



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
Monday, November 7, 2016
7:00 PM**

- I. INVOCATION - Dan Durringer**
- II. CALL TO ORDER**
- III. PLEDGE OF ALLEGIANCE**
- IV. ROLL CALL**
- V. AMENDMENTS TO THE AGENDA**
- VI. PROCLAMATIONS - Civil Air Patrol Week**
- VII. PUBLIC COMMENTS**
- VIII. CONSENT AGENDA**

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

- A. Workshop Minutes of October 24, 2016**
- B. Council Minutes of October 24, 2016**
- C. Accounts Payable Checks 70803-70906, Totaling \$415,132.57**
- D. Payroll Claims 9930-9940 & V18908-V18990, Totaling \$476,464.96**
- E. Set Public Hearing: Spyglass Hill Development Agreement**
Agenda Bill #88-16
- F. Set Public Hearing: Marlin Development Agreement**
Agenda Bill #89-16
- G. Set Public Hearing: CDBG Application - K Street**
Agenda Bill #90-16
- IX. NEW BUSINESS**
 - A. Emergency Utility Assistance Program Approval**
Agenda Bill #91-16
 - B. Resolution: Personnel Policy Update**
Agenda Bill #92-16
 - C. Public Hearing/Resolutions: 2017 Property Tax (Ad Valorem)**
Agenda Bill #93-16
 - D. Public Hearing/Ordinance: 2017 Budget**
Agenda Bill #94-16
- X. PUBLIC COMMENTS**

XI. MAYOR'S REPORT

XII. COUNCILMEMBER COMMENTS

XIII. ADJOURNMENT

UPCOMING MEETINGS: Monday, November 14, 2016 - Workshop at 5:00 pm / Council at 7:00 pm



**CITY OF WASHOUGAL
CITY COUNCIL WORKSHOP MINUTES
Monday, October 24, 2016
5:00 PM**

I. CALL TO ORDER

Mayor Guard called the meeting to order at 5:00 pm.

II. ROLL CALL

Present: Michelle Wagner, Paul Greenlee, Jennifer McDaniel, Dave Shoemaker, and Dan Coursey. Brent Boger arrived at 5:31 and departed at 6:08.

Absent: Joyce Lindsay

David Scott, City Administrator
Trevor Evers, Public Works Director
Jennifer Forsberg, City Clerk/Finance Director
Ron Mitchell, Police Chief
Jeanette Cefalo, Human Resources Director
Mitch Kneipp, Community Development Director
Ron Schumacher, Camas-Washougal Fire Marshal
Rob Charles, City Engineer
Shannon Olsen, Senior Analyst
Rose Jewell, Assist. to Mayor and City Administrator

Dawn Felhaus, Camas-Washougal Post Record

III. PUBLIC COMMENTS

None

IV. NEW BUSINESS

A. Community Development: Transportation Capital Facilities Plan Update

Mitch Kneipp explained the proposed changes and stated that the Capital Facilities Plan will go before the Planning Commission on Tuesday, October 25th. (PRESENTATION)

B. Community Development: Water System Plan Update

Mitch Kneipp explained the project and cost. This item will be before the Planning Commission on Tuesday, October 25th. (PRESENTATION)

C. Community Development: Parks Comprehensive Plan Update

Mitch Kneipp explained the need to update the plan. (PRESENTATION)

All three of the capital facilities plans are on the November 7th consent agenda to set public hearings.

D. Community Development: Ordinance regarding Planning Commission Terms

Mitch Kneipp explained the need to update WMC Chapter 2.12 (Planning Commission). The Ordinance would update the code, reduce board seats from eight to seven, and remove the Mayor as the ex-officio member. He also sought reappointment confirmation of the existing Planning Commission members in staggered in terms. This ordinance will be on the regular meeting agenda.

Discussion ensued regarding advertising, length of terms, and term limits.

E. Human Resources: Personnel Policy Update Section 2A

Jeanette Cefalo presented the amendments to the Personnel Policies; clean up language and the 2017 non-represented salary schedule.

F. Finance: Third Quarter Update

Jennifer Forsberg presented the Third Quarter Update. (PRESENTATION)

- 2016 Revenues and Expenses - General and Streets Funds
- 2016 Revenues and Expenses - Utility Funds
- 2016 Expenses - All Funds - Bond, Capital, REET, PEG, ER&R, Cemetery
- LGIP - Investment Update
- Money Market Investment Update
- Bond - Investment Update

G. Finance: 2017 Mayor's Preliminary Budget

Jennifer Forsberg presented the 2017 Mayor's Budget in the new format and distributed a complete copy to the Council and attendees. (PRESENTATION)

- Budget discussions schedule to date
- Dept. Head presentations
- Highlights and key assumptions
- No EMS levy - Property tax bills
- Pavement Management Index
- Staff additions - building inspector, planning support, communications specialist
- Community and tourism events
- Enhancement projects
- New projects - Safe Routes, CERB, Sidewalks, SR-14 Improvements, Well, Reservoir, water lines, culverts, and transmission lines
- Fund utilization, property tax levy, banked capacity, and sales tax revenue
- Assessed valuation, EMS levy, and General Levy
- Fire Reserves
- Key assumptions - utilities (water, sewer, storm)
- General and Street fund expenses
- Salary Commission results
- Long range forecast
- Water/Sewer/Storm Operations and maintenance
- REET Funds
- Hotel/Motel Lodging Tax Fund - tourism events
- Next step - set hearing for November 7th

V. PUBLIC COMMENTS

VI. MAYOR'S REPORT

VII. COUNCILMEMBER COMMENTS

VIII. ADJOURNMENT

Meeting adjourned at 6:32.

Mayor

City Clerk



**CITY OF WASHOUGAL
CITY COUNCIL REGULAR MEETING
MINUTES
Monday, October 24, 2016
7:00 PM**

I. INVOCATION - Chris Rafn

Chris Rafn delivered the invocation.

VIEW VIDEO

II. CALL TO ORDER

Mayor Guard called the meeting to order at 7:02.

III. PLEDGE OF ALLEGIANCE

Mayor Guard led the Pledge of Allegiance.

IV. ROLL CALL

Present: Michelle Wagner, Paul Greenlee, Jennifer McDaniel, Dave Shoemaker, and Dan Coursey.

Absent: Joyce Lindsay and Brent Boger

David Scott, City Administrator

Trevor Evers, Public Works Director

Jennifer Forsberg, City Clerk/Finance Director

Ron Mitchell, Police Chief

Jeanette Cefalo, Human Resources Director

Mitch Kneipp, Community Development Director

Ron Schumacher, Camas-Washougal Fire Marshal

Rose Jewell, Assist. to Mayor and City Administrator

Unanimous consent to excuse Councilmember Lindsay and Boger. Greenlee No objections.

Councilmember Boger arrived at 7:23.

V. AMENDMENTS TO THE AGENDA

None

VI. PROCLAMATIONS - National Veterans Remembrance Month

Mayor Guard read the National Veterans Remembrance Month Proclamation.

VII. PUBLIC COMMENTS

Raeshel Peck and Jill Hofman spoke on the need for sidewalks on K Street on route to Gause Elementary School. Raeshel submitted photos for Council's reference. She asked the city to dedicate enforcement resources and additional signage. They acknowledged the recent addition of three new street lights and inquired about additional funding opportunities for sidewalks.

Leif Leifson commented on the traffic issues along K and 34th Streets. He suggested speed bumps.

VIII. CONSENT AGENDA

The following items will be passed by a single motion to approve all listed actions and resolutions. There will be no discussion on these items unless requested by Council. If discussion is requested, the item will be moved from the Consent Agenda and considered separately - after the motion has been made and passed to approve the remaining items.

Unanimous consent to approve the consent agenda as read. Greenlee No objections.

- A. Workshop Minutes of October 10, 2016**
- B. Council Minutes of October 10, 2016**
- C. Accounts Payable 70700-70802, Totaling \$248,896.22**
- D. Payroll Claims 9925-9928 & V 18850-V18907, Totaling \$206,495.74**
- E. Set Public Hearing: Transportation CFP - Pavement Management Program (PA #16090003 & ENV #16090004)**
AGENDA BILL #81-16
- F. Set Public Hearing: Water System Plan - Automated Meter Reading (AMR) (PA #16090005 & ENV #16090006)**
AGENDA BILL #82-16
- G. Set Public Hearing: Parks Plan Update (PA #16090012 & ENV #16090013)**
AGENDA BILL #83-19
- H. Set Public Hearing: 2017 Budget**
AGENDA BILL #84-16
- I. Set Public Hearing: 2017 Property Tax Levy**
AGENDA BILL #85-16

IX. NEW BUSINESS

- A. Public Hearing/Resolution: Multi-Family Housing Property Tax Exemption Application - Rig A Hut**
Agenda Bill #86-16

**Mitch Kneipp presented the staff report and the recommended action.
(PRESENTATION)**

Mayor Guard opened the public hearing and called three times for testimony.

Hearing none he closed the public hearing.

Unanimous consent to authorize the resolution to be read by title only. Greenlee No objections.

Ken Woodrich read the resolution by title only.

Discussion: Additional work sessions to address additional parking, number of bedrooms, and review the document.

Motion: To pass and post the resolution in the usual manner. Greenlee/McDaniel
Motion passed.

B. Ordinance - Amendments to WMC 2.12 (Planning Commission)

AGENDA BILL #87-16

Mitch Kneipp presented the staff report and the recommended action.

Unanimous consent that the city attorney to read the ordinance by title only.
Greenlee No objections.

Kenneth Woodrich read the ordinance by title only.

Motion: To pass, post, and publish in the Ordinance in the usual manner.
Greenlee/Boger

Motion amendment #1: To included language prohibiting *two consecutive terms*.
Wagner/McDaniel Motion amendment #1 - first and second withdrawn.

Motion amendment #2: WMC 2.12.010 Terms - *limited to two consecutive four years terms*. Wagner/McDaniel

Roll Call: Councilmembers Boger, Greenlee, McDaniel, and Shoemaker voted No.
Councilmembers Wagner and Coursey voted Yes. Motion failed.

Motion Amendment #3: WMC 2.12.010 Terms - *shorten terms from six to four year to be staggered with no term limits*. Boger/ McDaniel Motion passed.

Motion: To pass, post, and publish the ordinance as amended. Motion passed.

X. PUBLIC COMMENTS

Larry Wagoner spoke to his experience as a Planning Commissioner.

XI. MAYOR'S REPORT

Mayor Guard asked Council to confirm the following Planning Commission reappointments:

Two year terms: White, Gerhard, Dodge, and Wagoner.

Four year term: Lamb, Reinhart, and Pabst

Motion: To confirm appointments. Boger/Greenlee Motion passed.
Councilmember Wagner voted No.

Mayor Guard reminded Councilmembers of the AWC Regional meeting on 11/3 in Woodland.

A. Appointments Committee

Mayor Guard reminded Councilmembers AWC Regional meeting on 11/3 in Woodland.

Motion: To appoint Councilmembers McDaniel/Wagner to the Appointments Committee. Boger/Greenlee Motion passed.

XII. COUNCILMEMBER COMMENTS

Councilmember Boger gave an update from the JPAC meeting.

Councilmember Wagner announced the Park Board meeting on 11/3 at 3:30.

Councilmember Greenlee will be attending the AWC Regional meeting and reflected on the Pumpkin Harvest Festival. UNITE will meet on Thursday.

Councilmember McDaniel announced the First Citizen Reception recognizing Bob Knight on November 2nd at Warehouse 23.

Councilmember Shoemaker stated that the public safety committee meeting is schedule for the third Monday at noon.

Councilmember Coursey reviewed the meeting with Dave Ripp, the Killians, and David Hanson and Associate's presentation on the Port property.

XIII. ADJOURNMENT

UPCOMING MEETINGS: Monday, November 7, 2016 - Workshop at 5 pm & Council at 7 pm

Mayor

City Clerk

SUNGARD HTE
 DATE: 10/21/2016
 TIME: 09:01:59

CITY OF WASHOUGAL
 CHECK REGISTER

PAGE NUMBER: 1
 VENCHK11
 ACCOUNTING PERIOD: 10/16

FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70803	1111	10/21/16	1040 RICHARD FOSTER	5043	PER DIEM NACA TRNG	168.35
70804	1111	10/21/16	32 ADVANCED TRAVEL	5043	R.BAKER WW CERT PREP	259.00
70805	1111	10/21/16	2200 ANDERSON SIGNS INC.	5036	4MIL COREX DATE SIGN	67.50
70806	1111	10/21/16	998 BERGER/ABAM ENGINEERING	5044	NW URBAN GROWTH AREA	9,428.71
70807	1111	10/21/16	877 BRYAN CAINE	5043	PER DIEM NACA TRNG	168.35
70808	1111	10/21/16	236 CAMAS-WASHOUGAL ANIMAL HO	5041	ALLEY EXAM, ETC.	135.00
70809	1111	10/21/16	806 CESSCO, INC	5036	STIHL BLOWER, PUMP	937.62
70810	1111	10/21/16	229 CITY OF CAMAS	5041	SHARED EMS COSTS	230,437.92
70810	1111	10/21/16	229 CITY OF CAMAS	5063	SHARED EMS COSTS	2,251.08
			TOTAL CHECK			232,689.00
70811	1111	10/21/16	124 CLARK CO AUDITOR	5051	ADULT PROBATION FEES	758.02
70811	1111	10/21/16	124 CLARK CO AUDITOR	5051	PRETRIAL SUPERVISION	19.48
70811	1111	10/21/16	124 CLARK CO AUDITOR	5051	RELICENSE PROGRAM	75.00
70811	1111	10/21/16	124 CLARK CO AUDITOR	5051	VICTIM IMPACT CLASS	75.00
70811	1111	10/21/16	124 CLARK CO AUDITOR	5051	2016-Q3 NETMOTION LIC	505.20
			TOTAL CHECK			1,432.70
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	175.00
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	217.00
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	217.00
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	301.00
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	133.00
70812	1111	10/21/16	246 CLARK COUNTY FIRE DIST 5	5449	3QTR16 TRAINING	133.00
			TOTAL CHECK			1,176.00
70813	1111	10/21/16	1630 CLARK COUNTY PLUMBING & D	5041	HYDRO-JET SEWER MAIN	449.86
70814	1111	10/21/16	129 COLUMBIA LITHO, INC	5036	500 CORRECTIONS NOTIC	149.59
70815	1111	10/21/16	197 THE COLUMBIAN	5044	NOTICE OF APPLICATION	483.79
70815	1111	10/21/16	197 THE COLUMBIAN	5044	QUORUM POSSIBLE	26.39
70815	1111	10/21/16	197 THE COLUMBIAN	5044	NOTICE OF APPLICATION	173.72
70815	1111	10/21/16	197 THE COLUMBIAN	5044	CONSULTANT SVCS	61.57
70815	1111	10/21/16	197 THE COLUMBIAN	5044	PUBLIC HEARING	21.99
			TOTAL CHECK			767.46
70816	1111	10/21/16	1896 COPY TRONIX	5031	C280 OVERAGE	46.47
70816	1111	10/21/16	1896 COPY TRONIX	5031	C280 OVERAGE	46.47
70816	1111	10/21/16	1896 COPY TRONIX	5031	C280 OVERAGE	61.95
70816	1111	10/21/16	1896 COPY TRONIX	5036	C280 OVERAGE	103.25
70816	1111	10/21/16	1896 COPY TRONIX	5031	C280 OVERAGE	103.26
70816	1111	10/21/16	1896 COPY TRONIX	5031	C280 OVERAGE	154.89
			TOTAL CHECK			516.29
70817	1111	10/21/16	296 CUMMINS ALLISON CORP	5041	MAINTENANCE CONTRACT	569.10
70818	1111	10/21/16	310 DEPT OF LABOR & INDUSTRIE	5041	ANNUAL OPERATING CERT	141.60

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FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70819	1111	10/21/16	317 DON'S RADIO & TV	5036	FUSE	5.40
70820	1111	10/21/16	955 EMPLOYMENT SECURITY DEPAR	5051	1ST QTR UI TAX ADDT'L	1,506.55
70820	1111	10/21/16	955 EMPLOYMENT SECURITY DEPAR	5051	2ND QTR UI TAX ADDT'L	1,320.53
70820	1111	10/21/16	955 EMPLOYMENT SECURITY DEPAR	5051	3RD QTR UI TAX	306.92
70820	1111	10/21/16	955 EMPLOYMENT SECURITY DEPAR	5051	4TH QTR UI TAX ADDT'L	523.11
			TOTAL CHECK			3,657.11
70821	1111	10/21/16	147 ENGLISH, LANE, MARSHALL,V	5041	SEPT16 LEGAL SERVICES	75.00
70821	1111	10/21/16	147 ENGLISH, LANE, MARSHALL,V	5041	SEPT16 LEGAL SERVICES	5,000.00
70821	1111	10/21/16	147 ENGLISH, LANE, MARSHALL,V	5041	SEPT16 LEGAL SERVICES	352.50
70821	1111	10/21/16	147 ENGLISH, LANE, MARSHALL,V	5063	SEPT16 LEGAL SERVICES	527.50
			TOTAL CHECK			5,955.00
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	SPLINE TO SDS ADAPT	90.89
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	LANDSCAPE RAKE	26.77
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	SELDGE HAMMER	59.73
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	CONCRETE SPREADER	155.58
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	UV BLK CBL TIE	11.37
70822	1111	10/21/16	2248 FASTENAL COMPANY	5036	CAM& GROOVE PART	32.26
			TOTAL CHECK			376.60
70823	1111	10/21/16	345 FERGUSON ENTERPRISE, INC	5036	MVP METERING CART	133.56
70824	1111	10/21/16	353 FOSTER PEPPER & SHEFELMAN	5041	SPECIAL COUNSEL SVCS	402.50
70825	1111	10/21/16	1688 FRONTIER	5042	SVC 10/04-11/03	292.87
70825	1111	10/21/16	1688 FRONTIER	5042	SVC 10/07-11/06	99.99
			TOTAL CHECK			392.86
70826	1111	10/21/16	3114 GARY & VANESSA KLINE	3430000	003434-00 RFD OVRPMT	248.77
70827	1111	10/21/16	1382 GENERAL PACIFIC INC	5036	BAD M35-S-1C61-F-60	5,501.60
70828	1111	10/21/16	2147 GSI WATER SOLUTIONS INC.	5041	WELL # 1 REPLACEMENT & DE	2,178.26
70829	1111	10/21/16	3110 HOLT SERVICES INC	5063	WELL #1 REPLACEMENT	49,728.50
70830	1111	10/21/16	972 HUMANE SOCIETY FOR SOUTHW	5041	REDEMPTION FEES	230.00
70831	1111	10/21/16	405 IMPERIAL CLEANERS	5041	UNIFORM CLEANING	118.12
70832	1111	10/21/16	3084 JOSEPH MILLER	5043	ADVANCED TRAVEL	-259.00
70832	1111	10/21/16	3084 JOSEPH MILLER	5449	AMP WW EXAM FEE	98.00
70832	1111	10/21/16	3084 JOSEPH MILLER	5449	DOE GROUP III EXAM FE	50.00
70832	1111	10/21/16	3084 JOSEPH MILLER	5043	FUEL	20.00
70832	1111	10/21/16	3084 JOSEPH MILLER	5043	PER DIEM WW GROUP	259.00
70832	1111	10/21/16	3084 JOSEPH MILLER	5449	WWCPA EXAM APP FEE	15.00
			TOTAL CHECK			183.00
70833	1111	10/21/16	2899 KING DIAMOND PRODUCTS LLC	5036	14" ALL-CUT SUPREME	1,249.95
70834	1111	10/21/16	1941 KITCHEN ELECTRIC	5041	TRBLSHT ST LIGHTS	570.18
70835	1111	10/21/16	2365 KNAPHEIDE TRUCK EQUIPMENT	5064	FORD F350 WORK	10,186.00

