

Town of Yacolt
Town Council Meeting and Public
Hearing Agenda
Monday, March 08, 2021
7:00 PM
Town Hall

Call to Order

Flag Salute

Roll Call

Late Changes to the Agenda

Approve Minutes of Previous Meeting(s)

1. February 8, 2021 Council Meeting Minutes DRAFT

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

Unfinished Business

2. Belcorp Short Plat Revised Application 3-8-21
3. Amending Personnel Policies and Procedures Manual
4. Council Education and Board Meeting Compensation 03/08/2021

New Business

5. Red Cross Month Proclamation

Town Clerk's Report

Public Works Department Report

Attorney's Comments

Citizen Communication

Anyone requesting to speak to the Council regarding items not on the agenda may come forward at this time. Comments are limited to 3 minutes. Thank you.

Council's Comments

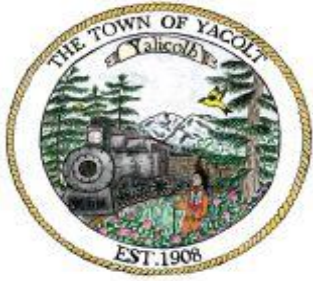
[6.](#) Council Comments Submitted by Amy Boget (re: AWC City Action Days)

[7.](#) Council Comments Submitted by Amy Boget (re: CAAB)

Mayor's Comments

Approve to Pay Bills on Behalf of the Town

Adjourn



**Yacolt Town Council- Meeting Minutes
Monday, February 8, 2021
Town Hall Virtual/ Telephonic- 7:00 PM**

Call to Order

Mayor Listek called the meeting to order at 7:00 pm

Flag Salute

Roll Call

PRESENT

Mayor: Katelyn Listek

Council Members: Amy Boget, Michelle Dawson, Herb Noble, Malita Moseley, Marina Viray

Town Attorney: David Ridenour

Late Changes to the Agenda

Mayor Listek would like to add item #7: Council Education and Board Meeting Updates

Approve Minutes of Previous Meetings

Motion was made to approve minutes of the January 11, 2021 Council meeting

Motion: Noble **2nd:** Boget

Aye: Boget, Dawson, Noble, Moseley, Viray **Nay:** 0

Motion passed

Citizen Communication

None

Unfinished business

Belcorp Short Plat Public Hearing Continuation

Mayor Listek closed the regular meeting and opened the Belcorp Short Plat Application Public Hearing continuing from January 11, 2021, at 7:04 pm. She introduced the

hearing and its purpose, and gave instructions on how the public may give their comments/ testimony.

To begin, Devin Jackson of Jackson Civil Engineering addressed the applicant's responses to Yacolt Municipal Code 18.45.010 regarding variance approval. Especially since the Town Council agreed with Engineering staff in the meeting Jan. 11th regarding front lot line, staff does not recommend violating Town Code. Regarding any hardship, staff stated that there is no hardship now; any hardship would only be brought on by the property owner's voluntary short-plat of the property. They also recommend against disregarding the comprehensive plan.

Judy Greer then responded, asking council member to remain unbiased, and asked that any public comments submitted in writing after the December deadline be stricken from the record. Ed Greer had Attorney David Ridenour show maps of other flag-lots in the area whose setbacks are not in conformance with Yacolt's Code regarding setbacks. He said that tonight we need to at least resolve the setback issue. Jackson agreed that the setback issue must come first, and then on to the short-plat issue.

Councilmember Herb Noble suggested that there should be at most 2 homes on this property because of water table/ drainage issues, and reminded council that this has been before council in the past, and not approved. Councilmember Amy Boget asked about one of the other flag lots on Ridenour's maps. Jackson answered that just because previously created flag lots did not conform to current code, we should not violate current code. Ed Greer reminded everyone that even if this short plat does not get approved, the existing home will remain in place, with the existing setbacks, in violation of current setback rules. Jackson said that creation of the short-plat is what would be setting a new precedent. He said that if the applicant is not happy with the current code, they could ask council to create a new zoning ordinance. Noble said that council must look at this application as a brand-new project. Jackson advised that council must simply decide if all 8 points regarding the variance approval are satisfied; if so, they should approve the variance, if not, then they should not. Greer said he had seen the previous site plan on the prior application submitted by the prior owner, and those plans did not meet the Town's zoning code, which is why he sold the property to the current owner. Their current site plan meets all current code requirements except the lot line/ setback on the existing home. Boget stated that this issue must be looked at on its own, not subject to the other 2 nearby flag lots. Councilmember Malita Moseley stated that the only affect of the variance would be on the current property owner and residents, and that she has no problem approving the variance to prevent the existing home from having to be torn down.

Mary Rowe, a public member, called in to comment, and was sworn in. She asked if the existing manufactured home's position was grandfathered in? Jackson answered that the creation of the flag-lot is what creates the need for the variance. Rowe asked what if they just split the property into 2 lots, rather than 3? Jackson said he'd have to see a proposed plot plan before offering comments, but that if only divided into two lots, they feasibly could be made without creating flag lots, making the current issue moot.

Mayor Listek then directed the council to discuss the variance and make a decision on it. Noble said he doesn't see where council would be doing due diligence to the town by changing the zoning code. Greer said that if they switched to doing 2 lots instead of 3, the existing home would still be on a flag lot, still requiring the variance. Jackson disagreed, stating that enough street frontage is available to create two lots without either of them being a flag lot. Greer countered that the applicant is asking for a one-time variance, in order to not have to move the existing manufactured home. Listek said that the home-moving issue only exists because of the developer wanting to subdivide and build. Otherwise there would be no need to tear down or move the existing home. Jackson agreed.

Boget made a motion that the variance be denied.

Motion: Boget **2nd:** Dawson

Aye: Boget, Dawson, Noble, Viray

Nay: Moseley

Motion Passed

Jackson proposed a continuation for the Applicant to be able to revise their Short-Plat Application to be reviewed at the next meeting, March 8th.

Mayor Listek closed the public hearing and re-opened the regular meeting at 7:55 pm.

New Business

Proposed Annexation and Development of Parcel #279452000

Travis Tormanen, along with Roger Foley and Geo LaRoche, made a presentation on development of some property they would like to acquire. The property is located just off the northeast corner of town, on East Yacolt Rd., and is within the Urban Reserve. Travis showed a process diagram and a preliminary layout. They would like to build 20 or more homes, on about 18,000 square foot lots. They hope to have the property annexed into the Town of Yacolt, as it is currently not within the Town limits. Noble asked what size lots the county has zoned this property for, and Jackson answered that it is currently zoned for two 10-acre lots. There was some discussion of Urban Growth Area vs. Urban Reserve, and Jackson mentioned that annexation of this property would require a new Comprehensive Plan. He said typically, the county wants to see Growth Management Areas developed as employment-producing properties. Tormanen asked Jackson if there is an easy path to getting this property annexed. Jackson replied that it would be easier with a property of at least 100 acres. Usually the County won't let you touch Urban Reserve until all undeveloped properties in town get developed. Boget asked if this would be annexed in as R-10 or R-12.5. Jackson answered that it depends on multiple factors: population density and growth, parks, etc. Zoning is not automatic, and typically takes a year or thereabouts. Tormanen said they will explore the issues which have been brought up and report back if they decide to pursue this annexation and development further. Noble asked if the 10-acre zoning is due to the 2 creeks running through the property and the fact that they serve our local water supply and

feed into the North Fork of the Lewis River. Jackson said not necessarily. Tormanen interjected that Yacolt Creek is just east of the property in question, and they have been watching nitrate levels in the water because of it feeding the aquifer, and there have been no significant levels noted in recent years. He feels that this project would fit in with existing community development; however planning issues may take a while. Moseley stated that she thinks the development would be a good idea, and she'd like to see more parks in the area.

Rotate Mayor Pro-Tem

After taking into account which councilmembers would be available for rotating into this position, Councilmember Herb Noble nominated Councilmember Michelle Dawson for the Mayor Pro-Tem position, from now until July 12th.

Motion: Noble

2nd: Viray

Aye: Dawson, Moseley, Noble, Viray

Nay: Boget

Motion Passed

Rotate Finance Committee

After taking into account which councilmembers would be available for rotating into this position, Councilmember Amy Boget nominated Councilmember Malita Moseley for the open Finance Committee position, from now until July 12th.

Motion: Boget

2nd: Viray

Aye: Boget, Dawson, Moseley, Noble, Viray

Nay: 0

Motion Passed

PWMA Title Name Change

Councilmember Moseley stated that she doesn't think the "Team Leader" or "Supervisor" name applies in Yacolt, that when we have a Larch Work Crew here, they have their own supervisor. Mayor Listek reminded council that when the Larch crew comes, their own supervisor is there mainly to keep track of them, but our man (in this case Terry) has to supervise the whole lot of them. Also, for several months out of the year, we employ seasonal workers, who are also supervised by Terry. So the "Lead" or "Supervisor" title indeed does apply. Councilmember Boget said she likes the title of "Public Works Maintenance Technician", but she is hesitant to call it "Lead" or "Supervisor". Listek said she prefers a title like "Lead", showing that Terry is in charge of / supervising a crew. Councilmember Noble made a motion that we change Terry's title to "Public Works Supervisor". Councilmember Dawson seconded the motion. Boget reminded them that this change would require changing the Town's Personnel Policy,

and Attorney Ridenour agreed. Boget also reminded council that our Personnel Policy says “Assistant Clerk”, not “Administrative Assistant”. So if changes are made to the names, we also will need to update the Personnel Policy with not only the new title names, but also the job description/ duties for each, by resolution or ordinance. Noble then withdrew his previous motion and made a new one: That we direct staff to prepare a resolution to amend our Personnel Policy to reflect title changes from Public Works Maintenance Assistant to “Public Works Supervisor”, and from “Assistant Clerk” to “Administrative Assistant”, and to change their respective duties as outlined in the current Personnel Policy.

After some discussion, Noble tabled the motion when Listek suggested council members all send in their ideas on this before the next meeting, as soon as possible. Boget suggested that everyone email their ideas in. Ridenour and Listek agreed that this will also give us a platform to update pay scales as well. They suggested an Ordinance or Resolution to be written up with blanks to be filled in before approval at the March 8th meeting.

Council Education and Board Meeting Updates

Mayor Listek brought up the fact that our code does not allow for council members to be paid a stipend for classes they take. It allows for stipends to be paid only for regular and special council meetings, and for outside meetings (ie: local community services board meetings) which they attend as a representative of the Town. Our budget does allow for reimbursement of tuition, travel expenses, etc., but is very limited as far as paying stipends on top of that. Recently, Council Members have submitted class attendance to our Clerk, to be paid a meeting stipend.

Mayor Listek and the Council discussed the importance of Council Members getting the additional training in, and that there are funds budgeted for such trainings. However, Yacolt Municipal Code does not allow for a stipend to be paid in addition to the tuition and other reimbursed expenses that may stem from the trainings. Also, the Mayor recommended that if a training is taken or meeting attended, it would benefit the Townspeople and other Council members to receive a report about the class or meeting, during the next Council Meeting.

Some Council Members felt that the meeting stipend should be paid for *all* meetings *and* classes attended. Others suggested that only “live” (albeit “virtual”, during COVID) classes should warrant the meeting stipend, vs. pre-recorded trainings. Mayor Listek reminded them what our Code says. There was some disagreement as to the interpretation of how the Code reads, and when the stipend should be paid. A couple of Council Members suggested having to get pre-approval to take a class and receive the meeting stipend. However, this may not always be feasible, depending on the amount of notice given when some classes are offered.

When it became apparent that no one solution would be agreed upon during this meeting, Mayor Listek consulted Attorney Ridenour for his advice on the issue. He

referred to a memo he had written up some months ago regarding this very issue, saying he would be happy to forward it to council members before the next meeting. He said animosity benefits no citizens of the Town, and emotions are high right now. He suggested bringing this discussion back in the next meeting, to allow everyone to cool off and think about the issue, bringing back their constructive ideas. All were in agreement.

Citizen Communication

- Ronald Homola introduced himself and said Attorney Ridenour basically voiced *his* own thoughts. He said all of the council members were voted in because each has a passion for this community. Not all council members benefit from taking classes. Some will want to, others will not. The key question is, how can they all work together as a team? Keep up the good work, and be a team.
- Mary Rowe said she has attended council meetings for years, and she was appalled by what she heard tonight as the council members argued. She said, if you have an ordinance, follow it. If you don't like an ordinance, change it.
- Josh Beck said none of this is about pettiness. This is about serving the town, not yourself.

Town Clerk's Report

- 2020's books have been completed and closed out.
- The Public Works payroll distribution accounts were all corrected for an accurate reflection of payroll hours going forward.
- In the past few weeks, records have been getting compiled for a huge Public Records Request project.
- And over the next week or so, events and meetings through the rest of the year will be listed on the Town website, so that people can plan for the events.

Public Works Report

- Upon removal of Christmas lights, vandalism to the lights and other holiday fixtures amounting to over \$1000 was assessed. Those decorations will now need to be replaced, at the expense of the town.
- The new LED reader board arrived today, and arrangements will begin for power to be brought to the site. This is number one of two electronic reader boards to be purchased.
- A new lawnmower was just purchased, with a 16-foot-wide swath, so this will give much greater efficiency for mowing parks, etc. in the summers.
- There has been a fair amount of damage due to vandalism lately, especially in the parks, mostly from vehicles. If anyone has information about this, please report it to Town Hall. Cameras have been installed in hopes of catching vandals in the act.

- And this month, Clark PUD is starting to work on W. Jones Street, to replace the water main there.

Attorney's Comments

The latest Corona Virus proclamation requires virtual meetings to continue until further notice.

Council's Comments

- Moseley attended the Urban County Policy Board meeting, in which they announced distribution of this year's CDBG Grants to: Lifeline, Share House, and Cities of Battle Ground, Woodland, and Camas. They are responsible for allocation of Covid Relief Funds, which the Free Clinic in Battle Ground will be receiving. The Clinic wishes to use the funds to either lease or buy their own building. They will know more in March. Applications for next year's grants are due by October, 2021.
- Moseley also attended the NCEMS meeting. They are trying to replace their Fargher Lake Station; they are working with their budget to do so. 2 EMTs have contracted COVID, and a few others are out for quarantine for 14 days. They used COVID Relief funds to purchase an atomizer which they use to sanitize ambulances between runs.
- Boget will be attending tomorrow's Community Action Advisory Board meeting tomorrow. It is their first meeting in a long time. They need to do an assessment, noting lack of census participation. Their next meeting will be March 2nd.
- Noble thanked the Town Clerk and Public Works staff for all they do. He attended the recent C-Tran meeting, where they discussed how COVID has affected bus routes. We now have a mid-day bus run, and he is pushing for more. He thanked Mayor Listek, and said they should all come back to the next meeting as professionals.

Mayor's Comments

- She recently made a presentation in hopes of being awarded a grant for a potential park project. She will keep council and the town posted as she gets more information back.
- Dates for numerous town events have now been set. Hopefully, COVID restrictions will allow us to go forward with the events. Soonest upcoming events include: April 3- Easter Egg Hunt, April 24- Town Surplus / Garage Sale, and May 1- Town Clean-Up.
- She has taken old medals from BigFoot Fun Runs off of their lanyards that had old dates on them, and repurposed them into key chains to be sold at Saturday Markets and other events.
- Saturday Markets are set to be the first Saturday of each month, beginning April 3rd.
- And last, we just got word that our US Bank branch here in town will be closing permanently. We hate to see it go!
- Councilmember Moseley asked if the Town Sale could be moved to a later date, with less chance of rain, and Mayor Listek replied that if people are interested, we may have another sale later on, this summer.

Approval to pay bills on behalf of the town

Motion made to pay the bills on behalf of the town:

Motion: Boget **2nd:** Moseley

Aye: Boget, Dawson, Moseley, Noble, Viray **Nay:** 0

Motion Passed

Adjourn

Mayor Listek adjourned the meeting at 10:19 pm

Katelyn J. Listek, Mayor

Stephanie Fields, Clerk



Town of Yacolt

Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Stephanie Fields, Town Clerk
Address: 202 W. Cushman St.
P.O. Box 160
Yacolt, WA 98675
Email Address: clerk@townofyacolt.com
Group Name: Staff
Phone: (360) 686-3922
Alt. Phone:

ITEM INFORMATION:

Item Title: Belcorp Short Plat Application: Public Hearing and Council Review.

Proposed Meeting Date: March 8, 2021.

Action Requested of Council: Consider the revised Application of Mr. Andrew Bell to short plat the property at 125 S. Spruce Avenue into three residential building lots.

The Council will hear presentations from the Town Engineer and the Applicant, as well as public comments on the new proposal.

Proposed Motion(s): "I move that the application to Short Plat Parcel #65150-000, at 125 S. Spruce Ave., to create 3 residential building lots be approved with the conditions described by the Town Engineer [or] denied."

Summary/ Background: This agenda item and public hearing are a continuation of the Council's review of the project during its January 11 and February 8, 2021 meetings. During the January meeting, the Council interpreted the Yacolt Municipal Code to require a 25' front setback at the West boundary of the flag portion of the proposed new flag Lot #3. During the February meeting, the Council denied a variance request with respect to the setbacks for Lot #3. The setbacks for proposed Lot #3 do not accommodate an existing home on the parcel.

At the Applicant's request, the matter was tabled to the March Council meeting so the Applicant could propose a solution to the problem created by the existing house. The Applicant submitted a revised plan for the 3-lot short plat that provides for removal of the existing home.

The Town Engineer recommends approval of the revised Application, subject to conditions described in the Staff Report and other conditions that may be described during the Council meeting.

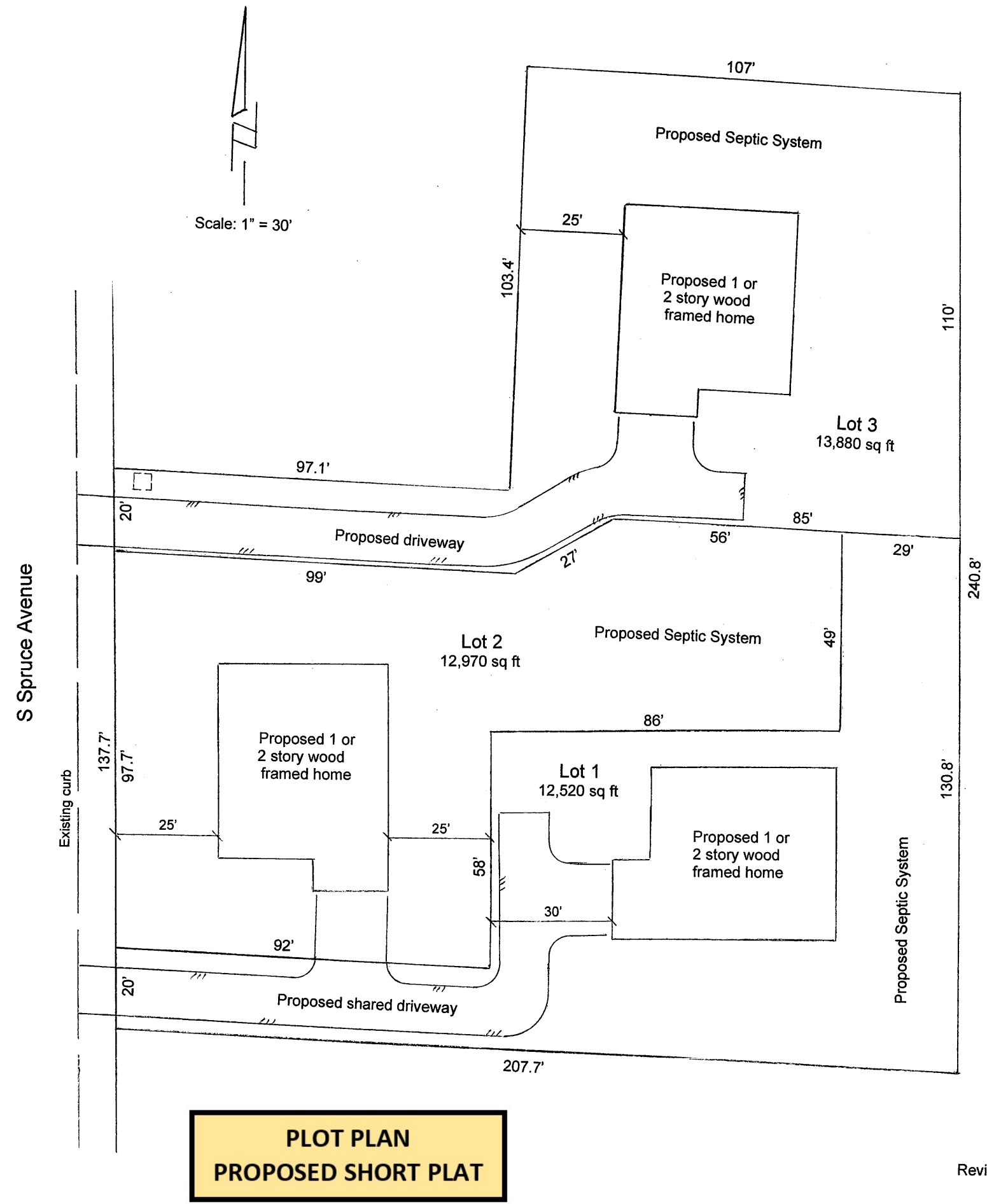
The materials that follow include a revised plot plan and short plat diagram showing the corrected setback lines for flag Lot #3. Other supporting materials are also attached, including: The Applicant's Narrative (revised); Applicant's Request for Modification of Yacolt's Sidewalk Standards; the Town Engineer's November 18, 2020 Staff Report; and previously-submitted written public comments.

