020	942.00	Ten Talents Investments 21, LLC	Utility Refunds: 0014067828-03
Ad Hoc Payment	Check	18888	12/16/2020	51.97	The Management Group	Utility Refunds: 0158000760-03
Ad Hoc Payment	Check	18889	12/16/2020	2,377.41	Tim Pedersen	Utility Refunds: 0074034400-11
Ad Hoc Payment	Check	18890	12/16/2020	101.95	Vincent Eterno/ Lyn Eterno	refund overpmt 600 SCIP loan #6000153
Ad Hoc Payment	Check	18891	12/16/2020	226.68	Wilfred A Schmidt	refund overpmt SCIP loan #6000411
Ad Hoc Payment	Check	18892	12/16/2020	58.40	Wolf Industries Inc	MPE-292422 refund
Supplier Payment	Check	18893	12/16/2020	3,780.00	Action Onsite Inc	
Supplier Payment	Check	18894	12/16/2020	6,739.34	Action Technology Systems	
Supplier Payment	Check	18895	12/16/2020	40,813.81	Advantel Incorporated	
Supplier Payment	Check	18896	12/16/2020	97.06	Airgas, Inc	
Supplier Payment	Check	18897	12/16/2020	524.32	A-Line Asphalt Maintenance Inc	
Supplier Payment	Check	18898	12/16/2020	6,560.87	Allegiance Benefit Plan Management Inc	
Supplier Payment	Check	18899	12/16/2020	121.80	American Sani-Can	
Supplier Payment	Check	18900	12/16/2020	12,428.07	Anderson Glass Co	
Supplier Payment	Check	18901	12/16/2020	1,358.88	Anderson Poolworks	
Supplier Payment	Check	18902	12/16/2020	15,173.99	APGN Inc	
Supplier Payment	Check	18903	12/16/2020	181.83	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	18904	12/16/2020	16,368.40	Arborscape Ltd Inc	
Supplier Payment	Check	18905	12/16/2020	6,000.00	Arbutus Consulting LLC	
Supplier Payment	Check	18906	12/16/2020	3,181.35	Bacon Collision	
Supplier Payment	Check	18907	12/16/2020	5,032.99	Bound Tree Medical LLC	
Supplier Payment	Check	18908	12/16/2020	23,035.54	Brightview Holdings Inc	
Supplier Payment	Check	18909	12/16/2020	250.00	BSK Associates - Remit-To: Supplier BSK Associates	
Supplier Payment	Check	18910	12/16/2020	8,350.00	Bullard Law P. L.	
Supplier Payment	Check	18911	12/16/2020	400.12	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	18912	12/16/2020	655.00	City of Vancouver - Remit-To: COV Main	
Supplier Payment	Check	18913	12/16/2020	110.92	Clark County Title Company	
Supplier Payment	Check	18914	12/16/2020	3,334.00	Clark County Volunteer Lawyers Program	
Supplier Payment	Check	18915	12/16/2020	688.80	Clark Public Utility District No. 1	

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Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Check	18916	12/16/2020	929.09	Clark Public Utility District No. 1	
Supplier Payment	Check	18917	12/16/2020	1,118.59	Clark Public Utility District No. 1	
Supplier Payment	Check	18918	12/16/2020	335.02	Clark Public Utility District No. 1	
Supplier Payment	Check	18919	12/16/2020	570.26	Clark Public Utility District No. 1	
Supplier Payment	Check	18920	12/16/2020	442.77	Clark Public Utility District No. 1	
Supplier Payment	Check	18921	12/16/2020	962.03	Clark Public Utility District No. 1	
Supplier Payment	Check	18922	12/16/2020	747.50	Clark Public Utility District No. 1	
Supplier Payment	Check	18923	12/16/2020	27,278.86	Columbia Ford Inc	
Supplier Payment	Check	18924	12/16/2020	1,249.87	Columbia West Engineering	
Supplier Payment	Check	18925	12/16/2020	114.90	Comcast Holdings Corporation	
Supplier Payment	Check	18926	12/16/2020	114.90	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18927	12/16/2020	151.10	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18928	12/16/2020	241.10	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18929	12/16/2020	188.27	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18930	12/16/2020	109.90	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18931	12/16/2020	109.90	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18932	12/16/2020	24.91	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18933	12/16/2020	13.74	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	18934	12/16/2020	273.32	Corporate Translation Services Inc	
Supplier Payment	Check	18935	12/16/2020	25,510.46	Deere & Company	
Supplier Payment	Check	18936	12/16/2020	391.33	Distinctive Landscape LLC	
Supplier Payment	Check	18937	12/16/2020	3,472.10	Eagle Newspaper Inc	
Supplier Payment	Check	18938	12/16/2020	10,000.00	EEG Enterprises	
Supplier Payment	Check	18939	12/16/2020	467.25	Eric Atwell	
Supplier Payment	Check	18940	12/16/2020	850.00	Examworks Inc	
Supplier Payment	Check	18941	12/16/2020	2,500.00	Exigy LLC	
Supplier Payment	Check	18942	12/16/2020	56.38	Experian Marketing Solutions - Remit-To: Experian - Los Angeles	
Supplier Payment	Check	18943	12/16/2020	3,070.21	Ferguson Enterprises - Remit-To: Ferguson - Dallas	
Supplier Payment	Check	18944	12/16/2020	1,591.58	Genuine Parts Company - Remit-To: NAPA - Los Angeles	
Supplier Payment	Check	18945	12/16/2020	2,576.87	Gordon Tilden Thomas & Cordell LLP	
Supplier Payment	Check	18946	12/16/2020	1,307.20	Harper Houf Peterson Righellis Inc	
Supplier Payment	Check	18947	12/16/2020	6,164.29	H D Fowler Company Inc	
Supplier Payment	Check	18948	12/16/2020	22,194.43	HDR Engineering Inc	
Supplier Payment	Check	18949	12/16/2020	15,359.29	Herrera Environmental Consultants Inc	
Supplier Payment	Check	18950	12/16/2020	902.00	Investigative Solutions LLC	
Supplier Payment	Check	18951	12/16/2020	268.06	Iron Mountain Inc - Remit-To: Iron Mountain - New York	
Supplier Payment	Check	18952	12/16/2020	190,712.30	Jacobs Engineering Group Inc	
Supplier Payment	Check	18953	12/16/2020	7,797.50	Kearns & West Inc	
Supplier Payment	Check	18954	12/16/2020	8,021.50	Keating Bucklin & McCormack Inc PS	
Supplier Payment	Check	18955	12/16/2020	1,970.50	Keller Associates Inc	
Supplier Payment	Check	18956	12/16/2020	3,605.58	Key Code Media, Inc	
Supplier Payment	Check	18957	12/16/2020	1,550.65	Kittelson & Associates Inc	

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Supplier Payment	Check	18958	12/16/2020	1,084.00	Kurita America Inc - Remit-To: US Water - Minneapolis	
Supplier Payment	Check	18959	12/16/2020	19,705.75	L.N. Curtis & Sons - Remit-To: Supplier L.N. Curtis & Sons	
Supplier Payment	Check	18960	12/16/2020	93,795.92	Landscape Structures Inc - Remit-To: Landscape Structures Inc	
Supplier Payment	Check	18961	12/16/2020	1,730.18	Loomis Armored US LLC - Remit-To: Loomis - Palatine	
Supplier Payment	Check	18962	12/16/2020	149,806.63	LP-USA LLC	
Supplier Payment	Check	18963	12/16/2020	10,824.90	LSW Architects PC	
Supplier Payment	Check	18964	12/16/2020	1,802.96	Mackenzie Engineering Inc	
Supplier Payment	Check	18965	12/16/2020	1,150.00	Man's Best Friend Inc	
Supplier Payment	Check	18966	12/16/2020	16,297.71	McFarlanes Bark Inc	
Supplier Payment	Check	18967	12/16/2020	10,943.84	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago	
Supplier Payment	Check	18968	12/16/2020	5,285.00	Murray Smith Inc	
Supplier Payment	Check	18969	12/16/2020	4,063.93	National CineMedia LLC	
Supplier Payment	Check	18970	12/16/2020	3,269.45	Net Transcripts Inc	
Supplier Payment	Check	18971	12/16/2020	457.37	Orion Medical Supply	
Supplier Payment	Check	18972	12/16/2020	297.50	Pacifica Law Group LLP	
Supplier Payment	Check	18973	12/16/2020	2,049.88	Passport Labs Inc. - Remit-To: Passport Labs Inc	
Supplier Payment	Check	18974	12/16/2020	1,085.00	Paul Lewis	
Supplier Payment	Check	18975	12/16/2020	490.98	Physio-Control Inc - Remit-To: Stryker Medical	
Supplier Payment	Check	18976	12/16/2020	589.29	Portland Adventist Medical Center	
Supplier Payment	Check	18977	12/16/2020	170.00	Public Safety Testing Inc	
Supplier Payment	Check	18978	12/16/2020	178.86	Rentokil North America Inc	
Supplier Payment	Check	18979	12/16/2020	227.64	Rigert Landscaping Co	
Supplier Payment	Check	18980	12/16/2020	17,204.25	Software House International SHI - Remit-To: SHI - Dallas	
Supplier Payment	Check	18981	12/16/2020	27,095.00	Southwest Washington Humane Society	
Supplier Payment	Check	18982	12/16/2020	1,500.00	Spartan Environmental Services LLC - Remit-To: Spartan Environmental Services LLC	
Supplier Payment	Check	18983	12/16/2020	3,195.60	Stantec Consulting Services Inc - Remit-To: Stantec - Chicago	
Supplier Payment	Check	18984	12/16/2020	6.94	State of Oregon Department of Transportation - Remit-To: OR DMV - Salem	
Supplier Payment	Check	18985	12/16/2020	3,715.25	State of Washington State Patrol	
Supplier Payment	Check	18986	12/16/2020	20.72	Stericycle Inc	
Supplier Payment	Check	18987	12/16/2020	790.00	Suzanne Best	
Supplier Payment	Check	18988	12/16/2020	3,401.12	The Salvation Army	
Supplier Payment	Check	18989	12/16/2020	739.28	Towing & Recovering Services Inc	
Supplier Payment	Check	18990	12/16/2020	189.70	Triple J Enterprises	
Supplier Payment	Check	18991	12/16/2020	196.34	Walter E Nelson Company	
Supplier Payment	Check	18992	12/16/2020	1,327.59	Waste Management - Remit-To: Waste Management Los Angeles	
Supplier Payment	Check	18993	12/16/2020	5,853.60	Westmore Construction	
Supplier Payment	Check	18994	12/16/2020	2,128.30	Wilson Oil Inc	
Supplier Payment	Check	18995	12/16/2020	4,406.64	Wire Works LLC	
Supplier Payment	Check	18996	12/16/2020	2,282.68	Zayo Group Holding Inc - Remit-To: Zayo Group Holding Inc	
Supplier Payment	Check	18997	12/16/2020	388,011.96	Clark Public Utility District No. 1	
Supplier Payment	Check	18998	12/16/2020	540.41	Northwest Natural Gas Company - Remit-To: NW Natural - Portland	

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Supplier Payment	Check	18999	12/16/2020	4,763.80	Northwest Staffing Resources Inc - Remit-To: NW Staffing - Portland	
Supplier Payment	Check	19000	12/16/2020	62.18	Qwest Corp - Remit-To: Qwest Corp- Seattle	
Supplier Payment	Check	19001	12/16/2020	18,266.66	State of Washington Department of Employment Security - Remit-To: State of Washington Department of Employment Security / Seattle	
Supplier Payment	Check	19002	12/16/2020	389.00	State of Washington Department of Transportation	
Supplier Payment	Check	19003	12/16/2020	14.45	United Parcel Service	
Supplier Payment	Check	19004	12/16/2020	1,096.68	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	19005	12/16/2020	83,184.95	Willis Towers Watson Insurance Services West inc	
Supplier Payment	Check	19006	12/24/2020	8,645.75	Aflac	
Supplier Payment	Check	19007	12/24/2020	5,119.33	AFSCME Local #307	
Supplier Payment	Check	19008	12/24/2020	1,150.00	Chapter 13 - Trustee	
Supplier Payment	Check	19009	12/24/2020	22,661.67	IAFF Local #452	
Supplier Payment	Check	19010	12/24/2020	682.50	IAM Local #1374	
Supplier Payment	Check	19011	12/24/2020	8,435.27	Life Insurance Company of North America	
Supplier Payment	Check	19012	12/24/2020	575.00	MFS Service Center Inc	
Supplier Payment	Check	19013	12/24/2020	4,168.06	OPEIU Local #11	
Supplier Payment	Check	19014	12/24/2020	25.00	OPEIU Local #11	
Supplier Payment	Check	19015	12/24/2020	576.00	Teamsters Local #58	
Supplier Payment	Check	19016	12/24/2020	297.50	UA Local #290	
Supplier Payment	Check	19017	12/24/2020	890.97	United Way of the Columbia Willamette	
Supplier Payment	Check	19018	12/24/2020	899.64	Vancouver Command Guild	
Supplier Payment	Check	19019	12/24/2020	10,399.13	Vancouver Police Officer Guild	
Supplier Payment	Check	19020	12/24/2020	2,485.20	Western Conference of Teamsters	
Supplier Payment	Check	19021	12/24/2020	1,237.60	Western Metal Industry Pension Plan	
Ad Hoc Payment	Check	19022	12/23/2020	7.12	Adam S and Lori A Atkinson	Utility Refunds: 0000006544-02
Ad Hoc Payment	Check	19023	12/23/2020	737.74	Anthony Gomez	FRI-292641 refund
Ad Hoc Payment	Check	19024	12/23/2020	20.00	Atlantic & Pacific Freightways Inc	ref overpmt alarm Inv #99422720
Ad Hoc Payment	Check	19025	12/23/2020	100.33	Barbara and James Skotvold	Utility Refunds: 0500002126-02
Ad Hoc Payment	Check	19026	12/23/2020	73.94	Bernie and Thomasina Portotesano	Utility Refunds: 0149001244-00
Ad Hoc Payment	Check	19027	12/23/2020	25.00	BMW Portland	refund pkg cit #7202303178
Ad Hoc Payment	Check	19028	12/23/2020	13,482.28	Bora Architecture and Interiors	CMI-292619
Ad Hoc Payment	Check	19029	12/23/2020	38.98	Bradley J and Christine Y Hart	Utility Refunds: 0139248800-02
Ad Hoc Payment	Check	19030	12/23/2020	197.74	Brian Fulbright	Utility Refunds: 0118015182-01 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	19031	12/23/2020	630.00	BROOKE HAUSMANN	VOUCHER 2008164.058
Ad Hoc Payment	Check	19032	12/23/2020	45.16	Constance Manning	refund pkg permit COV01830
Ad Hoc Payment	Check	19033	12/23/2020	512.45	C Thompson Construction LLC	RES-275940
Ad Hoc Payment	Check	19034	12/23/2020	197.81	Daniel J Lee	Utility Refunds: 0138002518-03 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	19035	12/23/2020	286.86	Darter Construction	RES-276109
Ad Hoc Payment	Check	19036	12/23/2020	1,000.00	David Chiles	Utility Refunds: 0045028200-05
Ad Hoc Payment	Check	19037	12/23/2020	100.96	Deborah Blunt	Utility Refunds: 0109005264-02 Consolidated refund created from multiple refunds
Ad Hoc Payment	Check	19038	12/23/2020	219.98	Deborah J and James F Spriggs	Utility Refunds: 0000003788-02
Ad Hoc Payment	Check	19039	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-276301
Ad Hoc Payment	Check	19040	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-276300
Ad Hoc Payment	Check	19041	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-276298
Ad Hoc Payment	Check	19042	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-276297