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FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	VENDOR	ACCT	DESCRIPTION	AMOUNT
70836	1111	10/21/16	LANCASTER ENGINEERING	5041	WASHOUGAL SCHOOL DIST	4,846.18
70837	1111	10/21/16	LEXIPOL	5041	MANUAL UPDATE	5,785.00
70838	1111	10/21/16	METRO LANDSCAPE SUPPLIES	5036	DRAIN ROCK	379.40
70839	1111	10/21/16	MURRAY SMITH ASSOC	5041	STEIGERWALD RESTORATION &	1,582.43
70840	1111	10/21/16	NORTHSTAR CHEMICAL, INC	5036	SODIUM HYPOCHLORITE	1,409.20
70841	1111	10/21/16	NORTHWEST STAFFING RESOUR	5041	WK END 10/16 D.TIERNE	408.88
70841	1111	10/21/16	NORTHWEST STAFFING RESOUR	5041	WK END 10/16 M.WILLIA	543.12
TOTAL CHECK						952.00
70842	1111	10/21/16	OFFICE DEPOT	5036	CALENDARS	118.43
70842	1111	10/21/16	OFFICE DEPOT	5036	CHAIR	661.24
70842	1111	10/21/16	OFFICE DEPOT	5031	PAPER, PENS	237.71
70842	1111	10/21/16	OFFICE DEPOT	5031	TISSUE, FILES	72.75
70842	1111	10/21/16	OFFICE DEPOT	5031	TONER, LABELS	251.34
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, LABELS	3.81
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, LABELS	3.81
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, LABELS	5.08
70842	1111	10/21/16	OFFICE DEPOT	5031	TONER, LABELS	8.47
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, LABELS	8.48
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, PAPER PADS, MO	50.56
70842	1111	10/21/16	OFFICE DEPOT	5031	TONER, PAPER PADS, MO	60.61
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, PAPER PADS, MO	65.03
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, PAPER PADS, MO	6.44
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, PAPER PADS, MO	8.58
70842	1111	10/21/16	OFFICE DEPOT	5036	TONER, PAPER PADS, MO	14.30
70842	1111	10/21/16	OFFICE DEPOT	5031	TONER, PAPER PADS, MO	14.31
70842	1111	10/21/16	OFFICE DEPOT	5036	OFFICE SUPPLIES	24.27
70842	1111	10/21/16	OFFICE DEPOT	5031	OFFICE SUPPLIES	387.94
70842	1111	10/21/16	OFFICE DEPOT	5031	OFFICE SUPPLIES	1,110.38
70842	1111	10/21/16	OFFICE DEPOT	5031	OFFICE SUPPLIES	77.97
TOTAL CHECK						3,191.51
70843	1111	10/21/16	OTAK	5041	PHASE 2 STORMWATER LID CO	3,492.00
70843	1111	10/21/16	OTAK	5041	WASHOUGAL CAMPEN CREEK CU	3,438.75
TOTAL CHECK						6,930.75
70844	1111	10/21/16	PAPE' MACHINERY	5048	CHUTE, WASHER, BLADE	87.37
70845	1111	10/21/16	PHENOVA INC	5041	WP DISSOLVED OXYGEN	106.53
70846	1111	10/21/16	PITNEY BOWES INC	5045	INK	479.08
70847	1111	10/21/16	PORTER W YETT COMPANY	5048	HMA OR 3/8"	195.00
70848	1111	10/21/16	PUBLIC SAFETY TESTING	5041	SUBSCRIPTION FEES	250.00
70849	1111	10/21/16	QUALITY MOBILECOMM	5048	REFURB INTEGRA	1,387.52
70850	1111	10/21/16	SIERRA SPRINGS	5036	WATER	23.15
70850	1111	10/21/16	SIERRA SPRINGS	5036	WATER	81.05
TOTAL CHECK						104.20

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FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70851	1111	10/21/16	2928 SILVER STAR TELECOM	5042	SERVICE 10/01-10/31	1,480.44
70852	1111	10/21/16	1925 SOHA SIGN	5063	24"X24" SINGLE SIDED	130.08
70853	1111	10/21/16	651 SUMMIT LAW GROUP	5041	SERVICES THROUGH 9/30	527.00
70854	1111	10/21/16	200 TRAFFIC SAFETY SUPPLY CO	5036	SIGNS	18.50
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	34TH STREET SIDEWALKS J -	13,215.76
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	RES 6 PHASE 2-B	3,360.50
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	LOOKOUT RIDGE PH 6	294.44
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SALVATION ARMY SITE	122.20
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SALVATION ARMY SITE	122.20
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SALVATION ARMY SITE	122.20
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SALVATION ARMY SITE	122.20
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	2016 DEVELOPMENT RVW	479.20
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	FOWZER	804.10
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SHOCKLEY TRACT	60.40
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SHOCKLEY TRACT	60.40
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SHOCKLEY TRACT	60.40
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SHOCKLEY TRACT	60.40
70855	1111	10/21/16	208 WALLIS ENGINEERING	5041	SHOCKLEY TRACT	60.40
TOTAL CHECK						20,244.76
70856	1111	10/21/16	826 WASHINGTON STATE PATROL	5051	BACKGROUND CHECKS	73.75
TOTAL FUND						380,334.24
TOTAL REPORT						380,334.24

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DATE: 10/21/2016
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FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70857	1111	10/21/16	1017 RYAN BAKER	5449	AMP WASTEWATER EXAM	98.00
70857	1111	10/21/16	1017 RYAN BAKER	5449	DOE GROUP III EXAM AP	50.00
70857	1111	10/21/16	1017 RYAN BAKER	5043	FUEL FOR WW	20.00
70857	1111	10/21/16	1017 RYAN BAKER	5043	PER DIEM FOR WW GROUP	-259.00
70857	1111	10/21/16	1017 RYAN BAKER	5043	TRAVEL ADVANCE	259.00
		TOTAL CHECK				168.00
		TOTAL FUND				168.00
		TOTAL REPORT				168.00

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FUND - 801 - DISBURSEMENT CLEARING ACC

CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70858	1111	10/28/16	3116 AMERICAN COUNCIL ON CRIMI	5449	USE OF FORCE INST CRS	498.00
70859	1111	10/28/16	1168 ARCHAEOLOGICAL INVESTIGAT	5063	SCHMID PRP ARCH SVC	2,485.21
70860	1111	10/28/16	998 BERGER/ABAM ENGINEERING	5041	EVERGREEN WAY BUS MAINTEN	1,045.72
70861	1111	10/28/16	2016 CENTURYLINK	5042	SVC OCT 14 - NOV 14	58.21
70862	1111	10/28/16	806 CESSCO, INC	5035	STIHL BLOWER	867.11
70863	1111	10/28/16	19 CHEVRON & TEXACO UNIVERSA	5041	FUEL	250.62
70864	1111	10/28/16	124 CLARK CO AUDITOR	5051	3Q LIQUOR PROFIT/TAX	970.82
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	33.11
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	53.08
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	11.10
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	25.00
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	25.69
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	25.85
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	27.23
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	239.31
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	72.09
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	77.34
70865	1111	10/28/16	809 CLARK PUBLIC UTILITIES	5047	OCTOBER ELECTRICITY	87.29
			TOTAL CHECK			677.09
70866	1111	10/28/16	2730 COBALT DESIGNWORKS	5036	PARKS FNDN FIRE POLE	569.10
70867	1111	10/28/16	129 COLUMBIA LITHO, INC	5063	POSTERS	117.07
70868	1111	10/28/16	197 THE COLUMBIAN	5044	SEPA DN RESERVIOR #6	215.50
70868	1111	10/28/16	197 THE COLUMBIAN	5044	PUBLIC HEARING NOTICE	35.18
70868	1111	10/28/16	197 THE COLUMBIAN	5044	PUBLIC HEARING NOTICE	43.98
70868	1111	10/28/16	197 THE COLUMBIAN	5041	PUBLIC HEARING NOTICE	164.92
			TOTAL CHECK			459.58
70869	1111	10/28/16	28 COMCAST	5042	OCTOBER INTERNET	106.11
70870	1111	10/28/16	144 DEPT OF LICENSING	5049		21.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
70870	1111	10/28/16	144 DEPT OF LICENSING	5049	CONCEALED PISTOL LIS	18.00
			TOTAL CHECK			147.00
70871	1111	10/28/16	2854 DOOMSDAY BREWING COMPANY	5041	ZOMBIE BREWFEST	3,000.00
70872	1111	10/28/16	1343 EVELYN M PIERCE	5041	TRANSCRIPT INTERVIEWS	761.25
70873	1111	10/28/16	2248 FASTENAL COMPANY	5036	PARK SIGN REPAIRS	10.31
70873	1111	10/28/16	2248 FASTENAL COMPANY	5048	WSN	60.84
70873	1111	10/28/16	2248 FASTENAL COMPANY	5048	10.9 HCS M116X45YZ FT	3.25

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CHECK NUMBER	CASH ACCT	DATE ISSUED	VENDOR	ACCT	DESCRIPTION	AMOUNT
70873	1111	10/28/16	2248 FASTENAL COMPANY	5036	DBL ROW CUP	80.48
			TOTAL CHECK			154.88
70874	1111	10/28/16	345 FERGUSON ENTERPRISE, INC	5036	CHECK STOP STRAINER	210.78
70875	1111	10/28/16	1688 FRONTIER	5042	OCTOBER INTERNET	66.38
70876	1111	10/28/16	751 GRAINGER	5048	BATTERY LIGHTS GLOVES	100.30
70876	1111	10/28/16	751 GRAINGER	5048	BATTERY LIGHTS GLOVES	100.30
70876	1111	10/28/16	751 GRAINGER	5048	BATTERY LIGHTS GLOVES	100.30
			TOTAL CHECK			300.90
70877	1111	10/28/16	380 H. D. FOWLER COMPANY	5036	ASPHALT MIX	1,756.08
70878	1111	10/28/16	397 HOME DEPOT CREDIT SERVICE	5036	6FT PICNIC TABLES	2,388.00
70878	1111	10/28/16	397 HOME DEPOT CREDIT SERVICE	5036	FILM APP FOR ADN WNDW	208.06
70878	1111	10/28/16	397 HOME DEPOT CREDIT SERVICE	5035	PLIERS, GROOVE TOOLS	91.89
			TOTAL CHECK			2,687.95
70879	1111	10/28/16	415 ITRON, INC.	5041	CONTRACT 2016	1,130.70
70880	1111	10/28/16	3084 JOSEPH MILLER	5449	WWCPA APP FEE	15.00
70881	1111	10/28/16	2436 LARCH CORRECTIONS CENTER	5041	OFFENDER GRATUITY	341.73
70881	1111	10/28/16	2436 LARCH CORRECTIONS CENTER	5041	OFFENDER GRATUITY	535.80
70881	1111	10/28/16	2436 LARCH CORRECTIONS CENTER	5063	OFFENDER GRATUITY	741.24
			TOTAL CHECK			1,618.77
70882	1111	10/28/16	757 LJC SUPPLY	5036	FERROUS SULFATE	24.92
70883	1111	10/28/16	166 METRO LANDSCAPE SUPPLIES	5036	CEDAR CHIPS	182.11
70883	1111	10/28/16	166 METRO LANDSCAPE SUPPLIES	5036	MEDIUM FUR	229.27
			TOTAL CHECK			411.38
70884	1111	10/28/16	3117 MICHAEL LEWIS	3863000	COMM RM REFUND	125.00
70884	1111	10/28/16	3117 MICHAEL LEWIS	3863000	COMM RM REFUND	125.00
			TOTAL CHECK			250.00
70885	1111	10/28/16	2399 MPI FARMS	3430000	HYDRANT METER RFND	177.48
70886	1111	10/28/16	1179 MUNICIPAL RESEARCH & SEVI	5041	2017 ANNUAL REIMB RFD	90.00
70886	1111	10/28/16	1179 MUNICIPAL RESEARCH & SEVI	5041	2017 ANNUAL REIMB RFD	90.00
70886	1111	10/28/16	1179 MUNICIPAL RESEARCH & SEVI	5041	2017 ANNUAL REIMB RFD	90.00
70886	1111	10/28/16	1179 MUNICIPAL RESEARCH & SEVI	5041	2017 ANNUAL REIMB RFD	90.00
			TOTAL CHECK			360.00
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	26.20
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	30.86
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	107.01
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	61.74
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	474.79
70887	1111	10/28/16	176 NORTHWEST NATURAL GAS CO	5047	SVC 09/20 - 10/19	624.94
			TOTAL CHECK			1,325.54
70888	1111	10/28/16	2781 NORTHWEST STAFFING RESOUR	5041	LANDSCAPING	1,088.00

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CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
70889	1111	10/28/16	850 OWEN EQUIPMENT COMPANY	5036	CAMERA GAFF	86.72
70890	1111	10/28/16	180 PAPE' MACHINERY	5048	CHUTE, WASHER, GRASS	245.91
70891	1111	10/28/16	1431 PAVEMENT MAINTENANCE, INC	5036	OIL FLO-GALLON	134.25
70892	1111	10/28/16	548 PETTY CASH/KELLY CLARK	5036	BIMART AED SWABS	2.16
70892	1111	10/28/16	548 PETTY CASH/KELLY CLARK	5449	COSTCO FOOD FOR EIS	43.34
70892	1111	10/28/16	548 PETTY CASH/KELLY CLARK	5043	FUEL LOHRY RETEST	15.00
			TOTAL CHECK			60.50
70893	1111	10/28/16	563 POLLARDWATER.COM	5023	SAFETY VEST	93.61
70894	1111	10/28/16	565 PORTER W YETT COMPANY	5036	HMA OR 1/2 PG64-22	226.60
70895	1111	10/28/16	1453 PRESTIGE ELECTRIC LLC	5041	TS PBLM W UV NOT WORK	312.19
70895	1111	10/28/16	1453 PRESTIGE ELECTRIC LLC	5041	TS PBLM W AERATOR	312.19
			TOTAL CHECK			624.38
70896	1111	10/28/16	3043 SCOTT RAINEY	3863000	COMM RM REFUND	125.00
70897	1111	10/28/16	1925 SOHA SIGN	5063	HAMLLIK BIKE PARK	742.55
70898	1111	10/28/16	2390 THEO GOMEZ	5043	PER DIEM	75.23
70899	1111	10/28/16	203 UNITED PARCEL SERVICE	5041	SHIPPING	23.04
70899	1111	10/28/16	203 UNITED PARCEL SERVICE	5041	SHIPPING	43.54
			TOTAL CHECK			66.58
70900	1111	10/28/16	690 USA BLUEBOOK	5035	TUBING, PIPE TOOLS	365.29
70901	1111	10/28/16	2181 VALLEY FREIGHTLINER INC.	5048	LABOR FOR REPAIRS	785.15
70902	1111	10/28/16	1774 VERIZON WIRELESS	5042	POLICE PHONES OCT	480.12
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	36.54
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	43.75
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	72.82
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	953.02
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	99.58
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	232.35
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	298.71
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	527.53
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	527.53
70903	1111	10/28/16	2022 WILCOX & FLEGEL	5032	FUEL	527.54
			TOTAL CHECK			3,319.37
70904	1111	10/28/16	2106 WILDFLOWER MEADOWS, LLC	5036	DOGIPOT LITTER PICK U	150.68
70904	1111	10/28/16	2106 WILDFLOWER MEADOWS, LLC	5036	LITTER P/U BAGS	150.68
			TOTAL CHECK			301.36
70905	1111	10/28/16	868 WINGFOOT COMMERCIAL TIRE	5036	TIRE STUDDING	3,183.01
70906	1111	10/28/16	2491 WIRE WORKS	5048	LIGHT TAKEDOWN	123.05
			TOTAL FUND			34,630.33

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CHECK NUMBER	CASH ACCT	DATE ISSUED	-----VENDOR-----	ACCT	-----DESCRIPTION-----	AMOUNT
TOTAL REPORT						34,630.33

CITY OF WASHOUGAL

PAYROLL CLAIMS VOUCHER APPROVAL

I HEREBY CERTIFY THAT THE SERVICES CHARGED ON THE VOUCHERS ATTACHED HAVE BEEN FURNISHED TO THE BEST OF MY KNOWLEDGE. I FURTHER CERTIFY THE CLAIMS BELOW TO BE VALID AND CORRECT.

FINANCE _____

WE THE UNDERSIGNED COUNCIL MEMBERS OF WASHOUGAL, WASHINGTON DO HEREBY CERTIFY THAT THE CHECK #9930-9940 & VOUCHER #'S V18908-V18990 ARE APPROVED FOR PAYMENT IN THE AMOUNT OF \$476,464.96 ON THIS 31st DAY OF OCTOBER 2016.

* CHECKS 9928-9929 were the
2 vendor checks from PR 10/14/16
in the amount of \$572.00

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____

FINANCE COMMITTEE _____

Agenda Bill #88-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

Set Public Hearing: Spyglass Hill Development Agreement

DEPT. OF ORIGIN:

Community Development

REVIEWED AT:

October 26, 2016 - Community Development Committee

November 7, 2016 - City Council Workshop

TO BE RETURNED TO COUNCIL:

Yes

ATTACHMENTS:

- ▢ **Development Agreement Spyglass Hill**
- ▢ **Spyglass Hill DA Exhibits**

EXPENDITURE REQUIRED:

\$0

BUDGETED:

\$0

APPROPRIATION REQUIRED:

\$0

SUMMARY STATEMENT

The developments known as Spyglass Subdivision and Riverwatch Subdivision received preliminary approval on May 24, 2005. The development's original design plan located the stormwater facilities under the Bonneville Power Administration's (BPA) right-of-way; however, despite their efforts to work with the BPA, BPA denied the development the ability to use the right-of-way for stormwater. This design issue coupled with the market realities of the Great Recession led to delays in the development of the property. Staff issued two one-year extensions for the development consistent with WMC 17.12.040 extending the validity of the plat to 2017; however this code requires adherence to the current city regulations including the stormwater regulations, which makes development of this site extremely difficult. The developer is seeking this Development Agreement to extend their validity for two years and to keep their development regulations from their original decision. They have submitted a redesign of the plat that:

- Removes the stormwater facilities from the BPA right-of-way;
- Reduces the number of lots from 94 to 37 within the Spyglass Subdivision;
- Reduces the number of lots from 89 to 79 within the Riverwatch Subdivision;
- Removes Townhome style units (All units will be single-family detached)

While this development is also in the Woodburn Hill Subarea the Development Agreement was submitted prior to the enactment of the emergency moratorium ordinance. While not necessary, the approval of the Development Agreement would also address the criteria established within the emergency moratorium ordinance, specifically the need for a Development Agreement.

RECOMMENDED ACTION

Set a public hearing for December 5, 2016 at 7:00pm through approval of the consent agenda for the Spyglass Hill Development Agreement.