Additional information regarding the Applications was included in the meeting packet for the January 11, 2021 meeting, including the SEPA DNS; the Public Hearing Advertisement; and the Stormwater Technical Information Report. The meeting packet for the February 8, 2021 meeting included written materials related to the denied Variance Application.

Staff Contact(s):

Stephanie Fields, Town Clerk.
Katelyn Listek, Mayor of Yacolt.

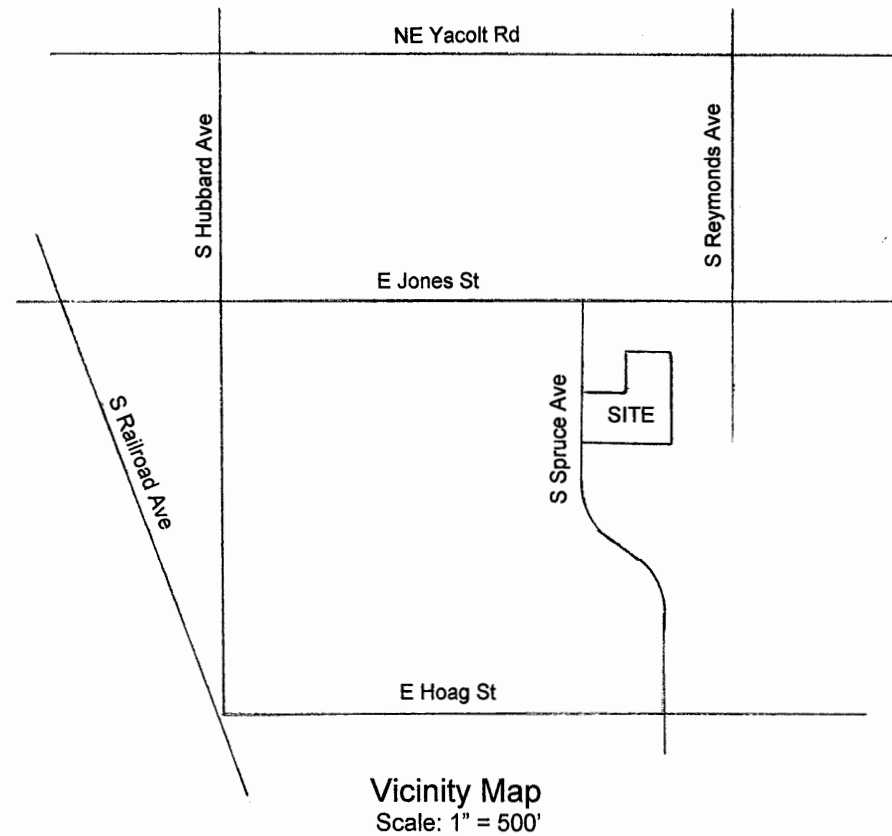
Note: This Plot Plan indicates proposed lot lines, the locations for the septic systems as designed by McNair Septic Systems, driveway locations and the approximate locations for the new homes.



**PLOT PLAN
PROPOSED SHORT PLAT**

Revised date: 2-23-21
Date: 8-14-20

<p>Preliminary Plot Plan</p>	<p>Belcorp Short Plat a residential Short Plat Town of Yacolt WA</p>	<p>Property Owner & Applicant: Andrew Bell PO Box 23 Yacolt WA 98675 360-903-8310 andrew@belcorp.co</p>	<p>Contact: Ed Greer Wyndham Enterprises, LLC 13023 Hwy 99 Suite 7-126 Vancouver WA 98686 360-904-4964 ed@ed-greer.net</p>
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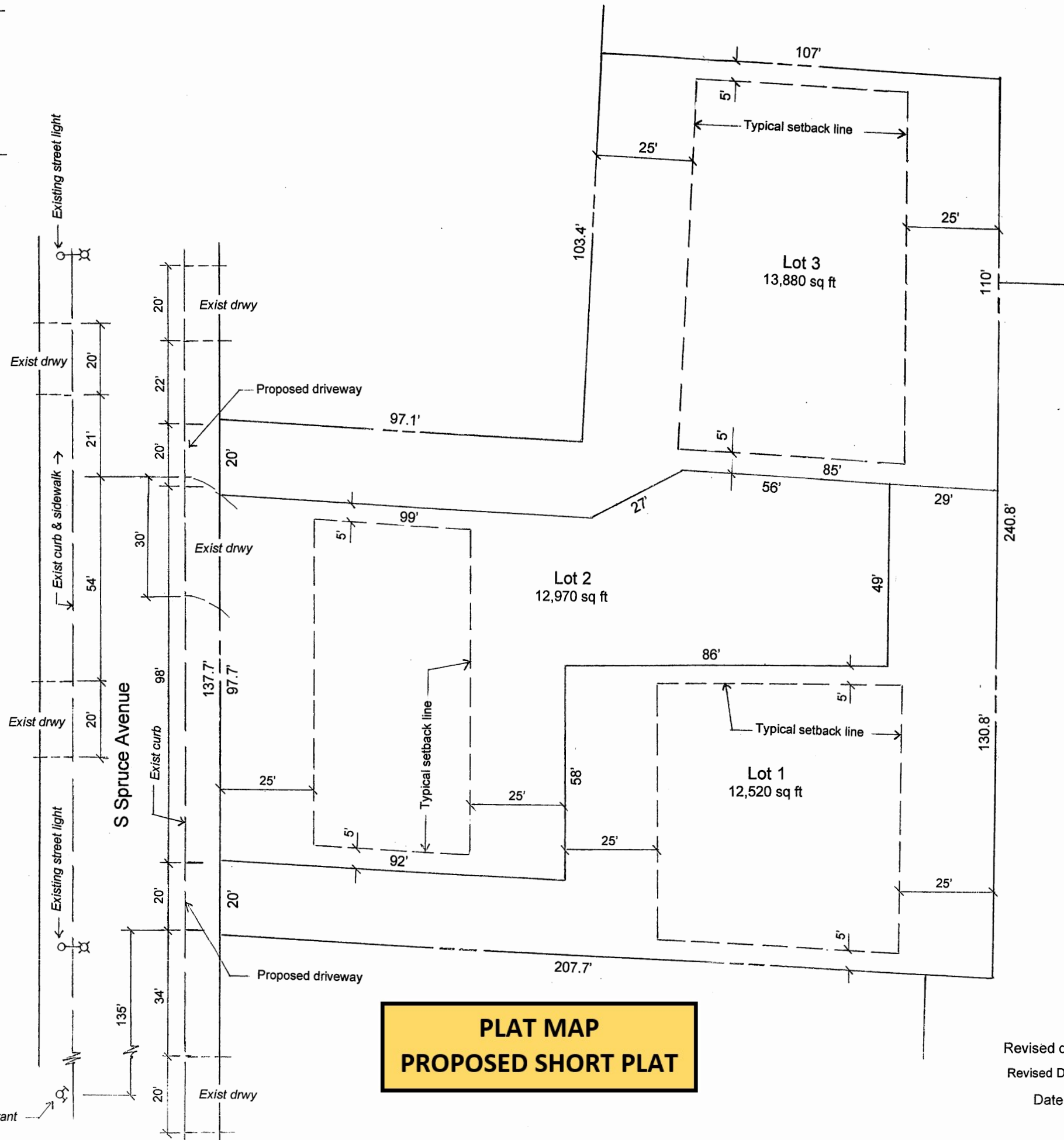


Notes

1. Site address: 125 S Spruce Avenue. County tax lot number 65150-000. Site contains a manufacture home and a shop building, both to be removed. Zone is R1-12.5. Site is 0.91 acre.
2. The proposed lots comply with Table 4A. Density is 3.3 lots per acre. Proposed Lots 1 and 3 will have frontage along S Spruce Avenue via 20' wide flag stems.
3. All 3 lots will be connected to the existing water line in S Spruce Avenue. A septic system is proposed for each lot.
4. GIS has a mapped habitat area through the site, however there are no critical areas on the property. Lot 2 is within the 100 year flood zone.
5. There are no striped bicycle lanes along S Spruce Ave. Parking is permitted on both sides.
6. Refer to the Preliminary Plot Plan for information on proposed home locations, driveways and septic systems.
7. Refer to the Existing Conditions Plan for ground contours, structures, graveled areas, etc.
8. No proposed fire hydrants.

Scale: 1" = 30'

Nearest fire hydrant



Revised date: 2-23-21

Revised Date: 9-18-20

Date: 8-14-20

Preliminary Short Plat	Belcorp Short Plat a residential Short Plat Town of Yacolt WA	Property Owner & Applicant: Andrew Bell PO Box 23 Yacolt WA 98675 360-903-8310 andrew@belcorp.co	Contact: Ed Greer Wyndham Enterprises, LLC 13023 NE Hwy 99 Suite 7-126 Vancouver WA 98686 360-904-4964 ed@ed-greer.net
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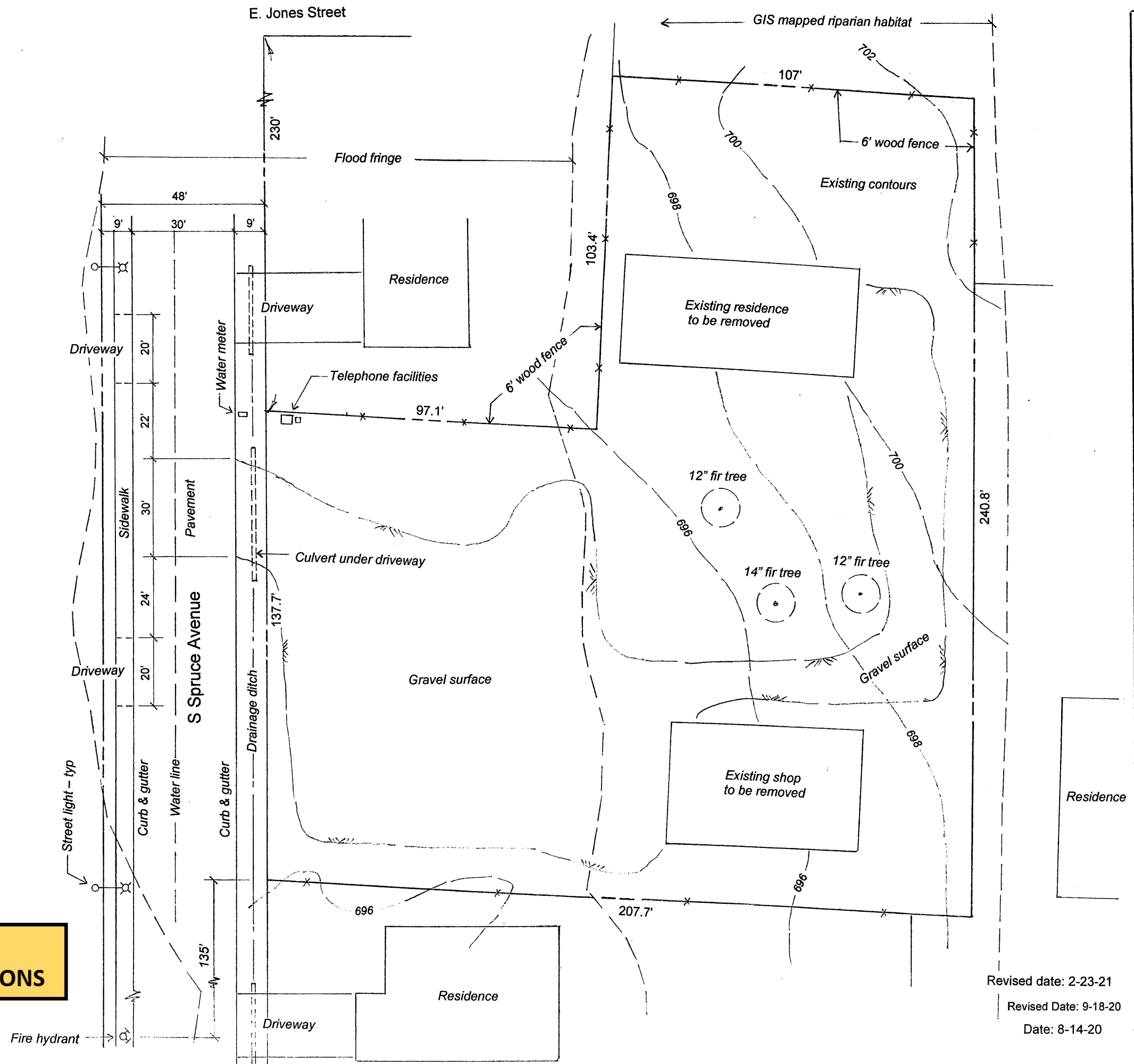
Revised date: 2-23-21
Revised Date: 9-18-20
Date: 8-14-20

Existing Conditions Plan

Belcorp Short Plat
a residential Short Plat
Town of Yacolt WA

Property Owner & Applicant:
Andrew Bell
PO Box 23 Yacolt WA 98675
360-903-8310 andrew@belcorp.co

Contact: Ed Greer
Wyndham Enterprises, LLC
13023 NE Hwy 99 Suite 7-126
Vancouver WA 98686
360-904-4964 ed@ed-greer.net



Narrative for Preliminary Short Plat
(Written Statement)

Belcorp Short Plat

a residential Short Plat

Town of Yacolt

Revised: Feb 24, 2021

Introduction

The subject property is located at 125 S Spruce Avenue, and is also known as Clark County tax lot number 65150-000. Zone is R1-12.5. The site is surrounded by detached single family homes. The site contains a manufactured home and a shop which will be removed.

Previous Proposal

The previous property owner processed land use applications for this site in 2019. The new property owner is now filing new land use applications.

Proposal

The project proposes to create 3 residential lots for detached single family homes on the 0.91 acre site. The lot design is based upon proposed septic system locations determined by soils that allow proper infiltration. The compacted gravel areas cannot be used for drainfields. All lots comply with the minimum area, minimum width and minimum depth as indicated on 18.25.050 Table 4A. Future homes will comply with the setbacks, maximum height, lot coverage and off street parking codes as stated in Code 18.25. Proposed Lots 1 and 3 will have frontage along S Spruce Avenue via 20' wide flag stems. The proposed south line of Lot 3 is the shortest line adjoining the pole portion of the lot, therefore the south line is the front of the lot, according to the Front Lot Line definition under 18.10.010. Density is 3.3 lots per acre.

Critical Areas

GIS has a mapped riparian habitat strip through the entire town, however there are no critical areas on the property. Lot 2 is within the 100 year flood zone.

Transportation

Existing S Spruce Avenue is classified as a local residential street with an existing right of way of 48 feet and a curb section of 30 feet. The existing driveway will be removed. New driveways will be constructed within the two flag stems.

Water and Sewer

Clark Public Utilities serves domestic water to the Town of Yacolt. The proposed 3 lots will connect services to the existing water line in S Spruce Avenue.

There is no public sanitary sewer line in S Spruce Avenue. A sewer septic system is proposed for each lot. Refer to the Septic Plan prepared by McNair Septic Design.

Stormwater

A Preliminary Stormwater Plan has been prepared by Windsor Engineering, LLC and is included in this application package.

Request for Modification of Town Standard

Introduction

The subject property is addressed at 125 S Spruce Avenue, located on the east side of S Spruce Avenue approximately 230 feet south of E Jones Street. The property is currently seeking approval of a 3 lot residential Short Plat.

Existing Conditions

S Spruce Avenue has concrete curbs along both sides and concrete sidewalks along the west side. There are no existing sidewalks along the east side of the street from E Jones Street to E Hoag Street.

Request for Modification

Section 1.09 of the Town of Yacolt Engineering Standards for Public Works Construction outlines the process for modification of Town Standards. This request for Standard Modification is to delete the requirement to construct a public sidewalk along the property's frontage.

Reason: There are no sidewalks existing along the east side of S Spruce Avenue from E Jones Street to E Hoag Street. In fact, most of the Town's streets have sidewalks only on one side.

Modification Criteria

The specification does not apply in the particular application:

If sidewalks were required at this location, each end would be a dead end, requiring pedestrians to cross the street anyway.

A change to a specification or standard is required to address a specific design or construction problem which if not enacted will result in an undue hardship:

None of the other lots along the east side of S Spruce Avenue were required to construct sidewalks. Sidewalk construction would require the installation of storm drain pipe and the existing drainage ditch to be completely covered.

Summary

For the reasons and addressed criteria stated above, the applicant hereby requests that the requirement for frontage sidewalks be deleted.

Submitted by Ed Greer, ICET
August 17, 2020

**REQUEST FOR MODIFICATION
(SIDEWALK STANDARDS)**



Town of Yacolt

202 W. Cushman Street, Yacolt, WA 98675
(360) 686-3922

Staff Report and Recommendation to the Town Council

Project Name:	Belcorp Short Plat
Report Date:	November 18, 2020
Hearing Date:	January 11, 2021
Proposal:	The applicant is seeking preliminary short plat approval to subdivide 0.91 acres into a three (3)-lot single-family short plat. The application includes a request for modification and a variance request.
Location:	125 S Spruce Avenue, Yacolt, WA 98675 Assessor's Tax Parcel # 65150-000
Applicant/Owner:	Andrew Bell
Applicant's Rep:	Ed Greer Wyndham Enterprises, LLC 13023 NE Hwy 99, Suite 7-126 Vancouver, WA 98686 (360) 904-4964
Staff:	Katie Listek, Mayor Tom Esteb, Public Works Stephanie Fields, Town Clerk David Ridenour, Town Attorney (<i>Consultant</i>) Devin Jackson, Town Engineer (<i>Consultant</i>)
SEPA:	Recommending a Final Determination of Non-Significance (DNS)
Recommendation:	Preliminary Denial subject to conditions listed at the conclusion of this report.