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Ad Hoc Payment	Check	19043	12/23/2020	217.33	DR HORTON INC - PORTLAND	RES-276295
Ad Hoc Payment	Check	19044	12/23/2020	217.33	DR HORTON INC - PORTLAND	RES-276292
Ad Hoc Payment	Check	19045	12/23/2020	217.33	DR HORTON INC - PORTLAND	RES-276290
Ad Hoc Payment	Check	19046	12/23/2020	217.33	DR HORTON INC - PORTLAND	RES-276289
Ad Hoc Payment	Check	19047	12/23/2020	258.19	DR HORTON INC - PORTLAND	RES-275626
Ad Hoc Payment	Check	19048	12/23/2020	227.77	DR HORTON INC - PORTLAND	RES-275583
Ad Hoc Payment	Check	19049	12/23/2020	227.77	DR HORTON INC - PORTLAND	RES-275582
Ad Hoc Payment	Check	19050	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-275579
Ad Hoc Payment	Check	19051	12/23/2020	241.67	DR HORTON INC - PORTLAND	RES-275578
Ad Hoc Payment	Check	19052	12/23/2020	87.06	Eqwest LLC	Utility Refunds: 0030010600-15
Ad Hoc Payment	Check	19053	12/23/2020	58.40	Eric Olson Electric Inc	MPE-286114
Ad Hoc Payment	Check	19054	12/23/2020	37.38	Geo Plumbing LLC	FRI-291464 refund
Ad Hoc Payment	Check	19055	12/23/2020	16,515.50	Ginn Group LLC	CMI-279133 refund
Ad Hoc Payment	Check	19056	12/23/2020	116.49	Ginn Group LLC	RES-276824
Ad Hoc Payment	Check	19057	12/23/2020	116.49	Ginn Group LLC	RES-276823
Ad Hoc Payment	Check	19058	12/23/2020	232.98	Ginn Group LLC	RES-276688
Ad Hoc Payment	Check	19059	12/23/2020	103.00	Heidi L Segundo	Utility Refunds: 0112000446-02
Ad Hoc Payment	Check	19060	12/23/2020	58.40	Henco Plumbing Services	MPE-291306
Ad Hoc Payment	Check	19061	12/23/2020	2,628.72	Heritage Community Association	20201015
Ad Hoc Payment	Check	19062	12/23/2020	91.86	Hollie F Sessions	Utility Refunds: 0500001276-01
Ad Hoc Payment	Check	19063	12/23/2020	45.16	Jacqueline Deibert	refund pkg permit COV01707
Ad Hoc Payment	Check	19064	12/23/2020	164.35	Jo A and Gary A Struck	Utility Refunds: 0034034500-01
Ad Hoc Payment	Check	19065	12/23/2020	329.26	Jolanta S Olson	Utility Refunds: 0000004229-02
Ad Hoc Payment	Check	19066	12/23/2020	42.00	Julie Fleming	Lot 18 Parking fees refund
Ad Hoc Payment	Check	19067	12/23/2020	200.00	Kayla Victor	20201113
Ad Hoc Payment	Check	19068	12/23/2020	354.66	Lennar Homes	RES-276669
Ad Hoc Payment	Check	19069	12/23/2020	341.62	Lennar Homes	RES-276328
Ad Hoc Payment	Check	19070	12/23/2020	341.62	Lennar Northwest INC	RES-276328
Ad Hoc Payment	Check	19071	12/23/2020	392.00	LYNN STEWART	VOUCHER 2008163.058
Ad Hoc Payment	Check	19072	12/23/2020	3.85	Marliese Franklin	On-street parking payment refund
Ad Hoc Payment	Check	19073	12/23/2020	120.00	Northwest Neighborhood Association	201221 RecycleU
Ad Hoc Payment	Check	19074	12/23/2020	120.00	Oakbrook Neighborhood Association	201221 RecycleU
Ad Hoc Payment	Check	19075	12/23/2020	347.70	Pacific Lifestyle Homes	RES-276003
Ad Hoc Payment	Check	19076	12/23/2020	9,462.52	Pacific Star Excavating Inc	Claim Payment - DOL: 10/14/20 - Risk
Ad Hoc Payment	Check	19077	12/23/2020	40.00	PCS	Wayne Johnston (cust #50947; inv #99321146 / 99327466)
Ad Hoc Payment	Check	19078	12/23/2020	40.00	PCS	Brian/Leanne McClary (cust #19175; inv #99400751 and 99405549)
Ad Hoc Payment	Check	19079	12/23/2020	383.00	PDX Property Innovations LLC	MPE-291597 refun
Ad Hoc Payment	Check	19080	12/23/2020	12.36	Philip G and Vanessa A Lopez	Utility Refunds: 0077056000-05
Ad Hoc Payment	Check	19081	12/23/2020	170.69	PM Recovery	Utility Refunds: 0500001276-01
Ad Hoc Payment	Check	19082	12/23/2020	299.96	Point Monitor	FRI-289064
Ad Hoc Payment	Check	19083	12/23/2020	509.94	Point Monitor	FRI-283740
Ad Hoc Payment	Check	19084	12/23/2020	58.40	Prairie Electric	MPE-287336
Ad Hoc Payment	Check	19085	12/23/2020	2,305.47	Rhonda Beckman	Utility Refunds: 0014026100-05
Ad Hoc Payment	Check	19086	12/23/2020	375.00	ROSA RUA	VOUCHER 2008162.058
Ad Hoc Payment	Check	19087	12/23/2020	215.83	Russell D Garrett	Bankruptcy estate: J. Wallace 20-41447
Ad Hoc Payment	Check	19088	12/23/2020	1,476.25	Ryan Burley	20200908
Ad Hoc Payment	Check	19089	12/23/2020	165.56	Scott R and Jennifer L Ayling	Utility Refunds: 0089006600-08
Ad Hoc Payment	Check	19090	12/23/2020	1,695.00	Tapani Plumbing	Meter hood Refund
Ad Hoc Payment	Check	19091	12/23/2020	55.65	Terri Mayeda	refund pkg permit COV05530
Ad Hoc Payment	Check	19092	12/23/2020	48.00	Touchmark	RES-291124 refund
Ad Hoc Payment	Check	19093	12/23/2020	55.65	Vicki Sigler	refund pkg permit COV05542

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Expense Payment	Check	19094	12/23/2020	250.00	Isaac Ennis	Employee Reimbursement
Customer Refund	Check	19095	12/23/2020	600.00	ELEMENTS RESTAURANT	Duplicate payment. Received checks # 2929 & 2930 for the same invoices totaling $600.00.
Supplier Payment	Check	19096	12/23/2020	921.94	Action Technology Systems	
Supplier Payment	Check	19097	12/23/2020	6,300.70	Advanced Systems Technology Sprayer Depot LLC	
Supplier Payment	Check	19098	12/23/2020	40.32	Airgas, Inc	
Supplier Payment	Check	19099	12/23/2020	2,381.25	AKS Engineering & Forestry LLC	
Supplier Payment	Check	19100	12/23/2020	2,600.00	Alan D. Arant	
Supplier Payment	Check	19101	12/23/2020	2,710.00	Allcon LLC	
Supplier Payment	Check	19102	12/23/2020	27,493.95	Allegiance Benefit Plan Management Inc	
Supplier Payment	Check	19103	12/23/2020	8,535.00	Allegis Group Holdings Inc - Remit-To: TekSystems Inc - Atlanta	
Supplier Payment	Check	19104	12/23/2020	755.00	Alta Planning & Design	
Supplier Payment	Check	19105	12/23/2020	3,756.63	Annas Consultants Inc	
Supplier Payment	Check	19106	12/23/2020	121,391.96	APGN Inc	
Supplier Payment	Check	19107	12/23/2020	81.69	Aramark Uniform & Career Apparel LLC - Remit-To: Aramark - Pasadena	
Supplier Payment	Check	19108	12/23/2020	9,617.25	Arborscape Ltd Inc	
Supplier Payment	Check	19109	12/23/2020	3,556.75	Aspect Consulting LLC	
Supplier Payment	Check	19110	12/23/2020	3,154.33	Bacon Collision	
Supplier Payment	Check	19111	12/23/2020	1,745.42	Bound Tree Medical LLC	
Supplier Payment	Check	19112	12/23/2020	124,755.75	Brown and Caldwell - Remit-To: Brown & Caldwell - San Francisco	
Supplier Payment	Check	19113	12/23/2020	24,167.65	CECO Inc	
Supplier Payment	Check	19114	12/23/2020	804.84	Cellco Partnership - Remit-To: Cellco - Dallas	
Supplier Payment	Check	19115	12/23/2020	1,465.57	Chicago Title Company of WA	
Supplier Payment	Check	19116	12/23/2020	3,464.89	Cintas	
Supplier Payment	Check	19117	12/23/2020	1,311.00	City of Vancouver - Remit-To: COV Main	
Supplier Payment	Check	19118	12/23/2020	15,934.80	Clark County Gun Club	
Supplier Payment	Check	19119	12/23/2020	9,391.34	Clark County Lawn and Tractor LLC	
Supplier Payment	Check	19120	12/23/2020	11,313.60	Clark County - Remit-To: Clark County - Treasurer Vancouver	
Supplier Payment	Check	19121	12/23/2020	10.60	Clark Public Utility District No. 1	
Supplier Payment	Check	19122	12/23/2020	611.93	Clark Public Utility District No. 1	
Supplier Payment	Check	19123	12/23/2020	486.84	Clark Public Utility District No. 1	
Supplier Payment	Check	19124	12/23/2020	43.97	Clark Public Utility District No. 1	
Supplier Payment	Check	19125	12/23/2020	18,699.00	Cobblestone Homes LLC	
Supplier Payment	Check	19126	12/23/2020	47,900.88	Columbia Ford Inc	
Supplier Payment	Check	19127	12/23/2020	17,191.48	Columbia Resource Company	
Supplier Payment	Check	19128	12/23/2020	4,101.38	Columbia West Engineering	
Supplier Payment	Check	19129	12/23/2020	108.27	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	19130	12/23/2020	101.10	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	19131	12/23/2020	13.74	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	19132	12/23/2020	109.90	Comcast Holdings Corporation - Remit-To: Comcast Business - City of Industry	
Supplier Payment	Check	19133	12/23/2020	173.39	Copiers Northwest	
Supplier Payment	Check	19134	12/23/2020	7,586.21	Council for the Homeless	
Supplier Payment	Check	19135	12/23/2020	31,250.00	CPS HR Consulting	
Supplier Payment	Check	19136	12/23/2020	144,900.00	Del Sol Inc	

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Check	19137	12/23/2020	1,446.06	Distinctive Landscape LLC	
Supplier Payment	Check	19138	12/23/2020	2,801.00	Eagle Newspaper Inc	
Supplier Payment	Check	19139	12/23/2020	21,560.08	Ferguson Enterprises - Remit-To: Ferguson - Dallas	
Supplier Payment	Check	19140	12/23/2020	15,853.50	Friends of Trees	
Supplier Payment	Check	19141	12/23/2020	28.00	Gallagher Bassett Services Inc	
Supplier Payment	Check	19142	12/23/2020	1,864.65	Genuine Parts Company - Remit-To: NAPA - Los Angeles	
Supplier Payment	Check	19143	12/23/2020	34.00	Gilbarco Veeder-Root	
Supplier Payment	Check	19144	12/23/2020	5,259.78	Global Transportation Engineering Corporation	
Supplier Payment	Check	19145	12/23/2020	2,505.73	Gordon Truck Centers	
Supplier Payment	Check	19146	12/23/2020	8,053.04	Gray & Osborne Inc	
Supplier Payment	Check	19147	12/23/2020	5,590.00	Greater Vancouver Chamber of Commerce	
Supplier Payment	Check	19148	12/23/2020	20,097.36	GRIDSMART Technologies Inc	
Supplier Payment	Check	19149	12/23/2020	12,312.00	H&H Wood Recyclers	
Supplier Payment	Check	19150	12/23/2020	8,799.65	Harper Houf Peterson Righellis Inc	
Supplier Payment	Check	19151	12/23/2020	747.45	H D Fowler Company Inc	
Supplier Payment	Check	19152	12/23/2020	500.00	James Dooney	
Supplier Payment	Check	19153	12/23/2020	1,550.00	James L. Brumitt	
Supplier Payment	Check	19154	12/23/2020	12,591.30	Janus Youth Programs Inc	
Supplier Payment	Check	19155	12/23/2020	24,500.00	Keith Byron Berry	
Supplier Payment	Check	19156	12/23/2020	16,278.75	Kennedy Jenks Consultants - Remit-To: Kennedy Jenks Consulting	
Supplier Payment	Check	19157	12/23/2020	11,660.40	King County Directors Association Purchasing Department	
Supplier Payment	Check	19158	12/23/2020	32,386.91	Kronos Incorporated - Remit-To: Atlanta	
Supplier Payment	Check	19159	12/23/2020	3,756.39	Lakeyland Inc	
Supplier Payment	Check	19160	12/23/2020	2,000.00	Marguerite Martel	
Supplier Payment	Check	19161	12/23/2020	5,300.00	Mariano Lopez	
Supplier Payment	Check	19162	12/23/2020	375.00	Marquam Group LTD	
Supplier Payment	Check	19163	12/23/2020	9,763.97	Marshall and Associates Inc	
Supplier Payment	Check	19164	12/23/2020	5,538.83	McFarlanes Bark Inc	
Supplier Payment	Check	19165	12/23/2020	1,132.78	Mini Mix Concrete Inc	
Supplier Payment	Check	19166	12/23/2020	7,543.47	Municipal Emergency Services Inc - Remit-To: Municipal Emergency Services - Chicago	
Supplier Payment	Check	19167	12/23/2020	1,500.00	Nathan Daniel Short	
Supplier Payment	Check	19168	12/23/2020	38,309.10	Northend Truck Equipment Inc - Not for new purchases, use OSW Equip	
Supplier Payment	Check	19169	12/23/2020	108.48	Orion Medical Supply	
Supplier Payment	Check	19170	12/23/2020	1,532.52	Physio-Control Inc - Remit-To: Stryker Medical	
Supplier Payment	Check	19171	12/23/2020	5,045.00	Pitney Bowes Inc	
Supplier Payment	Check	19172	12/23/2020	3,745.20	Porter W Yett Company	
Supplier Payment	Check	19173	12/23/2020	39,952.92	PPC Solutions Inc	
Supplier Payment	Check	19174	12/23/2020	227.64	Precor Commercial Fitness	
Supplier Payment	Check	19175	12/23/2020	446.50	Professional Service Industries	
Supplier Payment	Check	19176	12/23/2020	2,009.16	Quadient, Inc - Remit-To: Neopost USA Inc	
Supplier Payment	Check	19177	12/23/2020	262.33	Rentokil North America Inc	
Supplier Payment	Check	19178	12/23/2020	396.75	Richard L Hepper	
Supplier Payment	Check	19179	12/23/2020	4,550.00	Richard R. Packard	
Supplier Payment	Check	19180	12/23/2020	137.14	River City Environmental	
Supplier Payment	Check	19181	12/23/2020	1,514.00	Robert Fuller	
Supplier Payment	Check	19182	12/23/2020	700.00	Robert Neal	