When Recorded, Return to:

Shawn R. MacPherson
430 NE Everett Street
Camas, WA 98607

Parcels: Above Space for Recording Information Only

DEVELOPMENT AGREEMENT

THIS DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into by and between the City of Washougal, a Washington Municipal Corporation, ("City,"); and, René LeBrun, a single person, and Oliver Hidden, a married man, collectively referred to as "Parties";

RECITALS

WHEREAS, a Final Order dated May 24, 2005, was issued by the City of Washougal reference City File No. SUB #2004-12; and

WHEREAS, said Final Order related to a preliminary plat application for certain real property situate at Clark County tax parcel numbers 128356-000, 0852474-010, 085275-001, 085275-34 and 131170-000; and

WHEREAS, the Final Order covered two subdivisions with the Spyglass Subdivision lying west of North LeBrun Blvd and the Riverwatch Subdivision lying east of North LeBrun Blvd; and

WHEREAS, both subdivisions were located in the vicinity of a Bonneville Power Administration right-of-way and conditions within the Final Order required the construction of certain improvements therein; and

WHEREAS, as indicated in the attached Exhibit "A", the Bonneville Power Administration has noted that use of the transmission line easements as shown on the preliminary plat are not acceptable and, subsequent to the Final Order, acquired a 75 foot Clark Public Utility Easement which affects the site; and

DEVELOPMENT AGREEMENT

WHEREAS, for the Riverwatch Subdivision the Final Order authorized 89 lots and for the Spyglass Subdivision authorization was for 99 lots (183 Total), ranging in size from 3,212 square feet to 23,474 square feet, with an average lot size of 9,646 square feet; and

WHEREAS, the site is encumbered by sensitive lands in the nature of steep slopes and the previously approved plat did not accommodate any slope setbacks from steep slopes; and

WHEREAS, the road classification for all streets within the approved subdivisions is Residential Local with Right-of way dimensions ranging from approximately 40 foot to 50 foot; and

WHEREAS, the Parties have proposed a number of revisions which would substantially improve the layout including, but not limited to, the removal of 57 of the 94 preliminary approved lots on the Spyglass Subdivision, with the elimination of townhomes style units, and the removal of 10 of the 89 preliminary approved lots on the Riverwatch Subdivision, as well as the removal of all storm water pond from the BPA right-of-way and the option to use a shed section on interior roads; and

WHEREAS, subsequent to entry of the final order in this matter, the City proposed to construct a water main and booster pump station on two separate parcels of land owned by René LeBrun and further proposed the creation of a 30' wide utility easement in favor of the City of Washougal, along the northern portion of Spyglass Hill subdivision; and

WHEREAS, by Memorandum of Understanding between the City and René LeBrun, the parties established a means by which to reach binding agreements to allow the City to construct the improvement, all as more particularly described in attached Exhibit "B"; and

WHEREAS, the transactions associated with acquisition of property for the booster pump station and for the new 12" water main over LeBrun's real property, connecting with the existing City of Washougal water system, were closed in 2015; and

WHEREAS, by letter dated May 10, 2016, the City of Washougal granted a one-year extension of the preliminary plat approval, expiring May 24, 2017, on the condition that the parties submit a Development Agreement for consideration by the City; and

WHEREAS, the City, has the authority to enter into Development Agreements pursuant to RCW 36.70B.170; and

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

private participation and comprehensive planning, and reduce the economic cost of development; and,

WHEREAS, the City is further authorized to enter into Development Agreement pursuant to Washougal Municipal Code (“WMC”) 18.94.160; and,

NOW, THEREFORE, THE PARTIES HERETO AGREE AS FOLLOWS:

Section 1. Development Agreement

This Agreement is a Development Agreement to be implemented in accordance with RCW 36.70B.170 through RCW 36.70B.210 and WMC 18.94.160. It shall become a contract between the Parties and the City upon the City’s approval by ordinance or resolution following a public hearing as provided for in RCW 36.70B.170 and WMC 18.94.160 and execution of the Agreement by all Parties.

Section 2. Effective Date and Duration of Agreement

This Agreement shall take effect immediately upon its adoption by the City Council and recording and shall terminate two years from the date of execution by all parties, unless extended or terminated by mutual consent of the parties.

Section 3. Final Order. The Final Order dated May 24, 2005, reference City File No. SUB2004-12 shall remain in full force and effect as to the conditions, land use regulations, and development standards as set forth therein during the term of this Agreement, unless specifically otherwise set forth herein.

Section 4. Vesting. The zoning, land use regulations, and development standards in effect as of May 24, 2005, shall remain in effect during the term of this Agreement, regardless of the time period for which they would have otherwise been valid. The vesting provided for under this Agreement shall not apply to system development charges, impact fees, or application or review fees.

Section 5. Post Decision Review Revisions. Attached as Exhibit “C”, and incorporated by reference herein, is a post decision review narrative, which provides the Parties and the City with predictability regarding the future development of the property, including any associated off-site improvements related to transportation or utilities, and shall revise the noted conditions of approval as set forth within the Final Order reference City File No. SUB2004-12. The property shall be developed hereafter, consistent with the conditions of approval as otherwise revised within the attached Exhibit “C”.

Section 6. Hold Harmless. The City shall have no liability for any damages or losses suffered by the Parties if a federal or state agency takes action that voids, nullifies or preempts the City's agreement to permit vesting under this Agreement. The Parties’ shall further indemnify and hold harmless the City of Washougal from any and all liability, including third party liability, under any applicable state or federal regulations including, but not limited to, the

Clean Water Act, for any actual or alleged violation of said regulations arising from the City's agreement to allow the vesting described in Section 4 or in the event said third party or agency challenges the adoption of this Agreement within the applicable timeframes. In such event, the City, in its sole discretion, may require the Parties to post a bond in an amount deemed reasonably sufficient to cover all costs and expenses associated with any claim or action for liability as described herein, including reasonable attorney's fees to be incurred by the City in defending any third party claim. Upon notice of any claim or action for liability against City relating to this Section, the City shall timely notify the Parties of their duties for indemnification of the City. Within ten (10) days of such notice, the Parties may, at the Parties' sole discretion, revoke its vested rights to the City's current storm water standards arising under this section by giving written notice of such revocation to the City. Upon such revocation, the Parties shall have no further liability to the City or obligation to indemnify the City. The Parties may choose to waive the vesting provided for in Section 4, if it notifies the City in writing. In that event, any fully complete development application submitted to the City and relating to the Property, shall vest to the storm water rules and regulations in effect at the time such application is submitted to the City. If the Parties chooses to waive the vesting provided for in Section 4, then all vested rights created in Section 4, shall become null and void, but such choice shall not affect any other provisions of this Agreement.

Section 7. Waiver

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

Section 8. Venue

This Agreement shall be construed in accordance with, and governed by, the laws of the State of Washington. The parties agree to venue in the Superior Court for Clark County, State of Washington, to resolve any disputes that may arise under this Agreement.

Section 9. Entire Agreement/Modifications

This Agreement constitutes the entire agreement between and among the Parties with respect to the subject matter herein contained and all prior negotiations, discussions, writings and agreements between the Parties with respect to the subject matter herein contained are superseded and of no further effect, unless expressly provided for in this Agreement. This Agreement cannot be amended or modified without a writing signed by all of the Parties hereto. Pursuant to RCW 36.70B.170(4), the City reserves the authority to impose new or different regulations to the extent required by a serious threat to public health and safety.

Section 10. Captions

The captions contained in this Agreement were inserted for the convenience of reference only. They do not in any manner define, limit, or describe the provisions of this Agreement or the intentions of the Parties.

Section 11. Gender/Singular/Plural

Whenever masculine, feminine, neutral, singular, plural, conjunctive, or disjunctive terms are used in this Agreement, they shall be construed to read in whatever form is appropriate to make this Agreement applicable to all the Parties and all circumstances, except where the context of this Agreement clearly dictates otherwise.

Section 12. Severability

If any portion of this Agreement shall be invalid or unenforceable to any extent, the validity of the remaining provisions shall not be affected thereby.

Section 13. Inconsistencies

If any provisions of the Washougal Municipal Code are deemed inconsistent with the provisions of this Agreement, the provisions of this Amendment shall prevail.

Section 14. Binding on Successors and Recording.

This Agreement shall run with the land and be binding upon and inure to the benefit of the Parties, and their respective heirs, successors and assigns. This Agreement shall be recorded against the real property situate at Clark County tax parcel numbers 128356-000, 0852474-010, 085275-001, 085275-34 and 131170-000.

Section 15. Recitals.

Each of the recitals contained herein are intended to be, and are incorporated as, covenants between the parties and shall be so construed.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the dates set forth below:

CITY OF WASHOUGAL, WASHINGTON

René LeBrun

By (person signing)

Oliver Hidden

Title _____

STATE OF WASHINGTON)

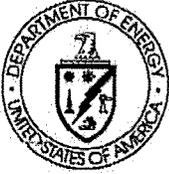
) ss.

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 signed this instrument, on oath stated that he was authorized to execute this instrument and acknowledged it

EXHIBIT A

Exhibit 51



Department of Energy

Bonneville Power Administration
P.O. Box 61409
Vancouver, WA 98666-1409

March 3, 2005

In reply refer to: TRFS-TPP-4; Tract ID BOSI-1-SAC-5; Tract ID BV-T-24-SAC-15

Joanne Boys
Interim Planning and Development Director
1701 "C" Street
Washougal, WA. 98671

RE: SUB/PUD #2004-12 (Hidden Development Subdivision)

Dear Joanne:

Bonneville Power Administration (BPA) is very concerned about this development. We have grave concerns with the development of the BPA easement with storm drain ponds and trails. There are two steel lattice towers and two wood pole structures on the site. Additional drainage into the surrounding soil could jeopardize the integrity of the towers. It could also interfere with access for maintenance. Standing water on the right-of-way is a safety and liability concern (electrocution or drowning). BPA does not want a trail on the right-of-way that may be used by off-road vehicles. Landscaping must meet BPA specifications.

We are requesting time to work with the developer and have the BPA geotechnical engineer review their plans.

Please call me if you have questions and concerns. I can be contacted at 360-619-6459.

Sincerely,

A handwritten signature in cursive script that reads "Monica Stafflund".

Monica Stafflund
Realty Specialist

Cc: Frank Worth, TNFF-TPP-3

RECEIVED

MAR 07 2005

CITY OF WASHOUGAL

Exhibit 59

March 10, 2005

Joanne Boys
Interim Planning and Development Director
1701 "C" Street
Washougal, WA 98671

RE : SUB/PUD #2004-12 (Hidden Development Subdivision)

Dear Joanne,

Thank for forwarding Exhibit 57 to us. The concerns expressed by Bonneville Power Administration in their letter to you dated March 3 is an extension of the discussion we had in a field meeting at which both Ms. Stafflund and Mr. Worth were present. The on site meeting was attended by Rene LeBrun, property owner, Oliver Hidden, contract buyer, Cecelia McClure, P.E. project engineer with MacKay & Sposito, Inc. and myself.

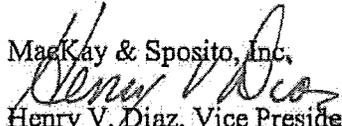
The main concern expressed in our field meeting and reiterated in the letter is that "additional drainage into the surrounding soil could jeopardize the integrity of the towers". Area specific geo technical testing will occur in conjunction with the final design of the facilities. The test results and facility design will be forwarded to the City Of Washougal's engineer and BPA for review. What is being proposed for this development is not unlike what has been permitted by BPA in numerous other residential developments in Washougal and Clark County.

The proposed trail system within the easement area is designed for passive recreational use and the use by off-road vehicles will not be tolerated. At the location where the trails meet the existing and proposed public sidewalk systems bollards will be in place that will prevent unauthorized vehicles from entering the area. The trail system will also be a benefit to BPA maintenance crews as it will provide a formal access to the towers. Fencing around the storm water facilities will occur and the landscaping around the facilities will be designed as to discourage access into the ponds. Thorny plantings and vegetation that is not inviting to traverse will be used together with other vegetation to soften the aesthetics of the fencing around the facilities.

We are anticipating working with BPA representatives to insure that these site improvements on property owned by Mr. LeBrun do not affect the integrity of existing facilities and provide a safe, integrated amenity for the area homeowners.

Sincerely,

MacKay & Sposito, Inc.



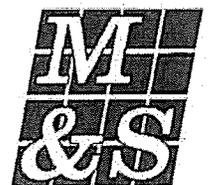
Henry V. Diaz, Vice President, Planning

RECEIVED

MAR 12 2005

CITY OF WASHOUGAL

Cc: Monica Stafflund
Frank Worth
Rene LeBrun
Oliver Hidden





Department of Energy

Bonneville Power Administration
P.O. Box 61409
Vancouver, WA 98666-1409

Exhibit 72

March 21, 2005

In reply refer to: TRFS-TPP-4; Tract ID BOSI-1-SAC-5; Tract ID BV-T-24-SAC-15

Joanne Boys
Interim Planning and Development Director
1701 "C" Street
Washougal, WA. 98671

RE: SUBPUD #2004-12 (Hidden Hills Subdivision)

Dear Joanne:

Bonneville Power Administration (BPA) would like to have this letter entered into testimony at the Public Hearing for the above said proposal.

BPA will not permit the uses of the transmission line easement as shown on the submitted plans. BPA requires review of any plans to use the transmission line easement in order to protect the land rights purchased by the United States of America for said transmission line including unobstructed access to the towers. BPA must also protect the integrity of the electrical grid that serves the Pacific Northwest and protect the safety of all persons who work and live around the transmission lines.

This letter serves as notice that the uses as shown on the plans submitted are not acceptable.

If you have any questions please contact me at 360-619-6459.

Sincerely,

A handwritten signature in cursive script that reads "Monica Stafflund".

Monica Stafflund, Regional Realty Specialist
Bonneville Power Administration

Cc:

Jim Bryant, Manager, Real Property Services, TR-TPP-4
Don Swanson, Transmission Line Foreman III, TFOP-LMT
Frank Worth, Civil Engineer (geotech), TNFF-TPP-3

RECEIVED
MAR 23 2005
CITY OF WASHOUGAL

Draft 02
MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into as of the date shown below by and between the City of Washougal, a municipal corporation of the State of Washington (City), and Rene LeBrun (LeBrun). This document is understood to be an expression of the intent of the Parties to attempt in good faith to negotiate and reach binding agreements on the matters discussed herein, and it is not a contract or an otherwise legally binding instrument.

1. Introduction

The City proposes to construct a water main and booster pump station (Booster Pump Station No. 6) on two separate parcels of land owned by LeBrun. The water main and booster pump station are required to service a new reservoir being constructed to serve future development on Woodburn Hill. This project will create a mid-level Pressure Zone 6 in the northwest portion of the City. The proposed improvements are identified in the City of Washougal Water System Plan.

2. Format of MOU

This MOU contains the various understandings for the design of and property acquisition for the improvements between the City and LeBrun as set forth below and shown in the attached Exhibit A.

Parcel A. LeBrun agrees to sell the City property west of LeBrun Boulevard for construction of Booster Pump Station No. 6 as shown in Exhibit A.

Parcel B. LeBrun agrees to grant a 20' utility easement for construction and maintenance of a new 12" water main between U Street and LeBrun Boulevard within the proposed Spyglass Hills subdivision along N 38th Street as shown in Exhibit A. The water main will include a connection south to the proposed N 1st Street and will be designed to accommodate hydrants associated with the future Sypglass Hill development.

The Spyglass Hill preliminary plat is valid until May of 2015. The easement will remain in place until final platting and dedication of right of way. The City and LeBrun will explore legal means under state law of extending the plat beyond 10 years.

The City will pay appraised fair market value for the property and utility easement.

The City will work with LeBrun for the described improvements to meet both the City's vision for the project and maintain LeBrun's ability to develop the adjacent properties.

LeBrun agrees to allow the City and its representatives to access parcel A and Parcel B to complete site reconnaissance and survey work as needed. The City will provide notice to LeBrun prior to entering the property.

3. Miscellaneous

This MOU is the entire agreement between the parties and supersedes all prior written or oral agreements, if any, pertaining the subject matter hereof.

This MOU may be modified or amended by written instrument executed between the parties.

This MOU shall be construed pursuant to applicable laws of the State of Washington.

Throughout the term of the MOU the parties agree to exercise good faith and to observe the covenants herein.

Dated this 19 day of September, 2014

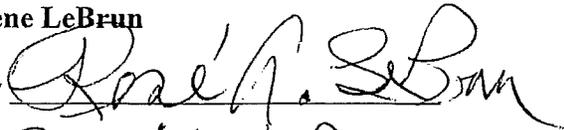
City Of Washougal



Sean Guard, Mayor

Rene LeBrun

By

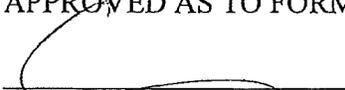


Rene A. LeBrun
(print name and title)

Owner



APPROVED AS TO FORM


Don English, City Attorney

Scott E. Russen, Assistant City Attorney

EXHIBIT C

SGA ENGINEERING, PLLC

CIVIL ENGINEERING, LAND PLANNING, DEVELOPMENT SERVICES, & LANDSCAPE ARCHITECTURE

2005 BROADWAY
VANCOUVER, WA, 98663

Phone (360)993-0911
Fax (360)993-0912

POST DECISION REVIEW NARRATIVE
RIVERWATCH & SPYGLASS SUBDIVISIONS (SUB #2004-12)

Introduction

The associated land use number for this project is SUB #2004-12. The final decision with approval subject to conditions was released on May 24, 2005. The decision covered two subdivisions. The Spyglass Subdivision is lies on the west side of N LeBrun Boulevard and generally west of the BPA ROW. The Riverwatch Subdivision lies on the east side of N LeBrun Boulevard and generally east of the BPA ROW.

In the intervening years there have been several developments that render the approved preliminary plat unfeasible. The first, and most significant, is that BPA will not allow for the construction of the improvements shown on the plat in its ROW. This means that the four storm ponds proposed in the BPA ROW need to be relocated into area that was previously proposed to be lots. It should be noted that BPA has acquired the 75' CPU easement as well. This issue combined with some of the approval conditions and the challenging topography on the site has led to the need for a substantial revision to the layout of the plat.

In addition, market changes in the last ten years have led the applicant to believe 35 foot lots in this area will be challenging to sell. Consequently lots on the Spyglass portion have been increased in size that is similar to the Riverwatch portion as well as the existing subdivisions to the west.

The applicants seek to adjust the preliminary plat to remove a total of 67 lots. The Spyglass subdivision will be reduced.

The previously approved plat did not accommodate any slope setback from steep slopes. This proposal assumes a 50' base buffer that may be reduced with additional geotechnical analysis. This affects the lot count.

The road classification for all streets on both parts of the project is Residential Local. The proposed street sections are consistent with what was approved previously. On the Spy glass project the proposed pavement width is 32 feet and the ROW is 40 feet, with sidewalks being partially located within easements. On Riverwatch the proposed pavement width is 32 feet and the ROW is 50 feet with the sidewalk being located entirely within the ROW. On both projects an optional shed section is being proposed as a design element that helps to mitigate for the steep slopes on the site. At the Residential Local classification level, from a transportation perspective, shed sections provide the same function as standard sections, while allowing for a change in elevation across the cross section, which reduces the fall across the lots, which can, in turn, reduce the need for walls during home construction.

Please refer to the Revised Preliminary Plat for the changes this narrative describes.

Summary of changes requested

- This post decision review proposes to remove 57 of the 94 preliminarily approved lots. On the Spyglass Subdivision. The revised preliminary plat proposes 37 single-family units. Townhome style units are no longer proposed.
- This post decision review proposes to remove 10 of the 89 preliminarily approved lots. On the Riverwatch Subdivision. The revised preliminary plat proposes 79 single-family units.
- The removal of all stormwater facilities from the BPA ROW.
- The option to use a shed section on interior roads.

Reasons for changes

- To adjust the stormwater design to work outside the BPA ROW.
- To allow for the construction of wider units and a more marketable subdivision.
- To comply with various conditions of approval.

Additional Discussion

This discussion is provided to help update city review staff on the current conditions of the project site, provide any updates regarding construction in the area and to specifically address past findings and conditions of approval which need to be revised with this post decision review.