Date November 18, 2020

STAFF REPORT

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 - 2. Title 15 Building and Construction
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 - 4. Title 18 Zoning
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 - C. Agency / Public Comments
 - IV. RECOMMENDATION**
 - V. EXHIBITS**
 - VI. APPEAL**
-
-

I. BACKGROUND

A. General Site Information

Size of Site:	0.91 acres
Existing Vegetation:	Landscaping
Existing Structures:	House and Shop
Adjacent Land Uses:	Surrounded by residential lots
Adjacent Zoning:	Single-Family Residential (R1-12.5) the North, South, East, and West.
Topography:	The site is flat, sloping from north east to south west
Wetlands:	No mapping indicators
Flood Plain:	100-year flood plain
Access Roads:	S. Spruce Avenue

B. Land Use Processing

Date Application Submitted:	August 20, 2020
Application Technically Complete:	October 16, 2020
Notice of Application:	January 11, 2021
Site Posted:	
Reflector Publication:	December 23, 2020
Staff Report Issuance:	November 3, 2020
Public Hearing	January 11, 2021

Figure 1. Location



II. PROCEDURAL REQUIREMENTS

The authority for this review is described in YMC 18.25 (Single-Family Residential Districts); YMC 13.10 (Stormwater Management and Facility Maintenance); YMC 13.25 (Public Works Construction Standards); YMC 16.05-16.10 (SEPA); and the Town of Yacolt Comprehensive Growth Management Plan 2003-2023 (as updated). The Application appears to comply with YMC 16.20-16.45, (Critical Areas). The public hearing will be conducted in accordance with rules of procedure adopted by the Yacolt Town Council. The final decision on the Applications will be made by the Yacolt Town Council.

III. APPLICABLE REGULATIONS/ANALYSIS

A. Yacolt Municipal Code (YMC); Town of Yacolt Engineering Standards

1.	Title 13 Public Services
13.05 Water Main Installation	Compliance: Conditionally
<p>Finding: Potable water will be required for this project. Clark Public Utilities is the public water purveyor for properties within the town limits.</p> <p>Applicant has provided a Utility Review letter from Clark Public Utilities.</p> <p>Currently, an 8-inch water line in S Spruce Avenue runs north/south in the street. The applicant shall make connections to this line.</p> <p>The applicant has not shown the size of the water meters. All water meters including their sizes shall be shown on the final engineering plans.</p> <p>It should be noted that final engineering plans pertaining to water service for the proposed project shall be submitted for staff and Clark Public Utilities review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.</p>	
13.10 Stormwater Management and Facility Maintenance	Compliance: Conditionally
<p>Finding: YMC 13.10.010 adopts the Town of Yacolt Stormwater Management Plan. The plan specifies the Puget Sound Manual as the governing manual. The 2014 SWWMM may be used in lieu of the Puget Sound Manual. If the 2014 SWWMM is used it must be followed in it's (entirety/totality). Project is within a Category 1 Critical Aquifer Recharge Area (CARA). LID requirements must be met.</p> <p>It is anticipated that the development shall create greater than 2,000 square feet of new impervious surface, therefore all minimum requirements apply.</p> <p>The applicant has submitted a preliminary stormwater plan and preliminary hydrology report for review. The applicant proposes CAVFS and downspout dispersion to treat and infiltrate stormwater runoff.</p> <p>The final plat shall include a note specifying the stormwater facilities are to be privately owned and maintained.</p> <p>It should be noted that final engineering plans for stormwater control and drainage shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.</p>	
13.15 On-site Sewage Disposal Systems	Compliance: Conditionally
<p>Finding: The proposed development will require the construction of on-site sewage disposal systems. The systems are subject to State and Clark County Health Department requirements.</p> <p>The applicant has provided a Conditional Development Review Evaluation letter from Clark County Health Department.</p>	

It should be noted that final engineering plans pertaining to the on-site sewage disposal systems for the proposed project shall be submitted for staff and Clark County Health Department review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

13.20 Fire Hydrants

Compliance: Conditionally

Finding: Fire hydrants serving one- or two-family dwellings shall have a maximum lateral spacing of seven hundred feet (measured along fire apparatus access roads) with no lot or parcel in excess of five hundred feet from a fire hydrant.

The existing hydrant on the west side of S Spruce Avenue is less than 500 feet away and can service all proposed lots.

13.25 Public Works Construction Standards

Compliance: Conditionally

Finding: The project shall meet the Town of Yacolt's Engineering Standards for Public Works Construction.

Chapter 1.00 Requirements for Public Improvements

- A) All public improvements shall meet Americans with Disabilities Act (ADA) requirements. Per applicant's Request for Modification of Town Standards, it is requested that sidewalks are not required along the frontage of S Spruce Avenue. Staff agrees with Request for Modification due to current area being fully developed to standards, absence of sidewalk abutting development, and existing stormwater facility.

3A.01 Access – Applicant proposes to relocate and replace one access and proposes one new access. The existing access is proposed to be relocated along the north end of the parcel, which will service one lot. The new access along the south end of the parcel will be shared and service two lots.

3A.07 Street Frontage Improvements – All residential subdivisions, commercial developments, and short plats shall install street frontage improvements. Per applicant's Request for Modification of Town Standards, it is requested that sidewalks are not required along the frontage of S Spruce Avenue. Staff agrees with Request for Modification due to current area being fully developed to standards, absence of sidewalk abutting development, and existing stormwater facility.

3A.12 Curb and Gutter – Curb and gutter shall be utilized for street edges whenever possible and shall always be used under the following conditions:

- 1) All streets – residential, commercial, or arterial. Applicant shall install curb and gutter with driveway drops.

3A.13 Survey Monuments – Survey monuments shall be located in all subdivisions and short plats.

3A.14 Concrete Sidewalks – Sidewalk along the frontage of S Spruce Avenue is required. Per applicant's Request for Modification of Town Standards, it is requested that sidewalks are not required along the frontage of S Spruce Avenue. Staff agrees with Request for Modification due to current area being fully developed to standards, absence of sidewalk abutting development, and existing stormwater facility.

3A.18 Driveways - Applicant proposes two driveways, one of which will be shared. Existing driveway is to be abandoned. Street frontage improvements are required at the location of removed area.

3A.22 Street Illumination – Street lighting is required as a part of all public streets. The applicant has not provided a lighting plan. Calculations shall be included as part of the final engineering plans. A plan compliant with 3B.17 shall be provided as part of the final engineering plans.

It should be noted that final engineering plans pertaining to public works construction standards for the proposed project shall be submitted for staff review and approval prior to building permit issuance. Final engineering plans shall be prepared and stamped by a professional engineer registered in the State of Washington.

2.	Title 15 Building and Construction	
15.05 Code for the Abatement of Dangerous Buildings		Compliance: Conditionally
Finding: The Town of Yacolt adopts the “Uniform Code for the Abatement of Dangerous Buildings, 1976 Edition.”		
All permits must be secured prior to any construction and all applicable impact and permit fees shall be paid prior to the issuance of the permits.		
15.10 Energy Code		Compliance: Conditionally
Finding: The Town of Yacolt adopts the “Northwest Energy Code 1987 Edition.”		
All permits must be secured prior to any construction and all applicable impact and permit fees shall be paid prior to the issuance of the permits.		
15.15 Flood Damage Prevention		Compliance: Conditionally
Finding: The Town of Yacolt has adopted a 100-year Flood Plain Map. The proposed development falls within of identified flood plains.		
Under YMC 15.15.040.A.1, a Development Permit shall be obtained before construction or development begins within any area of special flood hazard.		

3.	Title 16 Environment	Compliance: Conditionally
Division 1: State Environmental Policy Act (SEPA) – The Town of Yacolt has issued a Determination of Non-Significance (DNS) based on the applicant provided SEPA checklist. The determination and checklist have been provided to agencies and the public for an opportunity to comment.		
Division 2 – The proposed development is inside a Category 1 Critical Aquifer Recharge Area (CARA).		
16.25 - Class V injection wells are prohibited inside Category 1 CARAs. The applicant shall not propose Class V wells for stormwater management.		
16.35 - Frequently Flooded areas are required to meet standards outlined in YMC 16.30.020. Proposal falls within the 100-Year Flood floodplain and is required to meet above standards.		

4.	Title 17 Subdivisions
17.05 Short Subdivisions	Compliance: Yes
Finding: The development proposes three (3) lots. The development is a Short Subdivision by definition.	

5.	Title 18 Zoning
18.25 Single-Family Residential Districts	Compliance: No

Table 4A

Classification	Minimum Lot Area (sq. ft.)	Average Lot Width (feet)	Average Lot Depth (feet)	SETBACK			
				Front Yard (feet)	Side Yard (feet)	Opposite Side Yard (feet)	Rear Yard (feet)
R1-10	10,000	60	90	25	5	5	25
R1-12.5	12,500*	80	90	25	5	5	25

The minimum street side yard shall be 15 feet.

* The minimum lot size will be established using Method 2, in the building lot size of 12,500, provided there are no soil concerns that would result in the change of the minimum building lot size.

Finding: Dimensional requirements within the residential districts shall be in accordance with the R1-12.5 Zoning District metrics described in Table 4A above. The maximum coverage by building and structures shall not exceed 50 percent.

Proposed lot containing the existing house does not meet minimum setback distance for a “front lot line”. Per the definition pertaining to flag lots, “the front lot line is the shortest lot line adjoining the pole portion of the lot, excluding the undecidable portion of the pole.” Setback distance from existing building is 5 feet; however, 25 feet is required.

Applicant has submitted a Variance Request of Town Standards to the Town of Yacolt in regards to the front lot line definition under YMC 18.10.010. Per YMC 18.45.020, variance shall be made only when all of the following conditions and facts exist:

- A. Unusual circumstances of conditions apply to the property and/or to the intended use that do not apply generally to other property in the same vicinity or district;*
- B. Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant possessed by the owners of other properties in the same vicinity or district;*
- C. The authorization of such variance will not be materially detrimental to the public welfare or injurious to property in the vicinity or district in which property is located;*
- D. That the granting of such variance will not adversely affect the realization of the comprehensive plan.*

After review of Applicant's Variance Request, staff believes it does not adequately address or satisfy YMC 18.45.020 requirements (A), (B), and (D).

Per Condition A: The Applicant's proposal is creating the flag lot condition, which does not meet code standards. The condition does not pre-exist the proposal.

Per Condition B: The Applicant has failed to identify the impacted substantial property rights in the variance request. The Owner has the right to develop the parcel in compliance with the code and zone. The Applicant is requesting to obtain permission to develop outside of the adopted standards which govern the zone.

Per Condition D: Proposal is located within a Single-Family Residential (R1-12.5) district. The applicant's proposal does not meet the requirements of the zone and therefore the proposal does not follow the comprehensive plan as adopted.

18.70 Parking, Access, and Circulation**Compliance:** Yes

Finding: Application will be required to meet parking standards and the standards of the Town of Yacolt's Engineering Standards.

Table 11A

USE	MINIMUM NUMBER OF PARKING SPACES
A. Residential	
1. 1-, 2- and 3-unit family dwellings	2 spaces/dwelling unit. Single-family and duplex parking may be tandem (one car behind the other).
2. Multifamily dwelling containing 4 or more dwelling units	1 1/2 spaces/dwelling unit
3. Apartment, hotel, rooming or boarding house	1 1/2 spaces/guest accommodation
4. Residential care facility	1 space/7 residents served under age of 12 1 space/5 residents served ages 12 – 17 1 space/4 residents served ages 18 years or older
5. Retirement housing facilities	1 space/each 3 units
B. Commercial residential	
1. Hotel	1 space/bedroom
2. Motel	1 space/bedroom
3. Clubs/lodges	Spaces to meet the combined requirements of the uses being conducted, such as hotel, restaurant, auditorium, etc.
C. Institutions	
1. Welfare or correctional institutions	1 space/3 beds for patients or inmates
2. Convalescent hospital, nursing home, sanitarium, rest home, home for the aged	1 space/3 beds for patients or residents
3. Hospital	2 spaces/bed
D. Places of assembly	
1. Church	1 space/4 seats, or 8 feet of bench length in the main auditorium

YMC 18.70.020A requires a certain number of parking spaces based on the classification of use. Per Table 11A, above, the development is to provide 2 parking spaces per dwelling unit. Applicant to provide adequate spacing for two parking spaces per dwelling unit and ensure ample maneuverability for vehicles. This standard is met.

Table 11B

Angle (degrees)	Type	Stall width	Stall depth	Aisle width	Curb length
A		B	C	D	E
0	Compact	8.0	8.0	12.0	22.0
	Standard	9.0	9.0	12.0	22.0
45	Compact	8.0	19.1	14.0	11.3
	Standard	9.0	19.8	13.0	12.7
60	Compact	8.0	20.4	19.0	9.2
	Standard	9.0	21.8	18.0	10.4
70	Compact	8.0	20.6	20.0	8.5
	Standard	9.0	21.0	19.0	9.6
90	Compact	7.5	15.0	24.0	7.5
	Standard	9.0	20.0	24.0	9.0

YMC 18.70.030 requires off-street parking spaces comply with the standards for stalls and aisles, as set for by Table 11B, above. Off-street parking spaces for dwellings shall be located on the same lot as the dwelling. The application proposes off-street parking spaces for dwellings, located on the same lot per dwelling. This standard is met.

YMC 18.70.040B requires public buildings to provide a loading space per 30,000 square feet of floor area. The application proposes less than 30,000 square feet of floor area. This standard is met.

YMC 18.70.060 requires access and circulation for a proposed development, which shall be improved to the standards in this chapter before the county issues an occupancy permit or final inspection for the development in question. Access is provided from S Spruce Ave through a proposed two-way driveway. Driveways shall comply with the standards for driveways as set by Section 3B.13 of the Town of Yacolt Engineering Standards.

YMC 18.70.070 requires circulation be provided to pedestrian and bicycle routes. No pedestrian or bicycle routes are proposed. This standard is met.

Parking Lot is defined as a paved surface on private property in the engineering standards.

18.75 Landscaping and Screening

Compliance: Yes

Finding: Landscaping if required, shall be per this section.

Table 12A – Landscaping and Screening Matrix

	Zoning of proposed development							
	Single-family		Multifamily		Commercial		Light Manufacturing	
Zoning of land abutting development site	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street	Separated from site by a street	Not separated by a street
Single-family	None	None	L2 10-ft	L3 5-ft	L2 10-ft	L4 in 15-ft L5 in 10-ft	L3 10-ft	L4 in 50-ft L5 in 40-ft
Multifamily	None	L3 5-ft	L1 5-ft	L1 5-ft	L2 10-ft	L4 in 15-ft L5 in 10-ft	L3 10-ft	L4 in 15-ft L5 in 10-ft
Commercial	L1 5-ft	L3 10-ft	L2 5-ft	L3 10-ft	L2 10-ft	L1 5-ft	L2 10-ft	L3 5-ft
Light Manufacturing	L1 5-ft	L3 50-ft	L2 5-ft	L3 10-ft	L3 10-ft	L2 5-ft	L2 10-ft	L1 5-ft

YMC 18.75.020 requires landscaping and screening matrix dependent upon zoning adjacent to the proposed development. The proposed development is zoned single-family residential, as are the properties to the North, South, East, and West.

No landscaping or screening is required along these site boundaries. This standard is met.

YMC 18.85 requires the addition of signs common to the several zoning districts for preservation of the character of the area, structures, and uses; the needs of residential, commercial, industrial, and agricultural potential; the need for health, safe, and convenient use of all lands, and the conservation and promulgation of values and resources. The requirements include, but are not limited to, standards relating to the number, size, placement, and physical characteristics of signs.

No signage is proposed with this application. This standard is met.

B.	Service Development Charges, Impact Fees, Credits
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Fees will be calculated at the time of building permit issuance based on the adopted Fee Schedule at that time. This project doesn't address any creditable capital infrastructure therefore no credits are available for this project.

C.	Public/ Agency Comments
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1. None at this time.

IV. RECOMMENDATION

After review of the proposal and applicant codes staff recommends the following:

- Rejection of the Variance Request
- Rejection of the Preliminary Short Plat application.
- Modification Request approval.

If council chooses to approve the variance application and preliminary short plat application, staff has determined the below conditions of approval should apply.

CONDITIONS OF APPROVAL

A. Prior To Engineering Approval:

1. Submit final engineering plans, for review and approval by staff, pertaining to transportation, sewer, water, grading, erosion control, stormwater, driveway, and frontage prepared and stamped by a registered engineer in the state of Washington. The following statement shall appear on the cover sheet of all plans at a location immediately above or below the developer engineer's professional stamp. **"I hereby certify that these plans, and related design, were prepared in strict conformance with the Town of Yacolt's Engineering Standards."**
2. Submit final engineering plans:
 - a. Containing a combined frontage improvement and driveway plan.
 - b. Showing sight distance triangles.
 - c. Showing each residential lot having its own individual water service along with trenching and roadway restoration. Applicant shall provide the Town with proof of Clark Public Utilities approval of the plans.
 - d. Showing septic locations and dimensions to meet state and Clark County Health Department Standards. Applicant shall provide the Town with proof of Clark County Health Department approval of the plans.
 - e. Showing fire hydrants meeting spacing requirements.
 - f. Showing stormwater facilities that meet the requirements of the Town of Yacolt Stormwater Plan.
 - g. Showing grading and erosion control in conformance with applicable Town standards and standard construction details.
3. Submit proof of Clark County Health Department approval.
4. Submit proof of Clark County Fire District approval.

5. Submit proof of Clark Public Utilities approval.
6. Submit a stormwater report that addresses all requirements of the Town of Yacolt Stormwater Plan.
7. Submit a SWPPP that meets the requirements of the Town of Yacolt Stormwater Plan.

B. Prior To Construction of The Site:

1. Receive signed and approved engineering plans from the Town of Yacolt.
2. Receive an approved ROW permit from the Town of Yacolt
3. Submit a surety bond meeting the requirements of Engineering Standards section 1.10 Securities.
4. Submit a Certificate of Liability Insurance.
5. Erect and conduct erosion control measures consistent with the approved Erosion Control Plan and Town of Yacolt erosion control standards.
6. Submit evidence that an individual on-site has successfully completed formal training in erosion and sediment control by a recognized organization acceptable to the Town.
7. Conduct a pre-construction conference with Town staff. Contact Town Hall to schedule an appointment.
8. If any cultural resources are discovered in the course of undertaking the development activity, the State Office of Historic Preservation and Archaeology and the Town of Yacolt must be notified.

C. Prior To Creation of Impervious Surface:

1. Except roofs, the stormwater treatment and control facilities shall be installed in accordance with the approved final engineered plans and in accordance with the Town of Yacolt Stormwater Plan.

D. Prior To Engineering Acceptance:

1. Construct all public improvements, if applicable, and go on a walkthrough with Town of Yacolt Staff and Engineer and correct any deficiencies as determined by staff and Engineer.
2. A letter shall be provided by the applicant showing that fire flow requirements can be met.
3. Submit to the Town of Yacolt a two-year/20-percent maintenance bond for all completed and accepted public improvements.

4. Submit complete sets of as-built drawings for all required public improvements for streets and roads, stormwater drainage and control, sanitary sewer and water services, as applicable prior to the issuance of the occupancy permit for review and approval by the Town Engineer. Upon acceptance by the Engineer, submit prior to the issuance of the occupancy permit, one (1) Mylar set, one (1) full size paper set, two (2) 11x17 paper sets of As-Built record drawings and one thumb drive version of the as-built drawings in AutoCAD, and PDF formats.

E. Prior To Final Plat Approval:

1. Construct all required public improvements and gain engineering acceptance or provide appropriate bonding.
2. Submit a final plat:
 - a. That shows easements for public utilities not located in the right-of-way.
 - b. That shows 5' public utility easement along all frontage lines.
 - c. With the following note: "No fences are allowed in the sight distance triangle."
 - d. With the following note: "All utilities are to be located outside of the sidewalk section and to be underground where possible."
 - e. With the following note: "The Town of Yacolt has no responsibility to improve or maintain the private roads contained within or private roads providing access to the property described in this plat."
 - f. With a note describing the maintenance responsibilities of each lot owner.
 - g. With a note specifying the parties responsible for long-term maintenance of stormwater facilities.
 - h. With a note stating: "All new structures shall conform to the setbacks and building heights of the R1-12.5 zoning district."
 - i. That shows where any control monuments have been placed.
 - j. That shows the dedication of any public roads.
3. Submit a two-year stormwater maintenance contract for review and/or approval.