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Supplier Payment	Check	19183	12/23/2020	2,506.00	Sharon Wylie	
Supplier Payment	Check	19184	12/23/2020	1,500.00	SME Solutions LLC	
Supplier Payment	Check	19185	12/23/2020	350.00	Southwest Washington Chapter of ICC	
Supplier Payment	Check	19186	12/23/2020	10,666.97	SP Plus Corporation	
Supplier Payment	Check	19187	12/23/2020	5,431.91	Stantec Consulting Services Inc - Remit-To: Stantec - Chicago	
Supplier Payment	Check	19188	12/23/2020	74.15	Stericycle Inc	
Supplier Payment	Check	19189	12/23/2020	2,359.96	The Salvation Army	
Supplier Payment	Check	19190	12/23/2020	780.29	Triple J Enterprises	
Supplier Payment	Check	19191	12/23/2020	1,162.93	Tyree Oil Inc	
Supplier Payment	Check	19192	12/23/2020	26.00	Vancouver Aire LLC	
Supplier Payment	Check	19193	12/23/2020	10,000.00	Vancouver Downtown Association	
Supplier Payment	Check	19194	12/23/2020	3,081.01	Wager Audio	
Supplier Payment	Check	19195	12/23/2020	6,061.93	Walter E Nelson Company	
Supplier Payment	Check	19196	12/23/2020	900.00	Washington Economic Development Association	
Supplier Payment	Check	19197	12/23/2020	10,152.40	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	19198	12/23/2020	9,431.60	Western Equipment Distributors - Remit-To: Western Equipment - Los Angeles	
Supplier Payment	Check	19199	12/23/2020	33,121.32	Wilson Oil Inc	
Supplier Payment	Check	19200	12/23/2020	9,462.11	Xchange Recovery	
Supplier Payment	Check	19201	12/23/2020	55,792.00	Angelo Property CO., LP	
Supplier Payment	Check	19202	12/23/2020	9,785.79	Brown & Wilson Partnership LLC	
Supplier Payment	Check	19203	12/23/2020	8,696.13	Esther Short Commons LLP	
Supplier Payment	Check	19204	12/23/2020	500.00	Nagra & Atwal Corporation	
Supplier Payment	Check	19205	12/23/2020	4,365.34	National Park Service	
Supplier Payment	Check	19206	12/23/2020	20,854.25	Noel Vancouver	
Supplier Payment	Check	19207	12/23/2020	15,336.45	Northwest Natural Gas Company - Remit-To: NW Natural - Portland	
Supplier Payment	Check	19208	12/23/2020	4,065.56	Northwest Staffing Resources Inc - Remit-To: NW Staffing - Portland	
Supplier Payment	Check	19209	12/23/2020	3,693.90	State of Washington Department of Transportation	
Supplier Payment	Check	19210	12/23/2020	52,324.74	Summit Law Group	
Supplier Payment	Check	19211	12/23/2020	124.31	United Parcel Service	
Supplier Payment	Check	19212	12/23/2020	172.49	Waste Connections of Washington - Remit-To: Waste Connections - Vancouver	
Supplier Payment	Check	19213	12/23/2020	1,655.00	Willis Towers Watson Insurance Services West inc	
Supplier Payment	Check	19214	12/23/2020	40.69	Ziply Fiber	
			SUBTOTAL	**16,575,077.40**		
Hansen			12/21/2020	3,655.54	City Payments	Posted 12-14-20 to 12-20-20
Hansen			12/28/2020	18,096.36	City Payments	Posted 12-21-20 to 12-27-20
			SUBTOTAL	**21,751.90**		
Visa			12/21/2020	0.00	Miscellaneous	Parks Class Refunds - FCC 12-14-20 to 12-20-20
Visa			12/21/2020	0.00	Miscellaneous	Parks Class Refunds - MCC 12-14-20 to 12-20-20
Visa			12/21/2020	0.00	Miscellaneous	Parks Class Refunds - Special Events 12-14-20 to 12-20-20
Visa			12/21/2020	0.00	Miscellaneous	Parks Class Refunds - WREC 12-14-20 to 12-20-20
Visa			12/28/2020	0.00	Miscellaneous	Parks Class Refunds - FCC 12-21-20 to 12-27-20

INVOICE PAYMENTS REPORT

Payment Category	Payment Type	Check Number	Payment Date	Payment Amount	Payment Payee	Payment Memo if applicable
Visa			12/28/2020	0.00	Miscellaneous	Parks Class Refunds - MCC 12-21-20 to 12-27-20
Visa			12/28/2020	0.00	Miscellaneous	Parks Class Refunds - Special Events 12-21-20 to 12-27-20
Visa			12/28/2020	0.00	Miscellaneous	Parks Class Refunds - WREC 12-21-20 to 12-27-20
			SUBTOTAL	**-**		
			TOTAL	**16,596,829.30**		

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

City of Vancouver
Payroll Council Report
December 15, 2020 - December 28, 2020

Check No.	Date	Explanation	Amount
2811 - 2815	12/24/20	24 2020 Payroll	$ 7,526.16
82604 - 84282	12/24/20	24 2020 Direct Deposits	$ 3,562,162.82

$ 3,569,688.98

Development Agreement
Vancouver Clinic @ Columbia Palisades

January 4, 2021

Vancouver City Council Hearing

Keith Jones, Senior Planner

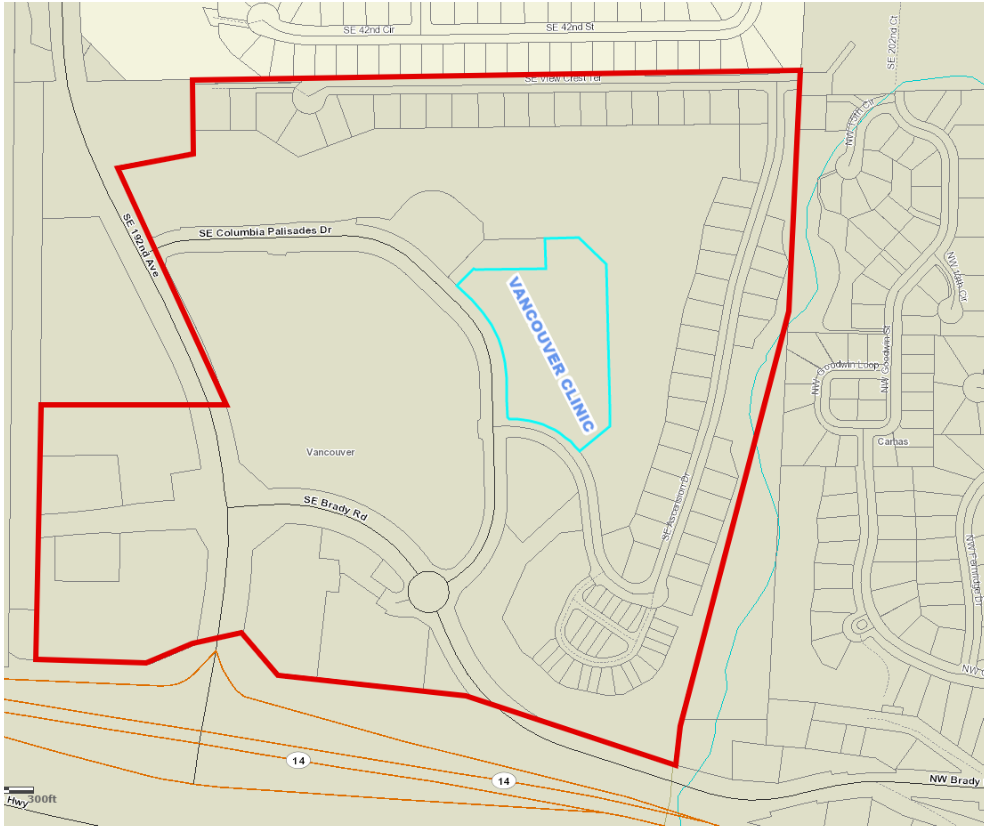
CITY OF Vancouver WASHINGTON

1/4/2021 8:15 AM

Presentation Overview

- Objective: Approve Development Agreement
- Prior Council Approval: 2016 Master Plan for Columbia Palisades
- December 14, 2020 Council Workshop

Site Location



Site Plan


Phase III Parking
Phase II Parking
Phase I Option I
26,000 gsf
Phase II Option I
30,400 gsf
drop off
Phase II Parking
Phase III - office
40,100 gsf
STREET 'C'
Scenario 1A - office ph III
Parcel: 193,104 sf
Phase I and II Building - mob
1. 2 -story
2. 26,000 gsf ph I
3. 30,400 gsf ph II
4. Total gsf 56,400
5. 209 required parking stalls
6. F.A.R. = .29
Phase III Building - office
1. 3 - story
2. 46,500 gsf
3. 117 required parking stalls
326 required parking stalls
Total gsf = 96,500 gsf
Total F.A.R. = .5

Development Agreement Summary

- **Reserves traffic capacity for Phase II**
  (1,098 average daily trips (ADT), 73 AM peak hour trips, 109 PM peak hour trips)
- **Proportionate share fee**
  SR-14/SE 192nd Ave interchange ($2,000 PM Peak Trip)
- **Floor Area Ratio covenant**
  Allows minimum 0.5 Floor Area Ratio (FAR) to be deferred to future development
- **Vests development regulations**

Next Steps/Timeline

- If Council adopts resolution this is the final hearing

Questions and Discussion

- Keith Jones, Senior Planner
- Keith.jones@cityofvancouver.us (360) 487-7887

CITY OF Vancouver WASHINGTON

Staff Report 004-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021

SUBJECT Development Agreement for Vancouver Clinic at Columbia Palisades

Key Points

- DA will be valid for 10 years
- Reserves traffic capacity for Phase II expansion (1,098 average daily trips (ADT), 73 AM peak hour trips, 109 PM peak hour trips)
- Acknowledges the $2,000 per PM peak hour trip proportionate share fee, for improvements to the SR-14/SE 192nd Ave interchange, to be paid by the applicant at time of building permit.
- Establishes a covenant stating that the minimum 0.5 floor area ratio (FAR) required by the zoning code can be deferred until future full-build out of the site. The applicant has prepared a concept plan showing full build-out would include a second office building and a total of approximately 96,500 square feet.
- Vests project to current development regulations.

Strategic Plan Alignment

Goal 8: Strengthen commercial, retail and community districts throughout the city.

Present Situation

Columbia Palisades is a master-planned development located at a former quarry at 192nd Avenue and SR-14. The 84.2-acre mixed-use master plan was approved by City Council in 2016 and includes 607,000 square feet of general office uses, 118,500 square feet of retail uses, a 100 room hotel, 50 single-family detached lots, 26 attached single-family dwelling units, and 286 multi-family dwelling units. In 2017, the applicant obtained approval of a subdivision that divided the master plan into 90 lots including 74 detached single-family residential lots, one multifamily lot and 15 commercial lots. In 2019, the applicant completed installation of infrastructure improvements including installation of a new roundabout at SE Brady Road and SE Columbia Palisades Drive, new roads, water, sewer and stormwater improvements and the final subdivision plat was recorded. The applicant recently applied for a master plan amendment that it is currently being reviewed by the Vancouver Hearing Examiner. If approved, the amendment would reduce the land area devoted to office by 15%, increase multi-family residential by 2% and increase non-office commercial by 12%.

According to the Riverview Gateway Subarea Plan dated February 2, 2009, the plan envisions a future with a vibrant and urban mix of residential, commercial, office and employment uses, linked by a network of parks, trails and open spaces with connections to surrounding neighborhoods.

The Vancouver Clinic is located on Lot 8 of the Columbia Palisades subdivision, 4500 SE Columbia Palisades Drive. Vancouver Clinic is the first commercial development to be constructed within the master plan. The project includes the recently completed 26,000 square foot clinic and a future 30,400 square foot addition.

No development agreement exists for Columbia Palisades, therefore Vancouver Clinic proposes a development agreement related to their lot only to achieve the following:

1) Acknowledges PM trip proportionate share fee for SR-14/SE 192nd Avenue Traffic Signal.