The following conditions of approval have been addressed by this layout:

- A-1. Access to the lot formally known as 89, now Lot 27 Riverwatch, takes access from N. 9th Avenue.
- A-2. The location and design of streets preserves the existing vegetation of the deep-rooted perennial to the greatest extent possible.
- A-3. The lot formally known as 54, now Lot 27 in Spyglass, is much wider and now has adequate frontage.
- A-4. The short radius S curves have been removed from N 3rd Avenue.
- A-5. This condition should be removed.
 - a. A stub street extending to the stub street within the Caliendo Hills Subdivision is not feasible as it would have to rise 50 vertical feet in 300 horizontal feet, which equates to an average grade of 20%. The majority of the road would likely be at 25% after adequate vertical curves were installed. In addition, half of the necessary connection would lie on land the developer does not own.
 - b. Extending a street stub north of 39th street is not feasible because in the intervening years lots and a storm pond have been platted across this old ROW.
- A-6. A stub street has been extended to the property line that will line up with existing Lookout Ridge Drive on the other side of N LeBrun Boulevard. The developer does not own the property between this development and N LeBrun Boulevard in this location so the connection cannot actually be completed as a part of this project.
- A-7. 39th Street will connect with the existing street stub to the west, and a modified cul-de-sac will be left in place as an "eyebrow."
- A-40. Storm water treatment will be achieved through the use of Wetponds and Stormfilter cartridges.
- A-51. The plat has been redesigned to provided this 50 foot base buffer from existing slopes of 15% or greater. This buffer may be reduced upon recommendation from a Geotechnical Engineer and acceptance by the planning and development director.

On the Spyglass Subdivision the 50' slope setback and the requirement that the pond be constructed outside of the BPA ROW have led to the southern portion of the site being unusable for anything other than a storm pond.

On the Riverwatch Subdivision, The 50' slope setback combined with the relatively narrow north to south width and the large grade differential north to south has conspired to make it impractical to fit 4 banks of lots. After considering the limited layout options, it became obvious that a bank of double frontage lots in the middle was the most preferable configuration. All other configurations created a long network of dead end roads. While cross-circulation with neighboring streets is impracticable, this layout at least maintains traffic circulation within the project.

The split entrance road where N 38th Street intersects N LeBrun Boulevard shown on the previous preliminary would require significant grading or a wall in the BPA easement, therefore the standard width roadway has been extended to the intersection with N LeBrun Boulevard.

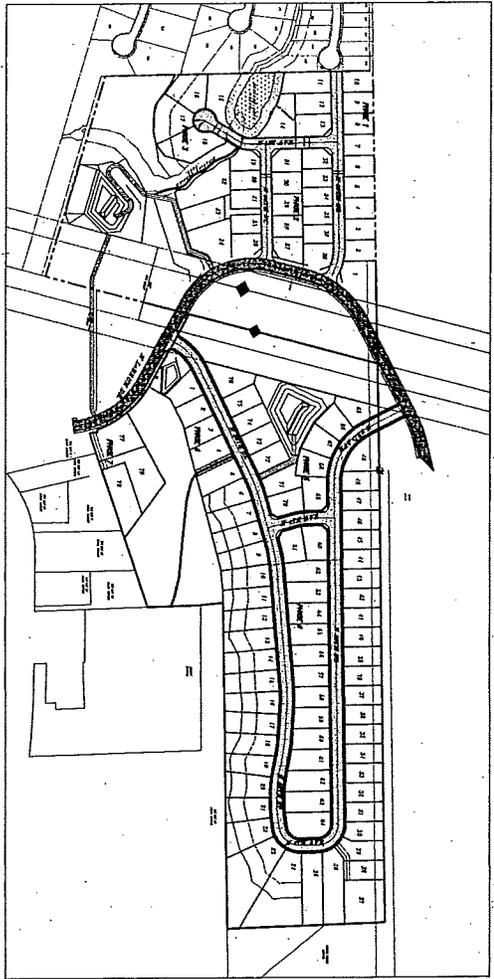
Utilities on the project will be in general conformance to the utilities as laid out on the original preliminary plat, with the exception that no STEP sewer will be proposed.

It should be noted that the approval of this project is about to expire. The applicants are committed to moving forward on this project, and view this post decision review as the next necessary step in doing so. They anticipate submitting for final engineering review on the first phase of this project within the year. City staff has stated in an e-mail from Mitch Kneipp dated December 15, 2014 that applying for a post decision review would constitute a "good faith" effort towards final plat on the development, and will allow for the approval to be legally extended (see WMC 17.12.040.) The City entered a memorandum of understanding with Rene LeBrun September 19, 2014 as part of a booster pump project, that states "The City and LeBrun will explore legal means under state law of extending the plat beyond ten years." This post decision review application should give the city cause to grant that extension.

Please contact Eric Golemo or Joel Rutherford with SGA Engineering for any project clarifications or for additional information. Your review and approval of this application is appreciated.

Sincerely,

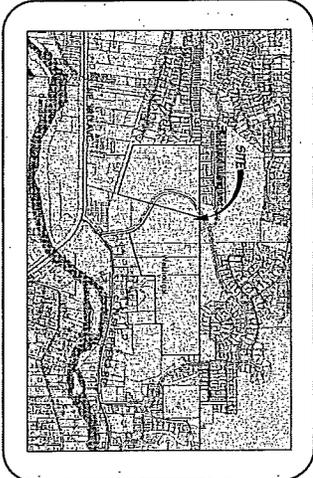
Eric Golemo, PE
Associate/ Engineering Manager
SGA Engineering, PLLC
egolemo@sgaengineering.com
&
Joel Rutherford, PE
Project Engineer
jrutherford@sgaengineering.com



NOTES:

- APPLICANTS / OWNERS**
- PARCELS 88274.000, 88273.001, 88273.004, 15192.000
 - COLUMBIA VIEW LLC
 - ATYU, OLIVER HIDDEN
 - 2810 KAUFMAN AVENUE
 - VANCOUVER, WA, 98660
 - PH (360) 596-4421 FAX (360) 696-4423
- ENGINEERS, SURVEYORS, & PLANNERS**
- SCA ENGINEERING, PLLC
 - 2005 BROADWAY
 - VANCOUVER, WASHINGTON 98663
 - ATYU - ERIC GOLDMAN OR SCOTT TAYLOR
 - EQULB008@SCAENGINEERING.COM OR STYU1008@SCAENGINEERING.COM
 - (360) 596-0811
- PRESSENT USE**
- EXISTING ZONING
 - PROPOSED USE
- STREETS**
- SANITARY SEWER SERVICE
 - WATER SERVICE
 - STORM DRAINAGE
 - CONTOURS
 - AREAGE WITHIN BOUNDARY : * 49 ACRES
- THE SITE IS CURRENTLY VACANT OF ANY STRUCTURES**
- R15 (WITHIN THE WOODBURN HILL SUBAREA)
 - THE APPLICANT IS PROPOSING A 79 LOT SINGLE FAMILY DETACHED SUBDIVISION ON THE EAST SIDE OF LEBKIN BLVD. AND A 366 LOT SINGLE FAMILY ATTACHED AND / OR DETACHED SUBDIVISION ON THE WEST SIDE OF LEBKIN BLVD.
 - PER CITY OF WASHOUGAL STANDARDS AND REQUESTED MODIFICATIONS. (SEE APPLICATION PACKET)
 - PUBLIC CITY OF WASHOUGAL
 - (SCANTY ON WEST SIDE / STYU ON EAST SIDE)
 - PUBLIC CITY OF WASHOUGAL
 - PER CITY OF WASHOUGAL STANDARDS
 - PER HAS SURVEY, FEB. 2003. SEE EXISTING CONDITIONS PLAN SHEET 4 OF 6
- PARCELS 129056.000, 88274.006**
- RENE LEBKIN
 - 5039 N 4TH COURT
 - WASHOUGAL, WA 98671
 - PH (360) 255-8457

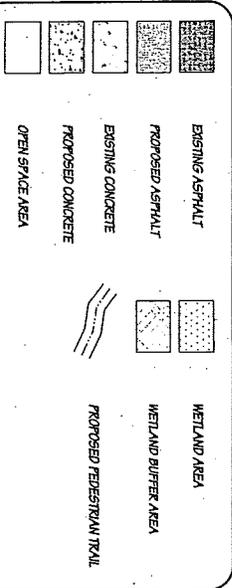
VICINITY MAP



LAND USE SYNOPSIS:

PROPOSED USE	SQ.FT.	ACRES	%
LOT AREA	±315,086 sq. ft.	±7.2 ac.	57%
WETLAND BUFFER AREA	±85,599 sq. ft.	±1.9 ac.	2%
RIPARIAN CORRIDOR	±14,701 sq. ft.	±.34 ac.	2%
RIGHT OF WAY (EXISTING)	±26,218 sq. ft.	±.60 ac.	5%
RIGHT OF WAY (PROPOSED)	±50,461 sq. ft.	±1.2 ac.	6%
OPEN SPACE (PROPOSED)	±65,977 sq. ft.	±1.5 ac.	7%
OPEN SPACE/UNDISC. AREA	±174,805 sq. ft.	±3.9 ac.	43%
SUBTOTAL	±482,245 sq. ft.	±10.9 ac.	100%
(EAST SIDE)			
PROPOSED USE	SQ.FT.	ACRES	%
LOT AREA	±395,590 sq. ft.	±9.2 ac.	67%
RIGHT OF WAY (PROPOSED)	±30,089 sq. ft.	±.74 ac.	5%
OPEN SPACE	±23,571 sq. ft.	±.53 ac.	1%
SUBTOTAL	±1,256,240 sq. ft.	±28.9 ac.	100%
TOTAL	±2,882,276 sq. ft.	±69 ac.	

LEGEND:

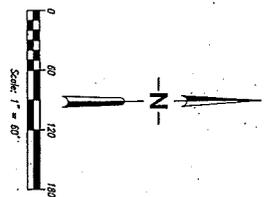


SHEET INDEX:

COVER SHEET	SHEET 1 OF 6
PRELIMINARY PLAN (WEST)	SHEET 2 OF 6
PRELIMINARY PLAN (EAST)	SHEET 3 OF 6
EXISTING CONDITIONS PLAN	SHEET 4 OF 6
CONCEPTUAL UTILITY PLAN (WEST)	SHEET 5 OF 6
CONCEPTUAL UTILITY PLAN (EAST)	SHEET 6 OF 6

LOT SYNOPSIS:

WEST SIDE	SQ.FT.	ACRES
LARGEST LOT	±16,549 sq. ft. (LOT 22)	
SMALLEST LOT	±6,200 sq. ft. (LOTS 53 TO 59)	
AVERAGE LOT SIZE	±9,782 sq. ft.	
EAST SIDE	SQ.FT.	ACRES
LARGEST LOT	±33,506 sq. ft. (LOT 24)	
SMALLEST LOT	±9,009 sq. ft. (LOT 2)	
AVERAGE LOT SIZE	±10,280 sq. ft.	



COVER SHEET

RIVERWATCH/SPYGLASS

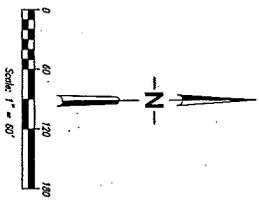
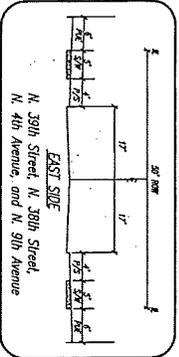
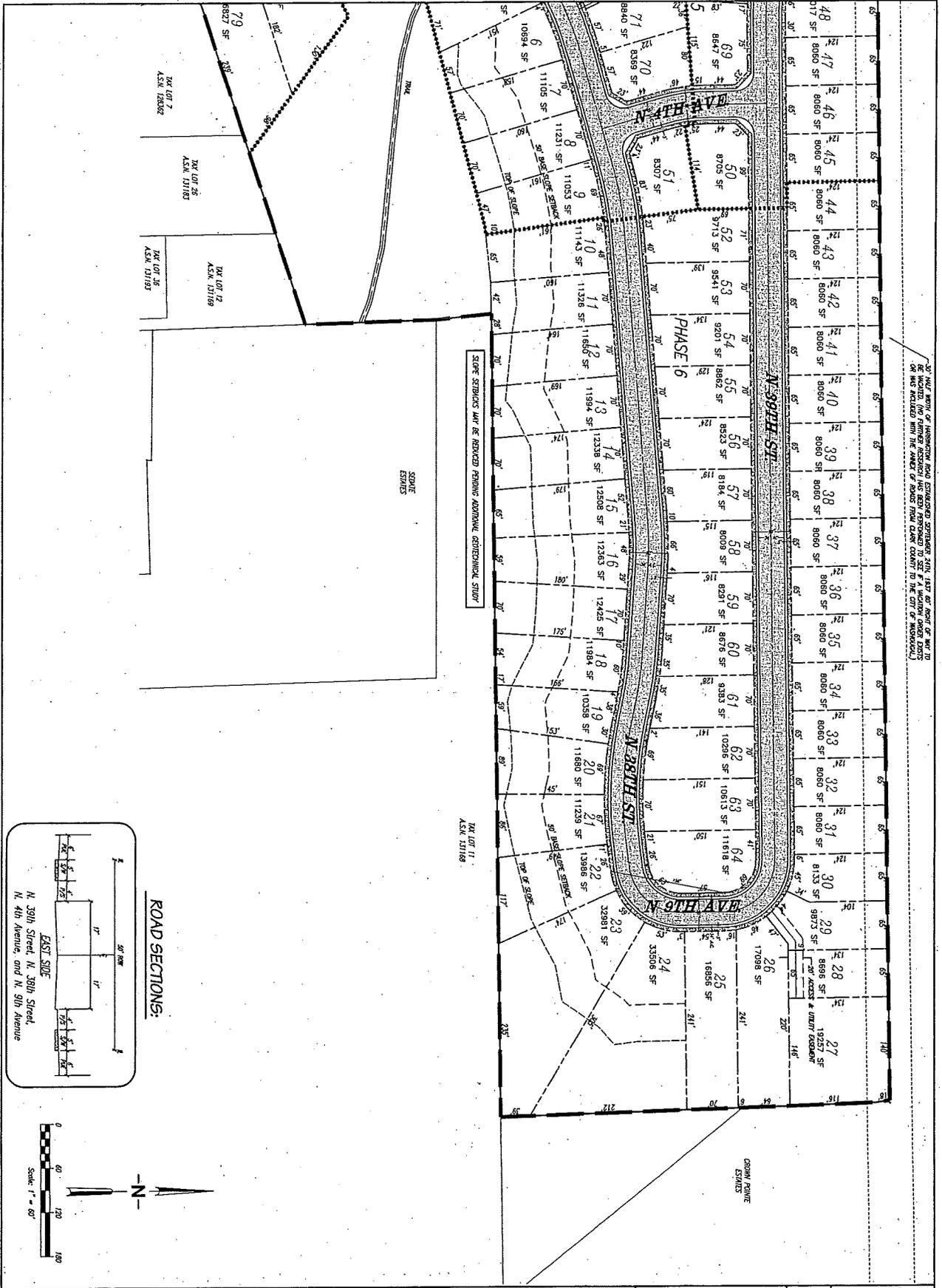
CITY OF WASHOUGAL

WASHINGTON



SCA ENGINEERING, PLLC
 2005 BROADWAY
 VANCOUVER, WA 98660
 PH (360) 596-0811





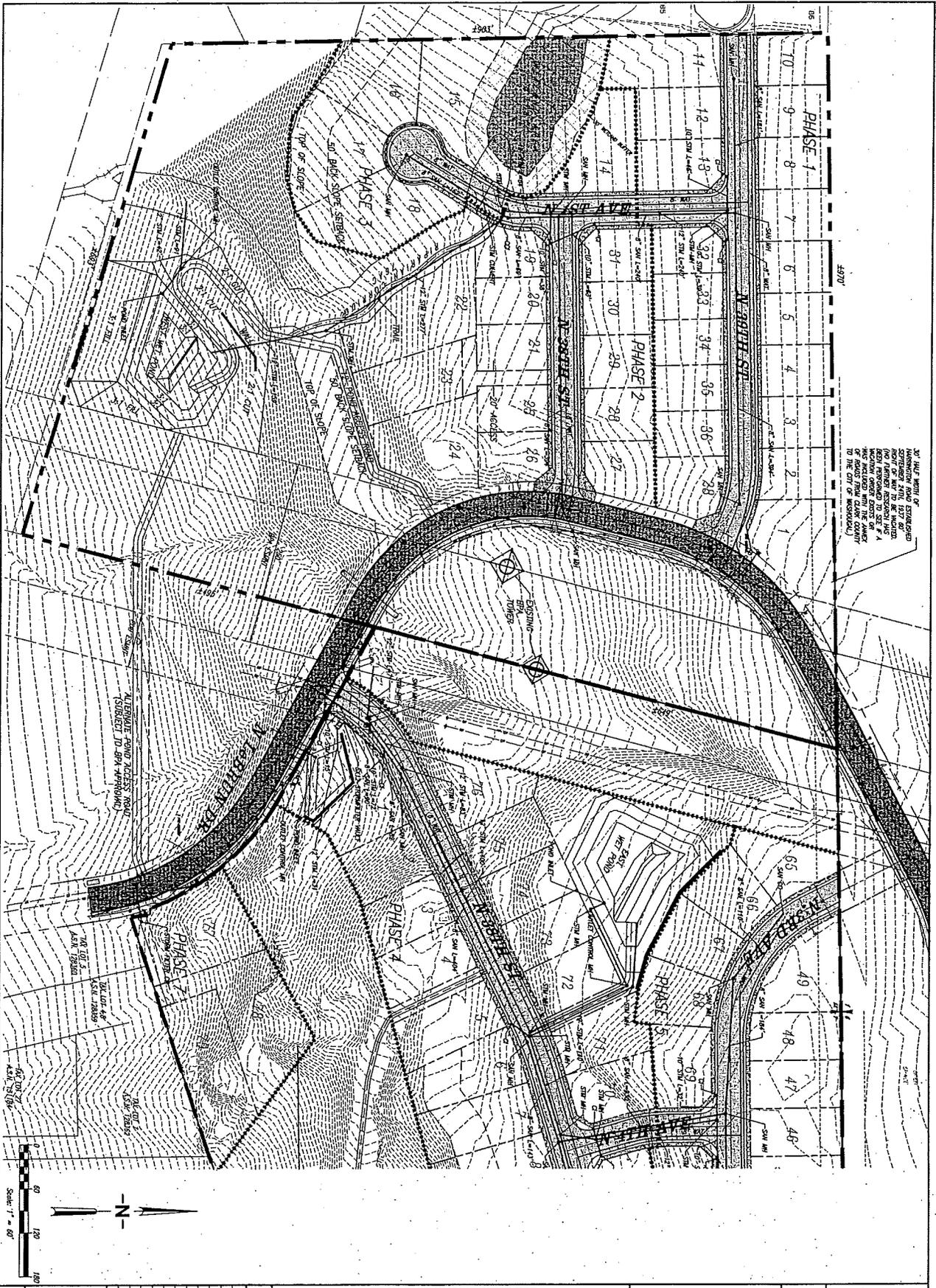
DESIGNED BY:	JMK
DRAWN BY:	JMK
CHECKED BY:	ENG
SCALE:	1" = 60'
JOB NUMBER:	1228
SHEET:	2 of 6

REVISED PRELIMINARY PLAT (EAST SIDE)