V. EXHIBITS

Because of the size of the exhibits, they are not included with this report, but listed below. The documents are available for review at the Yacolt Town Hall, 202 W Cushman St, Yacolt, WA 98675.

Belcorp Short Plat	
EXHIBIT #	DESCRIPTION
A	Proposed Short Plat revised September 18, 2020
B	Existing Conditions Plan dated August 14, 2020
C	SEPA Determination and Checklist
D	Applicant's Narrative
E	Notice of Application dated December 23, 2020
F	Preliminary Hydrology Report (TIR) dated October 20, 2020
G	Modification Request
H	Variance Narrative

VI. APPEAL

The Decision of the Town Council is appealable to the Washington Superior Court per RCW 36.70C.

Dec. 5, 2020: For what it's worth and if input is being accepted we are opposed to the building of 2 or more story/level housing which would not be consistent with the neighborhood.

January 1, 2021: I would also like to add anonymously that the development is within the riparian zone boundary of a fish bearing stream according to the dataset maintained by Washington State DNR. This stream was obliterated with the approval of and during the Harris Acres Development circa 2006. No further development of this property should occur.



Chat Log C:\Users\13606\Documents\ChatLog Yacolt Town Council Meeting 2021_01_11 21_16.rtf

Stephen (to Everyone): 7:29 PM: Is the 5' from the structure or the roof overhang?

Stephen (to Everyone): 7:40 PM: As Devin has mentioned, the 5' setback is to the wall of the structure. If the roof extends beyond the structure is there a need for a variance for the roof overhang?

Stephen (to Everyone): 7:58 PM: In regards to the access to Lot 3 and if applicable, what is the minimum width required for a residential easement, 30'?

Amy Boget (to Everyone): 8:08 PM: David I don't think you can hear us

David Ridenour (to Everyone): 8:09 PM: no, I hear nobody right now.

Stephanie Fields (to David Ridenour): 8:10 PM: David, we don't think you can hear us. Is your headphone unplugged?

Devin Jackson (to Everyone): 8:10 PM: DAVID please put the definition up

David Ridenour (to Everyone): 8:14 PM: I can hear again through different speakers. I was reluctant to log off - we would lose the recording.

Stephen (to Everyone): 8:24 PM: The easement width may have to be 30' if access is built to more than one residence.

Stephen (to Everyone): 8:40 PM: Is the residence at 123 Spruce avenue a rental? What is the age of the manufactured home?

Stephen (to Everyone): 8:44 PM: The addition, is that a legal addition?

Stephen (to Everyone): 8:45 PM: It's unclear if additions can be added to and attached to a manufactured home.

Stephen (to Everyone): 8:55 PM: Sounds like he is directing where work by supervised crews with a supervisor are performing their duties.

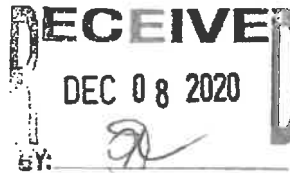
Received by email February 4, 2021:

Here is input regarding the proposed BelCorp Development.

I think it's also prudent to ask if any of the elected officials or employees of the Town of Yacolt involved in this review and decision making process are related to, employed by, or otherwise associated with the developer or anyone employed by this developer or any staff involved in the decision making process. I would hope the Mayor initiates this review and ask if there is any hint of a Conflict of Interest that person disqualify themselves from further review or decision making. It's an appropriate transparency matter.

[REDACTED]
Yacolt, WA 98675

December 2, 2020



Town of Yacolt
PO Box 160
202 W. Cushman St.
Yacolt, WA 98675

Re: Notice of Application & Public Hearing, Development of 125 S. Spruce Ave., Parcel #65150-000

Dear Town of Yacolt:

Thank you for your notification of pending development of the aforementioned property and asking for input. I am attaching a map with numbers reflecting my areas of concern. Overall, the short plat map identifies no setback areas.

Areas of Concern:

- 1) Lot 3: Proposed Septic Systems area has been impacted by soil compaction. Up until circa 2008 this area contained a 20' driveway constructed from north to south from Jones St. The soil was compacted from decades of use until the driveway was removed and replaced with fill. Access was eventually developed from and across a stream/floodplain that was buried when the access to the property came from Spruce Avenue, circa 2008. The current developer appears to be proposing a septic system be placed in the area of compaction and subsequent fill. Within the backyard of the Existing Residence on Lot 3 there are two old grow stumps that, as I understand septic system development, have to be excavated as their roots exist throughout the Proposed Septic Area. Their resulting holes would then require backfilling which would disqualify this area from septic development. In addition, the east side of this Proposed Septic System area was backfilled in the past and a drainage ditch constructed along the south fence line of the property located at 123 S. Spruce, approximately 6' wide running east to west for the 97.1' labeled on the attached map. No septic system sacrifice or reserve area of equal size for Lot 3 is identified on the map.
- 2) Existing sinkhole extending under pavement. Sink hole was backfilled and now water up to 3" deep fills the entire area where the Proposed Residence is shown on Lot 2 during heavy rains (every winter). This sinkhole has never been addressed and can be expected to get bigger in time (sinkholes tend not to shrink). A stream used to exist running north to south and ran water year around until the Spruce Avenue development occurred and the stream was confined and buried. In other words, the west half of Lot 2 is in an old flood plain and floods annually. No septic system sacrifice or reserve area of equal size identified for Lot 2. There is no location of the current septic system for the Existing Residence or powerlines reflected on your attached BelCorp Yacolt Short Plat Map. It is concerning a septic system would be proposed where

WRITTEN PUBLIC COMMENTS

there is already an existing septic system. There are lines for this present drainfield located under the present driveway. It appears this development is proposing putting a septic system in the place where the compacted driveway now exists.

- 3) A septic tank was installed and used by a previous septic company owner, Fred Harris. This tank was used to dump sewage collected by his business for years. There was no drainfield attached, just a hole in the side of the tank that allowed sewage to drain to the southwest into the floodplain and eventually the creek. A wetland existed at that site until the Town of Yacolt allowed development of the two houses now residing at 217 & 221 S. Spruce Ave. The septic business was a commercial operation operating and servicing customers throughout Clark County. One of the fenceposts for the existing fence dividing this property and the property at 217 S. Spruce Ave., is thought to be residing on the top of the tank and the tank extends south onto and under the property at 217 S. Spruce Ave. This tank should not be driven on but instead, should be located, pumped and decommissioned. No septic system sacrifice or reserve area of equal size identified on the map.
- 4) Property to the east of this development drains from east to west. The proposed septic system area would be receiving drainage from this property and properties to the east naturally. The Proposed Septic System area identified for Lot 1 was excavated in the past when the existing pole building was built and should be disqualified from further development for septic use. The drainage from the property to the east should not be hindered, altered or blocked in any way. Numerous impervious areas created by this proposed development and subsequent construction may negatively influence the drainage pattern(s) presently occurring and cause our septic system to fail.

Thank you for the chance to provide input. This property should receive and be approved for a maximum of two residences containing septic system sacrifice/reserve areas, which would negate being able to place a third residence (in the floodplain).

Sincerely,

A blacked-out signature, likely of the sender, is present here.

Cc: Clark County Public Health



**WINDSOR
ENGINEERS**

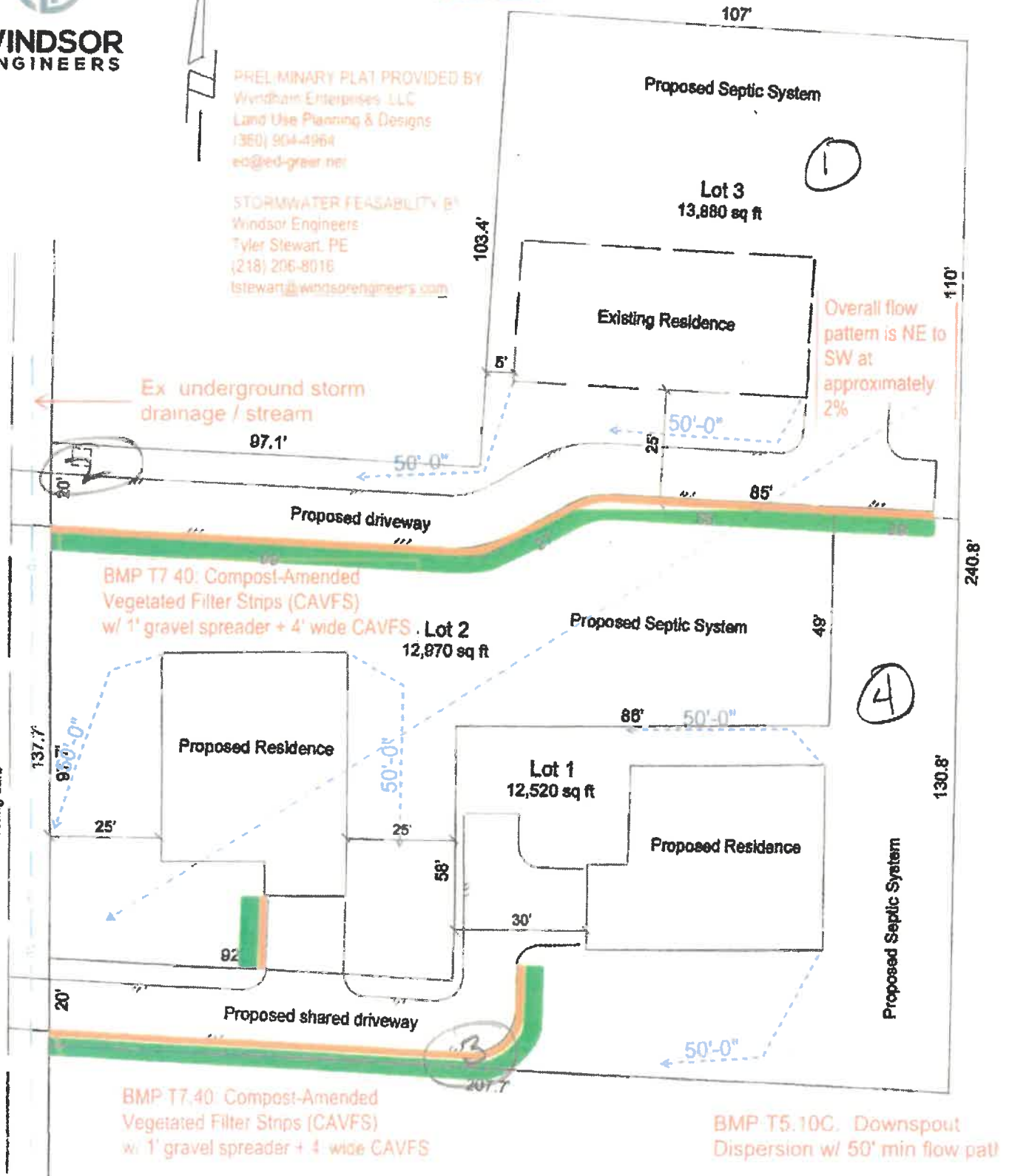
BELCORP YACOLT SHORT PLAT STORMWATER FEASIBILITY EXHIBIT 10/20/2020

PRELIMINARY PLAT PROVIDED BY
Windsor Enterprises, LLC
Land Use Planning & Designs
(360) 904-4964
ed@ed-green.net

STORMWATER FEASIBILITY BY
Windsor Engineers
Tyler Stewart, PE
(218) 206-8016
tstewart@windsorengineers.com

S Spruce Avenue

Existing curb



Preliminary Plot Plan
Scale: 1" = 30'

1. Grade away from each structure at 5% for 10'.
2. Protect the vegetated flow path per BMP C101 and amend all disturbed soils per BMP T5.13.
3. Maintain 10' between Septic drain and vegetated flow path.

WRITTEN PUBLIC COMMENTS

Yacolt, WA 98675

February 2, 2021

Town of Yacolt
PO Box 160
202 W. Cushman St.
Yacolt, WA 98675

Re: Addendum to Notice of Application & Public Hearing, Development of 125 S. Spruce Ave., Parcel #65150-000

Dear Town of Yacolt:

This entire proposed development and associated map(s) appear to be less transparent as time goes on. I encourage the Town of Yacolt to require transparency and condition any approval of further development based on an approved septic plan for the two additional and the existing residences. I would urge the Mayor and Town Council to require coordination with Clark County Public Health officials assigned to approve any septic plans for the area and condition any permit approval on securing approved septic systems, including all applicable setbacks and identifying sacrifice areas.

Areas of Concern (continued from input dated December 2, 2020):

5) I am strictly opposed to the building of two-story house(s) on this lot as it is not in keeping with the neighborhood.

6) The "Existing Conditions Plan" map fails to document ALL existing conditions:

a. As noted in the original letter it is alleged a septic tank was installed and used by a previous septic company owner, Fred (Mike) Harris and used by both he and the new owner of his septic company, Pete Roberts (former Public Works Employee, Town of Yacolt). This tank was used to dump sewage collected by their business's for years. There was no drainfield attached, just a hole in the side of the tank that allowed sewage to drain to the southwest into the floodplain of, and eventually, the creek. One of the fenceposts for the existing fence dividing this property and the property at 217 S. Spruce Ave., is thought to be residing on the top of the tank and the tank extends south onto and under the property at 217 S. Spruce Ave. This tank should not be driven on but instead, should be located, pumped and decommissioned. Why has this not been searched for and shown on the Existing Conditions Plan?

b. Power and water lines to the existing residence are not shown nor were they installed in accordance with code if the developer intends to access the existing residence with a 20 foot road.

WRITTEN PUBLIC COMMENTS

In addition, electricity to the existing shop is under the existing driveway and extends from the existing residence. This is also not shown on the Existing Conditions Plan.

c. The existing drainfield for the existing residence is not shown on the “Existing Conditions Plan” and is known to extend several feet under the existing driveway to the existing residence toward the existing shop. It is my understanding this area may not be used for a replacement septic system or sacrifice area.

d. The area behind the Existing shop was excavated 2-4 feet for the development of this original Jones St/Spruce road lot. This may render this area unsuitable for septic use. This area was excavated to accommodate the construction of a barn/outbuilding that was only recently removed from behind the existing shop. The septic system and drainfield setback for Lot 1 is required to be 5 feet off any property line and 10 feet off the foundation of the proposed 2 story residence. This area is now used for parking vehicles. This area is labeled as being 25’ wide (behind existing shop) and does not have enough room to qualify for any septic system, therefore, potentially disqualifying Lot 1 from having a residence and associated septic system.

e. Lot 2 floods annually. The area labeled “Gravel surface” was alleged to have been filed in with over 54 +/- dump truck loads of large rock by the septic company once owned by a Yacolt Town employee, to fill in a wet area that existing inside Washington State’s assigned Riparian Zone. In addition, there existed a shop approximately 24’ x 28’ with a concrete floor that resided where the water is shown in the picture below. The area floods annually, therefore, disqualifying a Proposed 2 story residence and its associated septic system and no reserve area also not shown for Lot 2.



f. The Department of Natural Resources maintains there is a stream and associated Riparian Zone completely covering the lot being considered for development. The stream has been relocated and partially buried, but still flows water annually. Numerous issues have occurred with septic systems placed within this riparian zone not performing due to a drainage. These issues should be documented with Clark County's Public Health Department, Septic division.



Thank you for the opportunity to provide input. This property should receive increased scrutiny and reviewed by all and only be approved for a maximum of two residences, not 3 as being proposed. The existing structure is a one-story building and any new building(s) should remain single story in keeping with the neighborhood. No septic system sacrifice or reserve area(s) of equal size are identified on any map.

I ask for the Mayor and City Council's support and consideration both of the original input as well as this addendum.

I ask again for discretion and that this input be presented to the owners of the development anonymously.

Sincerely,

[Redacted signature]

Cc: Clark County Public Health

Attachments

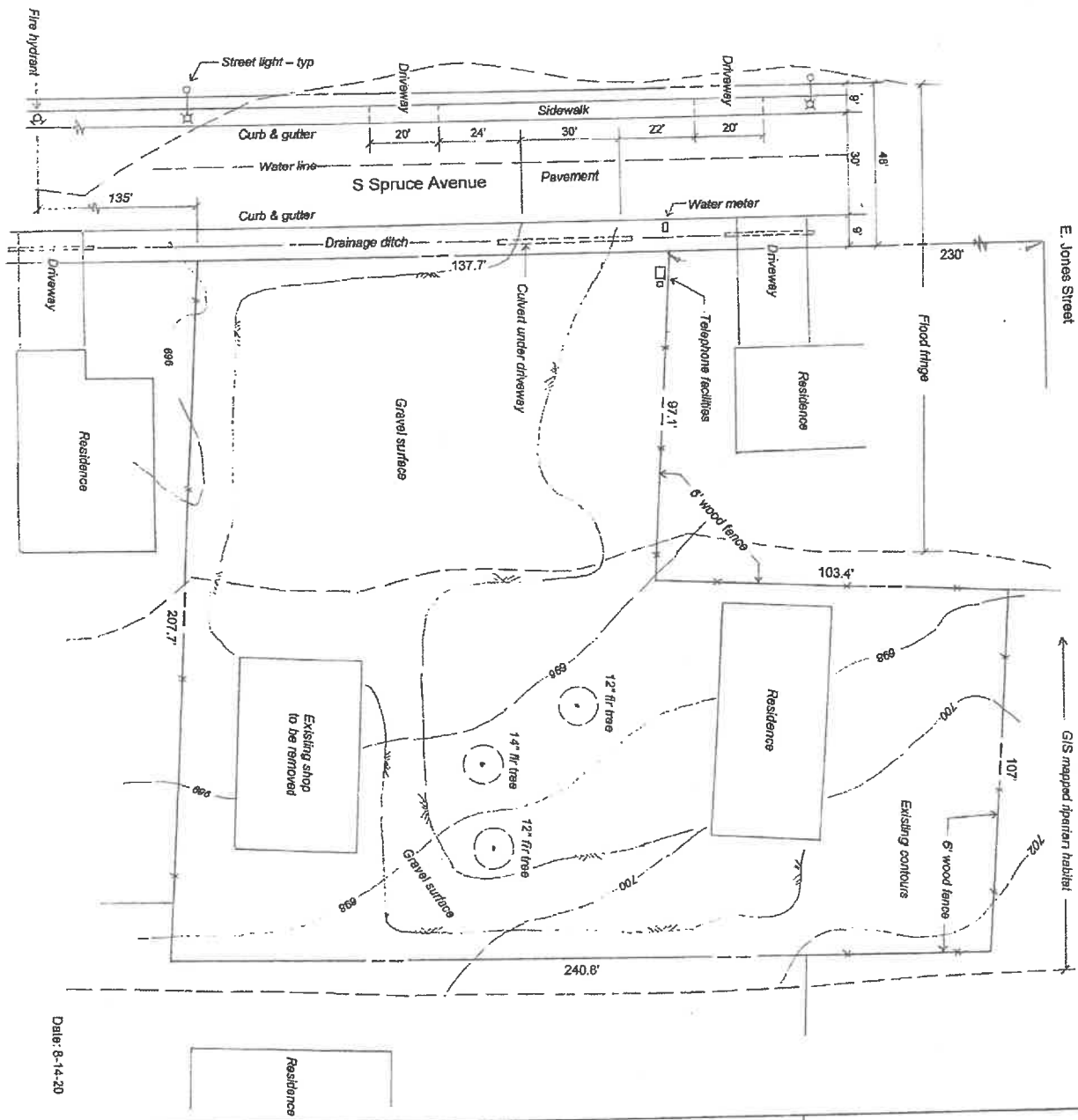
Existing Conditions Plan
Preliminary Short Plat

WRITTEN PUBLIC COMMENTS

Page 3

Refer to Preliminary Short
Plat for Vicinity Map

Scale: 1" = 30'