With the site plan review application for the Vancouver Clinic, the applicant's traffic engineer, Kittelson & Associates submitted a Transportation Impact Analysis (TIA) dated March 13, 2019. The study concluded that that all but one of the study intersections satisfy City and WSDOT operating standards. The stop controlled westbound approach to the SR-14/SE 192nd Avenue from the SR-14 westbound off ramp does not meet operating standards and is projected to operate at level of service (LOS) "F" during the weekday PM peak hour prior to site development.

The City of Vancouver, working with WSDOT, determined that a new traffic signal is needed to address the level of service issue at this intersection. City staff determined that the proportional share amount is $2,000 per PM Peak hour trip. The fee is due prior to final occupancy permit.

The fee for Phase I is $82,000 ($2,000 x 42 PM peak hour trips) and has been paid. Phase II fee would be paid with a future building permit.

2) Reserves traffic capacity
The applicant requests to reserve capacity for the Phase II expansion, 34,000 square feet. This would reserve1,098 average daily trips (ADT), 73 AM peak hour trips, 109 PM peak hour trips.

As stated in item #1 above, the applicant proposes to pay proportionate share for the new traffic signal at SR-14/SE 192nd Avenue and with the reserved capacity would not need to pay any additional proportionate share in the future. Staff anticipates all other study area intersections will continue to meet level of service standards for the foreseeable future.

3) Establishes a covenant for the minimum 0.5 floor area ratio (FAR).
The Riverview Gateway standards can be deferred until future full-build out of the site, rather than each phase having to meet this standard. The applicant has prepared a concept plan showing full building out would include a second office building and a total of approximately 96,500 square feet. The proposed covenant would ensure that any future development of the second phase must result in this requirement being met for the overall site.

4) Vests development to current development regulations.

At the December 14, 2020 workshop, Council asked whether, under the proposed agreement, future phases would not have to comply with anticipated development regulations that implement the forthcoming City's Climate Action Strategy. Staff affirmed that this would be the case.

Advantage(s)

The development agreement gives certainty to the applicant and documents development and transportation requirements.

Disadvantage(s)

None

Budget Impact

None

Prior Council Review

December 14, 2020, workshop.

Action Requested

On January 4, 2021, subject to public hearing, adopt a resolution authorizing the City Manager to sign the Development Agreement with The Vancouver Clinic.

Keith Jones, Senior Planner, 360-487-7887

ATTACHMENTS:

- Resolution
- Development Agreement
- Draft Floor Area Ratio Covenant

01/04/21

RESOLUTION NO. M-_____

A RESOLUTION relating to the approval of a development agreement pursuant to RCW Chapter 36.70B; reserving traffic capacity for Phase II expansion, acknowledging the applicants proportionate share fee for the SR-14/SE 192nd Ave interchange, establishing that zoning code requirements for the floor area ratio may be deferred until future full-build out of the site and vesting development regulations; authorizing the City Manager to execute a development agreement; and providing for an effective date.

WHEREAS, pursuant to RCW 36.70B.170, a city may enter into a development agreement for real property within its jurisdiction; and

WHEREAS, Columbia Palisades is a master-planned development located at a former quarry at 192nd Avenue and SR-14; and

WHEREAS, the master plan was approved by Council in 2016; and

WHEREAS, the master plan is 82 acres of which 52 acres are developable including 30 acres of commercial, 17 acres of residential and 5 acres of park land; and

WHEREAS, Vancouver Clinic is the first commercial development to be constructed within the master plan. The project includes the recently constructed 26,000 square foot clinic and a future 30,400 square foot addition; and

WHEREAS, the master plan does not have a development agreement; and

WHEREAS, it is in the mutual interest of the City and Vancouver Clinic Building, LLC to enter into an agreement respecting the development of the property; and

WHEREAS, a public hearing was duly noticed and held by the City Council on Monday, January 4th 2021, regarding the approval of the attached development agreement;

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. The forgoing recitals and accompanying Staff Report (SR003-21) are hereby adopted as the legislative findings of the City Council.

Section 2. Effective immediately, the City Council, in accordance with RCW 36.70B.200, hereby authorizes the City Manager to execute on behalf of the City, a development agreement in the form attached hereto as Exhibit "A".

DATED this ______, of _________________________, 2021.

____
Anne McEnerny-Ogle, Mayor

Attest:

____
Natasha Ramras, City Clerk

Approved as to form:

____
Jonathan Young, City Attorney

When Recorded Return to:

DEVELOPMENT AGREEMENT FOR
THE VANCOUVER CLINIC at COLUMBIA PALISADES

Grantor(s): The City of Vancouver and Vancouver Clinic Building, LLC **Grantee(s):** The City of Vancouver and Vancouver Clinic Building, LLC **Legal Description (abbreviated)**: Lot 8, Columbia Palisades subdivision **Assessor's Tax Parcel Identification No(s):** 986050749 **Reference No. of Related Documents:** **N/A**

THIS DEVELOPMENT AGREEMENT ("Agreement") is entered into between the City of Vancouver, a Washington Charter City of the First Class ("City") and Vancouver Clinic Building, LLC, a Washington limited liability company ("Applicant"), collectively the Parties.

RECITALS

A. The City is a Charter City of the First Class incorporated under the laws of the State of Washington and has the authority to enact laws and enter into agreements to promote the health, safety, and welfare of its citizens and thereby to control the use and development of property within its corporate limits.

B. In 2016, the City Council approved the Columbia Palisades Master Plan. Lot 10 of the Master Plan is identified for office use.

C. In 2017, the Vancouver Hearing Examiner approved a preliminary subdivision for Columbia Palisades. (PRJ-145594/LUP-58874). On April 19, 2019, Columbia

Palisades Corp. recorded the Columbia Palisades final plat. Lot 10 of the Master Plan is designated as Lot 8 in the final plat.

D. Vancouver Clinic Building, LLC owns Lot 8 of the Columbia Palisades subdivision, comprised of Assessor's Tax Parcel 986050749 ("the Property"). The Property is legally described in **Exhibit A.** The Covenants, Conditions and Restrictions for Columbia Palisades – Commercial reserve Tract J of Columbia Palisades for the use of the Owner of Lot 8 for vehicular parking in a surface parking lot.

E. The Applicant wishes to construct an approximately 50,000 square foot medical clinic in phases with associated parking and maneuvering improvements on the Property and Tract J. The proposed medical office is consistent with the Columbia Palisades Master Plan office use designation.

F. The City has evaluated the environmental impacts of developing the Property through its review of the Columbia Palisades Master Plan, for which it issued a final mitigated determination of non-significance ("MDNS") on July 11, 2016. The MDNS adequately addresses the impacts of the proposal. As provided in PRJ-160202/LUP-74082, no additional SEPA review is required.

G. The City has the authority to enter into development agreements with those who own or control property within its jurisdiction pursuant to RCW 36.70B.170-36.70B.210 and Chapter 20.250 VMC.

H. Pursuant to RCW 36.70B.170 *et. seq.*, a development agreement must set forth the development standards, including mitigation measures, and other provisions that shall apply to, govern, and vest the development of property for the duration specified in the agreement. Consistent with that requirement, the Parties intend that this Agreement specify the regulatory fees and transportation mitigation that will be required for the Applicant to construct the medical clinic contemplated herein.

I. Pursuant to RCW 36.70B.170 *et. seq.* and VMC 20.250.050, the City Council shall consider the application for approval of a development agreement after holding a public hearing. The City Council held a public hearing on this Development Agreement on _______, 2021.

J. On ___________, 2021 the City Council adopted Resolution No. _______ approving The Vancouver Clinic at Columbia Palisades Development Agreement.

AGREEMENT

IN CONSIDERATION OF mutual benefits, the parties agree as follows:

1. Definitions.

1.1 "Agreement" shall mean this Development Agreement.

1.2 "Applicant" shall mean Vancouver Clinic Building, LLC.

1.3 "City" shall mean the City of Vancouver.

1.4 "Development Regulations" shall include land use, development, zoning, and stormwater plans, policies, codes, and rules.

1.5 "Effective Date" shall mean the effective date of Resolution No. __________, _______, 2021.

1.6 "Project" shall have the meaning set forth in Recital E and as described in Section 2 below.

1.7 "Property" shall have the meaning set forth in Recital D and as described in **Exhibit A**.

1.8 "Vesting Date" shall mean __________, 2021, which was the date the City Council approved this Development Agreement.

1.9 "VMC" shall mean the Vancouver Municipal Code, as adopted by the City.

2. Elements of the Proposed Development. Applicant's conceptual site plan for the Property, as depicted in **Exhibit B**, is for construction of medical office and general office spaces in phases, together with associated parking and maneuvering requirements on Lot 8 within the Columbia Palisades subdivision. Associated parking may also be located on Tract J. The Conceptual Site Plan is illustrative only.

2.1 Use Allowed Outright. The Property is located in the Riverview Gateway Mixed Used ("RGX") zoning district. A medical clinic is allowed outright in the RGX zone. VMC Table 20.430.030-1.

2.2 Phases. The Applicant intends initially to construct a two-story approximately 26,000 square foot medical clinic. The second phase is planned for approximately 30,400 square feet.

3. Transportation Impact Fees. The Applicant has paid the transportation impact fee for Phase I based on 26,000 square feet of medical office.

4. Concurrency.

4.1 TAZ. The Property is located in Transportation Analysis Zone ("TAZ") 395, 192nd Avenue Corridor (SR 14 to NE 18th Street). The Level of Service ("LOS") standard is 10 mph average peak hour travel. This corridor is a Category 1 corridor, operating well above the adopted level of service.

4.2 Reservation of Capacity. A development agreement may reserve capacity in the transportation system for the proposed development's trip generation. VMC 20.50.040.C. The City shall reserve capacity for the Applicant for Phase II of the medical clinic totaling 30,400 square feet generating 1,098 weekday daily trips, 73 AM weekday peak hour trips and 109 weekday PM peak hour trips for the term of this Development Agreement.

4.3 Voluntary Agreement. The SR-14 westbound ramp/SE 192nd Avenue intersection is currently operating at a failing level-of-service (LOS F). The City retained a traffic engineering consultant to define a benefit area and develop a proportionate share mitigation methodology to fund the mitigation of the intersection LOS. The methodology identified a unit cost per trip to be assessed for new weekday PM peak hour trips traveling through the intersection generated by development of $2,000/new weekday PM peak hour trip. Prior to the issuance of a building permit for Phase II, the Applicant shall pay its proportionate share fee in an amount not to exceed $2,000/new weekday PM peak hour trip for that building. The agreement to make this proportionate share payment is entered into voluntarily pursuant to RCW 82.02.020. Its PM peak hour trips will be calculated using ITE Code 720 (Medical Office).

5. Complete Mitigation of Transportation Impacts. The payment of transportation impact fees and the voluntary agreement discussed in Section 4.3 mitigate the direct impacts that have been identified as a consequence of the Project. No additional mitigation of transportation impacts may be required.

6. Effective Date, Recording and Term of Agreement.

6.1 Effective Date. This Agreement shall go into effect on the Effective Date.

6.2 Recording. Pursuant to RCW 36.70B.190 and VMC 20.250.060, the Applicant shall record this Agreement with the Clark County Auditor's Office at Applicant's cost. The Agreement shall not be recorded until after the Effective Date.

6.3 Term. This Agreement shall continue in full force and effect for a period of ten (10) years from the Effective Date, unless terminated pursuant to Subsection 8.3 below.

7. Effect/Vesting.

7.1 Effect of Agreement/Vesting. Except as modified by this Agreement, and as set forth in Subsections 7.2 and 7.3 below, the Project shall be subject only to those Development Regulations in effect on the Vesting Date, and shall comply with such Development Regulations. In approving the Vesting Date, the City expressly modifies the timing of vesting that is otherwise specified in VMC 20.210.110.

7.2 Subsequently Enacted Development Regulations. Development of the Project shall not be subject to an amendment to the Development Regulations or to new Development Regulations adopted by the City.

7.3 Exceptions to Vesting. Project Vesting is subject to the following exceptions:

7.3.1 Uniform Codes. Requirements of the International Building Code, or any other similar uniform code as may be approved by the State Building Code Council and adopted by the City, shall apply to development of the Property, including, but not limited to, electrical, mechanical, fire, plumbing, property maintenance, residential, earthquake, and similar uniform construction codes in effect on the date that a complete application for the particular construction or building permit is submitted to the City.

7.3.2 Public Health and Safety. The City reserves the authority to impose new or different regulations on the development of the Property to the extent required by serious threat to public health and safety.

7.3.3 Review Procedures. Procedures for review of permit applications, including City application and permit review fees.

7.3.4 Stormwater Regulations. Vesting does not apply to City, state, or federal stormwater regulations which are generally applicable throughout the City.

8. General Provisions.

8.1 Authority. The City and Applicant each represents and warrants that it has the respective power and authority, and is duly authorized to execute, deliver, and perform its obligations under this Agreement. The parties intend this Agreement to be interpreted to the full extent authorized by law as an exercise of the City's authority to enter into such agreements.

8.2 Covenants Running with the Land/Assignment. The Conditions, covenants, and benefits set forth in this Agreement shall run with the land, and every purchaser, assignee or transferee of an interest in the Property or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be entitled to the benefits of this Agreement, for the duration of the Agreement, unless this agreement is terminated pursuant to Subsection 8.3 below. Applicant may sell the Property or assign its rights and obligations under this Agreement without the consent of the City. Applicant shall give City written notice of such sale or assignment within thirty (30) days after closing or after assignment of this Agreement.

8.3 Termination. Nothing in this Agreement obligates Applicant to construct the Project. This Agreement shall expire and be of no further force and effect if: (a) Applicant does not execute this Agreement; (b) Applicant provides written notice that it does not intend to construct the Project; (3) subsequent applications for the Project are not approved; or (4) this Agreement or subsequent applications are appealed, and such appeals are not resolved in favor of approval and on terms and conditions satisfactory to Applicant. Otherwise, this Agreement may only be terminated upon the mutual agreement of the parties.

8.4 Modifications. This Agreement may be modified only by written agreement of the parties hereto.

8.5 No third party beneficiary. This Agreement is made and entered into for the sole protection and benefit of the parties hereto and their successors and assigns. No other person shall have any right of action based upon any provision of this Agreement.

8.6 Integration. This Agreement and its exhibits represent to the entire agreement of the parties with respect to the subject matter hereof. The exhibits to this Agreement are incorporated into this Agreement by this reference as if fully set forth.

8.7 Governing Law and Venue. This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. Venue for any action shall lie in Clark County Superior Court.