RIVERWATCH/ SPYGLASS

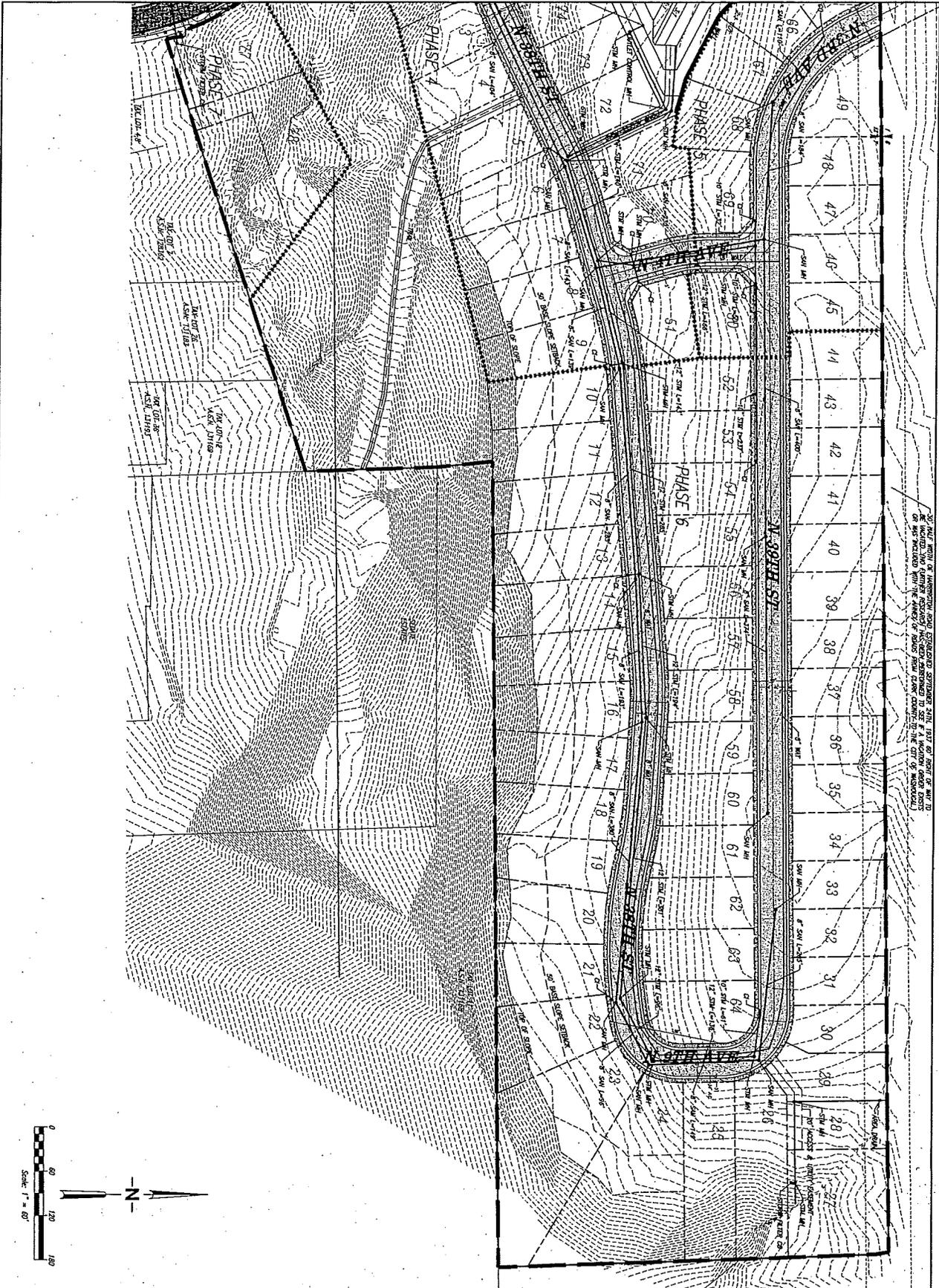
CITY OF WASHOUGA WASHINGTON

SEA ENGINEERING
CIVIL ENGINEERING - LAND PLANNING
DEVELOPMENT SERVICES
LANDSCAPE ARCHITECTURE
1505 BROADWAY
WASHOUGA, WA 98439
PHONE (360) 933-9211
FAX (360) 933-9212

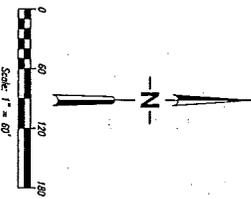


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<p>REVISIONS</p>		<p>REVISED UTILITY PLAN (WEST SIDE)</p>				<p>2015 BROWNING LANDSCAPE ARCHITECTURE WASHINGTON, WA 98604 PHONE (360)939-9011 FAX (360)939-9011</p>	
<p>DESIGNED BY: JOR</p>		<p>RIVERWATCH/ SPYGLASS</p>		<p>CITY OF WASHOUGAL</p>		<p>CIVIL ENGINEERING - LAND PLANNING DESIGN/PERMIT SERVICES LANDSCAPE ARCHITECTURE</p>	
<p>DRAWN BY: JOR</p>		<p>WASHINGTON</p>		<p>WASHINGTON</p>		<p>2015 BROWNING LANDSCAPE ARCHITECTURE WASHINGTON, WA 98604 PHONE (360)939-9011 FAX (360)939-9011</p>	
<p>CHECKED BY: ENG</p>		<p>SCALE: 1" = 60'</p>		<p>JOB NUMBER: 1228</p>		<p>SHEET: 5 OF 6</p>	



NO PART OF THIS DRAWING OR ANY INFORMATION CONTAINED HEREIN SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF SEA ENGINEERING PLLC.



REVISED UTILITY PLAN (EAST SIDE)

RIVERWATCH/ SPYGLASS

CITY OF WASHOUGAL

WASHINGTON



SEA ENGINEERING PLLC
 CIVIL ENGINEERING - LAND PLANNING
 DEVELOPMENT SERVICES
 LANDSCAPE ARCHITECTURE
 3005 BROADWAY
 WASHINGTON, WA 98001
 PH: (206) 399-9812

DESIGNED BY:	JON
DRAWN BY:	JON
CHECKED BY:	REG
SCALE:	1" = 60'
JOB NUMBER:	1226
SHEET:	6 of 6

Agenda Bill #89-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

Set Public Hearing: Marlin Development Agreement

DEPT. OF ORIGIN:

Community Development

REVIEWED AT:

October 26, 2016 - Community Development Committee

November 7, 2016 - City Council Workshop

TO BE RETURNED TO COUNCIL:

Yes

ATTACHMENTS:

- ▢ **Draft DA - Marlin Development Agreement (McKever Road PUD)**

EXPENDITURE REQUIRED:

\$0

BUDGETED:

\$0

APPROPRIATION REQUIRED:

\$0

SUMMARY STATEMENT

The subject property is in the recently annexed area, which is under a development moratorium pursuant to Ordinance #1801. However, the moratorium does allow for, *“developments that are fully consistent with the policies of the UGA Land Use Study Preferred Alternative and are approved through a Development Agreement”*. The proposed plan has been reviewed with the Community Development Committee and it meets the policies of the UGA Land Use Study.

RECOMMENDED ACTION

Set a public hearing for December 5, 2016 at 7:00pm through approval of the consent agenda for the Marlin Development Agreement.

MAIL TAX STATEMENTS TO:

AFTER RECORDING RETURN TO:
Jordan Ramis PC
Attn: James D. Howsley
1499 S.E. Tech Center Place, Suite 380
Vancouver, WA 98683

This space provided for recorder's use.

INSTRUMENT TITLE: DEVELOPMENT AGREEMENT

GRANTOR(S): MARLIN DEVELOPMENT, LLC, a Washington
limited liability company

GRANTEE: CITY OF WASHOUGAL, WASHINGTON

ABBREVIATED LEGAL DESC:

FULL LEGAL DESC: See **EXHIBIT A** To This Document

ASSESSOR'S PROPERTY TAX 123627-000; 123424-000
PARCEL ACCOUNT NUMBER(S):

REFERENCE NUMBER OF
RELATED DOCUMENTS: _____

DEVELOPMENT AGREEMENT

Effective Date: _____, 2016

PARTIES:

Marlin Development, LLC, a Washington limited liability company (“Developer”) is the owner of APN 123627-000 and APN 123424-000, with APN 123627-000 currently addressed as 1025 W. McKeever Ln, Camas, WA 98607, (“Property”). The legal description for this parcel is attached as **EXHIBIT A**.

The City of Washougal is a Washington municipal corporation (“City”), and is responsible for land use planning and permitting pursuant to the Growth Management Act, RCW 35A.63 and RCW 58.17.

Developer and City are collectively referred to as the Parties.

AUTHORITIES

The parties are authorized to enter this Development Agreement by RCW 36.70B.170(1).

Whereas, pursuant to RCW 36.70B.170, a development agreement may set forth the development standards and other provisions that will apply to, govern and vest the development, use and mitigation of the development of real property for the duration specified in the agreement, which statute provides:

(1) A local government may enter into a Development Agreement with a person having ownership or control of real property within its jurisdiction. A city may enter into a development agreement for real property outside its boundaries as part of a proposed annexation or a service agreement. A development agreement must set forth the development standards and other provisions that will apply to and govern and vest the development, use, and mitigation of the development of the real property for the duration specified in the agreement. A development agreement will be consistent with applicable development regulations adopted by a local government planning under chapter 36.70A RCW;

Whereas, the legislative findings supporting the enactment of this section provide:

The legislature finds that the lack of certainty of the approval of development projects can result in a waste of public and private resources, escalate housing costs for consumers and discourage the commitment to

comprehensive planning which would make maximum efficient use of resources at the least economic cost to the public. Assurance to a development project applicant that upon government approval the project may proceed in accordance with existing policies and regulations, and subject to conditions of approval, all as set forth in a development agreement, will strengthen the public planning process, encourage private, participation and comprehensive planning, and reduce the economic costs of development. Further, the lack of public facilities and services is a serious impediment to development of new housing and commercial uses. Project applicants and local governments may include provisions and agreements whereby applicants are reimbursed over time for financing public facilities. It is the intent of the legislature by RCW 36.70B.170 through 36.70B.210 to allow local governments and owners and developers of real property to enter into development agreements;

RECITALS:

The Developer owns certain real property identified as APN 123627-000 and APN 123424-000, with APN 123627-000 currently addressed as 1025 W. McKeever Ln, Camas, WA 98607, ("Property"); with legal descriptions attached as **EXHIBIT A**, hereto and incorporated by reference;

On November 16, 2015, land within the NW UGA boundary was annexed from Clark County (totaling approximately 185 acres) to the City under Washougal Ordinance #1783, attached hereto as **EXHIBIT B**. Within the annexation boundary, 65 acres that were originally zoned by the County as Business Park (BP) with an Urban Holding 40 (UH-40) overlay were designated as an Employment Center (EC) upon annexation, and the remaining 120 acres within the boundary that were originally zoned by the County as Residential (R1-10, R1-7.5) with an Urban Holding 20 (UH-20) overlay remained Residential;

As approved, Ordinance #1783 placed a development moratorium on the annexed properties designated EC, as the City had not yet implemented zoning regulations for the EC zoned land. Subsequently, following annexation and following receipt of initial notice regarding the pending development application that is the subject of this development agreement; the City also placed a development moratorium on the remaining annexed Residential land because the City had concerns regarding the appropriate development of this residential land;

The City engaged a private firm to assist with development of EC regulations, visioning and public outreach and land use alternatives for the newly annexed area and the remaining UGA, and subsequently adopted the UGA Land Use Study preferred alternative;

On July 25, 2016, the Washougal City Council passed Ordinance #1801, declaring an emergency and extending the development moratorium for all properties within the NW UGA annexation area of the City of Washougal that were annexed under Ordinance #1783, for the purpose of enabling the policies of the UGA Land Use Study to be implemented;

Significantly, Ordinance #1801, Section III, provides an explicit exception to the moratorium for development permits and approvals that are “fully consistent with the policies of the UGA Land Use Study Preferred Alternative and are approved through a Development Agreement;”

The subject Property is located within the boundary of the NW UGA annexation area subject to the moratorium, as extended on July 25, 2016;

The subject Property is designated as “Transitional Density Residential” on the UGA Land Use Study Preferred Alternative, Attachment B to the July 20, 2016 BergerABAM memorandum, as adopted July 25, 2016 by City Ordinance #1800 ;

The Developer completed significant work to prepare the McKeever Road PUD application for submittal, with substantive content fully consistent with the policies of the UGA Land Use Study Preferred Alternative and appropriate for exemption from the development moratorium pursuant to the terms and conditions defined in this development agreement, and in early August 2016, submitted an application for preliminary plat approval for the McKeever Road PUD;

The Parties desire to enter into a development agreement exempting the subject Property and application from the development moratorium, and defining the terms and conditions of approval to ensure full consistency with the policies of the UGA Land Use Study Preferred Alternative and are approved through a Development Agreement;

This development agreement is authorized by an Ordinance of the City Council of the City of Washougal following a hearing as required by RCW 36.70B.170, conducted in accordance with the Washougal City Council Rules of Procedure.

AGREEMENT

NOW, THEREFORE, the Parties agree as follows:

1. **MORATORIUM EXEMPTION:** The subject Property and associated McKeever Road PUD plat application are hereby exempted from the development moratorium;
2. **DENSITY:** The subject Property is designated “Transitional Density Residential.” This includes Urban Low Density Residential R1-10 and R1-7.5. The Northwest UGA Preferred Alternative Map directs that an average density of 4.8 du/acre apply, with low-density residential development (2 to 3 du/acre) located around existing large-lot residential development in order to minimize impacts to existing homes; transitional density (4 to 6 du/acre) is to serve as a

buffer between low and medium density zones. This project will be well within the applicable density and avoids density-maximizing design.

3. **SPECIFIC DESIGN AND AESTHETIC STANDARDS:**

- a. **CONSTRUCTION STYLE:** Single-family home construction suitable to the lot sizes and location;
- b. **LOW IMPACT DEVELOPMENT (LID) INCORPORATION:** Developer voluntarily agrees to incorporate LID as follows: the developer will incorporate LID to the extent feasible, including raingardens and other bioretention; PROVIDED that the subject development is vested to the stormwater standards in effect for the City of Washougal as of the date of the pre-application conference.
- c. **STORMWATER AESTHETICS:** Stormwater detention improvements will be constructed underground with open green spaces above the improvements to facilitate useable, aesthetically pleasing spaces instead of fenced off detention areas.
- d. **EMPHASIS ON DETACHED SINGLE FAMILY:** This project is compatible with the Comprehensive Plan, which targets 75 percent of all housing units within the Northwest UGA as single-family detached (Housing Policy 1-B).
- e. **NATURAL FEATURES:** This project is compatible with the Comprehensive Plan, which encourages housing to take advantage of the natural features of the landscape in order to encourage views and promote energy efficiency (Housing Goal 4).
- f. **OPEN SPACE TRACTS:** This project provides wetland/open space tracts in accordance with Housing Policy 4-A.
- g. **OPEN SPACE TRACTS:** This project is designed as a Planned Unit Development (PUD) which is encouraged under Goal 5 of the Comprehensive Plan (Housing Policy 5A). This PUD sets aside public and private open space and provides up to 15 percent of the net developable area of the PUD for recreational areas, such as trails and active-use parkland.
- h. **INCREMENTAL DENSITY:** This project complies with the requirement that residential districts adjacent to each other and not separated by a developed public right-of-way, public parks, or public trails, lot sizes in higher density districts adjacent to the perimeter of a low-density district shall increase incrementally, for example: where a transitional-density zone with a 10,000 square foot minimum lot area is adjacent to a medium density zone where the minimum lot area is 5,000 square feet, the minimum lot area of the medium-density lots adjacent to the transitional-density zone shall be 7,500 square feet.

- i. **PARK / TRAIL CONNECTIVITY:** This project complies with the requirement that every residential development within the UGA either provide park or trail facilities within the development or provide meaningful connectivity and opportunities to access planned parks and trails.
- j. **GREENWAYS:** This project provides greenways to ensure connectivity to existing trails as well as throughout the neighborhood and to proposed parks and public spaces;
- k. **STEEP SLOPES AND CRITICAL AREA RETENTION:** This project retains steep slopes and critical areas as open space;
- l. **UTILITY AND STORMWATER:** This project places utility lines underground, and incorporates low-impact stormwater management strategies;
- m. **STREET CONSTRUCTION STANDARDS:** All streets within this project are designed and constructed consistent with “Chapter 3 Streets City of Washougal Engineering Standards for Public Works Construction” dated August 2005, or as amended;
- n. **LIGHTING:** This project uses dark sky compatible street lights and LED lamps;
- o. **FRONT FACADE DIVERSITY:** No dwelling unit within the project will have the same front facade as any other adjacent dwelling unit;
- p. **FRONT FACADE DIVERSITY:** Facades will be substantially different beyond simple mirrored plans or shifting garage or window locations
- q. **FRONT FACADE DIVERSITY:** Street-facing front facades shall include combinations of architectural variety, such as front porches, dormers, gables, bay windows, hipped or pitched roofs, orientation of the primary roofline, or other architectural features that substantially differentiate house facades
- r. **REAR FACADES:** If a rear facade is visible from a public right-of-way and no buildable lot is fully between the nearest point of the rear property line of the subject property and the nearest point of a public right-of-way or a private street, the rear facade shall also comply with the residential design standards
- s. **FACADE ADJACENT TO ALLEY:** Where houses are served by alleys, all garages and on-site parking shall be accessible from the alley, and the facade of the house facing the public street shall be designed as the front of the house, including, but not limited to, a primary building entrance

consisting of inward swinging door(s), porch(es), window(s), and pathway(s) to the public sidewalks

4. PROJECT-SPECIFIC AUTHORIZATIONS

- a. A road modification is authorized to remove the sidewalk and park-strip requirement for the internal “loop” road;
- b. gated access is authorized for the internal “loop” road;

5. CONCEPTUAL LAYOUT: Draft engineered plans are attached hereto as **EXHIBIT C**, for the purpose of facilitating conceptual analysis, and subject to modification as necessary prior to preliminary and final plat approval

MISCELLANEOUS PROVISIONS

Recitals. Each of the Recitals contained herein are intended to be, and are incorporated as, covenants between the Parties and will be so construed.

Execution of Agreement; Counterparts; Electronic Signatures. This Agreement may be executed in several counterparts; each of which shall be deemed an original and all of which shall constitute one and the same instrument, and shall become effective when counterparts have been signed by each of the Parties and delivered to the other Parties; it being understood that all Parties need not sign the same counterparts – PROVIDED that all signature pages will be recorded together, and the complete recorded Agreement will constitute the final instrument. The exchange of copies of this Agreement and of signature pages by facsimile transmission (whether directly from one facsimile device to another by means of a dial-up connection or whether mediated by the worldwide web), by electronic mail in “portable document format” (“.pdf”) form, or by any other electronic means intended to preserve the original graphic and pictorial appearance of a document, or by combination of such means, shall constitute effective execution and delivery of this Agreement as to the Parties and may be used in lieu of the original Agreement for all purposes. Signatures of the Parties transmitted by facsimile shall be deemed to be their original signatures for all purposes.

Effective Date. This Agreement is effective on the date of recording.

Termination. This Agreement will terminate upon the mutual agreement of the Parties in writing, which will be recorded.

City's Reserved Authority. Notwithstanding anything in this Agreement to the contrary, the City will have the authority to impose new or different regulations to the extent required by a serious threat to public health and safety as required by RCW 36.70B; provided, however that traffic congestion generally is not a serious threat to public health and safety but the impact of congestion at any particular location may degrade to a level

that constitutes a safety hazard, and that such action will only be taken by legislative act of the Washougal City Council after appropriate public process.

Authorization. The persons executing this Agreement on behalf of Developer and the City are authorized to do so and, upon execution by such parties, this Development Agreement will be a valid and binding obligation of such parties in accordance with its terms. The Parties have each obtained any and all consents required to enter into this Agreement and to consummate or cause to be consummated the transactions contemplated hereby.

Run with the Land. This Agreement will run with the land and be binding on the Parties' successors and assigns, and will be recorded with the Clark County Auditor.