Date: 8-14-20

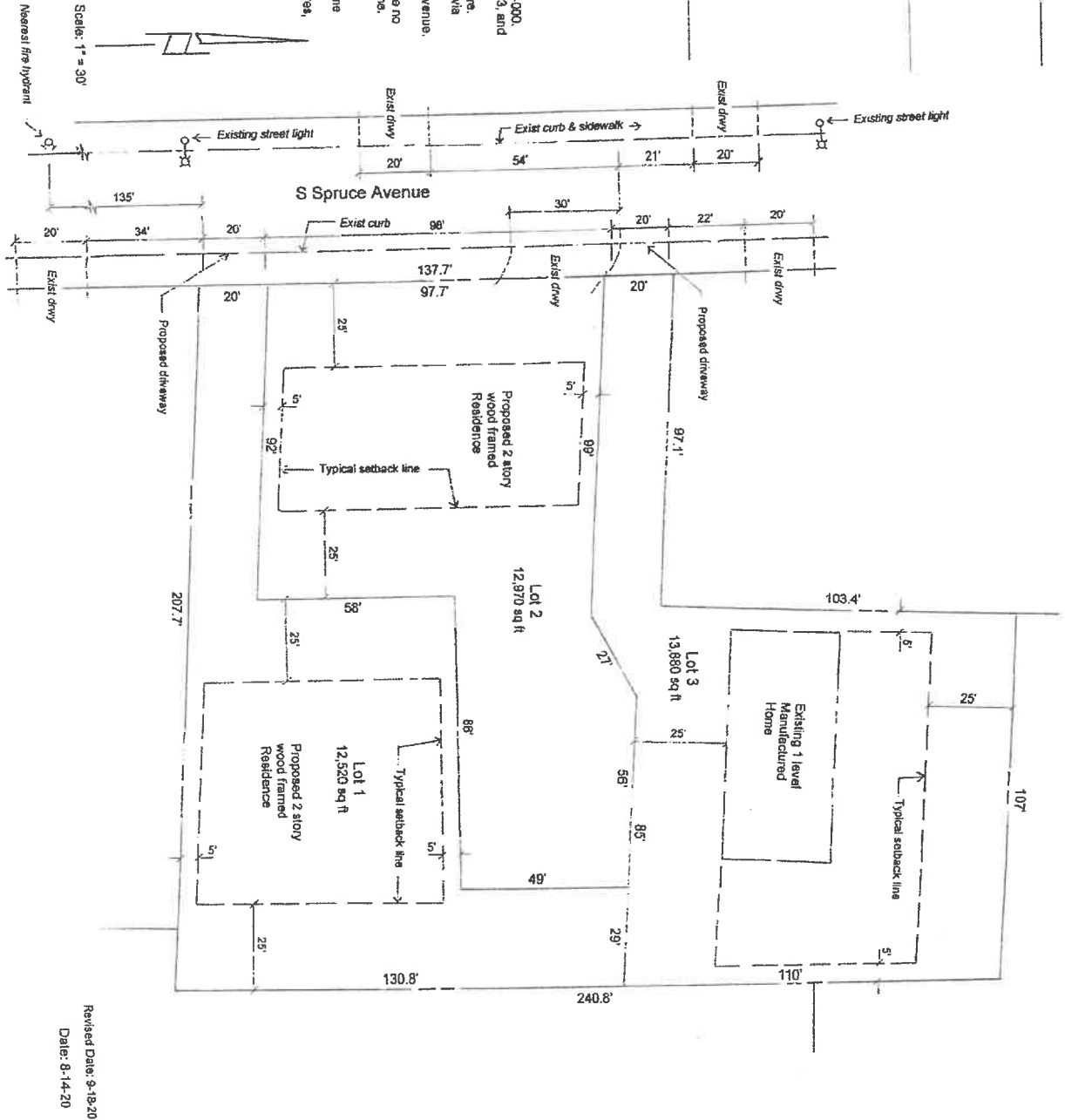
Existing Conditions Plan	Belcorp Short Plat a residential Short Plat Town of Yacolt WA	Property Owner & Applicant: Andrew Bell PO Box 23 Yacolt WA 98675 360-903-8310 andrew@belcorp.co	Contact: Ed Greer Wyndham Enterprises, LLC 13023 NE Hwy 99 Suite 7-126 Vancouver WA 98686 360-904-4964 ed@ed-greer.net
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WRITTEN PUBLIC COMMENTS



Notes

1. Site address: 125 S Spruce Avenue, County tax lot number 85160-000. Site contains a manufacture home to be retained on proposed Lot 3, and a shop building to be removed. Zone is R1-12.5. Site is 0.91 acre.
2. The proposed lots comply with Table 4A. Density is 3.3 lots per acre. Proposed Lots 1 and 3 will have frontage along S Spruce Avenue via 20' wide flag stems.
3. All 3 lots will be connected to the existing water line in S Spruce Avenue. A septic system is proposed for each lot.
4. GIS has a mapped habitat area through the site, however there are no critical areas on the property. Lot 2 is within the 100 year flood zone.
5. There are no stippled bicycle lanes along S Spruce Ave.
6. Parking is permitted on both sides.
7. Refer to the Preliminary Plat Plan for information on proposed home locations, driveways and septic systems.
8. Refer to the Existing Conditions Plan for ground contours, structures, graded areas, etc.
9. No proposed fire hydrants.



Revised Date: 9-18-20
Date: 8-14-20

Preliminary
Short Plat

Belcorp Short Plat
a residential Short Plat
Town of Yacolt WA

Property Owner & Applicant:
Andrew Bell
PO Box 23 Yacolt WA 98675
360-903-8310 andrew@belcorp.co

Contact: Ed Greer
Wyndham Enterprises, LLC
13023 NE Hwy 99 Suite 7-126
Vancouver WA 98686
360-904-4984 ed@ed-greer.net

WRITTEN PUBLIC COMMENTS



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Katie Listek

Group Name:

Address: 202 W. Cushman/ PO Box 160
Yacolt, WA 98675

Phone: 360-686-3922

Email Address: mayorlistek@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Amending Personnel Policies & Procedures Manual

Proposed Meeting Date: March 8, 2021

Action Requested of Council: Consider the proposed revisions to job titles and job descriptions to amend Yacolt's Personnel Policies & Procedures Manual.

Proposed Motions: "I make a motion to direct the clerk to draft an ordinance to amend YMC 2.10.010 § A and Yacolt's Personnel Policies and Procedures Manual as proposed, to reflect the Town's current needs and allow for future needs."

Also: "I make a motion to repeal Resolution #571"

Summary/ Background: The position currently titled Public Works Maintenance Assistant requires that person to supervise both seasonal crews and Correction Center crews, and warrants a title which reflects that supervisory role. The position of Customer Service Clerk (aka Asst't. Clerk) has evolved into more of an administrative assistant role, requiring only part-time hours, and whose duties do not have the same scope as the original job description. Either a new position should be created to reflect the current actual needs of the office, or the existing job description and title should be updated.

Staff Contact(s): Clerk Stephanie Fields

Mayor Katelyn Listek

clerk@townofyacolt.com

mayorlistek@townofyacolt.com

(360) 686-3922

Yacolt Municipal Code States:

“2.10.010 Hiring of officials and employees of the town.”

- A. Mayor’s Authority. The mayor of the town of Yacolt is hereby authorized to and shall appoint such officers, department heads, and employees for which the town council may generally provide financial remuneration through its budget enactments or other actions from time to time, unless such position is filled or the relevant services are provided pursuant to subsection B of this section. The mayor’s authorization under this subsection A includes, **by way of example only and without limitation**, the authority to appoint and hire a town clerk, a public works director, a customer service clerk, and a public works maintenance assistant.”

Yacolt’s Personnel Policies & Procedures Manual States:

“1.4 CHANGING THE POLICIES

The Town Council may **modify, amend or revise** these policies and procedures at any time consistent with needs of the Town as determined by the Council. Notice of any such modification, amendments and revisions shall be given to each Town employee.”

“12.1 CHANGES TO JOB DESCRIPTIONS

Job descriptions and/or the duties of any employee of the Town may be described and changed at any time in the Town's sole discretion and without prior notice to the employee. Changes in the job descriptions and/or duties of any employee of the Town may be made at any time without formal amendment of this Personnel Policies & Procedures Manual.”

Suggestions for amendments to Yacolt’s Personnel Policies & Procedures Manual:

Pg. 6-

“Regular Full-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works a minimum of forty (40) hours a week and is hired for an indefinite period of time.”

***Suggested Revision:

Regular Full-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works **thirty-two (32) to** forty (40) hours a week and is hired for an indefinite period of time.

Also Pg. 6-

“Regular Part-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works less than forty (40) but at least

twenty (20) hours a week for an indefinite period of time. A part-time employee may be classified as either exempt or non-exempt. Regular part-time employees are eligible for some prorated benefits.”

*****Suggested Revision:**

Regular Part-Time Employee: An employee who has successfully completed a trial period as defined in these policies and who regularly works less than thirty-two (32) but at least twenty (20) hours a week for an indefinite period of time. A part-time employee may be classified as either exempt or non-exempt. Regular part-time employees are eligible for some prorated benefits.

Pg. 14-

“The Town's standard workweek is Monday through Friday from 8:00 a.m. to 5:00 p.m. with a one-hour unpaid lunch period. Due to the nature of the Town's operations, longer hours may be necessary in some instances.”

*****Suggested Revision:**

Full-time employees will normally work 8-hour shifts Monday-Friday. Administrative employees must work during Town Hall's open hours, 9am-5pm. Public Works Employees may work an alternate shift. Employees are not paid during their lunch break. Due to the nature of the Town's operations, longer hours may be necessary in some instances.

Pg. 15-

“Town employees are paid monthly on the last day of each month.”

*****Suggested Revision:**

Payroll is processed monthly, on the last business day of each month, to be deposited directly into employees' bank accounts on or by the 5th day of the following month.

Pg. 23-

“A written statement that the employee or an employee's member is a victim of domestic violence, sexual assault, or stalking, and that the leave was taken to address related issues.”

*****Suggested Revision:**

A written statement that the employee or an employee's family member is a victim of domestic violence, sexual assault, or stalking, and that the leave was taken to address related issues.

Pg. 24-

“Within ten calendar days of the employee providing an explanation to the Mayor about the existence of an unreasonable burden or expense, the Mayor must either accept the employee's written verification that the use of leave was for an authorized purpose or he/she must make a reasonable effort to identify alternatives for the employee to meet the Town's verification requirement in a manner which does not result in an unreasonable burden or expense on the employee.”

*****Suggested Revision:**

Within ten calendar days of the employee providing an explanation to the Mayor about the existence of an unreasonable burden or expense, the Mayor must either accept the employee's oral or written verification that the use of leave was for an authorized purpose or he/she must make a reasonable effort to identify alternatives for the employee to meet the Town's verification requirement in a manner which does not result in an unreasonable burden or expense on the employee.

Pg. 44-

“12.1 CHANGES TO JOB DESCRIPTIONS

Job descriptions and/or the duties of any employee of the Town may be described and changed at any time in the Town's sole discretion and without prior notice to the employee. Changes in the job descriptions and/or duties of any employee of the Town may be made at any time without formal amendment of this Personnel Policies & Procedures Manual.”

*****Suggested Changes:**

12.1 JOB DESCRIPTIONS AND SUPERVISION

All Town employees work under the supervision and at direction of the Mayor. The job descriptions, duties, hours and schedule of any employee of the Town may be established or changed at any time in the Mayor's discretion and without prior notice to the employee. The duties and responsibilities of the Town's employees evolve and change as circumstances change with the Town. The following examples of job duties, abilities, qualifications and responsibilities are illustrative and not comprehensive. Changes in the job descriptions or duties of any employee of the Town may be made at any time without formal amendment of this Personnel Policies & Procedures Manual.

Also Pg. 44-

“The Town Clerk supervises the Assistant Clerk and works cooperatively with the other Town personnel.”

*****Suggested Change:**

The Town Clerk supervises the Assistant Clerk and/or Administrative Assistant and works cooperatively with the other Town personnel.

Also Pg. 44-

“In addition, the Town Clerk will conduct or engage in the activities listed below. The following examples are not intended to supplant or remove the statutory duties of the Town Clerk. The duties and responsibilities of the Town Clerk evolve and change as circumstances change with the Town. The following examples of job duties, abilities, qualifications and responsibilities are illustrative and not comprehensive.”

*****Suggested Change:**

In addition, the Town Clerk will conduct or engage in the activities listed below. The following

examples are not intended to supplant or remove the statutory duties of the Town Clerk. (Omit the remainder of this paragraph, because it is already addressed above, under “Job Descriptions and Supervision”)

Pg. 45-

“Oversees balancing and accounting of Assistant Clerk's cash drawer, including receipts and cash.”

*****Suggested Change:**

Oversees, balances and accounts for the cash drawer, including receipts and cash.

Also Pg. 45-

“Performs and/or assists Assistant Clerk in performing duties; adjusts errors and complaints.”

*****Suggested Change:**

Performs and/or assists Assistant Clerk and/or Administrative Assistant in performing duties; adjusts errors and complaints.

Pg. 50-

“12.4 PUBLIC WORKS MAINTENANCE ASSISTANT”

*****Suggested Change:**

12.4 PUBLIC WORKS MAINTENANCE SUPERVISOR

Also Pg. 50-

“The Public Works Maintenance Assistant is responsible for assisting with the regular maintenance of the Town infrastructure, including, but not limited to the following:”

*****Suggested Change:**

The Public Works Maintenance Supervisor is responsible for assisting with the regular maintenance of the Town infrastructure, including, but not limited to the following:

Also Pg. 50-

*****Suggested Change:**

(Add a bullet point within the job duties to read):

- Supervises seasonal employees and Correction Center work crews

Also Pg. 50-

“The Customer Service Clerk is responsible for assisting the Town Clerk with duties and responsibilities, including, but not limited to the following:”

*****Suggested Change:**

The Assistant Clerk is responsible for assisting the Town Clerk with duties and responsibilities, including, but not limited to the following:

Pg. 52-

*****Suggested Change:**

(Add the following):

12.6 ADMINISTRATIVE ASSISTANT

The administrative assistant may be full-time or part-time, and is responsible for assisting the Mayor, Town Clerk, Assistant Clerk, and Public Works Director with clerical duties including, but not limited to the following:

- Create and maintain documents, letters, and forms
- File and maintain records
- Respond to inquiries by telephone or in person, in a friendly, professional manner
- Enter information into computer database
- Use copier, fax machine, scanner, multi-line telephone, computer, and adding machine
- Assist in researching and compiling records for Public Records Requests
- Issue cemetery deeds and maintain cemetery plot records
- Pick up mail from the Yacolt Post Office
- Maintain inventory of supplies and create supply "shopping" lists
- Relay messages to the appropriate persons
- Maintain inventory of equipment in Town Hall
- Perform research and other clerical duties as needed

Additional note to Council: Please note that if these changes to the Employee Manual are approved, YCM 2.10.010 will also need to be amended to reflect the changes in positions/ job title(s).

Also, please consider repealing Resolution #571, which is simply a list of whereases and accomplishes nothing. A copy of Res. 571 is attached on the following page:

TOWN OF YACOLT

Resolution # 571

**A RESOLUTION FOR THE TOWN OF YACOLT WASHINGTON AMENDING
SECTION 5.3 PAY DAYS OF THE TOWN'S PERSONNEL POLICIES AND
PROCEDURES MANUAL**

Whereas, the Town Council desires to amend the Town's Personnel Policies & Procedures Manual Section 5.3 Pay Days to better align with industry standards.

Whereas, the Town Council prepared the attached Personnel Policies & Procedures Manual (Exhibit A) as a current guide and reference for the Town's employees;

Whereas, nothing in the Town's Personnel Policies & Procedures Manual creates an express or implied contract or promise concerning the Town's policies or practices , including policies or practices the Town may implement in the future;

Whereas, the Town retains the right to establish, change, and abolish these policies , practices, rules, and regulations at will and as it sees fit; and,

Whereas, the Town Council of Yacolt is in regular session this 4th day of September, 2018, and all members of the Town Council have had notice of the time, place, and purpose of said meeting:

This Resolution shall take effect immediately upon adoption.

RESOLVED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 4th day of September, 2018.



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Listek

Group Name:

Address: 202 W. Cushman
Yacolt, WA 98675

Phone: 360-686-3922

Email Address: mayorlistek@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Council Education and Board Meeting Compensation

Proposed Meeting Date: March 8, 2021

Action Requested of Council: Discuss and agree on guidelines for council compensation for trainings and attendance at meetings

Proposed Motion:

Summary/ Background: Yacolt Municipal Code @ 2.20.020 §A dictates compensation for attendance by council members at meetings of the town council and other groups. (See attachment.) It does not address compensation for council members' attendance at trainings, although the budget does allow for such compensation. In order for those budgeted funds to be fairly expended among council members, guidelines must be agreed upon for equitable appropriation, and to prevent exceeding our budget.

Staff Contact(s): Clerk Stephanie Fields

clerk@townofyacolt.com

Mayor Katelyn Listek

mayorlistek@townofyacolt.com

(360) 686-3922

Per Yacolt Municipal Code:

“2.20.020 Compensation of the members of the town council.

The compensation paid to the members of the town council of the town of Yacolt shall be as follows:

A. Council Member Compensation. Council members shall receive compensation in the form of a stipend, in the amount of \$50.00, for attending any meeting of the town of Yacolt. This fee is payable for attendance at any regular or special meeting of the town council, as well as attendance at any meeting that is adjourned due to lack of quorum. The fee is also payable for attending any meeting of any other group or organization where the council member is attending such meeting as a representative of the town, and the meeting is reasonably related to town business.”

(511-60-10-00) Council Salary

Budget for 2021: \$6500

1 meeting/ month = \$235 = \$2820/year.

2 meetings/ month = \$470 = \$5640/year, leaving \$860 available for special meetings (budget workshops, and the like). This pays the stipend for each Council Member to attend the 1 regular meeting we hold per month, plus allows for stipends to be paid for a total of 5 “extra” meetings per month. So basically, each Council Member would be paid a stipend for 1 “extra” meeting per month. Some Council Members are on 2 boards, and therefore must attend 2 “extra” meetings per month (in addition to the regular Council Meeting). Other Council Members aren’t on any boards, so they don’t attend any meetings other than the regular Council Meeting.

****Questions:** Should we re-allocate Board Member assignments so that each Council Member is only on 1 board and therefore is only asked to attend 1 “extra” meeting per month? Or shall we continue as-is, with some members attending more than 1 “extra” meeting per month, and others attending none?

Remember, in order to remain within budget, we do need to limit the *total* number of *paid meetings* attended per month by *all* Council Members to 10 (5 regular, and up to 5 “extra”).

In Addition to the above, 3 Budget Workshops are planned this year @ \$235 = \$705 total for the year.

\$5640 + \$705 = \$6345, leaving \$155 available for the year (3-4 extra meetings)

(511-60-43-00) Legislative Travel/Training

Budget for 2021: \$1200

\$1200 = \$240 per Council Member for the year. This is to cover tuition, travel, and other expense reimbursement. This may be used at any time, all at once or in increments. But once it's used, it's gone. If a council member wants to tap into this to be paid a "stipend" for taking the class, they must bear in mind that stipends paid tap into their own annual training budget allotment. Numerous classes are offered which are free, and grants are available to reimburse tuition costs through various organizations. Therefore, it is possible for council members to take many classes without really tapping into their \$240 annual allotment.

****Questions:** Should a council member be allowed to "gift" or "transfer" all or a portion of their individual training budget to another council member? If so, a simple form should be created to record such a transfer.

What happens when a council member has either used or transferred away their total individual training budget early in the year, then later in the year a class comes up which they really want or need to take? Should they ask the Council for approval to exceed the budget? Or should they solicit individual council members who haven't used up their own training allotment to grant them a portion of their unused allotment (assuming council has agreed that such transfers are ok)?

After attending meetings or trainings, in order to share the benefit with the rest of the council and the Town in general, and to facilitate transparency of government, Council Members are asked to use the "Council's Comments" portion of the next regular Town Council Meeting to give a brief overview.