8.8 Severability. If any provision of this Agreement, or the application thereof to any person, place, or instance, shall be held by a court of competent jurisdiction to be invalid, unenforceable, or void, then: (a) this Agreement shall thereafter be modified to implement the intent of the parties to the maximum extent allowable under law; and (b) the remainder of the Agreement and such provisions as applied to other persons, places, and circumstances shall remain in full force and effect.

8.9 Attorneys' Fees. In the event any litigation or dispute resolution process is instituted to interpret or enforce any provision of this Agreement or with respect to any dispute relating to this Agreement, the prevailing party shall be entitled to recover from the losing party reasonable attorneys' fees, expert fees, litigation expenses, and associated costs, including those incurred at trial and on appeal.

8.10 Effect of Recitals. The recitals set forth above are a material part of this Agreement and are fully incorporated herein.

IN WITNESS WHEREOF, this Agreement has been entered into by the City and ___________.

DATED this ______ day of _________, 202_.

VANCOUVER CLINIC BUILDING, LLC	**CITY OF VANCOUVER**
By: __________________________	By: _______________________

Its:____________________ Eric Holmes, City Manager

Approved as to form:

____
Jonathan Young, City Attorney

STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that ______________ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she is authorized to execute the instrument and acknowledged it as the___________________ of THE CITY OF VANCOUVER, a municipal corporation organized and existing under the laws of the State of Washington, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: __________________, 2021.

____

Notary Public

Residing at___________________________

Commission expires: _____________

STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that _______________________is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that/she is authorized to execute the instrument and acknowledged it as the ______________ of Vancouver Clinic Building, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: __________________, 2021.

____

Notary Public

Residing at___________________________

Commission expires: _____________

Exhibit A: Legal Description of Property

Lot 8, Columbia Palisades subdivision, Clark County Washington, Tax Parcel No. 986050749.

Exhibit B: Conceptual Site Plan

Development Agreement - 10

Scenario 1A - office ph III

Parcel: 193,104 sf

Phase I and II Building - mob
1. 2 -story
2. 26,000 gsf ph I
3. 30,400 gsf ph II
4. Total gsf 56,400
5. 209 required parking stalls
6. F.A.R. = .29

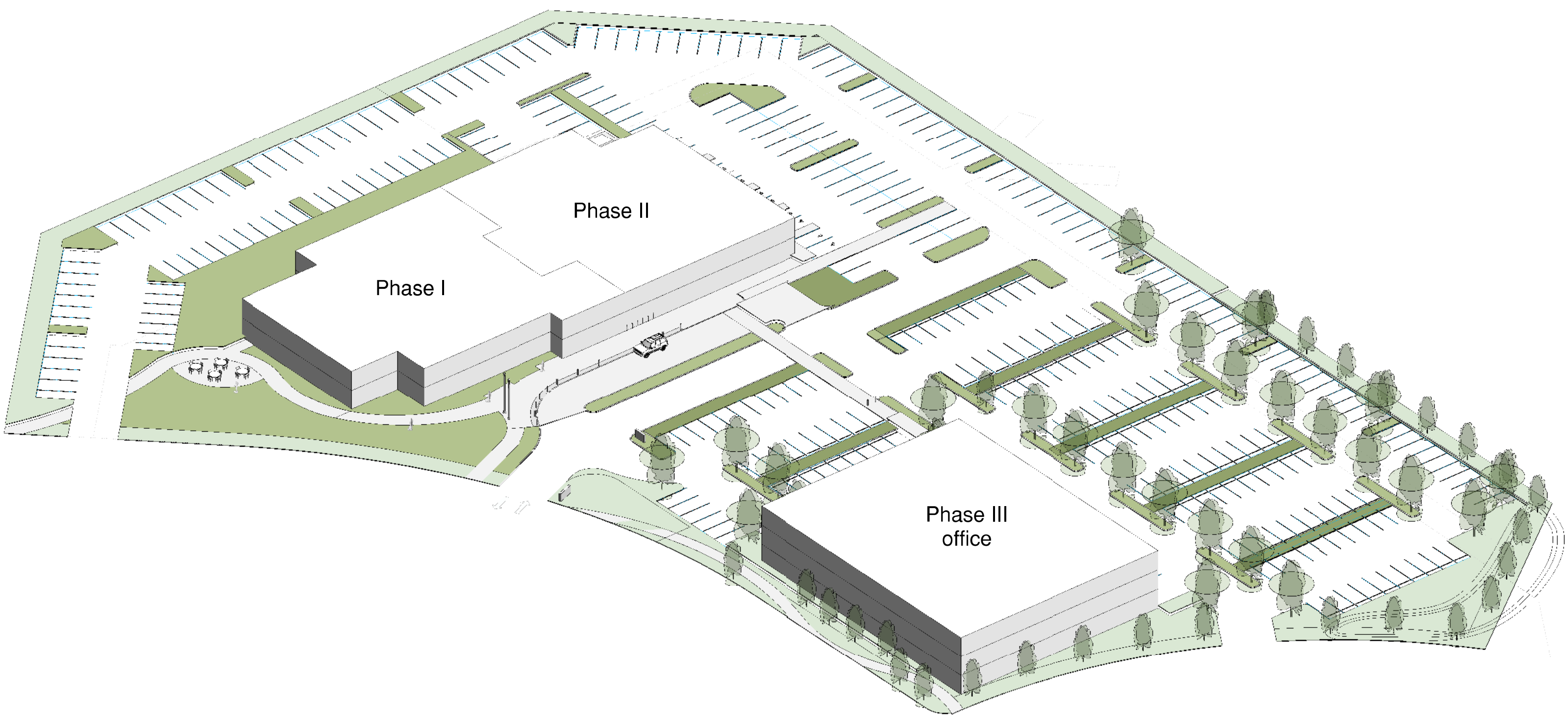
Phase III Building - office
1. 3 - story
2. 46,500 gsf
3. 117 required parking stalls

326 required parking stalls

Total gsf = 96,500 gsf

Total F.A.R. = .5

TVC - VANCOUVER/CAMAS
F.A.R. SCENARIO 1A - office ph III
zgf architects 06-11-2018



TVC - VANCOUVER/CAMAS
F.A.R. SCENARIO 1a - office ph III
zgf architects 06-11-2018

When Recorded Return to:

COVENANT FOR
THE VANCOUVER CLINIC at COLUMBIA PALISADES

Grantor(s):	Vancouver Clinic Building, LLC
Grantee(s):	The City of Vancouver
Legal Description (abbreviated):	Lot 8 and Tract J, Columbia Palisades subdivision
Assessor's Tax Parcel Identification No(s):	986050749
Reference No. of Related Documents:	[Insert Recording No. of Dev. Agreement]

THIS COVENANT ("Covenant") is made and effective this ____ day of _________, 2021 by Vancouver Clinic Building, LLC, a Washington limited liability company ("Clinic") to the City of Vancouver, a Washington Charter City of the First Class ("City").

RECITALS

A. The Clinic owns Lot 8 of the Columbia Palisades subdivision, comprised of Assessor's Tax Parcel 986050749 ("the Property"). The Property is legally described in **Exhibit A.** The Covenants, Conditions and Restrictions for Columbia Palisades – Commercial reserve Tract J of Columbia Palisades for the use of the Owner of Lot 8 for vehicular parking in a surface parking lot.

B. The Clinic wishes to construct a medical clinic in phases with associated parking and maneuvering improvements on the Property and Tract J.

C. Following a public hearing, the City and the Clinic entered into a development agreement on ___________, 2021. The Development Agreement is recorded under Clark County Recording No. _____________.

D. The purpose of this Covenant is ensure that development of the Property is consistent with the minimum floor area ratio required by the Vancouver Municipal Code. The City Council approved this Covenant concurrently with its approval of the Development Agreement.

COVENANT

Vancouver Clinic Building, LLC covenants and agrees on behalf of itself and its successors and assigns as follows:

1. Definitions.

1.1 **"City"** shall mean the City of Vancouver.

1.2 **"Clinic"** shall mean Vancouver Clinic Building, LLC.

1.3 **"FAR"** shall mean floor area ratio.

1.4 **"Project"** shall have the meaning set forth in Section 2 below.

1.5 **"Property"** shall mean the property described in **Exhibit A**.

2. Elements of the Proposed Development. Clinic's site plan for the Property, as depicted in **Exhibit B**, is for construction of medical office and general office spaces in phases, together with associated parking and maneuvering requirements on Lot 8 within the Columbia Palisades subdivision. Associated parking may also be located on Tract J.

3. FAR. VMC 20.680.030 requires a minimum FAR of 0.5.

3.1 The Property is 193,104 square feet in size according to the final plat recorded in Book 312 of Plats, Page 32, records of Clark County, Washington. The overall development of the Property shall provide a minimum 96,552 square feet floor area of buildings or 0.50 square foot per 1.0 square foot of site area. This minimum FAR may be satisfied through phased development of the Property.

3.2 The Clinic intends initially to construct a two-story approximately 26,000 square foot medical clinic. Attached as **Exhibit B** is a Conceptual Site Plan showing how 96,552 square feet of building area can be achieved through the development of subsequent phases. The Conceptual Site Plan is illustrative only. Alternative site plans may be used to achieve a FAR of 0.5 so long as the FAR is achieved at buildout of the Property.

4. General Provisions.

4.1 **Authority.** The Clinic represents and warrants that it has the power and authority, and is duly authorized to execute, deliver, and perform its obligations under this Covenant.

4.2 **Covenant Running with the Land/Assignment.** This Covenant shall run with the land, and every purchaser, assignee or transferee of an interest in the Property or any portion thereof, shall be obligated and bound by the terms and conditions of this Covenant, and shall be entitled to the benefits of this Covenant.

4.3 Exhibits. The exhibits to this Covenant are incorporated into this Covenant by this reference as if fully set forth.

4.4 Governing Law and Venue. This Covenant shall be construed and enforced in accordance with the laws of the State of Washington. Venue for any action shall lie in Clark County Superior Court.

4.5 Enforcement. This Covenant may be enforced by the City through any remedy provided by law or in equity.

4.6 Amendment. This Covenant shall remain in full force and effect until amended, modified or terminated by the Clinic with approval by the City.

DATED this ______ day of _________, 2021

VANCOUVER CLINIC BUILDING, LLC

By: ___________________________

Its:______________________

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STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that ______________________ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she is authorized to execute the instrument and acknowledged it as the ______________ of Vancouver Clinic Building, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: __________________, 2021.

____

Notary Public

Residing at___________________________

Commission expires: _____________

Exhibit A: Legal Description of Property

Lot 8 and Tract J, Columbia Palisades subdivision, Clark County Washington, Tax Parcel Nos. 986050749 and 9860050810.

Exhibit B: Conceptual Site Plan

Scenario 1A - office ph III

Parcel: 193,104 sf

Phase I and II Building - mob

1. 2 -story
2. 26,000 gsf ph I
3. 30,400 gsf ph II
4. Total gsf 56,400
5. 209 required parking stalls
6. F.A.R. = .29

Phase III Building - office

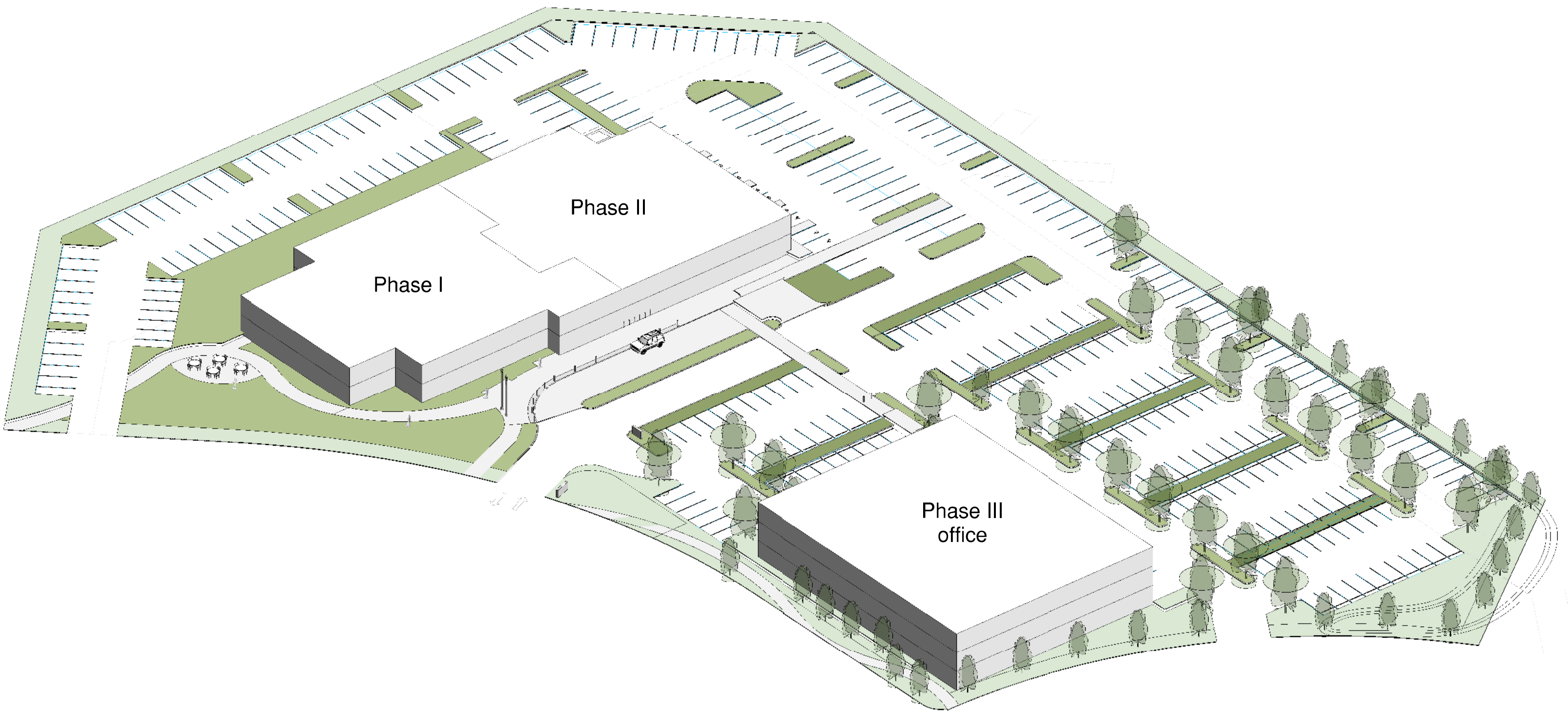
1. 3 - story
2. 46,500 gsf
3. 117 required parking stalls