Term. The Term of this Agreement will expire on September 30, 2026, unless earlier extended by the Parties.

Public Hearing. The Washougal City Council has approved execution of this Agreement by resolution after a public hearing.

Dispute Resolution. Should a disagreement arise between the Parties, the Parties agree to attempt to resolve the disagreement by first meeting and conferring. If such meeting proves unsuccessful to resolve the dispute, the disagreement may be resolved by a civil action.

Venue. This Agreement will be construed in accordance with the laws of the State of Washington, and venue is in the Clark County Superior Court.

Performance. Failure by any Party at any time to require performance by the other Parties of any of the provisions hereof will not affect the Parties' rights hereunder to enforce the same, nor will any waiver by a Party of the breach hereof be held to be a waiver of any succeeding breach or a waiver of this clause.

Severability. If any portion of this Agreement will be invalid or unenforceable to any extent, the validity of the remaining provisions will not be affected thereby. If a material provision of this Agreement is held invalid or unenforceable such that a Party does not receive the benefit of its bargain, then the other Parties will renegotiate in good faith terms and provisions that will effectuate the spirit and intent of the Parties' agreement herein.

Inconsistencies. If any provisions of the Washougal Municipal Code and land use regulations are deemed inconsistent with this Agreement, the court shall first attempt to harmonize the provisions and if unable to do so, the provisions of this Agreement will prevail, excepting the City's reserved authority as explicitly defined herein.

Amendments. This Agreement may only be amended by mutual written agreement of the Parties, and all amendments will be recorded in the Clark County deed records.

Survival. Any covenant or condition set forth in this Agreement, the full performance of which is not specifically required prior to the expiration or earlier termination but which by its terms is to survive the termination of this Agreement, will survive the expiration or earlier termination of this Agreement and will remain fully enforceable thereafter.

No Benefit to Third Parties. The Parties are the only parties to this Agreement and are the only parties entitled to enforce its terms, except as otherwise specifically provided in this Agreement. There are no third-party beneficiaries.

Entire Agreement. This Agreement constitutes the entire agreement between the Parties as to the subject matter, and merges, supersedes, and terminates the Prior Development Agreements.

Notices. All notices will be in writing and may be delivered by personal delivery, by overnight courier service, or by deposit in the United States Mail, postage prepaid, as certified mail, return receipt requested, and addressed as follows:

City: _____

With a copy to: _____

Developer: Marlin Development, LLC
Attn: Bob Rondeau
4910 SW 5th Avenue
Camas, WA 98607

With a copy to: Jordan Ramis, PC
Attn: James D. Howsley
1499 SE Tech Center Place, Suite 380
Vancouver, WA 98683

Notices will be deemed received by the addressee upon the earlier of actual delivery or refusal of a party to accept delivery thereof. The addresses to which notices are to be delivered may be changed by giving notice of such change in address in accordance with this notice provision.

Time is of the Essence. Time is of the essence in the performance of and adherence to each and every provision of this Agreement.

Non-waiver. Waiver by any Party of strict performance of any provision of this Agreement will not be deemed a waiver of or prejudice a Party's right to require strict performance of the same or any other provision in the future. A claimed waiver must be in writing and signed by the Party granting a waiver. A waiver of one provision of this Agreement will be a waiver of only that provision. A waiver of a provision in one instance will be a waiver only for that instance, unless the waiver explicitly waives that provision for all instances.

Headings, Table of Contents. The section headings are for convenience in reference and are not intended to define or limit the scope of any provision of this Agreement.

Interpretation of Agreement; Status of Parties. This Agreement is the result of arm's-length negotiations between the Parties and will not be construed against any Party by reason of its preparation of this Agreement. Nothing contained in this Agreement will be construed as creating the relationship of principal and agent, partners, joint venturers, or any other similar relationship between the Parties.

Future Assurances. Each of the Parties will promptly execute and deliver such additional documents and will do such acts that are reasonably necessary, in connection with the performance of their respective obligations under this Agreement according to the Schedule so as to carry out the intent of this Agreement.

Signatures appear on the following pages.

EXHIBIT A

EXHIBIT A

PARCEL I:

THAT PORTION OF THE HIRAM STRONG DONATION LAND CLAIM LOCATED IN THE EAST HALF OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE WEST HALF OF SAID STRONG CLAIM SAID POINT BEING THE SOUTHEAST CORNER OF THAT TRACT DESCRIBED IN AUDITOR'S FILE G 361989, RECORDS OF CLARK COUNTY AND RUNNING THENCE NORTH 88 DEGREES 07'16" WEST ALONG THE SOUTH LINE OF SAID SOUTH HALF, 999.89 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE NORTH 1 DEGREE 16'21" WEST, 657.74 FEET TO THE CENTER OF A 60 FOOT PRIVATE ROAD AND UTILITY EASEMENT; THENCE NORTH 88 DEGREES 19'45" WEST ALONG SAID EASEMENT, 324.54 FEET TO THE WEST LINE OF SAID STRONG CLAIM; THENCE NORTH 73 DEGREES 38'24" WEST, 600.29 FEET TO THE CENTER OF NORTHEAST CROWN ROAD; THENCE SOUTHERLY ALONG SAID ROAD FOLLOWING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 636.62 FEET, THROUGH A CENTRAL ANGLE OF 2 DEGREES 40'22", AN ARC DISTANCE OF 29.70 FEET; THENCE SOUTH 20 DEGREES 03'46" WEST, 72.38 FEET; THENCE SOUTH 73 DEGREES 38'24" EAST, 478.39 FEET; THENCE SOUTH 1 DEGREE 12'20" EAST, 539.85 FEET TO THE CENTER OF MCKEVER ROAD; THENCE SOUTH 69 DEGREES 24'07" EAST ALONG SAID CENTER LINE, 21.38 FEET; THENCE SOUTH 67 DEGREES 26'00" EAST, 90.98 FEET THENCE SOUTH 48 DEGREES 44'16" EAST, 17.32 FEET; THENCE SOUTH 88 DEGREES 05'33" EAST 30.70 FEET TO THE SOUTHWEST CORNER OF SAID STRONG CLAIM, SAID POINT BEING MARKED BY A 3/4" IRON PIPE; THENCE SOUTH 88 DEGREES 07'16" EAST ALONG THE SOUTHLINE OF SAID STRONG CLAIM, 324.93 FEET TO THE POINT OF BEGINNING.

EXCEPT COUNTY ROADS.

TOGETHER WITH AND SUBJECT TO AN EASEMENT OF INGRESS, EGRESS AND UTILITIES 60 FEET IN WIDTH THE CENTER OF WHICH IS DESCRIBED AS FOLLOWS:

THAT PORTION OF THE HIRAM STRONG AND GEORGE HUNSAKER DONATION LAND CLAIMS LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST, OF THE WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF N.E. CROWN ROAD SAID POINT BEING SOUTH 1 DEGREE 18'20" WEST 656.56 FEET AND NORTH 73 DEGREES

38'24" WEST 600.29 FEET FROM THE NORTHWEST CORNER OF THE SOUTH HALF OF THE WEST HALF OF THE HIRAM STRONG DONATION LAND CLAIM; THENCE SOUTH 73 DEGREES 38'24" EAST 600.29 FEET TO THE WEST LINE OF SAID STRONG CLAIM; THENCE SOUTH 88 DEGREES 19'45" EAST 1046.39 FEET TO THE END OF THIS EASEMENT.

PARCEL II:

THAT PORTION OF THE GEORGE HUNSAKER DONATION LAND CLAIM LOCATED IN THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 1 NORTH, RANGE 3 EAST OF THE WILLAMETTE MERIDIAN, CLARK COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTER OF NORTHEAST CROWN ROAD, SAID POINT BEING SOUTH 1 DEGREE 18'20" WEST, 656.56 FEET AND NORTH 73 DEGREES 38'24" WEST, 600.29 FEET FROM THE NORTHWEST CORNER OF THE SOUTH HALF OF THE WEST HALF OF THE HIRAM STRONG DONATION LAND CLAIM; THENCE SOUTHERLY ALONG SAID CENTERLINE FOLLOWING THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 636.26 FEET, THROUGH A CENTRAL ANGLE OF 2 DEGREES 40'23", AN ARC DISTANCE OF 29.70 FEET; THENCE SOUTH 20 DEGREES 03'46" WEST, 72.83 FEET TO THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE SOUTH 20 DEGREES 03'46" WEST ALONG SAID CENTER LINE, 265.76 FEET; THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 950.00 FEET, THROUGH A CENTRAL ANGLE OF 8 DEGREES 20'44", AN ARC DISTANCE OF 138.37 FEET TO THE CENTER OF MCKEVER ROAD; THENCE SOUTH 65 DEGREES 54'02" EAST ALONG SAID CENTERLINE, 412.28 FEET; THENCE SOUTH 64 DEGREES 15'40" EAST, 93.96 FEET; THENCE SOUTH 68 DEGREES 36'52" EAST, 70.47 FEET; THENCE SOUTH 69 DEGREES 24'07" EAST, 70.83 FEET; THENCE NORTH 1 DEGREE 12'20" EAST, 539.85 FEET; THENCE NORTH 73 DEGREES 38'24" WEST, 478.39 FEET TO THE POINT OF BEGINNING.

EXHIBIT B

EXHIBIT B

Ordinance # 1783

AN ORDINANCE annexing property to the City of Washougal, known as the NW UGA Annexation as shown on the attached Exhibit "A" which is a map of area to be annexed and as more particularly described in Exhibit "B" which is a legal description of the area to be annexed, both of which are attached hereto and incorporated herein by this reference; and adopting a six-month moratorium for those portions of said property to be annexed into the City of Washougal that will be zoned as Employment Center (EC) upon annexation.

WHEREAS, the City has received petitions from parties in the annexation area to initiate the proposed annexation which petitions were signed by the owners of not less than sixty percent (60%) in value according to the assessed valuation for general taxation of the property described in Exhibit "B"; and

WHEREAS, the petition for annexation has been submitted to the Clark County Assessors Office who has certified the signatures on the Annexation Petitions; and

WHEREAS, all statutory requirements for the annexation have been met; and also

WHEREAS, portions of said property to be annexed into the City of Washougal will be zoned as Employment Center (EC) upon annexation; and

WHEREAS, the City of Washougal does not currently have zoning regulations for the EC zoning designation; and

WHEREAS, the City of Washougal has entered into a Professional Services Agreement with BergerABAM with one of the outcomes of this PSA being the development of EC zoning regulations; and

WHEREAS, the City Council deems it to be in the public interest to establish a development moratorium for those properties, and portions of properties, to be zoned EC upon annexation into the City of Washougal pending the development of the EC zoning regulations; and

WHEREAS, a public hearing was held on November 16, 2015 to take public input on the proposed annexation and moratorium.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WASHOUGAL, WASHINGTON as follows:

Section I

That the petition for annexation known as the NW UGA Annexation shown on Exhibit "A" and more particularly described on Exhibit "B" is hereby approved, with the annexed property to be assessed and taxed at the same rate and on the same basis as property within the City of Washougal for any now outstanding indebtedness of the city, including assessments or taxes in payment of any bonds issued or debts contracted, prior to or existing at the date of annexation; said property shall simultaneously be subject to city zoning regulations; and said property shall

annexation; said property shall simultaneously be subject to city zoning regulations; and said property shall simultaneously adopt the preplanned zoning and comprehensive plan designations for the property.

Section II

The City Council adopts the foregoing recital clauses herein as preliminary findings in support of the development moratorium imposed by this ordinance.

Section III

Pursuant to the provisions of RCW 36.70A.390 and RCW 35A.63.220, a six-month development moratorium shall be in effect from the effective date of this ordinance for the properties, and portions of properties, that will be zoned Employment Center (EC) upon annexation.

Section IV

No building permit, occupancy permit, or other development permit or approval shall be issued for any of the effective properties while this moratorium is in effect.

Section V

This ordinance shall take effect sixty-three (63) days after its passage, posting, and publication according to law.

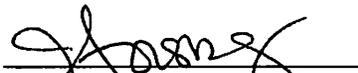
PASSED by the Council for the City of Washougal at a regular meeting this 16th day of November, 2015.

City of Washougal, Washington



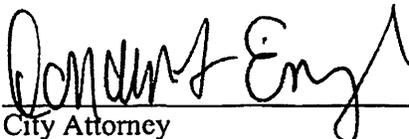
MAYOR

ATTEST:



Finance Director / City Clerk

APPROVED AS TO FORM:



City Attorney

**City of Washougal
NW UGB Annexation Area**

Legal Description

That portion of the Southwest quarter, Southeast quarter and Northeast quarter of Section 1, Township 1 North, Range 3 East of the Willamette Meridian and that portion of the Northwest quarter and the Southwest quarter of Section 6, Township 1, Range 4 East of the Willamette Meridian all within Clark County, Washington, described as follows:

BEGINNING at the southwest corner of the Hiram Strong Donation Land Claim No. 45; thence,

East 2,649.64 feet more or less to the southeast corner of the Hiram Strong Donation Land Claim No. 45 and the southwest corner of the Martin L. Barber Donation Land Claim; thence,

Continuing east approximately 795.83 feet more or less to a point that is the southwest corner of that property identified in Book 21 of Surveys, Page 143; thence,

N 2° 11' 20" W 2,721.76 feet more or less to a point along the north right-of-way of SE 23rd Street; thence,

West along said SE 23rd Street northern right-of-way to a point that is approximately 1,352.74 feet north of the northeast corner of that property surveyed in Book 31 of Surveys, Page 191; thence,

South 1,352.74 feet more or less to the northeast corner of that property surveyed in Book 31 of Surveys, Page 191; thence,

N 88° 32' 14" W 1,409.63 feet more or less to the northwest corner of that property surveyed in Book 31 of Surveys, Page 191 and the northeast corner of Lot 3 of the Sweet Briar Estates Subdivision recorded in Book J of Plats, Page 534; thence,

S 06° 07' 19" E 662.35 feet more or less; thence,

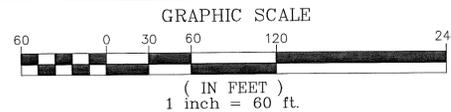
N 73° 38' 24" W 600.30 feet more or less to a point along the easterly right-of-way of SE Crown Road; thence,

South along said SE Crown Road's easterly right-of-way to a point that is approximately 409 feet more or less south and approximately 785 feet more or less west of the Hiram Strong Donation Land Claim No. 45; thence,

East approximately 785 feet more or less to a point that is approximately 409 feet more or less south of the Hiram Strong Donation Land Claim No. 45 and the northeast corner of the property surveyed in Book 52 of Surveys, Page 180; thence,

N 01° 22' 51" W 409 feet more or less to the Hiram Strong Donation Land Claim No. 45 and the TRUE POINT OF BEGINNING.

EXHIBIT C



MCKEVER ROAD PUD

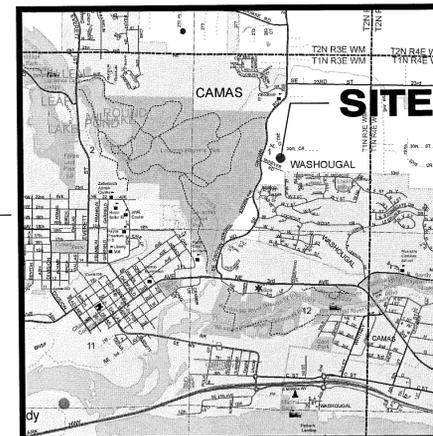
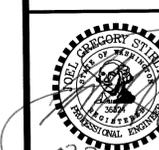
A Preliminary Subdivision within in a portion of the SE & SW 1/4 of Sec. 1, T1N., R3E., W.M. Clark County, Washington

PREPARED BY:
STERLING DESIGN, INC.
2208 E EVERGREEN BLVD
VANCOUVER, WA 98661
PH. (360) 759-1794
FAX (360) 759-4983
mail@sterlingdesign.biz

STERLING DESIGN, INC.

Sheet Description:
PRELIMINARY PLAT

Project:
MCKEVER ROAD PUD



VICINITY MAP (NTS)

PROPERTY INFORMATION

- TAX LOT NUMBER: 5, 15 & 18
- SERIAL NUMBER: 123627-000 & 123424-000
- AREA: 14.2 ACES
- ZONING: R1-10
- COMPREHENSIVE PLAN: UL

PROPERTY OWNER(s)

MARLIN DEVELOPMENT LLC
PMB 168 14300 NE 20th AVE #D-102
VANCOUVER WA, 98686

GENERAL INFORMATION

- APPLICANT/CONTACT: JOEL STIRLING, 2208 E. EVERGREEN BLVD. VANCOUVER, WA 98661, PH. (360) 759-1794, JOEL@STERLINGDESIGN.BIZ
- PROPERTY OWNER: MARLIN DEVELOPMENT, PMB 168 14300 NE 20th AVE #D-102, VANCOUVER WA, 98686
- AREA: 14.2 ACRES
- TAX LOT: 5, 15 & 18
- SERIAL NUMBER: 123627-000 & 123424-000
- SITE ADDRESS: 3206 SE MCKEVER ROAD
- ZONING: R1-10
- COMPREHENSIVE PLAN: UL