Town of Yacolt Request for Council Action

CONTACT INFORMATION FOR PERSON/GROUP/DEPARTMENT REQUESTING COUNCIL ACTION:

Name: Mayor Listek

Group Name:

Address: 202 W. Cushman
Yacolt, WA 98675

Phone: 360-686-3922

Email Address: mayorlistek@townofyacolt.com

Alt. Phone:

ITEM INFORMATION:

Item Title: Red Cross Month Proclamation

Proposed Meeting Date: March 8, 2021

Action Requested of Council: None

Proposed Motion: None

Summary/ Background: Across the nation, cities and counties are being asked to issue this proclamation to highlight the work of Red Cross and all its Chapters. The Town of Yacolt would like to show its support for the Red Cross mission to prevent and alleviate human suffering in all communities. This has been a dynamic year with many challenges related to the COVID pandemic, social equity, fires, and other disasters both large and small. The Cascades Region and SW Washington Chapters have helped meet those challenges through the participation of our many volunteers and the generosity of donors for both blood donations and financial donations. The Town of Yacolt would like to show its appreciation for the Red Cross by proclaiming March of 2021 to be Red Cross Month.

Staff Contact(s): Clerk Stephanie Fields

clerk@townofyacolt.com

Mayor Katelyn Listek

mayorlistek@townofyacolt.com

(360) 686-3922

2021 City Legislative Priorities



State-shared revenues

Maintain revenue sharing with cities. Cities support increased shared revenue distributions to cities (especially when there is a commensurate increase in state revenue) and ask the state to look for other opportunities to expand revenue sharing.



Transportation revenue package

Adopt a new transportation revenue package that emphasizes maintenance/preservation funding and provides an equitable level of local funding as well as additional local revenue options for cities.



Fiscal flexibility

Provide cities greater flexibility to use funds from existing revenue sources to help cities manage the impacts of the current economic downturn. This will allow cities to direct scarce resources where they are most needed when responding to pressing community conditions.



Housing stability assistance

Work in a coalition to develop additional resources to address housing instability created by the economic impacts of the COVID-19 pandemic, including rent assistance and foreclosure/eviction prevention assistance.

AWC's advocacy is guided by the following core principles from our Statement of Policy:

- Local decision-making authority
- Fiscal flexibility and sustainability
- Equal standing for cities
- Diversity, equity, and inclusion
- Strong Washington state partnerships
- Nonpartisan analysis and decision-making



Statewide policing reforms

Support local control over city law enforcement policy decisions to meet the needs of each community and appropriately contain costs. Cities understand our obligation to address racial equity in policing – both state requirements and local policies.

Cities support the following statewide reforms:

- Develop a statewide standard for use of force that preserves the right of local jurisdictions to enact more restrictive standards based on community input.
- Create a database to track officers who have been fired for misconduct.
- Expand grounds for decertification to include use of force violations.
- Require that officer misconduct investigations be completed, regardless of an officer's resignation.
- Establish a duty for all law enforcement officers to immediately intervene and report misconduct or illegal activity by a fellow police officer.
- Require that all officers receive regular support for vicarious trauma and mental well-being, including peer support, mental health counseling, and appropriate mental health screenings. Officers involved in any fatal use of force must undergo a mental health screening prior to returning to duty.

Contact:

Candice Bock

Government Relations Director
candiceb@awcnet.org

Advocacy Academy

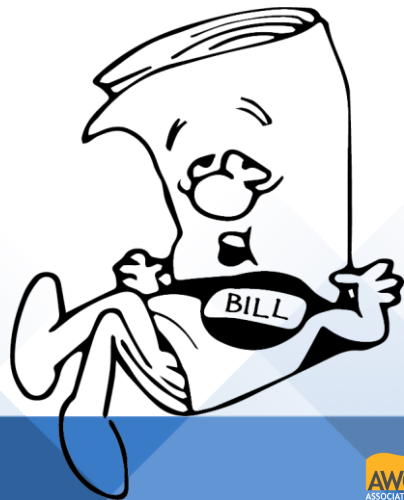
How to be a strong city advocate



1

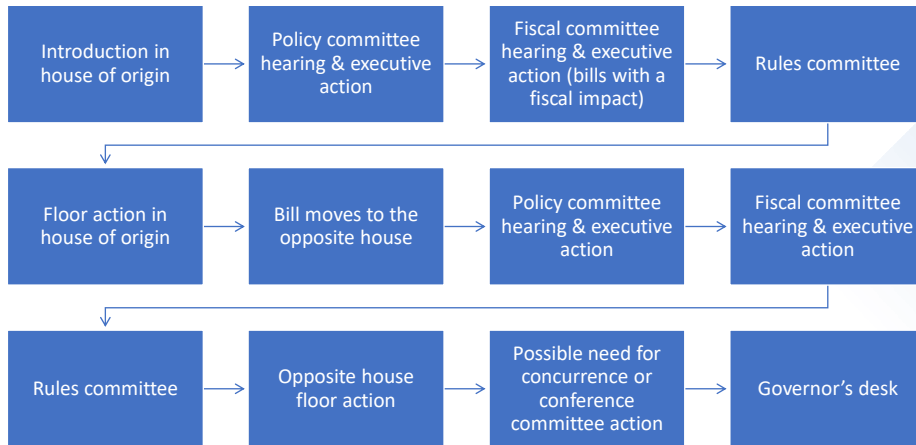
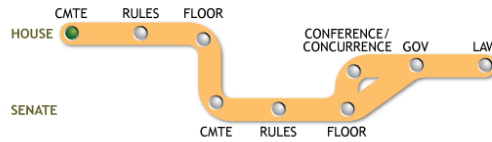
The 2021 legislative session

- 2-year legislative cycle
- Bills introduced in the first year can carry over to the second year
- Odd years are long sessions – 105 days (January – April)
- Biennial budgets adopted in odd years
- The Legislature doesn't take days off, they work on holidays and weekends



2

Legislative process



Cutoff deadlines affect bills throughout the process



3

Build relationships & communicate effectively



Start before you need something



Be familiar with their focus and interest



Get into the habit of sharing information



Make sure they know your city's story



Be clear about what you need and why



Don't be shy about difficult conversations



This is a group effort – Work together



Say thank you



4

Legislators' advocacy advice for city officials



Sit down “eye to eye” and go over your budget with your legislators



Don't just rely on lobbyists – “We need to hear directly from city officials”



Have a unified message



Reach out to legislators all year long – but the earlier the better

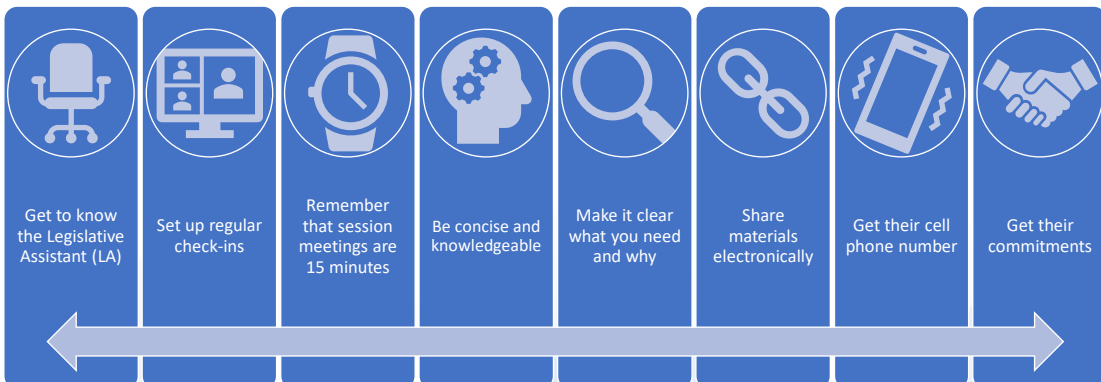


Come with ideas and solutions



5

Meeting with your legislator during session



6

Build local coalitions



Chamber of
commerce



Civic groups



Local nonprofits



Neighboring
cities



Other local
governments



7

Common excuses and how to respond



Cities are
doing better
than the state



I am not on
the
committee



I had to follow
my caucus



Cities should
control their
own costs



There is a
budget
shortfall



8

Use your city's legislative agenda



Share it with
legislators



Share it with
constituents



Check in and
ensure
progress



Work with
partners



Make sure
everyone is
pulling in the
same direction



9

Saying thanks



Ribbon
cutting
invites



Council
meeting
presentations



Tell your
community



10



11

Reporting lobbying to the Public Disclosure Commission

Cities that lobby may need to report to the PDC:

- Cities and towns that conduct lobbying activities either through a contract lobbyist or directly with in-house staff or city council members may need to report to the PDC.
- Those who hire a contract lobbyist must file a report.
- If you have in-house staff or elected officials who spend more than four days a quarter directly lobbying the Legislature, you may need to complete a report.
- Cities and towns that fail to comply with reporting requirements on lobbying activities may be subject to penalties from the PDC.
- For more information on reporting requirements and how to file, visit the PDC [website](#) or review the [PDC's Public Agency Lobbying guide](#).

12

AWC resources



[Advocacy team](#)



[Advocacy tools](#)



[Data](#)



[Legislative Bulletin](#)



[Action Alerts](#)



[AWC fact sheets](#)



13

Government Relations team

[Candice Bock](#)

Director

(360) 951-5390

Issue areas – Economic development; federal; finance; human resources, labor relations & pensions; open government

[Carl Schroeder](#)

Government Relations Advocate

(360) 485-7604

Issue areas – Building codes; environment & natural resources; housing & homelessness; land use & planning

[Sharon Swanson](#)

Government Relations Advocate

(360) 480-6374

Issue areas – Cannabis; emergency management & cybersecurity; general government; human services & behavioral health; liability; open government; public safety & criminal justice

[Marian Dacca](#)

Session Contract Lobbyist

Issue areas – Economic development; energy; telecommunications; transportation

[Maggie Douglas](#)

Legislative Policy Analyst

Issue areas – Energy; finance; public works & infrastructure; telecommunications; transportation

[Matt Doumit](#)

Legislative Policy Analyst

Issue areas – Human resources; labor relations; pensions

[Jacob Ewing](#)

Legislative Policy Analyst

Issue areas – Cannabis; economic development; emergency management & cybersecurity; general government; human services & behavioral health; liability; open government; public safety & criminal justice

[Shannon McClelland](#)

Legislative Policy Analyst

Issue areas – Building codes; environment & natural resources; housing & homelessness; land use & planning

[Emma Shepard](#)

Strategic Content Analyst

[Brianna Morin](#)

Government Relations Assistant

Issue areas – Federal



14



CityActionDays

February 10-11, 2021



City Action Days Agenda

Wednesday, February 10

10 – 10:45 am	Opening session City Action Days 2021 - Taking action from home
10:45 – 11:45 am	AWC Advocacy Academy As an elected official, it's your job to make sure legislators know your city's needs.
11:45 am – Noon	Break
Noon – 12:30 pm	General session Hear from Governor Inslee on the importance of the partnership between the state and its cities.
12:30 – 1 pm	Break
1 – 1:30 pm	City Champions panel Members of the City County Champion Caucus share their insights on how to effectively advocate for cities' needs.
1:30 – 2 pm	Break
2 – 2:45 pm	2021 Legislative Priorities – A deep dive Get the backstory on our five 2021 City Legislative Priorities: State-shared revenues, a transportation package, fiscal flexibility, housing stability, and statewide policing reforms.
2:45 – 3 pm	Break
3 – 4:15 pm	Hot topic roundtables Drop in on one of the hot topic roundtables to discuss issues that matter to you and your colleagues. <ul style="list-style-type: none"> • Police reform • Economic development • Housing • Transportation
4:15 – 4:30 pm	Break
4:30 – 5:30 pm	Networking reception

Thursday, February 11

7 – 8 am	Conversation with budget legislative leaders Hear from the budget writers about what they take into consideration as they draft the state's budget to meet the needs of all Washingtonians.
8 – 9 am	Conversation with transportation legislative leaders Transportation leaders from the House and Senate discuss the status of Washington's transportation system.
9 – 9:15 am	Break
9:15 – 10:30 am	Talk to your AWC lobbyists This popular "straight-talk" session provides you the opportunity to ask AWC's lobby team questions about cities' most important issues.
10:30 – 11 am	Break
11 am – Noon	AWC Advocacy Academy (recorded) As an elected official, it's your job to make sure legislators know your city's needs.

2021 City Legislative Priorities



State-shared revenues

Maintain revenue sharing with cities. Cities support increased shared revenue distributions to cities (especially when there is a commensurate increase in state revenue) and ask the state to look for other opportunities to expand revenue sharing.



Transportation revenue package

Adopt a new transportation revenue package that emphasizes maintenance/preservation funding and provides an equitable level of local funding as well as additional local revenue options for cities.



Fiscal flexibility

Provide cities greater flexibility to use funds from existing revenue sources to help cities manage the impacts of the current economic downturn. This will allow cities to direct scarce resources where they are most needed when responding to pressing community conditions.



Housing stability assistance

Work in a coalition to develop additional resources to address housing instability created by the economic impacts of the COVID-19 pandemic, including rent assistance and foreclosure/eviction prevention assistance.



Statewide policing reforms

Support local control over city law enforcement policy decisions to meet the needs of each community and appropriately contain costs. Cities understand our obligation to address racial equity in policing – both state requirements and local policies.

Cities support the following statewide reforms:

- Develop a statewide standard for use of force that preserves the right of local jurisdictions to enact more restrictive standards based on community input.
- Create a database to track officers who have been fired for misconduct.
- Expand grounds for decertification to include use of force violations.
- Require that officer misconduct investigations be completed, regardless of an officer's resignation.
- Establish a duty for all law enforcement officers to immediately intervene and report misconduct or illegal activity by a fellow police officer.
- Require that all officers receive regular support for vicarious trauma and mental well-being, including peer support, mental health counseling, and appropriate mental health screenings. Officers involved in any fatal use of force must undergo a mental health screening prior to returning to duty.

2020 AWC Statement of Policy

AWC's advocacy is guided by the following core principles from our Statement of Policy:

- Local decision-making authority
- Fiscal flexibility and sustainability
- Equal standing for cities
- Diversity, equity, and inclusion
- Strong Washington state partnerships
- Nonpartisan analysis and decision-making

To read the recently updated **Statement of Policy**, visit **wacities.org** and look for *About AWC* in the *About us* drop-down menu.

For legislative fact sheets, visit **wacities.org** and look for **City Legislative Priorities** in the *Advocacy* drop-down menu.

Shared revenues with cities: 2021-23 biennium

2021



Preserve the revenue sharing partnership between the state and its cities.

Background:

One of the best ways that the state can support its residents is through partnerships with local governments to help serve the needs of everyone throughout Washington.

State revenues distributed to cities and towns are driven by decades of past agreements to deliver vital services to our residents. Without these past commitments, cities would have explored other funding solutions and local authority options.

For years, cities have relied on these critical and consistent state-shared revenue funds to support safe communities, maintain strong infrastructure, and meet diverse community needs. In recent memory, some shared revenues have been capped or reduced, which has caused hardship in many communities.

Cities ask the Legislature to revisit those decisions and look for opportunities to restore and enhance revenue sharing partnerships that meet critical community needs. Cities also need flexibility to decide how the funds are best spent locally without burdensome and unnecessary restrictions.

**Cities help generate the
state's annual revenue**

\$9.4



billion in sales tax sent to the state general fund

Strong cities need...

- **Continued state investment** via revenue sharing that supports essential programs and services, especially in our smallest communities.
- **Restored, enhanced, and increased shared revenues**, especially when there is a commensurate increase in state revenue.
- **Greater flexibility** to spend Municipal Criminal Justice Assistance Account funds on proven alternative and complementary efforts that support public safety, such as behavioral health co-responders and diversion programs.

Shared revenues provide stability and continuity for local budgets

Cities are where most of the state's tax revenue is generated. In fact, cities generate \$132 back to the state for every \$1 of revenue shared with cities. It's a wise investment for the state to continue sharing revenues with cities.

These funds provide critical continuity and stability for local budgets – especially for smaller cities and those with limited tax bases. We need the state to continue this commitment and explore ways to strengthen revenue sharing in ways that benefit both cities and the state.

Municipal Criminal Justice Assistance Account funds are generally prescriptive in how they can be used for law enforcement. Cities are interested in exploring alternative policing methods and other complementary programs that improve public safety outcomes, such as diversion and mental health response programs. It would serve our communities well to provide more flexibility in how these funds can be used, particularly to support public safety.

Historical shared revenue distributions and most recent projected 2019-21 city distributions:

Liquor Profits Sharing

Historical distributions: \$167.8 million
2019-21 distributions: \$98.9 million

The Washington State Liquor Act of 1933 created the state's Liquor Control Board and a state monopoly on the sale of liquor. In 1949, the Legislature amended revenue distributions so that cities would receive 40% of all liquor profits. The Legislature amended distributions in 2012 and capped cities' share of revenues to \$49 million, with annual increases at the fiscal growth rate.

Liquor Excise Tax Sharing

Historical distributions: \$77.1 million
2019-21 distributions: \$67.4 million

In 1955, the Legislature created the Liquor Excise Tax Account and directed 35% of revenue to counties and cities. Out of the revenue shared, cities received 80% of available funds. The Legislature began to amend the overall rate of disbursement in 2012.

Municipal Criminal Justice Assistance Account

Historical distributions: \$42.0 million
2019-21 distributions: \$40.3 million

The Municipal Criminal Justice Assistance Account was created in 1990 after city and county governments experienced significantly increased demand for public services due to population growth and changing patterns of illegal behavior. Although the account was temporarily reduced during the 2012 and 2013 fiscal years, cities and towns still receive the originally promised revenue amounts.

City-County Assistance Account

Historical distributions: \$377.6 million
2019-21 distributions: \$35.5 million

The City-County Assistance Account was originally funded by the Motor Vehicle Excise Tax (MVET) and used to provide sales tax equalization funding to low-sales-tax cities. However, after the MVET was repealed in 1999, the Legislature replaced MVET revenue with highly volatile real estate excise tax (REET) collections. The City-County Assistance Account now provides needed support for the smallest cities and receives 1.4% of total graduated REET collections, as opposed to the original 23.6% of MVET revenue.

Fire Insurance Premium Tax Sharing

Historical distributions: \$18.9 million
2019-21 distributions: \$10.9 million

The original 1935 distributions of the Fire Insurance Premium Tax account passed 45% of revenues on to qualifying cities and towns. This disbursement rate remained the same for 90 years. In 1999, the Legislature amended the rate of disbursement to 25% and redirected 20% to the Fire Service Training Account. The past few years have brought efforts to further reduce distributions to cities.

Marijuana Excise Tax Sharing

Promised distributions: \$40.0 million
2019-21 distributions: \$30.0 million

Voters approved the legalization of recreational marijuana in 2012. In the first biennium (2015-17) of marijuana revenue sharing, cities and towns received just \$12 million. The Legislature swept a portion of the promised shared revenues in the 2017-19 biennium. The Legislature committed to sharing \$20 million with cities and counties in subsequent biennia. However, the Legislature has yet to allocate the full funds originally promised.

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Transportation revenue package

2021



Increase local transportation resources to maintain and protect our aging infrastructure.

Background:

Our state's transportation system is a decentralized network managed by many different jurisdictions including cities, counties, the state, and tribal nations. In the last year, city streets accommodated 26% of statewide vehicle miles traveled. Cities are responsible for transportation assets that include streets, sidewalks, bicycle infrastructure, some aspects of state highways, transportation infrastructure, utilities, and the natural environment.

The Joint Transportation Committee (JTC) recently found that in the next ten years, cities will need to spend **\$20-\$28 billion** to maintain and improve our transportation assets. The JTC also reported that funding levels across all jurisdictions are less than half of what is needed, without even considering the accumulated deficits of deferred maintenance and preservation. This analysis does not factor in the fiscal impact of the COVID-19 recession.

Over the last decade, city spending has outpaced state and federal spending. Cities largely fund their transportation systems locally – 79% of funding comes from local general revenue and local transportation-specific revenues (like transportation benefit districts). That funding is bolstered by state resources (which account for about 13% of local funding) and federal resources (approximately 8%).