326 required parking stalls

Total gsf = 96,500 gsf

Total F.A.R. = .5

TVC - VANCOUVER/CAMAS
F.A.R. SCENARIO 1A - office ph III
zgf architects 06-11-2018



TVC - VANCOUVER/CAMAS
F.A.R. SCENARIO 1a - office ph III
zgf architects 06-11-2018

Multifamily Tax Exemption Program

- Johnson Mixed Use
- Broadstone-Waterfront Block 17

CITY OF Vancouver WASHINGTON

January 4, 2021
Vancouver City Council
Public Hearing

Presentation Overview

- Multifamily Tax Exemption (MFTE) Program overview
- Proposed project details
- Next steps and timeline

Exemption Options

8 years	• **Market-rate** properties with approved **Development Agreement**
8 years	• Properties with 20% of units for tenants earning up to **100% AMI**
10 years	• Properties with 20% of units for tenants earning up to **80% AMI**
12 years	• Properties with 20% of units for tenants earning up to **60% AMI**

MFTE Project Pipeline

Multifamily Tax Exemption Program Summary- December 31, 2020				
	Completed	**In Construction**	**In Permitting**	**Total**
Projects Approved				
VCCV	18	7	5	30
Fourth Plain	3	0	0	3
Total				**33**
Total Units				
VCCV	1591	743	676	3,010
Fourth Plain	248	0	0	248
Total				**3,258**
Affordable Units (MFTE Covenant)				
VCCV	159	59	53	271
Fourth Plain	43	8	0	51
Total				**322**

Taxes

Project	Total
Private Investment- Construction Costs	
Broadstone	$46,362,000
Johnson	$2,561,528
Forgone Tax Revenue- Exemption Period Only	
Broadstone	$2,030,000
Johnson	$58,000
Taxes After Exemption- 20 Year Net Present Value	
Broadstone	$5,585,000
Johnson	$294,000

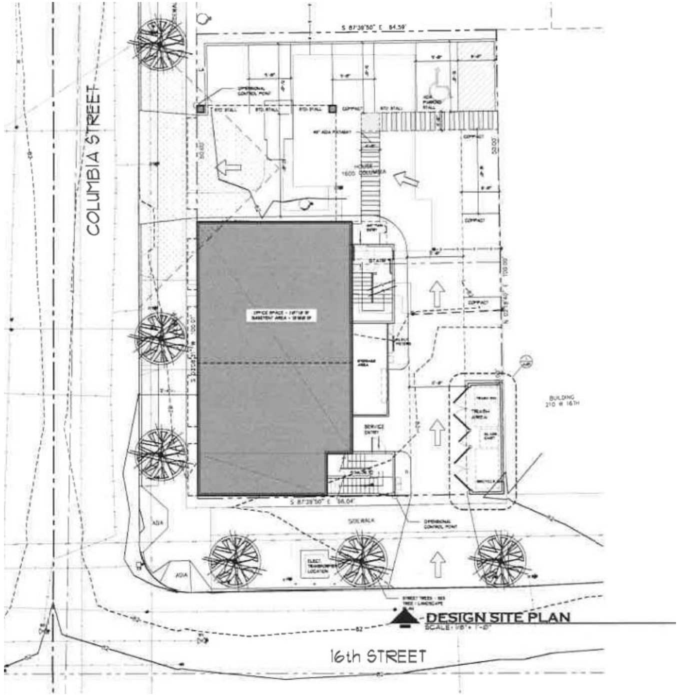
Multifamily Tax Exemption Program
- Johnson Mixed Use

January 4, 2021
Vancouver City Council
Public Hearing

Johnson Mixed Use

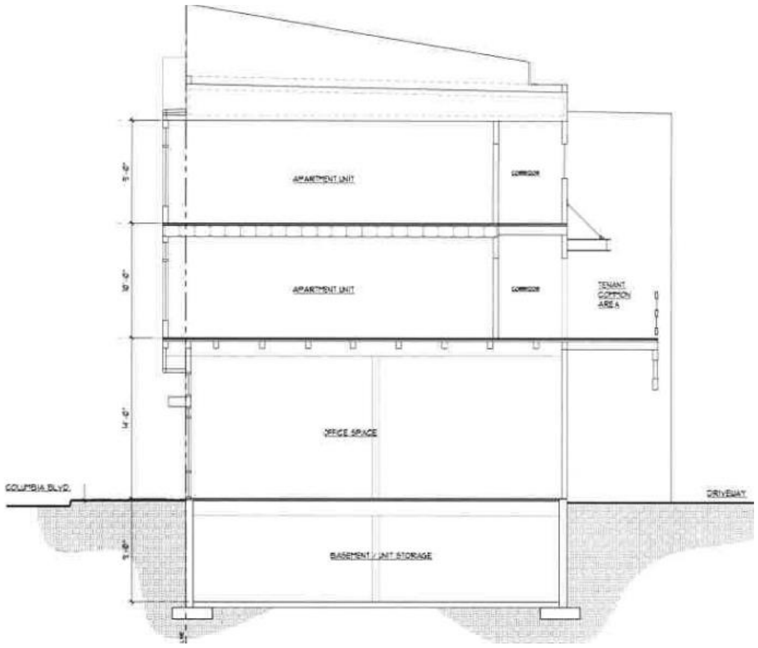
Developer: IMJ Properties
Project location: 1605 W Columbia Street
Requested exemption: 10-year exemption with 20% units income restricted - 80% AMI

Johnson Mixed Use-1605 Columbia



Johnson Mixed Use Overview-

- Construction cost - $2,561,528
- 3-story with basement
- 7,904 total square feet
- 9 parking spaces
- 1,904 sq. ft. commercial space
- 10 units (Studio, 1-BD units)
- 2 units rent restricted at 80% area median income
- Rents range from $985 to $1,634
- Applicant working with existing building tenants on relocation plan



Johnson Mixed Use-Unit Mix and Monthly Rent

Type	Units	Rent
Studio	8	$984
1 Bed +/ 1 Ba	2	$1,634

- Applicant provided data
- 2 income restricted units

- A 1-person household at 80% area median is $51,600 with a maximum housing cost (including utilities) of $1,290.
- A 2-person household at 80% area median is $59,000 with a maximum housing cost (including utilities) of $1,475.
- Final rent calculation will be done upon completion. HUD releases a revised area median income every year.

Johnson Mixed Use Tax Summary-

If exemption granted and project developed:	Total – all taxing districts	City of Vancouver
Net Present value of future tax revenue** (20 year)	$352,000	$107,000
Net present value of "foregone" tax revenue (during exemption period)	($58,000)	($21,000)
Net Present Value Benefit	$294,000	$86,000

**Estimated discounted present value of construction sales tax, utility tax and property tax over 20 years
Estimated Developer tax savings during exemption $122,000

CITY OF Vancouver WASHINGTON

City Center Redevelopment Authority

- The CCRA reviewed and approved the MFTE design on December 3, 2020

Council Action Requested

- Approve resolution and agreement allowing applicant to proceed with the tax exemption process.

Multifamily Tax Exemption Program

- Broadstone-Waterfront Block 17

January 4, 2021

Vancouver City Council

Public Hearing

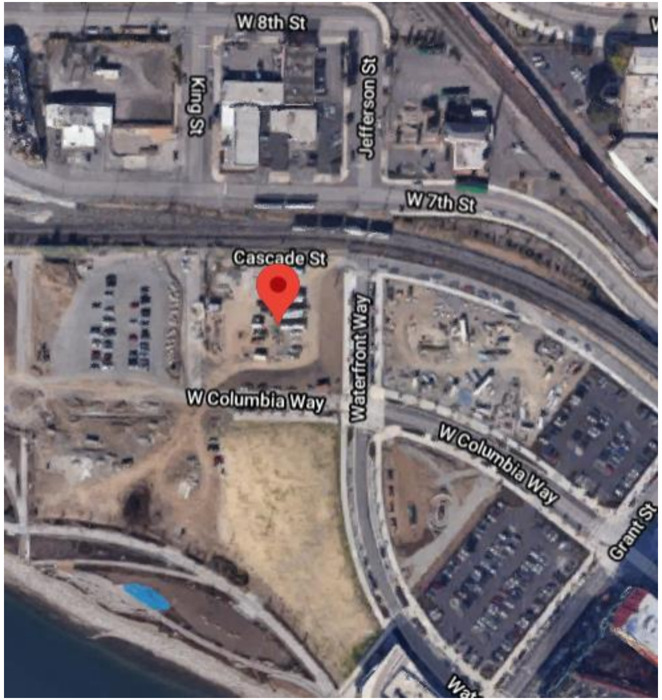
CITY OF Vancouver WASHINGTON

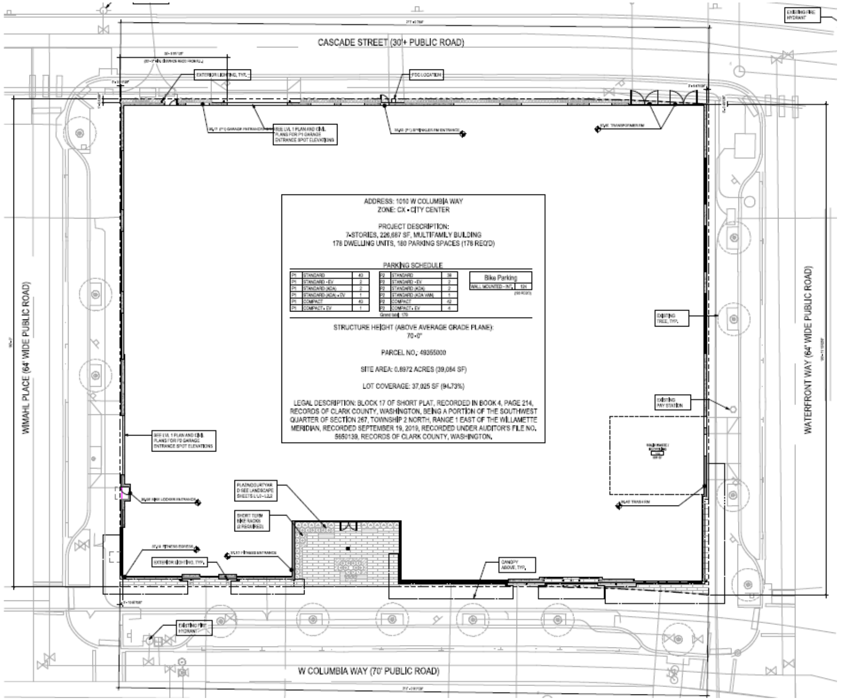
Broadstone Apartments

Developer: Vancouver Waterfront Apartments Owner LLC
Project location: 1000 W Columbia Way (Waterfront Block 17)
Requested exemption: 8-year exemption with 20% of units affordable at 100% AMI

CITY OF Vancouver WASHINGTON

Broadstone Apartments -1000 W Columbia Way





CITY OF Vancouver WASHINGTON

Broadstone Apartments Overview-

- Construction Cost- $46,362,000
- 6-story Apartment Building
- 226,700 total sq. ft.
- 178 units (36 income restricted)
- Studio, 1-BD, and 2-BD units
- 179 Parking Spaces
- Bottom floor includes lobby and resident ammenities, but no commercial

City of Vancouver Washington

Broadstone Apartments Unit Mix and Monthly Rent-

Type	Units	Rent
Studio	19	$1,550
1 Bed +/ 1 Ba	125	$1,955
2 Bed / 2 Ba	34	$2,825

- Applicant provided data
- 36 income restricted units

- A 1-person household at 100% area median is $64,500 with a maximum housing cost (including utilities) of $1,613.
- A 2-person household at 100% area median is $73,700 with a maximum housing cost (including utilities) of $1,843.
- A 4-person household at 100% area median is $92,100 with a maximum housing cost (including utilities) of $2,303.
- Final rent calculation will be done upon completion. HUD releases a revised area median income every year.

Broadstone Apartments Tax Summary-

If exemption granted and project developed:	Total – all taxing districts	City of Vancouver
Net Present value of future tax revenue** (20 year)	$7,615,000	$2,016,000
Net present value of "foregone" tax revenue (during exemption period)	($2,030,000)	($743,000)
Net Present Value Benefit	$5,585,000	$1,273,000

**Estimated discounted present value of construction sales tax, utility tax and property tax over 20 years
Estimated developer tax savings during exemption $3,754,000

City Center Redevelopment Authority

- The CCRA reviewed and approved the MFTE design on December 3, 2020

Council Action Requested

- Approve resolution and agreement allowing applicant to proceed with the tax exemption process.

Questions

Peggy Sheehan- Community Development Programs Manager

360-487-7952

peggy.sheehan@cityofvancouver.us

CITY OF Vancouver WASHINGTON

Staff Report 005-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021

SUBJECT Multifamily Tax Exemption: Johnson Mixed Use

Key Points

- The Multifamily Tax Exemption Program (VMC 3.22) is designed as an incentive for developers to build new private multi-family development in targeted areas of the City.
- A development applicant is requesting a 10-year property tax exemption where 20% of the total units are reserved for tenants earning up to 80% area median income.
- The requested exemption facilitates an estimated $2.5 million in new construction for a mixed-use development including 10 apartment units, 1,904 square feet of retail area and 9 parking spots in the downtown area that may not occur otherwise. This amount does not include any indirect employment associated with construction.
- The exemption accelerates construction of a project that will be on the tax rolls for decades beyond the end of the 10-year exemption period.
- When the tax exemption period ends the project will return to the tax rolls as if it were new construction.
- The project will include 2 units (20% of the total units) as income restricted to households at 80% AMI as determined by HUD.
- Over the 20-year period following construction, the project – with the exemption - will generate nearly $352,000 in taxes benefiting all taxing districts (ports, schools, county, city, etc.) and a total of $107,000 in taxes benefiting the City of Vancouver.

Strategic Plan Alignment

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

Goal 8, Objective 8.1: Make downtown Vancouver a vibrant destination for the community and the region.

Goal 8, Objective 8.2: Strengthen neighborhood business districts.