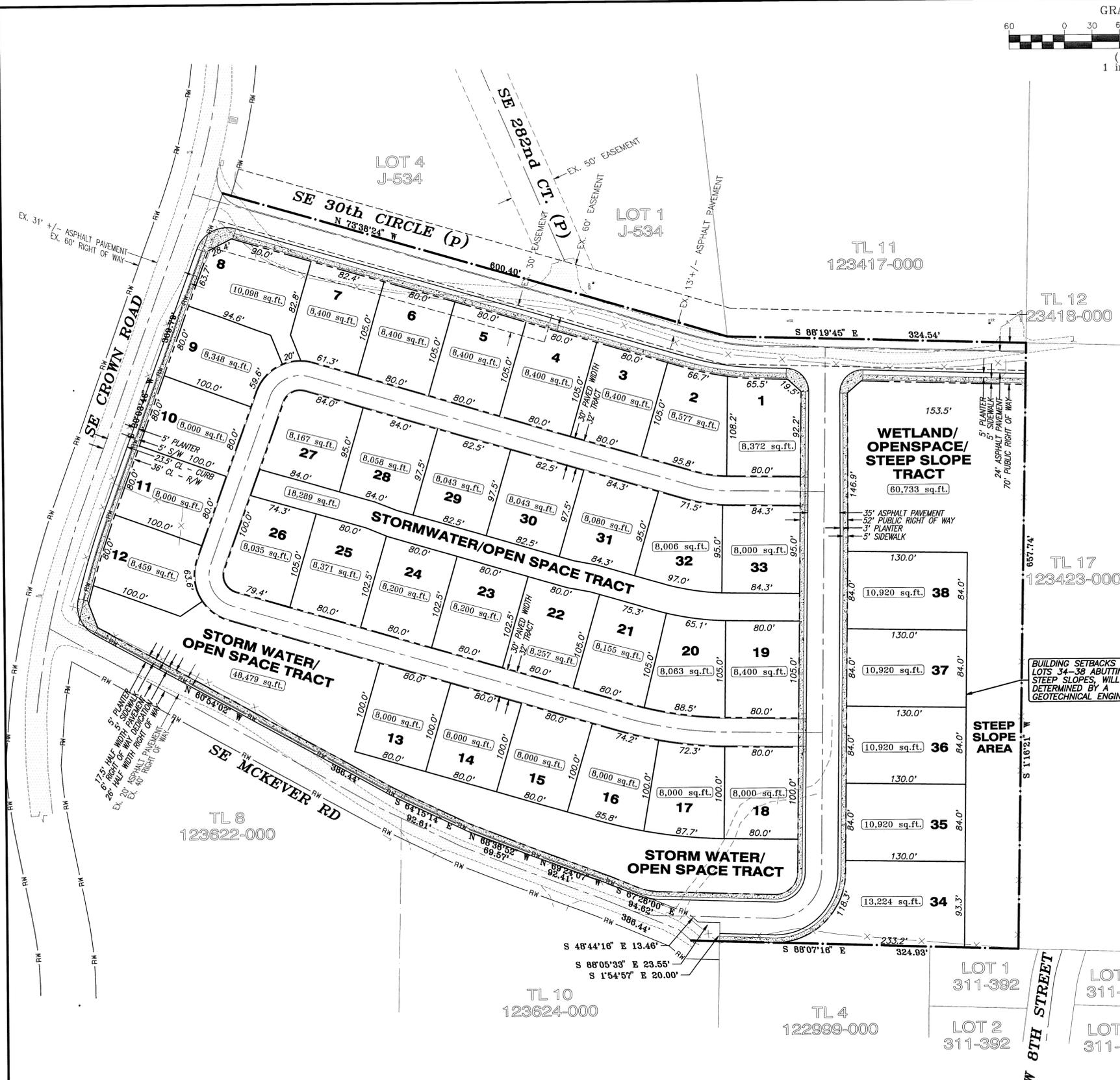
EXISTING CONDITIONS

- Environmental/Critical Areas**
 - TOPOGRAPHY IS SHOWN ON THE PROPOSED PLAN.
 - THERE ARE NO ON-SITE WATERCOURSES (STREAMS, RIVERS, ETC) AND AREAS PRONE TO FLOODING.
 - THERE ARE NO FEMA DESIGNATED FLOODPLAINS, FLOOD FRINGE, OR FLOODWAYS ON THE SITE.
 - THERE ARE NO DESIGNATED SHORELINE AREAS ON THE SITE.
 - THERE ARE NO KNOWN UNSTABLE SLOPES OR LANDSLIDE HAZARD AREAS ON THE SITE.
 - THERE ARE NO KNOWN WILDLIFE HABITAT AREAS ON THE SITE.
 - THERE ARE NO KNOWN SIGNIFICANT HISTORIC, CULTURAL OR ARCHAEOLOGICAL RESOURCES ON THE SITE.
- Land Use and Transportation**
 - LAYOUT OF EXISTING PARCELS DRAWN TO SCALE 1"=60'.
 - THERE ARE EXISTING BUILDINGS ON-SITE TO BE REMOVED.
 - ALL ROADWAYS AND EASEMENT ARE SHOWN ON THE PLAN.
 - ALONG WITH NAME, MATERIAL OF ROADWAY & WHETHER PUBLIC OR PRIVATE.
 - LOCATION OF EXISTING ON-SITE & OFF-SITE DRIVEWAYS ARE SHOWN.
 - ALL LOCATION & WIDTH OF PEDESTRIAN & BICYCLE FACILITIES WITHIN A 100' OF THE SITE ARE AS SHOWN ON THE PLAN.
 - THERE ARE NO TRANSIT FACILITIES WITHIN 1/4 MILE OF THE SITE PER GIS PACKET.
 - LOCATION OF ANY EXISTING WELLS AND/OR SEPTIC SYSTEMS ON-SITE AND WITHIN 100' OF SITE ARE SHOWN AS AVAILABLE THROUGH HEALTH DEPARTMENT

PROPOSED IMPROVEMENTS

- Critical Environmental Areas**
 - THERE ARE WETLANDS AND PLANNED ENHANCEMENT AREAS LOCATED ON THIS SITE.
- Land Use and Transportation**
 - ALL PROPOSED EASEMENTS ARE SHOWN ON PLAN
 - ON-SITE RIGHT-OF-WAY PROPOSED ARE SHOWN ON THIS PLAN.
 - LOCATION & WIDTH OF OFF-SITE RIGHT-OF-WAYS & ROADWAYS THAT WILL ACCESS THE SITE ARE SHOWN ON THIS PLAN.
 - LOCATION & WIDTH OF PEDESTRIAN & BICYCLE FACILITIES ARE AS SHOWN ON PLAN
 - LOCATION & WIDTH OF PROPOSED EASEMENTS FOR ACCESS AND DRAINAGE AS ARE SHOWN ON THE PLANS
 - LOCATION AND DIMENSIONS OF PROPOSED LOTS & TRACTS ARE SHOWN.
 - THERE ARE NO SEPTIC SYSTEMS PROPOSED WITH THIS DEVELOPMENT.
- STORMWATER**
 - PLEASE REFER TO PROPOSED PRELIMINARY STORMWATER PLAN
 - SET ASIDE LAND**
 - 127,501 SQ.FT. OF AREA FOR WETLAND/STORMWATER/OPENSACE/STEEP SLOPES

BUILDING SETBACKS FOR LOTS 34-38 ABUTTING STEEP SLOPES, WILL BE DETERMINED BY A GEOTECHNICAL ENGINEER



NOTE:
Existing utilities shown are approximate only from utility records and as visible at the site. Contractor shall verify presence, location, depth & slope of any and all existing utilities prior to construction. Contact One Call Concepts at (800) 424-5555.

SITE INFORMATION

ALIGNMENT & FIELD DATA: KPF Surveying, Inc. (360) 834-0174	Scale: AS SHOWN
SOIL TYPE(s): OmE, O1D & O1F	Hydrologic Group: B
SOILS TESTING BY: RAPID SOILS SOLUTIONS (503) 816-3689	ASHTO CLASSIFICATION: A-7
SITE LOCATION: CLARK COUNTY, WA	DATE: 07-20-16
SITE AREA: 14.2 ACRES	APPROX. SURFACE ELEV.: 274'-444'
	FILENAME: S:\571-Pre Application.pro
	Project Number: 14-571
	Design/Drawn: JGS
	Drawing Date: JULY 2016
	Sheet 1 of 3 Sheet(s)

Agenda Bill #90-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

Hold Public Hearing for Approval to Apply for Community Development Block Grant (CDBG) Funds for Sidewalks on K Street and on 32nd Street from K to J Street.

DEPT. OF ORIGIN:

Public Works

REVIEWED AT:

Workshop on November 7, 2016

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- **CDBG K Street Project Map K**

EXPENDITURE REQUIRED:

\$667,000 Total Project
Expense; Maximum Match
of \$300,000

BUDGETED:
2017

APPROPRIATION REQUIRED:
N/A

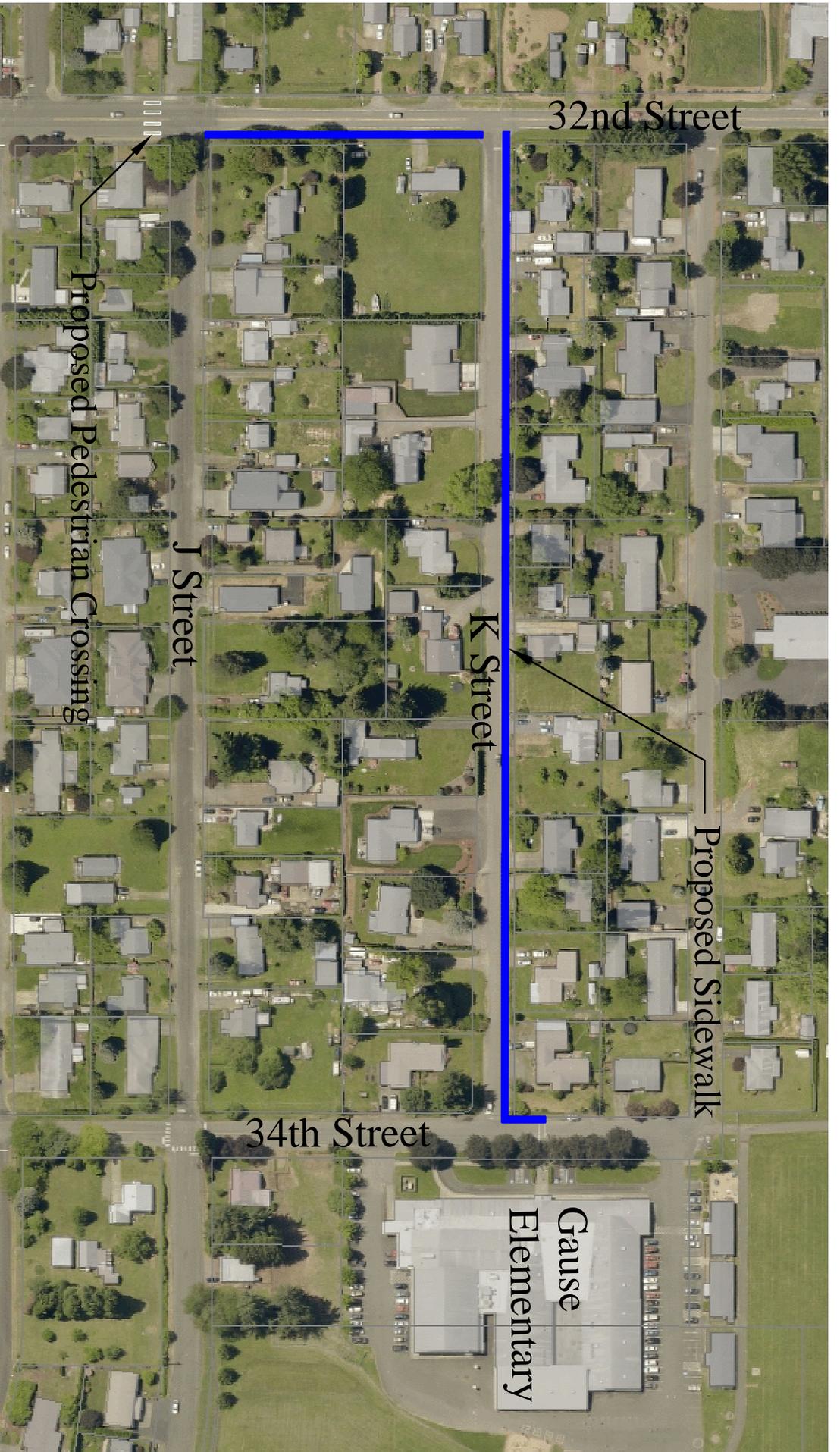
SUMMARY STATEMENT

In accordance with CDBG application submittal requirements, staff has requested the setting of a public hearing to invite public comment regarding the utilization of CDBG grant funds for the Fiscal Year 2017 City project.

This hearing is being held to invite further comment from the public regarding the proposed project and additional ideas for project sites.

RECOMMENDED ACTION

Hold the public hearing.



NOTES:

- Project will connect existing segments of sidewalk.
- Will provide additional safety for kids walking to Gause Elementary and a Pedestrian Crossing on 32nd Street.

CITY OF WASHOUGAL

K Street Sidewalk Project



Agenda Bill #91-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

Emergency Utility Assistance Program Approval

DEPT. OF ORIGIN:

Finance

REVIEWED AT:

N/A

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- **Utility Assistance 11.7.16**

EXPENDITURE REQUIRED:

250.00

BUDGETED:

250.00

APPROPRIATION REQUIRED:

N/A

SUMMARY STATEMENT

Remaining Committed Fund

Balance
\$9,215.48

Donations in 2016

\$54.00

Remaining Uncommitted Fund

Balance
\$9,215.48

Donations Since Program

Started
\$670.00

On August 12, 2016, the Council adopted Resolution 1072 establishing an emergency utility assistance program to provide assistance to low income customers in order to prevent water shut off. Budget Ordinance 1732 authorized establishment of the fund. Resolution 1119 amended the program to add an annual transfer of 5% of late fee revenue to support the program. The program anticipates future funding through community donations. The Finance Committee review the applications that meet the requirements and approves each individual

request.

RECOMMENDED ACTION

To authorize the transfer of funds from the utility assistance program fund to the customer(s) utility account as approved by Finance Committee.

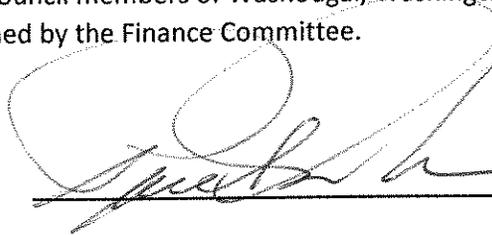
City of Washougal

Utility Assistance Program Approval

Claims presented have been reviewed by Finance for Accurate and adequate information

We the undersigned council members of Washougal, Washington do approve of the Utility Assistance payments as determined by the Finance Committee.

FINANCE COMMITTEE

 10/11/2016

FINANCE COMMITTEE

 10-24-16

FINANCE COMMITTEE

Amount to be approved by Council:

\$ 250.00

Agenda Bill #92-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

Resolution updating Personnel Policies

DEPT. OF ORIGIN:

Human Resources

REVIEWED AT:

October 24, 2016 Workshop

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- ▢ **Resolution Amending the Personnel Policies**
- ▢ **Chapter 2a update december 2016**
- ▢ **2017 non reps schedule A dave 11_04_15 (003)**

EXPENDITURE REQUIRED:

Yes

BUDGETED:

Yes

APPROPRIATION REQUIRED:

No

SUMMARY STATEMENT

1. Section 2A.05 of the Personnel Policies be amended to delete the 2014 and 2015 language but retain the language that is currently referenced as 2016 to become the medical benefit summary for 2017 and beyond.
2. Exhibit A of Chapter 2A be amended to reflect a 1.7% COLA for 2016.

RECOMMENDED ACTION

1. Read the Resolution by title only
2. Pass and post the Resolution in the usual manner.

Resolution No. _____

A RESOLUTION amending Section 2A.05 Exhibit "A" of Chapter 2A of the City's Personnel Policy Manual with reference to the non-represented employees.

WHEREAS, the 2017 Budget includes a 1.7% COLA salary adjustment for non-represented employees;

WHEREAS, it has been deemed necessary to amend 2A.05 to delete obsolete language with reference to years 2014 and 2015. The language for 2016 is amended only to exclude the date as this language provides the status of plan options and cost sharing for 2017 and beyond.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WASHOUGAL as follows:

Section I

That Exhibit "A" of Chapter 2A of our Personnel Policies that addresses the Compensation for Department Heads and other Non-Represented Employees be amended to increase the salary schedule by 1.7% for a COLA adjustment for 2017. A copy of the amended salary schedule showing those resulting adjustments is attached hereto, marked as Exhibit "1" and by this reference incorporated herein.

Section II

That Section 2A.05 of our Personnel Policies that addresses benefits for Department Heads and other Non-Represented Employees be amended to delete the language with reference to the 2014 and 2015 provision for plan options and employee cost sharing. In addition, the reference to 2016 shall be removed as this section now provides the benefit for future years. A copy of the amended policy changes is attached hereto, marked as Exhibit "2" and by this reference incorporated herein.

PASSED by the Council of the City of Washougal at regular meeting on the **7th** day of **November, 2016.**

City of Washougal, Washington

Mayor

ATTEST:

Finance Director / City Clerk

APPROVED AS TO FORM:

City Attorney

Chapter 2 – A (updated December, 2016)

COMPENSATION – DEPARTMENT HEADS AND OTHER NON REPRESENTED EMPLOYEES

2.A.05 Benefits (updated December, 2014/2016)

Medical— ~~For 2014, the City will pay 95% of the premium cost for medical coverage for employees and their dependents under the terms of the policy provided by the AWC Benefits Trust HealthFirst Zero Deductible Medical Plan. Participating employees will pay the 5% cost sharing through payroll deduction. In addition the City will offer the AWC Regence High Deductible Medical Plan (HDMP) and pay 97% of the cost for employees and their dependents. Participating employees will pay the 3% cost sharing through payroll deduction. As an incentive for participating in the HDMP the City will establish and contribute to a Health Savings Account (HSA) in an amount equivalent to 75% of the premium cost savings between the HDMP and the AWC Benefits Trust HealthFirst \$250 deductible medical plan, based on the employee coverage level. This contribution will be made as early as practicable in January 2014.~~

~~For 2015, the City will pay 95% of the premium for medical coverage for employees and 90% for dependents under the terms of the policy provided by the AWC Benefits Trust HealthFirst \$250 deductible medical plan. Participating employees will pay the 5% cost sharing for employee coverage and 10% for dependent coverage through payroll deduction. Additionally, the City will offer the AWC Regence HDMP and will pay 97% of the cost for employees and their dependents. Participating employees will pay the 3% cost sharing through payroll deduction. The City will contribute to the employee HSA in an amount equivalent to 55% of the premium cost savings between the HDMP and the AWC Benefits Trust HealthFirst \$250 deductible medical plan, based on the employee coverage level. This contribution will be made as early as practicable in January 2015.~~

~~For 2016, the~~The City will pay 95% of the premium for medical coverage for employees and 85% for their dependents under the terms of the policy provided by the AWC Benefits Trust \$250 Deductible Medical Plan. Participating employees will pay the 5% cost sharing for employee coverage and 15% for dependent coverage through payroll deduction. The City will continue to offer the HDMP plan and HSA-incentive ~~as outlined for 2015.~~ The City will pay 97% of the cost for employees and dependents. Participating employees will pay the 3% cost sharing through payroll deduction. The City will contribute to the employee HSA in an amount equivalent to 55% of the premium cost savings between the HDMP and the AWC Benefits Trust HealthFirst \$250 deductible medical plan, based on the employee coverage level. This contribution will be made in four quarterly installments, as early as practicable in January, April, July and October ~~2016.~~

The employee may also opt out of the City-provided healthcare program if they have verifiable coverage elsewhere and receive \$250 per month of additional taxable income.

~~The City will offer an alternative HMO plan through Kaiser Permanente. For 2014, the City will offer the Custom \$5 co-pay plan and the Traditional \$5 co-pay plan. The City will pay 95% of~~

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~~the cost for employee and dependent coverage for those participating in the Traditional \$5 co-pay plan. Those employees opting for the Custom \$5 co-pay plan will pay the premium difference between the Traditional and Custom plans, plus the 5% cost sharing for employee and dependent coverage. Additionally, the City will offer the Kaiser HDMP and will pay 97% of the cost for employees and their dependents. As an incentive for participating in the HDMP the City will establish and contribute to a Health Savings Account (HSA) in an amount equivalent to 75% of the premium cost savings between the HDMP and the Kaiser \$250 deductible medical plan, based on the employee coverage level. This contribution will be made as early as practicable in January 2014. The employee will pay the medical premium difference, if any, and cost sharing through payroll deduction.~~

~~For 2015, the City will pay 95% of the premium for medical coverage for employees and 90% for dependents under the terms of the policy provided by Kaiser for the \$250 deductible medical plan. Participating employees will pay the 5% cost sharing for employee coverage and 10% for dependent coverage through payroll deduction. Additionally, the City will offer the Kaiser HDMP and will pay 97% of the cost for employees and their dependents. Participating employees will pay the 3% cost sharing through payroll deduction. The City will contribute to the employee HSA in an amount equivalent to 55% of the premium cost savings between the HDMP and the Kaiser \$250 deductible medical plan, based on the employee coverage level. This contribution will be made as early as practicable in January 2015. The City will continue to offer the Custom \$5 co-pay plan and Traditional \$5 co-pay plan. Employees opting for a \$5 co-pay plan will pay the premium difference between that plan and the \$250 deductible plan, plus the 5% for the employee premium and 10% for the dependent premium that is paid by employees covered by the \$250 deductible plan.~~

~~For 2016, the~~The City will pay 95% of the premium for medical coverage for employees and 85% for dependents under the terms of the policy provided by the Kaiser \$250 Deductible Medical Plan. Participating employees will pay the 5% cost sharing for employee coverage and 15% for dependent coverage through payroll deduction. The City will continue to offer the HDMP plan and HSA incentive as outlined for 2015. The employee cost sharing will be paid for through payroll deduction. The City will contribute to the employee HSA in an amount equivalent to 55% of the premium cost savings between the HDMP and the Kaiser \$250 deductible medical plan, based on the employee coverage level. This contribution will be made in four quarterly installments, as early as practicable in January, April, July and October ~~2016~~. The City will continue to offer the Custom \$5 co-pay plan and Traditional \$5 co-pay plan. Employees opting for a \$5 co-pay plan will pay the premium difference between that plan and the \$250 deductible plan, plus the 5% for the employee premium and 15% for the dependent premium that is paid by employees covered by the \$250 deductible plan.