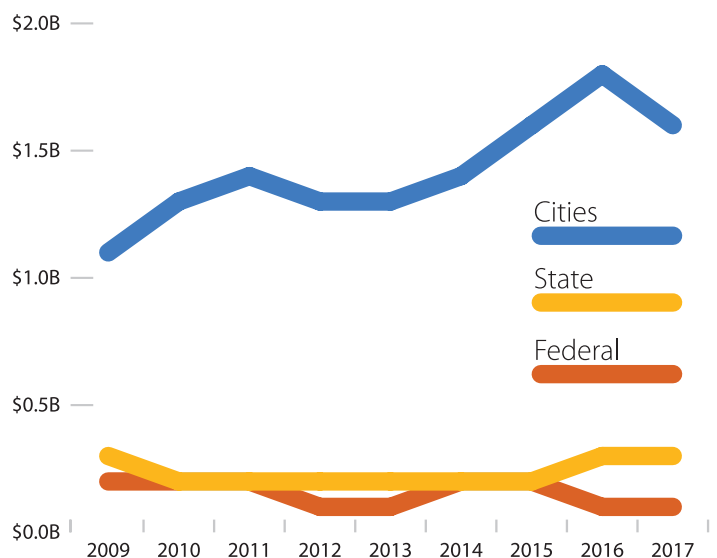
Cities receive about 8% of the state transportation budget through direct distributions, competitive grant programs, and direct project appropriations.

Cities own 740 bridges and more than 25,000 lane miles of streets.

Strong cities need...

- **A new transportation revenue package** with increased resources for cities, including a renewed focus on maintenance and preservation spending.
- **Improved local revenue options** that can provide more resources for communities to invest in transportation systems we all use.
- **Continued funding** for the Transportation Improvement Board and the Freight Mobility Strategic Investment Board.

Cities have increased spending on transportation, while state and federal spending has lagged.



Source: JTC Assessment of City Transportation Funding Needs, 2019

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Housing stability

2021



Provide resources to stabilize housing and prevent catastrophic levels of homelessness.

Background:

Prior to the pandemic, the state's housing and homelessness response system was already inadequate. The economic impacts of COVID-19 have exacerbated Washington's tenuous housing situation. Without the state's direct action to provide rent assistance and foreclosure prevention resources, our overburdened homelessness response system will be catastrophically overwhelmed with the people and families who become newly homeless.

The 2008 housing bubble and resulting financial crisis led to a housing construction shortfall that continued for more than a decade. Due to low housing supply and high housing demand, rental prices rose quickly to levels that are now out of reach for many low- to moderate-income earners in our communities. Cities statewide are still experiencing a severe shortage of rental housing.

The significant underproduction of housing also impacts homeowners. Those with mortgages who are now under- or unemployed due to the COVID-19 pandemic and response are unable to pay their housing bills.

10%



of homeowners behind in payments are at risk of foreclosure in two months.

Source: U.S. Census Bureau Household Pulse Survey, Washington, Week 21 (Dec. 9-21, 2020)

Nearly

1 in 4



renters have little to no confidence in making rent next month.

Housing no longer serves only the basic role of shelter. Due to the public health crisis, housing is also a quarantine space, an office, a school, and a day care center. The pandemic has brought the world to a standstill and hundreds of thousands of Washingtonians are unable to pay their housing bills at a time when stable housing is more critical than ever.

Strong cities need...

- **Rent assistance payments** to support tenants and landlords. (HB 1277 and support for the Governor's budget request of \$328m over the next three years)
- **Additional state resources** for statewide eviction mediation and legal aid services to keep renters in their homes. (SB 5160—This bill addresses additional resources, but AWC is working to improve sections concerning to cities.)
- **Foreclosure prevention assistance** to homeowners. (HB 1108)

559,196

Washington households are housing unstable.



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Fiscal flexibility

2021 | HB 1069



Ensure city fiscal health by allowing cities to tailor existing revenue sources to meet local needs and support essential community services in the wake of COVID-19.

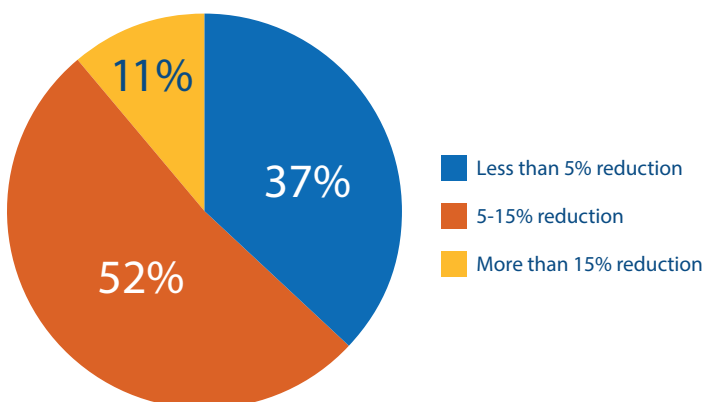
Background:

Even in good economic times, revenues don't keep up with the rising costs of goods and services. City budgets are stretched thin to cover COVID-19 expenses, on top of lost revenue from the corresponding economic downturn.

Cities rely on the local ability to select a mix of revenue options that best fit their unique community. Right now, cities need additional flexibility to spend existing taxes where the need is greatest, which is different for every city. The Legislature granted similar fiscal flexibility in response to the Great Recession.

The fact remains that existing city revenues can't keep up with the growing demand for services and inflation – and that challenge is greater during emergencies and when the economy falters. The state can support cities by ensuring a full menu of revenue options that local officials can use to meet their unique community needs. Local decisions are best made by elected officials who know their community well.

62% of cities project revenue losses in FY 2021



Strong cities need...

- **Revenue authority** and flexibility to keep up with community growth and increasing needs, especially in an economic downturn.
- **Flexible fiscal options** to temporarily use existing restricted revenues to support essential programs and services during the current economic downturn.
- **Responsive revenue options** including revising the property tax cap to address structural budget challenges created when inflation outpaces revenue growth.

93% of cities say that increasing the 1% property tax limit would have a significant, positive impact on their ability to meet their community needs.

Lift the property tax cap

Property tax is the largest revenue source for cities in Washington state, comprising nearly 25% of all city revenue. Compared to sales tax, which fluctuates with the economy, property tax is much more stable. But property tax was capped arbitrarily 20 years ago. The result is that cities cannot keep up with the natural inflationary growth of expenditures. City budgets face staggering structural deficits that continue to grow by the current rate of inflation. The Legislature must revisit this subjective restriction and replace it with something designed to keep up with inflation.

Cities need flexibility when responding to the pandemic and resulting economic downturn

Cities rely on revenue collected from property, sales, business, and utility taxes for most of their operating budgets. Restrictions on how these funds can be used make it difficult for cities to balance their budgets in good times – and even more so in an economic crisis.

Some restricted revenues that could be flexed include:

Criminal justice sales taxes

Cities levy criminal justice sales taxes that must be used for criminal justice purposes. Now more than ever, cities need flexibility to use this revenue for programs that reduce interactions with the criminal justice system—including programs that reduce homelessness or improve behavioral health.

Cities need the ability to use those funds for their emergency response for their communities and to use the maximum flexibility to support their most vulnerable residents.

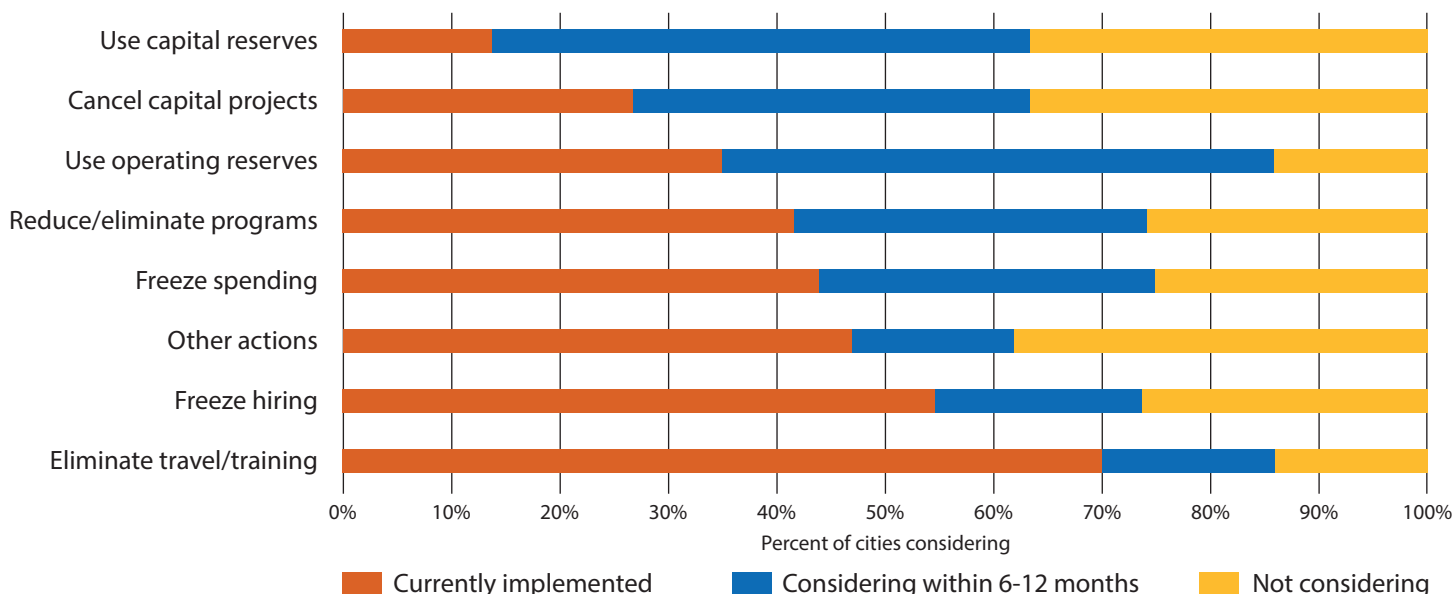
Real estate excise taxes (REET)

These revenues are primarily dedicated to capital investments. Cities should be able to repurpose those funds for operations and maintenance costs so they don't fall behind in caring for critical infrastructure.

Property tax levy lid lifts

Cities with voter-approved levy lid lift authority (to increase their property tax above the 1% limit) have non-supplanting requirements on fund usage. Cities need more flexibility to use these local funds by eliminating the non-supplant restrictions. It is hard to justify to residents funding new things while reducing existing services.

Budgeting policies used by cities to address the COVID-19 economic downturn



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Police reform

2021



Support local control over city law enforcement policies to meet the needs of each community, while recognizing the need for certain statewide reforms.

Background:

Most law enforcement officers in Washington state are employed by cities. For this reason, cities must be involved in law enforcement reforms. In order to develop solutions and programs that fit the unique needs of each community, local decision-making must be preserved.

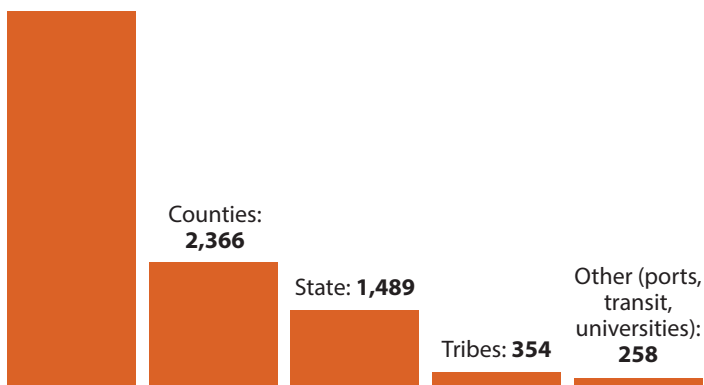
These conversations need to happen at both the local and state levels. Mayors and councilmembers are deeply connected to their cities and understand the challenges and needs of their residents.

Police departments need the ability to directly implement state requirements and discipline officers who violate agency policies and laws. Cities need to retain local control over city law enforcement policy decisions to ensure that policies meet community needs and expectations as well as appropriately contain costs.

Cities also understand our obligation to address racial equity in policing – through both state requirements and local policies.

Number of law enforcement officers by jurisdiction

Cities: **6,966**



Source: 2019 CJIS Statistics and Reports

In 2019, 180 cities employed 6,966 officers across Washington. This represents 61% of all uniformed law enforcement.

Strong cities need...

- **Legislative leadership** in addressing racial equity statewide in all aspects of policing.
- **A statewide standard for use of force** that preserves the right of local jurisdictions to enact more restrictive standards based on community needs. (HB 1054) (HB 1310)
- **Expansion of the grounds** for an officer to be decertified to include use of force violations. (HB 1082/SB 5051)
- **Requirement that officer misconduct investigations** be completed, regardless of an officer's resignation. (HB 1082/SB 5051)
- **Establishment of a duty** for all officers to immediately intervene and report misconduct by a fellow officer. (SB 5066)
- **Increased mental health supports** and resources for officers. (HB 1000)
- **Additional training for officers**, including adequate financial investments from the state.
- **A fully funded Basic Law Enforcement Academy** to reduce wait times.

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Broadband infrastructure

2021



Support policies and funding that provide greater access and equity for broadband services.

Background:

Sustainable and reliable infrastructure helps build strong economies and equitable communities. The COVID-19 pandemic has only increased the pressing need for statewide high-speed broadband internet infrastructure.

Cities can promote greater access to high-quality, affordable internet service by facilitating forums that include public partners, residents, and service providers. Cities support state policies and funding that provide greater access and equity for broadband services, including providing expanded authority for local governments.


Cities need a simplified and coordinated effort between state agencies, local governments, and community providers. The Legislature passed **SB 5511** in 2019 that established specific state broadband goals and chose three agencies to address the goals. The agencies include the Governor's State Broadband Office, the Public Works Board, and the Utilities and Transportation Commission. Cities are ready to work with these agencies to strengthen the alignment between authority, accountability, and available resources.



Reliable broadband bridges the digital divide between urban and rural communities. Access to broadband is one of the most pressing needs for our smallest cities and towns (under 7,500 residents). Rural broadband infrastructure will encourage economic growth and community development in small cities.

Strong cities need...

- **Greater public investment** in broadband infrastructure to support basic access to education, healthcare, and employment opportunities.
- **New, innovative programs** that focus on digital equity and inclusion and target the most underserved residents in our cities.
- **Protected and improved public authority** to provide broadband service.


44% of Washingtonians do not have baseline internet speeds.

SB 5511 established Washington's broadband goals:

- **By 2024:** All Washington businesses and residences have access to broadband that provides download speeds of 25 megabits per second and upload speeds of 3 megabits per second.
- **By 2026:** All Washington communities have access to at least 1 gigabit per second symmetrical (upload and download speeds) broadband service at anchor institutions like schools, hospitals, libraries, and government buildings.
- **By 2028:** All Washington businesses and residences have access to at least one provider of broadband with symmetrical broadband service of at least 150 megabits per second.

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Public Works Trust Fund

2021



Support the Public Works Board request of \$169 million for the Public Works Trust Fund.

Background:

Adequate funding for maintenance and preservation of city-owned infrastructure is one of cities' biggest challenges. Nearly \$900 million worth of local infrastructure projects are unable to move forward due to lack of funding. Before the account was swept and dedicated revenues diverted, the Public Works Trust Fund (PWTF) provided a regular and sustainable source of affordable infrastructure financing to many local governments.

Washington infrastructure continues to suffer from a lack of adequate investment. The American Society of Civil Engineers recently gave Washington's infrastructure a "C" grade, with wastewater getting a "C-" and stormwater getting a "D+". Failing infrastructure hurts everyone.

For the first time since 2013, the Public Works Trust Fund was appropriated \$95 million in the 2019-21 biennial budget. However, roughly \$2 billion has been redirected from the PWTF over the last three biennia to pay for other state priorities.

Even with significant appropriation in the most recent budget, state sweeps continued to deplete the fund, including a \$160 million transfer to the Education Legacy Trust Account.

Strong cities need...

- **Full funding** for the Public Works Trust Fund.
- **Return of diverted revenue streams** to the Public Works Trust Fund.
- **Reliable and robust investment** in local infrastructure to maintain and improve aging systems.

Investing in infrastructure pays back

For every dollar invested in the PWTF, a match of 5.5 additional dollars comes from other sources. Furthermore, every dollar invested in public infrastructure produces at least 2.2 dollars in economic activity.

Investing in the PWTF and city infrastructure helps cities overcome the financial challenges of building and repairing the local infrastructure systems that benefit our residents, our economy, and our environment.

City infrastructure systems are a critical part of the larger network that serves and benefits the entire state. Cities support economic development while keeping pace with a growing population that demands safer and more equitable infrastructure.

Every **\$1** invested in the PWTF generates a **\$5.50** match from other sources.



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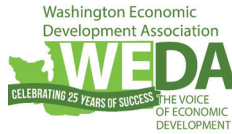
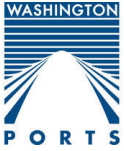
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Bring Tax Increment Financing to Washington

2021 | HB 1189/SB 5211

TIF

TIF for Jobs Coalition



The TIF for Jobs Coalition is emerging as a broad and diverse statewide coalition – for a full list of endorsers, visit wedaonline.org/tif-for-jobs

Background:

Tax Increment Financing (TIF) captures a property's appreciated value by using its increased property taxes to finance infrastructure improvements that benefit a designated area. Local jurisdictions that utilize TIF benefit from improved public infrastructure, increased economic development, and local job growth.

Washington state is missing out on TIF. In fact, 48 other states and Washington, D.C. have successfully implemented some form of TIF. Previous attempts to authorize TIF in Washington were struck down due to constitutional constraints related to the use of state property tax revenue.

However, a carefully structured TIF program can withstand constitutional challenges and will provide a critically needed economic development tool for local governments and communities. Our approach to TIF does not raise property taxes on residents but allows development to pay for much-needed public infrastructure.

The Washington State Legislature has created several TIF-like alternative financing programs such as the Community Revitalization Financing (CRF) Program, the Local Infrastructure Financing Tool (LIFT), and the Local Revitalization Financing (LRF) Program. Some cities and counties have implemented one of these narrowly tailored versions of TIF at the local level. However, these programs have significant limitations on their use and require a state contribution - usually funded by the state operating budget.

The COVID-19 pandemic has provoked an economic recession that has devastated communities, businesses, and families. Authorizing TIF is one critical action lawmakers can take to help our communities recover, grow construction and other jobs, spark reinvestment, and foster vibrant communities.

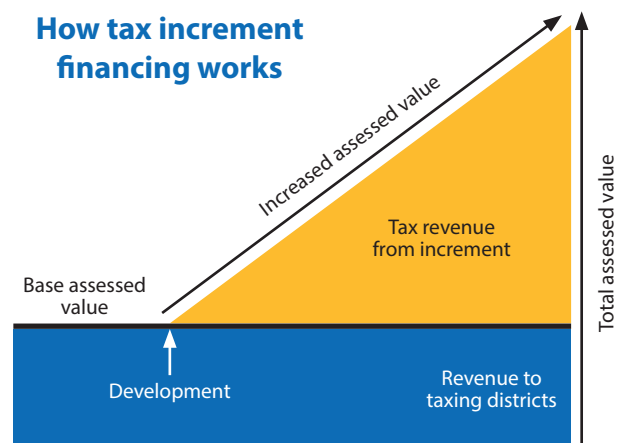
Local jurisdictions need:

- **New, stable funding sources** to promote economic development and improve infrastructure in communities around the state.
- **Legislative support** to develop a property-tax based TIF program that meets state constitutional requirements.