Present Situation

IMJ Properties is requesting a multifamily tax exemption for a three-story, mixed use building with 10 apartment units, a 1,904 square foot retail space and 9 parking spaces. The project site is located in the Vancouver City Center Vision District at 1605 Columbia Street. The project site is a single parcel with an existing single-family building. The structure will be demolished to accommodate the new development. The developer is working with tenants on a relocation plan.

The proposed building will include studio, and 1-bedroom units, two of which will be income restricted units.

The applicant is requesting a 10-year exemption where 20% of the total units are reserved for tenants earning up to 80% area median income. The HUD 80% area median income in the Portland/Vancouver MSA for a two-person household is $59,000. Limiting that income amount to 30% for housing costs, the maximum monthly affordable rent would be $1,475 per month.

Unit types will include:
8 studio units starting at $984 per month,
2 one-bedroom units at $1,634 per month.

The total estimated development cost is just over $2.5 million.

Over 20 years (with the exemption) the project is estimated to generate approximately $352,000 in taxes benefitting all taxing districts (ports, county, city, etc.) with $107,000 specifically generated for the City of Vancouver. Potentially foregone revenue during the exemption is estimated at just over $58,000 for all taxing districts and $21,000 specifically for Vancouver. Without the proposed development and exemption the site might remain underutilized foregoing the higher developed site tax revenues as well as income restricted residential housing units. Following the exemption period the project will return to the tax rolls at full taxable value.

Advantage(s)

1. Adds 10 new multifamily units in the VCCV subarea district
2. Adds 2 income restricted units for households earning 80% or less of the area median income for the next 10 years.
3. Addition of 1,904 leasable commercial space

Disadvantage(s)

The City will forego $21,000 in property taxes over the 10-year exemption duration.

Budget Impact

The City will receive additional revenues with the development itself, including sales tax, permit fees and system development charges. There will be a small incremental increase in demand for public services during the initial 10-year exemption period without appurtenant tax revenues. Following the 10-year exemption period, the property will return to the tax base as new construction and the City and other taxing districts will begin receiving property taxes.

Prior Council Review

Council memorandum dated December 14, 2020 (attached)

Action Requested

On Monday, January 4, 2021, following a public hearing, adopt a resolution approving an agreement with IMJ Properties and authorizing the City Manager or designee execute a multi-family housing limited property tax exemption agreement and take any and all action necessary to enforce the terms thereof.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

ATTACHMENTS:

- Johnson MFTE Council Memo
- Johnson MFTE Resolution
- Johnson MFTE Agreement
- Presentation - Jan. 4 Broadstone and IMJ MFTE Agreements

MEMORANDUM

DATE: December 14, 2020

TO: Eric Holmes, City Manager
FROM: Peggy Sheehan, Programs Manager
CC: Chad Eiken, Director, Community & Economic Development
RE: **Multifamily Tax Exemption Project- Johnson Mixed Use**

Purpose
Brief Council on a Multifamily Tax Exemption project named the Bennett Apartments prior to the January 4, 2021 public hearing.

Background
In 2001 the City of Vancouver adopted a multifamily tax exemption program to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use. The table below shows the program progress in encouraging residential development.

Multifamily Tax Exemption Program Summary				
	Completed	In Construction	In Permitting	Total
Projects Approved				
VCCV	17	7	6	30
Fourth Plain	3	0	0	3
Total				**33**
Total Units				
VCCV	1266	660	554	2,480
Fourth Plain	248	0	0	248
Total				**2,728**
Affordable Units				
VCCV	93	65	51	209
Fourth Plain	43	8	0	51
Total				**260**

Current Proposal
IMJ Properties is requesting a multifamily tax exemption. The project site is located in the Vancouver City Center Vision District at 1605 Columbia Street. The development is a two-story, mixed use building with 10 apartment units, a 1,904 square foot retail space and 9 parking spaces. The proposed building will include studio, and 1-bedroom units, two of which will be income restricted units. The project site is a single parcel with an existing single-family building. The existing single-family structure will be demolished to accommodate the new development. The developer is working with the tenant on a relocation plan.

The applicant is requesting a 10-year exemption where 20% of the total units are reserved for tenants earning up to 80% area median income. The HUD 80% area median income in the Portland/Vancouver MSA for a two-person household is $59,000. Limiting that income amount to 30% for housing costs, the maximum monthly affordable rent would be $1,475 per month.

Unit types will include:
8 studio units starting at $984 per month,
2 one-bedroom units at $1,634 per month.

The total estimated development cost is just over $2.5 million.

Over 20 years (with the exemption) the project is estimated to generate approximately $352,000 in taxes benefitting all taxing districts (ports, county, city, etc.) with $107,000 specifically generated for the City of Vancouver. Potentially foregone revenue during the exemption is estimated at just over $58,000 for all taxing districts and $21,000 specifically for Vancouver. Without the proposed development and exemption the site might remain underutilized foregoing the higher developed site tax revenues as well as income restricted residential housing units. Following the exemption period the project will return to the tax rolls at full taxable value.

Next Steps

- On January 4, 2021 conduct Public Hearing to consider a resolution on allowing the proposed exemption.

Staff Contact
Peggy Sheehan- Programs Manager
360-487-7952
peggy.sheehan@cityofvancouver.us

01/04/21

RESOLUTION NO. M-_____

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with IMJ Properties for a 10 year property tax exemption for the property located at 1605 Columbia Street (Tax Lot 52810000) in Vancouver, Washington, as specifically described in Exhibit A.

WHEREAS, the City of Vancouver desires to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use, and

WHEREAS, the City is interested in promoting new housing in the downtown Vancouver Central City Vision residential target area in the City of Vancouver; and

WHEREAS, the City has, pursuant to authority granted under the Revised Code of Washington (RCW), designated various "Residential Target Areas" for the provision of limited property tax exemptions for new multi-family residential housing; and

WHEREAS, the City has set forth in Chapter 3.22 of the Vancouver Municipal Code (VMC) a program whereby property owners may qualify for a "Final Certificate of Tax Exemption," which certifies to the Clark County Assessor and Treasurer that a property is eligible to receive a limited property tax exemption; and

WHEREAS, IMJ Properties (Applicant) is interested in receiving a limited property tax exemption for constructing new multi-family residential housing units within the Downtown VCCV residential target area identified in Chapter 3.22 VMC; and, WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program outlining the proposed development of new multi-family residential housing to be constructed at 1605 Columbia Street (Tax Lot 52810000); and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. Agreement attached hereto as Exhibit B between IMJ Properties and the City of Vancouver, a Washington Municipal Corporation, is approved.

Section 2. The City Manager of the City of Vancouver or his designee is authorized to execute the attached Exhibit B.

ADOPTED at a regular session of the Vancouver City Council this 4th day of January, 2021.

____
Anne McEnerny-Ogle, Mayor

Attest:

____
Natasha Ramras, City Clerk

Approved as to form:

____
Jonathan Young, Acting City Attorney

Exhibit A
Legal Description

Tax Lot: 52810000

LOT 5 OF BLOCK 15 OF THE NORTH VANCOUVER PLAT RECORDED IN BOOK A PAGE 20 RECORDS OF CLARK COUNTY WASHINTON.

MULTI-FAMILY HOUSING LMITED PROPERTY TAX EXEMPTION AGREEMENT

THIS AGREEMENT is entered into this 4th day of January 2021, by and between IMJ PROPERTIES (hereinafter referred to as "Applicant"), and the CITY OF VANCOUVER, a Washington Charter City of the First Class (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, the City desires to stimulate new construction of multi-family housing in certain designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use, and

WHEREAS, the City is interested in promoting new housing in the Downtown VCCV area of the City of Vancouver, and

WHEREAS, the City has, pursuant to authority granted to it under the Revised Code of Washington (RCW), designated Residential Target Areas for the provision of limited property tax exemptions for new multi-family residential housing, and

WHEREAS, the City has, as set forth at Chapter 3.22 of the Vancouver Municipal Code ("VMC"), enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Clark County Assessor and Treasurer that the Applicant is eligible to receive a limited property tax exemption, and

WHEREAS, the Applicant is interested in receiving a limited property tax exemption for constructing units of new multi-family residential housing within the Downtown MFTE area, which is a designated Residential Target Area identified in Chapter 3.22 VMC, and

WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program (the "Application") outlining the proposed development of new multi-family residential housing ("Development") for a 10-year exemption to be constructed at 1605 Columbia Street (Tax Lot 52810000) more specifically described on Exhibit A attached hereto ("Property"), and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW THEREFORE, the City and Applicant mutually agree as follows:

1. The City agrees to issue the Applicant a Conditional Certificate of Acceptance of Tax Exemption.

2. The Applicant agrees to construct on the Property multi-family residential housing as described in the most recent site plans, floor plans, and elevations on file with the City as of the date of City Council approval of this agreement. In no event shall such construction provide fewer than ten (10) new permanent multi-family residential units.

3. The Applicant commits to renting at least twenty percent of the multi-family housing units (2 units) as affordable housing units to households whose adjusted income is at or below 80% median family income adjusted for family size as reported by the United States Department of Housing and Urban Development as defined at RCW 84.14.010. The applicant agrees that the property must satisfy that commitment and any additional affordability and income eligibility conditions contained in Chapter 3.22 VMC for the duration of the tax exemption.

4. The Applicant agrees to complete construction of the agreed upon improvements within three years from the of Council approval of this agreement, or within any extension thereof granted by the City.

5. The Applicant agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Director of Community Development ("Director") the following:
    (a) A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
    (b) A description of the completed work and a statement of qualifications for the exemption;
    (c) A statement that the project meets the affordable housing requirements as described in RCW 84.14.020 including a statement committing to renting or selling at least twenty percent of the multifamily housing units as affordable housing units to low and moderate-income households; and
    (d) A statement that the work was completed within the required three-year period or any authorized extension.

6. The City agrees, conditioned on the Applicant's successful completion of the improvements in accordance with the terms of this Agreement and on the Applicant's filing of the materials described in Paragraph 5 above, to file a Final Certificate of Tax Exemption with the Clark County Treasurer and Assessor within ten (10) days.

7. The Applicant agrees, within 30 days following the first anniversary of the City's filing of the Final Certificate of Tax Exemption, and each year thereafter for the duration of the exemption, to file a notarized declaration with the Director indicating the following:
   (a) A statement identifying the total number of occupied and vacant multi-family units receiving a property tax exemption;
   (b) A certification that the property continues to be in compliance with this Agreement, Chapter 3.22 VMC, and Chapter 84.14 RCW;
   (c) A description of any improvements or changes to the property constructed after the issuance of the certificate of tax exemption;
   (d) The total monthly rent for each unit;
   (e) Documentation of the income of each renter household at the time of initial occupancy; and
   (f) Documentation showing that twenty percent of the units were rented as affordable housing units to low and moderate-income households as defined at RCW 84.14.010 and VMC 3.22.

8. The applicant agrees to maintain the property including all improvements in compliance with all applicable City codes and requirements.

9. The Applicant agrees to maintain records supporting all information provided to the City and to make those records and the multi-family units available for inspection by the City. Failure to submit the annual declaration identified in Paragraph 7 or to maintain adequate records may result in the tax exemption being canceled.

10. If the Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, the Applicant shall notify the Clark County Assessor and Treasurer and the Director within 60 days of such change in use.

11. The Applicant agrees to notify the Director promptly of any transfer of the Applicant's ownership interest in the site or in the improvements made to the site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement. Cancellation of the Final Certificate of Tax Exemption may subject the Applicant to potential tax liability as further described in RCW 84.14; The Applicant shall have the right to appeal such cancellation pursuant to VMC 3.22.040(N).

13. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

14. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

15. Applicant agrees that this Agreement is subject to the Vancouver Multi-Family Housing Tax Exemption set forth at Vancouver Municipal Code, Chapter 3.22.

City Of Vancouver	IMJ PROPERTIES
______________________________	______________________________
Eric Holmes, City Manager	Individual Name / Title

Attest:

____

Natasha Ramas, City Clerk

Approved as to form:

____

Jonathan Young, City Attorney

Exhibt A
Leagl Description

Tax Lot: 52810000

LOT 5 OF BLOCK 15 OF THE NORTH VANCOUVER PLAT RECORDED IN BOOK A PAGE 20 RECORDS OF CLARK COUNTY WASHINTON.

Item #7.

Staff Report 006-21

TO: Mayor and City Council

FROM: Eric Holmes, City Manager

DATE: 1/4/2021

SUBJECT Multifamily Tax Exemption: Broadstone / Waterfront Block 17

Key Points

- The Multifamily Tax Exemption Program (VMC 3.22) is designed as an incentive for developers to build new private multi-family development in targeted areas of the City.
- A development applicant is requesting an 8-year property tax exemption where 20% of the total units are reserved for tenants earning up to 100% area median income.
- The requested exemption facilitates an estimated $46.3 million in new construction for a mixed-use development including 178 apartment units with 179 parking spots in the downtown area that may not occur otherwise. This amount does not include any indirect employment associated with construction.
- The exemption accelerates construction of a project that will be on the tax rolls for decades beyond the end of the 8-year exemption period.
- When the tax exemption period ends the project will return to the tax rolls as if it were new construction.
- The project will include 36 units (20% of the total units) as income restricted to households at 100% AMI as determined by HUD.
- Over the 20-year period following construction, the project – with the exemption - will generate nearly $7.62 million in taxes benefiting all taxing districts (ports, schools, county, city, etc.) and a total of $2 million in taxes benefiting the City of Vancouver.

Strategic Plan Alignment

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

Goal 8, Objective 8.1: Make downtown Vancouver a vibrant destination for the community and the region.

Goal 8, Objective 8.2: Strengthen neighborhood business districts.

Present Situation

The applicant is requesting a multifamily tax exemption for a new mixed-use development. The project site is located in the Vancouver City Center Vision District on the Waterfront at 1000 W Columbia Way. The project site is currently vacant.

The proposed development will consist of a six-story mixed-use building containing 178 apartment units with 179 parking spaces in an internal parking structure.

The requested tax exemption is for 8-years where 20% of the total units are reserved for tenants earning 100% area median income or less. Currently the HUD 100% area median income in the Portland/Vancouver MSA for a four-person household is $92,100. Limiting the monthly housing costs to 30% of the gross monthly income, the maximum monthly affordable rent for this income level would be $2,302.50 per month. The area median income changes overtime and is recalculated annually by HUD.

The proposed residential portion of the development will include studio, 1-bedroom, and 2-bedroom units, 36 of which will be income restricted units.