City of Washougal
 2017 Salary Table-Schedule A
 1.7% COLA

Exhibit A

Directors	1	2	3	4	5	6	7	8	9	10
City Administrator	8,710.00	9,014.85	9,330.37	9,656.93	9,994.92	10,344.74	10,706.81	11,081.55	11,469.40	11,870.83
Community Development Dir.	7,103.99	7,352.63	7,609.97	7,876.32	8,152.00	8,437.31	8,732.62	9,038.26	9,354.60	9,682.01
Finance Director	7,523.52	7,786.85	8,059.39	8,341.47	8,633.42	8,935.59	9,248.33	9,572.02	9,907.04	10,253.79
HR Director	6,028.49	6,239.49	6,457.87	6,683.89	6,917.83	7,159.95	7,410.55	7,669.92	7,938.37	8,216.21
Police Chief	7,599.11	7,865.08	8,140.36	8,425.27	8,720.16	9,025.36	9,341.25	9,668.20	10,006.58	10,356.81
Public Works Director	7,620.28	7,886.99	8,163.03	8,448.74	8,744.44	9,050.50	9,367.27	9,695.12	10,034.45	10,385.65
Managers and Supervisors										
Accounting Supervisor	5,320.82	5,507.05	5,699.79	5,899.29	6,105.76	6,319.46	6,540.64	6,769.57	7,006.50	7,251.73
Building Official/Manager	5,753.53	5,954.91	6,163.33	6,379.05	6,602.31	6,833.39	7,072.56	7,320.10	7,576.31	7,841.48
City Engineer	6,354.14	6,576.53	6,806.71	7,044.95	7,291.52	7,546.72	7,810.86	8,084.24	8,367.19	8,660.04
IT Manager	5,533.82	5,727.51	5,927.97	6,135.45	6,350.19	6,572.44	6,802.48	7,040.57	7,286.99	7,542.03
Operations Manager: Streets, Stormwater & Fleet	5,210.42	5,392.79	5,581.54	5,776.89	5,979.08	6,188.35	6,404.94	6,629.11	6,861.13	7,101.27
Operations Manager: Parks, Cemetery & Facilities	5,210.42	5,392.79	5,581.54	5,776.89	5,979.08	6,188.35	6,404.94	6,629.11	6,861.13	7,101.27
Operations Manager: Wastewater	5,210.42	5,392.79	5,581.54	5,776.89	5,979.08	6,188.35	6,404.94	6,629.11	6,861.13	7,101.27
Operations Manager: Water	5,210.42	5,392.79	5,581.54	5,776.89	5,979.08	6,188.35	6,404.94	6,629.11	6,861.13	7,101.27
Police Commander	6,424.82	6,649.69	6,882.43	7,123.31	7,372.63	7,630.67	7,897.74	8,174.17	8,460.26	8,756.37
Senior Analyst	5,447.29	5,637.95	5,835.28	6,039.51	6,250.89	6,469.67	6,696.11	6,930.48	7,173.04	7,424.10
Non-Exempt										
Asst. to Mayor and City Administrator	4,209.88	4,357.22	4,509.72	4,667.57	4,830.93	5,000.01	5,175.01	5,356.14	5,543.60	5,737.63

Agenda Bill #93-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

2017 Property Tax (Ad Valorem) Resolutions

DEPT. OF ORIGIN:

Finance

REVIEWED AT:

multiple workshops

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- ▢ **Resolution 1 - Tax_General Fund 2017 IPDandbanked**
- ▢ **Resolution 2 - Tax-General Fund 2017 subs need**
- ▢ **Resolution 3 - Tax-General Fund 2017 IPD only**
- ▢ **Resolution 4 - Tax-General Fund 2017 banked**

EXPENDITURE REQUIRED:

N/A

BUDGETED:

N/A

APPROPRIATION REQUIRED:

N/A

SUMMARY STATEMENT

The attached resolutions represent the needed documentation to set the General Property Tax levy for 2017. The implicit price deflator is below 1% (0.953%), and we have banked capacity available, therefore we have four draft resolutions attached to this agenda bill.

Resolutions 1 and 2 reflect what is included in the Mayor's Proposed Budget.

Resolution 1 sets the property tax increase at 1.3766%, which is the IPD of 0.953% + the 2016 available banked capacity of 0.4236%.

Resolution 2 is the substantial needs resolution to approve the additional 0.047% to achieve the full 1% property tax increase.

Resolution 3 would be for adopting the IPD % increase of 0.953% only and not utilizing the banked capacity.

Resolution 4 would bank the remaining 0.047% for future use if the substantial need resolution #2 is not approved.

As required by state statute, a public hearing to consider the 2017 proposed budget will be held this evening and was advertised accordingly.

RECOMMENDED ACTION

1. Open the public hearing and take public testimony
2. Read the resolutions by title only
3. Pass and post resolution #1 levying the IPD of 0.953% and banked capacity of 0.4236% in the usual manner
4. Pass and post resolution #2, finding substantial need and levying the 0.047% increase in the usual manner

RESOLUTION 1 – INCLUDED IN MAYOR’S PROPOSED BUDGET

RESOLUTION # _____

A RESOLUTION levying the ad valorem taxes for obligations of the General Fund for fiscal year ending December 31, 2017.

WHEREAS, the Council of the City of Washougal has properly given notice of the public hearing held November 7, 2016 to consider the City of Washougal’s current expense budget for the 2017 calendar year, pursuant to RCW 84.55.020; and

WHEREAS, the Council of the City of Washougal, after hearing and after duly considering all relevant evidence and testimony presented, determined that City requires an increase in property tax revenue from the previous year, in addition to that resulting from the addition of new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed property, in order to discharge the expected expenses and obligations of the City; and

WHEREAS, the City’s actual levy amount from the previous year was \$4,117,450; and

WHEREAS, the Council of the City of Washougal, after hearing and after duly considering all relevant evidence and testimony presented, levied less than the maximum allowable levy in 2016 and banked the additional capacity; and

WHEREAS, the population of the City is more than 10,000; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Washougal the following:

SECTION I

The dollar amount of the increase over the actual levy amount from the previous year shall be \$56,680.82, which is a percentage increase of 1.3766% percent from the previous year. This increase is the IPD of 0.953% plus the City’s banked capacity of 0.4236%. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property, newly constructed wind turbines, any increase in the value of state-assessed property, and any additional amounts resulting from any annexation that have occurred and refunds made.

SECTION II

A Certified Budget request or estimate shall be filed with the County’s Assessor’s Office, separate from this Resolution. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The form for this purpose is Titled “Levy Certification” and is available through the Assessor’s Office. Certification is made in the manner prescribed by the County Assessor’s Office.

RESOLUTION 1 – INCLUDED IN MAYOR’S PROPOSED BUDGET

PASSED by the Council of the City of Washougal on the 7th day of November, 2016.

City of Washougal, Washington

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION 2 – INCLUDED IN MAYOR’S PROPOSED BUDGET

RESOLUTION # _____

A RESOLUTION of the City Council of the City of Washougal, finding and declaring a substantial need for using the 101 percent limit factor under Chapter 84.55 RCW with regard to the levying of regular property taxes for collection in 2017.

WHEREAS, the Council of the City of Washougal has properly given notice of the public hearing held November 7, 2016 to consider the City of Washougal’s current expense budget for the 2017 calendar year, pursuant to RCW 84.55.020; and

WHEREAS, RCW 84.55.010 provides that a taxing jurisdiction may levy taxes in an amount no more than the limit factor multiplied by the highest levy of the most recent three years plus additional amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property; and

WHEREAS, under RCW 84.55.005 (2)(c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 101 percent or 100 percent plus inflation; and

WHEREAS, inflation for the 2017 tax year has been calculated to be 0.953%; and

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101 percent or less with a Finding of Substantial Need by a vote of majority plus one of the Councilmembers; and

WHEREAS, RCW 84.55.0101 requires that the City Council make a finding of “substantial need” to set an increase of 101 percent in the property tax levy; and

WHEREAS, increased demands upon the resources of the City in the coming year require additional resources to provide services in the areas of transportation, road repair and maintenance, parks and recreation, facilities and public safety; and

WHEREAS, the City Council, after duly considering all relevant evidence and testimony presented, has determined that there is a substantial need to set the levy limit factor at 101 percent to ensure adequate funding for the public health, safety and welfare in future years;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Washougal as follows:

Section 1 - Revenue Sources

The City Council has reviewed the sources of fund and revenue necessary for City programs and services for 2017.

Section 2 – Substantial Need

The City Council finds and declares that there is a substantial need for using the 101 percent limit factor under Chapter 84.55 RCW in setting the 2016 property tax levy for collection in 2017. The elements of substantial need identified by the City Council include but are not limited to providing for the public health and safety, and is further defined as including increased demands upon the resources

RESOLUTION 2 – INCLUDED IN MAYOR’S PROPOSED BUDGET

of the City in the coming year to provide services in the areas of transportation, road repair and maintenance, parks and recreation, facilities and public safety.

Section 3 – Funds Identified

This finding of substantial need applies to the City’s General and Street funds.

Section 4 – Majority Vote

This finding of substantial need to use the limit factor of 101 percent as permitted by Chapter 84.55 RCW is made by a majority plus one vote of the city Council as require by RCW 84.55.0101 and is embodied in this separate resolution as required by RCW 84.55.120.

Section 5 – Regular Property Tax Levy

Based upon this finding of substantial need, the increase in the 2016 regular property tax levy for collection in calendar year 2017 shall be ONE PERCENT (1%), which is 101 percent of the highest amount of regular property taxes that may be lawfully levied in this taxing district.

PASSED by a majority plus one vote of the Council of the City of Washougal on the 7th day of November, 2016.

City of Washougal, Washington

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION 3 – NOT INCLUDED IN MAYOR’S PROPOSED BUDGET

RESOLUTION # _____

A RESOLUTION levying the ad valorem taxes for obligations of the General Fund for fiscal year ending December 31, 2017.

WHEREAS, the Council of the City of Washougal has properly given notice of the public hearing held November 7, 2016 to consider the City of Washougal’s current expense budget for the 2017 calendar year, pursuant to RCW 84.55.020; and

WHEREAS, the Council of the City of Washougal, after hearing and after duly considering all relevant evidence and testimony presented, determined that City requires an increase in property tax revenue from the previous year, in addition to that resulting from the addition of new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed property, in order to discharge the expected expenses and obligations of the City; and

WHEREAS, the City’s actual levy amount from the previous year was \$4,117,450; and

WHEREAS, the population of the City is more than 10,000; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Washougal the following:

SECTION I

The dollar amount of the increase over the actual levy amount from the previous year shall be \$39,239, which is a percentage increase of 0.953% percent from the previous year. This increase is exclusive of additional revenue resulting from the addition of new construction and improvements to property, newly constructed wind turbines, any increase in the value of state-assessed property, and any additional amounts resulting from any annexation that have occurred and refunds made.

SECTION II

A Certified Budget request or estimate shall be filed with the County’s Assessor’s Office, separate from this Resolution. As required by RCW 84.52.020, that filing certifies the total amount to be levied by the regular property tax levy. The form for this purpose is Titled “Levy Certification” and is available through the Assessor’s Office. Certification is made in the manner prescribed by the County Assessor’s Office.

PASSED by the Council of the City of Washougal on the **7th** day of **November, 2016**.

City of Washougal, Washington

Mayor

RESOLUTION 3 – NOT INCLUDED IN MAYOR’S PROPOSED BUDGET

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

RESOLUTION 4 – NOT IN BUDGET – BANKS FOR FUTURE

RESOLUTION # _____

A RESOLUTION of the City Council of the City of Washougal, finding and declaring a substantial need for using the 101 percent limit factor under Chapter 84.55 RCW with regard to the levying of regular property taxes for collection in 2017.

WHEREAS, the Council of the City of Washougal has properly given notice of the public hearing held November 7, 2016 to consider the City of Washougal’s current expense budget for the 2017 calendar year, pursuant to RCW 84.55.020; and

WHEREAS, RCW 84.55.010 provides that a taxing jurisdiction may levy taxes in an amount no more than the limit factor multiplied by the highest levy of the most recent three years plus additional amounts resulting from new construction and improvements to property, newly constructed wind turbines, and any increase in the value of state-assessed utility property; and

WHEREAS, under RCW 84.55.005 (2)(c), the limit factor for a taxing jurisdiction with a population of 10,000 or over is the lesser of 101 percent or 100 percent plus inflation; and

WHEREAS, inflation for the 2017 tax year has been calculated to be 0.953%; and

WHEREAS, RCW 84.55.0101 provides for use of a limit factor of 101 percent or less with a Finding of Substantial Need by a vote of majority plus one of the Councilmembers; and

WHEREAS, RCW 84.55.0101 requires that the City Council make a finding of “substantial need” to set an increase of 101 percent in the property tax levy; and

WHEREAS, increased demands upon the resources of the City in the coming year require additional resources to provide services in the areas of transportation, road repair and maintenance, parks and recreation, facilities and public safety; and

WHEREAS, the City Council, after duly considering all relevant evidence and testimony presented, has determined that there is a substantial need to set the levy limit factor at 101 percent to ensure adequate funding for the public health, safety and welfare in future years;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Washougal as follows:

Section 1 - Revenue Sources

The City Council has reviewed the sources of fund and revenue necessary for City programs and services for 2017.

Section 2 – Substantial Need

The City Council finds and declares that there is a substantial need for using the 101 percent limit factor under Chapter 84.55 RCW in setting the 2016 property tax levy for collection in 2017. The elements of substantial need identified by the City Council include but are not limited to providing for the public health and safety, and is further defined as including increased demands upon the resources

RESOLUTION 4 – NOT IN BUDGET – BANKS FOR FUTURE

of the City in the coming year to provide services in the areas of transportation, road repair and maintenance, parks and recreation, facilities and public safety.

Section 3 – Funds Identified

This finding of substantial need applies to the City’s General and Street funds.

Section 4 – Majority Vote

This finding of substantial need to sue the limit factor of 101 percent as permitted by Chapter 84.55 RCW is made by a majority plus one vote of the city Council as require by RCW 84.55.0101 and is embodied in this separate resolution as required by RCW 84.55.120.

Section 5 – Regular Property Tax Levy

Based upon this finding of substantial need, the increase in the 2016 regular property tax levy for collection in calendar year 2017 shall be INFLATION 0.953%, however the City will bank the additional capacity up to the full one percent (1%) for future use, which is 101 percent of the highest amount of regular property taxes that may be lawfully levied in this taxing district.

PASSED by a majority plus one vote of the Council of the City of Washougal on the 7th day of November, 2016.

City of Washougal, Washington

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Agenda Bill #94-16
BUSINESS OF THE CITY COUNCIL
City of Washougal, Washington

FOR AGENDA OF:

11/7/2016

SUBJECT:

2017 Budget Ordinance

DEPT. OF ORIGIN:

Finance

REVIEWED AT:

multiple workshops

TO BE RETURNED TO COUNCIL:

No

ATTACHMENTS:

- **2017 Budget Ordinance**

EXPENDITURE REQUIRED:

N/A

BUDGETED:

N/A

APPROPRIATION REQUIRED:

N/A

SUMMARY STATEMENT

The 2017 Mayor's Proposed Budget was made available to the public on October 24, 2016. A public hearing is being held tonight, November 7th, 2016 and was advertised once a week for two weeks as required by law.

The 2017 budget has been presented or discussed with Council on August 22, August 29th, September 12th, September 26th and October 24th.

RECOMMENDED ACTION

1. Open the public hearing and take public testimony
2. Read the Ordinance by title only
3. Pass, post and publish the Ordinance in the usual manner

Ordinance _____

AN ORDINANCE adopting the annual budget for the City of Washougal, Washington for the 2017 fiscal year.

WHEREAS, the Mayor for the City of Washougal has heretofore prepared and submitted a preliminary budget for the fiscal year ending December 31, 2017, to the City Council and has filed his budget with the Finance Director; and

WHEREAS, the City Council reviewed the budget on August 22, August 29, September 12, September 26 and October 24, 2016, and held a public hearing on November 9, 2016, according to law; and

WHEREAS, the recommendations of the City Council have been incorporated into the 2017 budget,

NOW, THEREFORE, BE IT ORDAINED by the Council for the City of Washougal, Washington, as follows:

SECTION I

The preliminary budget for the City of Washougal for the fiscal year ending December 31, 2017, as presented by the Mayor and on file with the Finance Director is hereby adopted, approved and appropriated as follows:

SECTION II

Fund	Fund Title	Beginning Fund Balance	Revenues	Expenses	Ending Fund Balance
001	General	4,345,276	11,947,141	12,082,507	4,209,910
003	Abatement	63,100	100	19,500	43,700
101	Street	-	1,102,590	1,100,683	1,907
103	Cemetery	20,597	145,300	165,870	27
104	REET 1st Qtr %	704,800	303,000	356,100	651,700
105	Park Impact Fee	512,074	160,500	672,574	-
106	REET 2nd Qtr %	250,000	675,000	750,000	175,000
108	Hotel/Motel Tax	67,000	60,200	127,200	-
110	Transportation Development	1,450,000	371,500	1,821,500	-
118	PEG Fee	121,000	3,250	15,000	109,250
125	EMS Restricted Revenue	646,900	-	646,900	-
126	Fire impact Fee	250,200	60,200	25,411	284,989
141	Drug Seizure Fund	23,900	12,100	13,500	22,500
212	UTGO Debt	105,265	356,100	356,100	-
215	Downtown Revitalization Bond	-	920,398	1,206,141	9,257
350	Parks Capital Projects	295,000	180,300	70,000	297,700
351	Building Contingency	187,400	6,738,607	7,065,300	1,341
353	Transportation Capital	328,034	8,025,303	8,337,467	3,289,836
401	Water/Sewer	3,602,000	1,355,500	1,303,069	1,497,431
403	Stormwater	1,445,000	1,309,140	206,300	4,057,370
406	Water/Sewer Capital	2,954,530	3,443	3,443	490
408	Water/Sewer Bond	490	310,125	310,125	-
410	PW Trust Fund Loan	-	-	-	1,423
412	Water/Sewer Loan	1,423	2,519,632	7,433,632	273,150
413	Water/Sewer/Storm Bond	5,187,150	5,000	-	1,765,000
414	Water/Sewer/Storm Bond Reserve	1,760,000	600	30,450	134,550
510	Employment Security	164,400	155,400	298,000	75,600
520	ER&R vehicle	218,200	30,000	40,000	23,383
521	ER&R IT	33,383	9,602		337,102
604	Perpetual Care	327,500	60,490		965,490
610	Downtown Bond Guarantee	905,000	8,300	15,000	4,632
631	Low Income Assistance	11,332	70,200	115,300	60,165
Grand Total		25,980,954	36,899,021	44,587,071	18,292,904

SECTION III

THIS ORDINANCE shall take effect on January 1, 2017, after its passage, posting and publication according to law.

PASSED by the Council for the City of Washougal, Washington and requested by its Mayor at a regular meeting of said Council on the 7th day of November, 2016.

CITY OF WASHOUGAL

Mayor Sean Guard

ATTEST:

Finance Director Jennifer Forsberg

REQUESTED AS TO FORM:

City Attorney Kenneth B. Woodrich