Per the applicant the unit types and rents will be:

- 19 studio units at $1,550 per month,
- 125 one-bedroom units at $1,955 per month.
- 34 two-bedroom units at $2,825 per month.

The total estimated development cost is $9.7 million. The City Center Redevelopment Authority reviewed and approved the development on December 3, 2020. Over 20 years (with the exemption) the project is estimated to generate nearly $7.6 million in taxes benefiting all taxing districts (ports, county, city, etc.) with $2 million specifically generated for the City of Vancouver. Potentially foregone revenue during the exemption is estimated at $2 million for all taxing districts and $743,000 specifically for Vancouver. Without the proposed development and exemption, the site might remain primarily vacant foregoing the higher developed site tax revenues as well as income restricted residential housing units. Following the 8-year tax exemption period the project will return to the tax rolls at full taxable value.

Advantage(s)

1. Adds 178 new multifamily units in the VCCV subarea district.
2. Adds 36 income restricted units for households earning 100% or less of the area median income for the next 8 years.

Disadvantage(s)

The City will forego $743,000 in property taxes over the 8-year exemption duration.

Budget Impact

The City will receive additional revenues with the development itself, including sales tax on construction, permit fees and system development charges. There will be a small incremental increase in demand for public services during the initial 8-year exemption period without appurtenant tax revenues. Following the 8-year exemption period, the property will return to the tax base as new construction and the City and other taxing districts will begin receiving property taxes.

Prior Council Review

Council memorandum dated December 16, 2020

Action Requested

On Monday, January 4, 2021, following a public hearing, adopt a resolution approving an agreement with Vancouver Waterfront Apartments Owner LLC and authorizing the City Manager or designee to execute a multi-family housing limited property tax exemption agreement and take any and all action necessary to enforce the terms thereof.

Peggy Sheehan, Community Development Programs Manager, 360-487-7952

ATTACHMENTS:

- Broadstone MFTE Council Memo
- Broadstone MFTE Resolution
- Broadstone MFTE Agreement
- Presentation - Jan. 4 Broadstone and IMJ MFTE Agreements

CITY OF Vancouver WASHINGTON

MEMORANDUM

DATE: December 16, 2020
TO: Eric Holmes, City Manager
FROM: Peggy Sheehan, Programs Manager
CC: Chad Eiken, Director, Community & Economic Development
RE: **Multifamily Tax Exemption Project- Bennett Mixed Use**

Purpose
Brief Council on a Multifamily Tax Exemption project named the Broadstone Apartments prior to the January 4, 2021 public hearing.

Background
In 2001 the City of Vancouver adopted a multifamily tax exemption program to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use. The table below shows the program progress in encouraging residential development.

Multifamily Tax Exemption Program Summary				
	Completed	In Construction	In Permitting	Total
Projects Approved				
VCCV	17	7	6	30
Fourth Plain	3	0	0	3
Total				**33**
Total Units				
VCCV	1266	660	554	2,480
Fourth Plain	248	0	0	248
Total				**2,728**
Affordable Units				
VCCV	93	65	51	209
Fourth Plain	43	8	0	51
Total				**260**

Current Proposal

The applicant, Vancouver Waterfront Apartments Owner LLC, is requesting a multifamily tax exemption for a new mixed-use development. The project site is located in the Vancouver City Center Vision District on the waterfront at 1000 W Columbia Way. The project site vacant.

The proposed development will be a six-story mixed-use building containing 178 apartment units with 179 parking spaces.

The requested tax exemption is for 8-years where 20% of the total units are reserved for tenants earning 100% area median income or less. Currently the HUD 100% area median income in the Portland/Vancouver MSA for a four-person household is $92,100. Limiting the monthly housing costs to 30% of the gross monthly income, the maximum monthly affordable rent for this income level would be $2,302.50 per month. The area median income changes overtime and is recalculated annually by HUD.

The proposed residential portion of the development will include studio, 1-bedroom, and 2-bedroom units, 36 of which will be income restricted units.

Per the applicant the unit types and rents will be:

- 19 studio units at $1,550 per month,
- 125 one-bedroom units at $1,955 per month.
- 34 two-bedroom units at $2,825 per month.

The total estimated development cost is $9.7 million. The City Center Redevelopment Authority reviewed and approved the development on December 3, 2020. Over 20 years (with the exemption) the project is estimated to generate nearly $7.6 million in taxes benefitting all taxing districts (ports, county, city, etc.) with $2 million specifically generated for the City of Vancouver. Potentially foregone revenue during the exemption is estimated at $2 million for all taxing districts and $743,000 specifically for Vancouver. Without the proposed development and exemption, the site might remain primarily vacant foregoing the higher developed site tax revenues as well as income restricted residential housing units. Following the 8-year tax exemption period the project will return to the tax rolls at full taxable value.

Next Steps

- On January 4, 2021 conduct Public Hearing to consider a resolution on allowing the proposed exemption.

Staff Contact

Peggy Sheehan- Programs Manager
360-487-7952
peggy.sheehan@cityofvancouver.us

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To request other formats, please contact:
Amanda Delapena
(360) 487-8605 | WA Relay: 711
amanda.delapena@cityofvancouver.us

01/04/21

RESOLUTION NO. M-_____

A RESOLUTION of the City Council of the City of Vancouver approving an agreement with VANCOUVER WATERFRONT APARTMENTS OWNER LLC for an 8 year property tax exemption for the property located at 1000 W Columbia Way (Tax Lot 49355000) in Vancouver, Washington, as specifically described in Exhibit A.

WHEREAS, the City of Vancouver desires to stimulate new construction of multi-family housing in specifically designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and encourage development densities supportive of tenant use, and

WHEREAS, the City is interested in promoting new housing in the downtown Vancouver Central City Vision residential target area in the City of Vancouver; and

WHEREAS, the City has, pursuant to authority granted under the Revised Code of Washington (RCW), designated various "Residential Target Areas" for the provision of limited property tax exemptions for new multi-family residential housing; and

WHEREAS, the City has set forth in Chapter 3.22 of the Vancouver Municipal Code (VMC) a program whereby property owners may qualify for a "Final Certificate of Tax Exemption," which certifies to the Clark County Assessor and Treasurer that a property is eligible to receive a limited property tax exemption; and

WHEREAS, VANCOUVER WATERFRONT APARTMENTS OWNER LLC (Applicant) is interested in receiving a limited property tax exemption for constructing new multi-family residential housing units within the Downtown VCCV residential target area identified in Chapter 3.22 VMC; and,

WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program outlining the proposed development of new multi-family residential housing to be constructed at 1000 W Columbia Way (Tax Lot 49355000); and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW, THEREFORE,

BE IT RESOLVED BY THE CITY OF VANCOUVER:

Section 1. Agreement attached hereto as Exhibit B between VANCOUVER WATERFRONT APARTMENTS OWNER LLC and the City of Vancouver, a Washington Municipal Corporation, is approved.

Section 2. The City Manager of the City of Vancouver or his designee is authorized to execute the attached Exhibit B.

ADOPTED at a regular session of the Vancouver City Council this 4th day of January, 2021.

____
Anne McEnerny-Ogle, Mayor

Attest:

____
Natasha Ramras, City Clerk

Approved as to form:

____
Jonathan Young, Acting City Attorney

Exhibit A
Legal Description

Tax Lot: 49355000

BLOCK 17 OF THE VANCOUVER WATERFRONT PHASE 2 PLAT RECORDED IN BOOK 4, PAGE 212, OF PLATS RECORDS OF CLARK COUNTY, WASHINGTON.

MULTI-FAMILY HOUSING LMITED PROPERTY TAX EXEMPTION AGREEMENT

THIS AGREEMENT is entered into this 4th day of January 2021, by and between VANCOUVER WATERFRONT APARTMENTS OWNER, LLC (hereinafter referred to as "Applicant"), and the CITY OF VANCOUVER, a Washington Charter City of the First Class (hereinafter referred to as "City").

WITNESSETH:

WHEREAS, the City desires to stimulate new construction of multi-family housing in certain designated urban areas in order to reduce development pressure on single-family residential neighborhoods, to increase and improve housing opportunities, and to encourage development densities supportive of transit use, and

WHEREAS, the City is interested in promoting new housing in the Downtown VCCV area of the City of Vancouver, and

WHEREAS, the City has, pursuant to authority granted to it under the Revised Code of Washington (RCW), designated Residential Target Areas for the provision of limited property tax exemptions for new multi-family residential housing, and

WHEREAS, the City has, as set forth at Chapter 3.22 of the Vancouver Municipal Code ("VMC") as of November 18, 2020, enacted a program whereby property owners may qualify for a Final Certificate of Tax Exemption which certifies to the Clark County Assessor and Treasurer that the Applicant is eligible to receive a limited property tax exemption, and

WHEREAS, the Applicant is interested in receiving a limited property tax exemption for constructing units of new multi-family residential housing within the Downtown MFTE area, which is a designated Residential Target Area identified in Chapter 3.22 VMC as of November 18, 2020, and

WHEREAS, the Applicant has submitted to the City a complete application for the City's limited tax exemption program (the "Application") outlining the proposed development of new multi-family residential housing ("Development") for an 8-year tax exemption to be constructed at 1000 W Columbia Way (Tax Lot 49355000) more specifically described on Exhibit A attached hereto ("Property"), and

WHEREAS, the City has determined that the improvements to the Property will, if completed as proposed, satisfy the requirements for a Final Certificate of Tax Exemption.

NOW THEREFORE, the City and Applicant mutually agree as follows:

1. The City agrees to issue the Applicant a Conditional Certificate of Acceptance of Tax Exemption.

2. The Applicant agrees to construct on the Property multi-family residential housing as described in the most recent site plans, floor plans, and elevations on file with the City as of the date of City Council approval of this agreement. In no event shall such construction provide fewer than one hundred seventy-eight (178) new permanent multi-family residential units.

3. The Applicant commits to renting at least twenty percent of the multi-family housing units (36 units) as affordable housing units to households whose adjusted income is at or below the median family income adjusted for family size as reported for the Portland-Vancouver-Hillsboro metropolitan statistical area by the United States Department of Housing and Urban Development as defined at RCW 84.14.010 as of November 18, 2020. The applicant agrees that the property must satisfy that commitment and any additional affordability and income eligibility conditions contained in Chapter 3.22 VMC as of November 18, 2020 for the duration of the tax exemption.

4. The Applicant agrees to complete construction of the agreed upon improvements within three years from the of Council approval of this agreement, or within any extension thereof granted by the City.

5. The Applicant agrees, upon completion of the improvements and upon issuance by the City of a temporary or permanent certificate of occupancy, to file with the City's Director of Community Development ("Director") the following:
   (a) A statement of expenditures made with respect to each multi-family housing unit and the total expenditures made with respect to the entire property;
   (b) A description of the completed work and a statement of qualifications for the exemption;
   (c) A statement that the project meets the affordable housing requirements as described in RCW 84.14.020 including a statement committing to renting or selling at least twenty percent of the multifamily housing units as affordable housing units to low and moderate-income households; and
   (d) A statement that the work was completed within the required three-year period or any authorized extension.

6. The City agrees, conditioned on the Applicant's successful completion of the improvements in accordance with the terms of this Agreement and on the Applicant's filing of the materials described in Paragraph 5 above, to file a Final Certificate of Tax Exemption with the Clark County Treasurer and Assessor within ten (10) days.

7. The Applicant agrees, within 30 days following the first anniversary of the City's filing of the Final Certificate of Tax Exemption, and each year thereafter for the duration of the exemption, to file a notarized declaration with the Director indicating the following:
   (a) A statement identifying the total number of occupied and vacant multi-family units receiving a property tax exemption;
   (b) A certification that the property continues to be in compliance with this Agreement, Chapter 3.22 VMC in effect on November 18, 2020, and Chapter 84.14 RCW;
   (c) A description of any improvements or changes to the property constructed after the issuance of the certificate of tax exemption;
   (d) The total monthly rent for each unit;
   (e) Documentation of the income of each renter household at the time of initial occupancy; and
   (f) Documentation showing that twenty percent of the units were rented as affordable housing units to low and moderate-income households as defined at RCW 84.14.010 and VMC 3.22 in effect on November 18, 2020.

8. The applicant agrees to maintain the property including all improvements in compliance with all applicable City codes and requirements.

9. The Applicant agrees to maintain records supporting all information provided to the City and to make those records and the multi-family units available for inspection by the City. Failure to submit the annual declaration identified in Paragraph 7 or to maintain adequate records may result in the tax exemption being canceled.

10. If the Applicant converts to another use any of the new multi-family residential housing units constructed under this Agreement, the Applicant shall notify the Clark County Assessor and Treasurer and the Director within 60 days of such change in use.

11. The Applicant agrees to notify the Director promptly of any transfer of the Applicant's ownership interest in the site or in the improvements made to the site under this Agreement.

12. The City reserves the right to cancel the Final Certificate of Tax Exemption should the Applicant, its successors and assigns, fail to comply with any of the terms and conditions of this Agreement. Cancellation of

the Final Certificate of Tax Exemption may subject the Applicant to potential tax liability as further described in RCW 84.14; The Applicant shall have the right to appeal such cancellation pursuant to VMC 3.22.040(N).

13. No modifications of this Agreement shall be made unless mutually agreed upon by the parties in writing.

14. In the event that any term or clause of this Agreement conflicts with applicable law, such conflict shall not affect other terms of this Agreement which can be given effect without the conflicting term or clause, and to this end, the terms of this Agreement are declared to be severable.

15. Applicant agrees that this Agreement is subject to the Vancouver Multi-Family Housing Tax Exemption set forth at Vancouver Municipal Code, Chapter 3.22 in effect on November 18, 2020.

City Of Vancouver

____
Eric Holmes, City Manager

Attest:

____
Natasha Ramas, City Clerk

Approved as to form:

____
Jonathan Young, City Attorney

Vancouver Waterfront Apartments Owner, LLC

By: Vancouver Waterfront, LLC

By: Broadstone Vancouver Waterfront Alliance, LLC

____
By: Jeremiah Jolicoeur, Member

Exhibt A
Leagl Description

Tax Lot: 49355000

BLOCK 17 OF THE VANCOUVER WATERFRONT PHASE 2 PLAT RECORDED IN BOOK 4, PAGE 212, OF PLATS RECORDS OF CLARK COUNTY, WASHINGTON.