Our legislative proposal:

- Does not impact the state's property tax rate or revenue
- Protects current taxing districts' authority and existing tax collections
- Stipulates that TIF funding can only be used to pay for publicly owned infrastructure
- Requires a finding that development wouldn't occur if not for the TIF-funded public infrastructure
- Requires a study and mitigation of any impacts on local businesses and affordable housing

How tax increment financing works



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2021 Federal Legislative Priorities

Invest in COVID-19 recovery

- **Adopt stimulus package(s)** that provide cities with flexible funding to address budget shortfalls caused by the COVID-19 pandemic and resulting economic downturn. Communities will use federal aid and support to facilitate a reopening of the national economy. Local governments are calling for at least \$500 billion in direct federal funding to protect families, municipal workers, and America's economic future.

Invest in local public infrastructure

- **Fund basic infrastructure**, as it is the cornerstone of strong communities and economic growth. Together, cities and our federal partners must address the existing core infrastructure backlog, reestablish long-term funding, and use new technologies to serve America's cities for the next 100 years. Local leaders are best positioned to identify where infrastructure needs are greatest and should be given a stronger voice in how limited federal dollars are invested in their communities.
- **Fund expansion of broadband access** in underserved and hard-to-serve communities. Broadband access is integral to communities, small and large, to support basic services like healthcare and education and to drive economic growth.

Invest in affordable housing

- **Provide emergency rental assistance and housing stabilization support** to address housing instability caused by or exacerbated by the COVID-19 pandemic. Assistance should include investments in rental, utility and relocations assistance and other associated services.

Invest in transportation

- **Reauthorize the Fixing America's Surface Transportation (FAST) Act** with increased resources for cities. Develop a more sustainable revenue model for the Highway Trust Fund in order to maintain and improve our aging transportation infrastructure.

Invest in safe communities

- **Support federal policing reforms** that address racial equity and enhance transparency and public trust in law enforcement. Training mandates should be consistent with the standards established by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The federal approach must recognize and respect local control over city law enforcement policies. In addition, support:
 - Federal policies that create a use of force standard, increase accountability for officer misconduct, and increase training to eliminate discriminatory practices and improve response to individuals experiencing a behavioral health crisis;
 - Restrictions on availability of military grade weapons for police departments;
 - Provisions in the proposed George Floyd Justice in Policing Act and JUSTICE Act that align with these policy goals; and
 - Federal funding for state, local, and tribal governments to develop body-worn camera programs and other crucial police accountability and enhanced training programs.
- **Support improvements to our behavioral health system** and local response to the opioid addiction crisis. Efforts to reduce the number of opioid and heroin overdoses in our cities require a strong partnership between local, state, and federal health and law enforcement programs. We must ensure that funds appropriated for substance misuse prevention, treatment, and recovery programs are accessible to cities.
- **Continue federal funding** for programs such as Community Oriented Policing Services (COPS), Staffing for Adequate Fire and Emergency Response (SAFER), and Justice Assistance Grants (JAG).
- **Support direct grants** to cities to provide emergency housing and services for those experiencing homelessness.

Protect local control over public rights-of-way

- **Uphold local control** over local public rights-of-way in order to balance community interests with the need for new telecommunications infrastructure. This includes:
 - The ability to regulate access to municipally owned poles and other public facilities;
 - Authority for permitting and siting processes that consider community aesthetics and concerns; and
 - The ability to negotiate our own franchise agreements with cable companies.

Protect local fiscal sustainability and regulatory efforts

- **Press Congress to fulfill** its obligation to adopt a federal budget on a timely basis and avoid delays and continuing resolutions. Delays lead to inefficiencies at the local level, substantially impact cities' ability to manage projects, and result in unnecessary cost escalation.
- **Preserve the tax exemption** on all municipal bonds, including Private Activity Bonds (PABs); eliminate the \$10,000 cap on the State and Local Tax (SALT) deduction; and restore the tax exemption for advance refunding bonds. Restoring this essential tax exemption would enable cities to refinance their debt to achieve lower interest rates, saving local taxpayer dollars and freeing up capital for additional infrastructure investments.
- **Oppose federal policies** that undermine local government regulatory authority, impose unfunded mandates, or preempt local government revenues and revenue authorities.

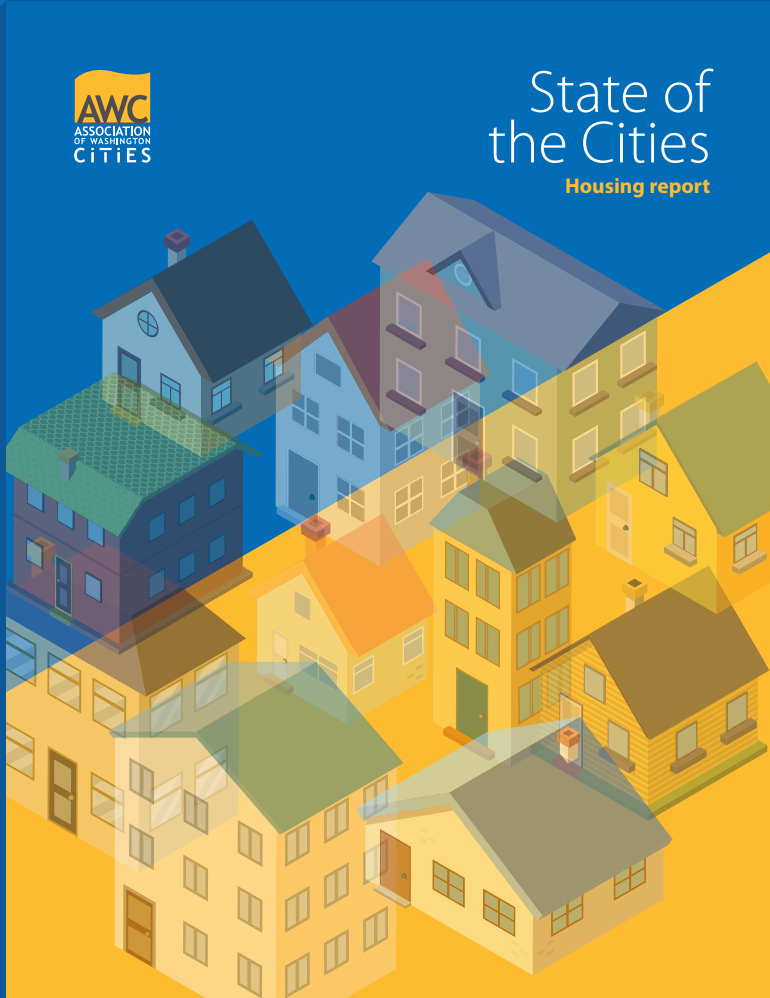
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10 steps for a successful (virtual) legislative session



- 1** Meet regularly with your legislators during session (even online).
- 2** Develop your city's legislative agenda and share it with the public, media, and legislators.
- 3** Talk about the importance of cities to the state's budget and to your shared constituents.
- 4** Make yourself a resource for your legislators and ask how you can support them.
- 5** Work with your local media to tell your story before, during, and after session.
- 6** Attend meetings with legislators prepared with facts, stories, and concise materials.
- 7** Communicate with constituents about what the Legislature is working on and how your city is faring.
- 8** Inform community members about what your legislators are doing during session.
- 9** Register for AWC Online Lobby Day on March 24 to gain important policy tips and tools with one month left of session.
- 10** Take advantage of new remote testimony options during the virtual session and testify on a bill in a committee hearing.

For more tips and resources, visit wacities.org and look for the **Strong cities advocacy guide** under *Advocacy tools* in the *Advocacy* drop-down menu.



Read AWC's State of the Cities: Housing report

Cities of every size are grappling with the lack of affordable housing and limited resources to increase available housing. But cities can't solve it alone. Our new report makes the case that it's going to take a working partnership with public and private sectors to solve the challenge. Read and share it (alongside your key local stories) with your legislators and residents.

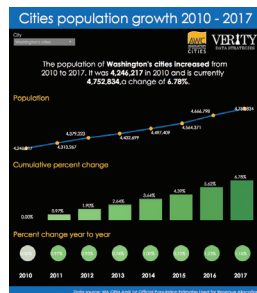
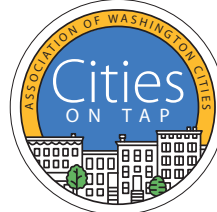
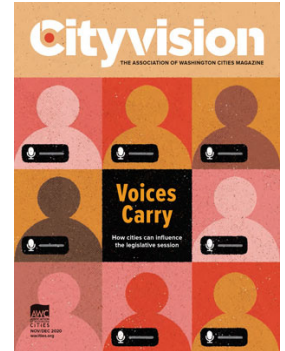
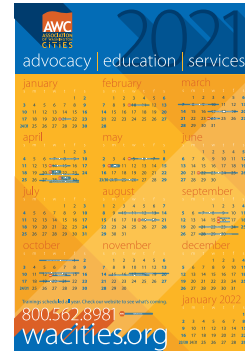
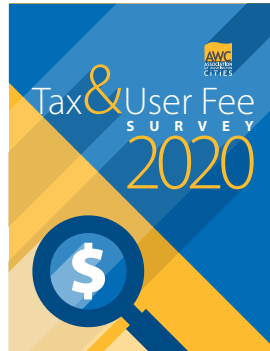
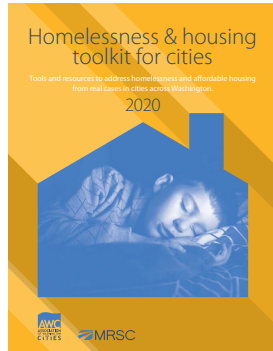
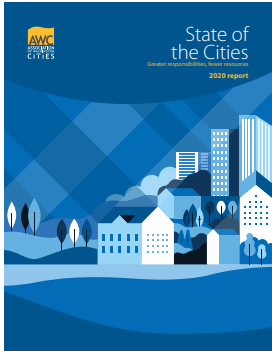
Download and print the housing report at wacities.org

Save the date

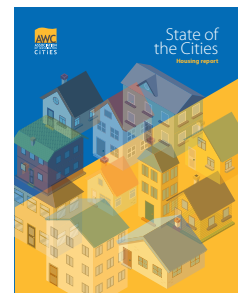
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March 24, 2021

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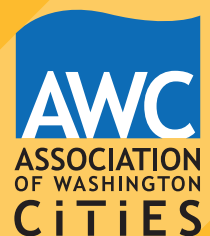
11,000+ JobNet visitors per month

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By-laws of the Clark County Community Action Advisory Board

ARTICLE I - NAME

The name of the organization shall be the Clark County Community Action Advisory Board (“CAAB” or “Advisory Board”). The Advisory Board is a broadly representative body advising the Clark County Councilors (“Councilors”), and Clark County Community Services (“CS”), which administers the Community Action Program (“CAP”) in Clark County.

ARTICLE II – OBJECTIVES OF CAP

The objectives of the Clark County Community Action Program are:

1. to promote institutional and community changes which address the causes of poverty and to remove barriers to self-sufficiency faced by low-income communities, families, and individuals;
2. to reduce the impact of poverty on communities, families, and individuals by providing resources for services which are responsive to their needs;
3. to promote innovative approaches to addressing the causes and impacts of poverty in the community;
4. to serve as a catalyst for community efforts to leverage additional resources which address the causes and impacts of poverty; and
5. to make recommendations or take other action on any other subject as referred by the Councilors.

ARTICLE III – PURPOSES, OBJECTIVES, AND POWERS OF THE CAAB

- I. The Advisory Board's purposes and objectives shall include:
 - A. Making recommendations regarding local government funding that is intended to serve basic and essential welfare, housing, health, and safety needs or to remove obstacles to self-sufficiency that are faced by low-income communities, families, and individuals.
 - B. Establishing long range goals and guidelines for developing CS's objectives, planning its programs, and evaluating performance of its programs.
 - C. Maximizing the extent and quality of participation by low-income communities, families, and individuals in the programs of CS, in other county and city government, and in other civic affairs throughout Clark County.
 - D. Sustaining and strengthening a community tradition of caring for one another through integrated, cooperative efforts of local volunteers and service organizations.
 - E. Increasing low-income communities', families', and individuals' awareness of, involvement in, and access to the wide ranges of services and opportunities available, with special attention to the people who face obstacles because of their race, sex, age, creed, color, national origin, limited English proficiency, disability, familial status, sexual orientation, or other unusual vulnerability.
 - F. Encouraging ongoing evaluation and enhancement of community service efforts to ensure appropriate responsiveness to changes within disadvantaged populations.
 - G. Aligning efforts to the greatest extent possible with other CS and county advisory boards and with other community organizations that serve the same populations.
 - H. Establishing a legacy that preserves human dignity and responds to basic human needs.
2. In pursuing these purposes and objectives, the Advisory Board shall have the following specific powers:
 - A. To determine the priority needs of Clark County's low-income population, cooperating with other CS and county advisory boards and with other community organizations that serve the same population.
 - B. To consider the current Community Needs Assessment and outcome reporting when making priority recommendations.
 - C. To evaluate the progress of Community Action Programs through regular review of program outcomes.
 - D. To advise the Councilors on the allocation of:
 - i. Community Services Block Grant funds,
 - ii. Marriage License Fee Surcharge funds,
 - iii. Document Recording Fee Surcharges,

- iv. Consolidated Homeless Grant,
 - v. Emergency Solutions Grant,
 - vi. Human Services Fund,
 - vii. Any other funds that the Councilors request advice about, and
 - viii. Any other county funds for providing human services or improving self-sufficiency that are administered by CS and are not subject to other advisory boards.
- E. To act in an advocate role in the public and private sectors in the interest of low-income populations of Clark County, as cooperatively as possible with other organizations that serves the same populations.
- F. To establish rules and procedures and select officers and committees for this Advisory Board.
- G. To exercise any other responsibilities that are or may be prescribed by federal or state law governing Community Action Programs, or that are delegated by Councilors, or by CS.

ARTICLE IV – MEMBERS

SECTION 1. Composition

The Advisory Board shall be composed of at least twelve (12) members:

1. At least four (4) shall be Public Official Representatives, preferably elected public officials currently holding office, or appointive public officials if there are not enough elected officials available and willing to serve. One Public Office Representative will be held by a Vancouver City Council member.
2. At least four (4), and at least one-third of the total members, shall be low-income representatives; persons chosen in accordance with democratic selection procedures adequate to ensure that they are representative of those who are low-income in the areas served. Low-income representatives must be nominated by an organization representing individuals who are low-income in Clark County or by a group of individuals who are low-income living in Clark County. This process may include: a) election by ballot or at a community meeting, or b) an individual designated by a low-income policy or advisory board. Proof of the selection process will be requested.
3. Up to four (4) shall be Community Representatives drawn from major community interests such as labor, business, health, education, faith based, or social service groups.
4. If an individual who is low-income, or group that serves people who are low-income, considers the Advisory Board to be underrepresenting their interests, they may petition the Advisory Board for a seat on the Board. County staff will facilitate an Advisory Board review in response to the petition and notify the petitioner of the outcome.

SECTION 2. Selection and Appointment

Prospective Members shall apply in writing to the Advisory Board staff. Staff will facilitate Advisory Board review of all complete applications and shall convey the Advisory Board's recommendation to the County Manager for appointment. Members shall assume office after having been accepted by the Councilors. Members shall not receive financial compensation from the County for their participation.

1. Public Official Representatives
These Members shall be elected public officials to the extent possible, otherwise appointive public officials. To the extent possible, at least one should be drawn from each County Council district. Recommendations for membership will be solicited from public agencies within the district where a vacancy exists.
2. Low-Income Representatives
 - A. In accordance with US Department of Health & Human Services, Office of Community Services, Community Services Block Grant [Information Memorandum #82 Tripartite Boards](#), Low-Income representatives must be representative of low-income individuals and families in the service area AND must live in the service area. To the extent possible, at least one shall reside in each County Council district and additional low-income representatives shall be in proportion to the distribution of the County's low-income residents among those districts.

B. Recruitment of these Members shall include social media posts, advertisements in community newspapers, postings at locations where low-income persons are served, and direct solicitation from organizations composed of or representing low-income persons.

C. Low-income representatives may be reimbursed for: reasonable transportation costs, childcare expenses, and other costs that may be barriers to board participation as identified by the member and approved by County staff.

3. Community Representatives

These Members shall be drawn from as broad and as geographically, demographically, and culturally representative a range of major community interests as is possible. To the extent possible, at least one shall reside in each County Council district.

Each new member will receive an orientation by County staff. Orientation will include an informational binder and review of the contents, explanation of the roles and responsibilities of each member and a question-and-answer period.

SECTION 3. Period of Service

Members' terms shall serve three-year terms which will commence on January 1, or in the case of Members who fill mid-term vacancies, immediately upon appointment by the Councilors through the end of the replaced Member's term. No person may serve as a Member for more than three (3) consecutive full terms, or a total of nine (9) consecutive years, regardless of whether they are a Public Official, Low-Income, and/or Community Representative. A person may be reappointed as a Member after they have been off the Advisory Board for at least two (2) full years. An individual nominated by a Low-Income Organization to serve as a representative shall so serve only while they continue to be associated with the organization that nominated that individual.

SECTION 4. Vacancies

1. After two (2) unexcused absences within a twelve (12) month period, the Member shall be notified in writing that another unexcused absence shall result in their position being declared vacant.
2. The Member shall be removed and a vacancy will exist if the Member has three (3) unexcused absences in a twelve (12) month period.
3. Resignations shall be submitted in writing to the Advisory Board and a vacancy will be considered to exist on the effective date of the resignation.
4. Vacancies shall be filled following the same procedures specified above in this Article.

SECTION 5. Nondiscrimination

Membership, offices, and committee membership on the Advisory Board shall not be denied to any individual because of race, creed, color, sex, age, disability, national origin, limited proficiency in English, familial status, gender identity or sexual orientation. Upon request by any applicant or Member, the Advisory Board shall provide any reasonable accommodations that are necessary because of disability or limited proficiency in English to allow full participation.

SECTION 6. Exclusion

No position on the Advisory Board may be filled by a current employee of Clark County Community Services.

ARTICLE V - CODE OF CONDUCT

SECTION 1. Conflict of Interest

1. No person who is an officer or employee of an organization contracting to perform a component of the Community Action Program may serve as a Member of the Advisory Board.
2. No Member of the Advisory Board shall be counted in determining a quorum for, or shall vote on, any matter if:
 - A. They or a family member has a personal or pecuniary interest,
 - B. The vote could benefit any organization in which they or a family member is an officer or employee.
3. Each Member shall voluntarily disclose the existence of any such interest and shall recuse themselves prior to the quorum count or vote. Each Member shall also voluntarily disclose their membership or other position in any organization that the vote could benefit in accordance with Conflicts of Interest – Code of Ethics, RCW 43.160.040.
5. Members of the Advisory Board are not precluded from receiving Community Action Program-funded services for which they are eligible, e.g., energy assistance. However, a Member must recuse themselves from any vote in which the Member's eligibility or benefits could be directly affected.
6. Each Member is asked to sign a Conflict of Interest statement at Member orientation and at the January meeting thereafter. An opportunity to disclose conflicts of interest will be available in the document. Should a conflict of interest occur at any point, Members will inform County staff as soon as possible.

SECTION 2. Appearance of Fairness

All members of the Advisory Board will avoid any partiality. A Member shall abstain from voting on any competitive funding application if they personally support, or is an officer, director, member or employee of, an organization that directly supports one application for funds over others.

SECTION 3. Confidentiality

Members of the Advisory Board must exercise the maximum discretion in all matters of official business. Any information received on a confidential basis must be maintained in strict confidence in accordance with applicable Federal, State, and local law.

ARTICLE VI - OFFICERS

SECTION 1. Positions and Duties

The Advisory Board shall have at least three Officers: Chairperson, Vice-Chairperson and Secretary. The Officers shall include at least one Low-Income Representative and to the extent possible shall include one Public Official Representative and one Community Representative. The duties of the officers are as follows:

1. The Chairperson is the Advisory Board leader subject to such policies and directives as the Advisory Board may establish. The Chairperson shall preside at Advisory Board meetings; shall execute jointly with the Secretary all documents of the Advisory Board; and (subject to approval at the next meeting of the Advisory Board) may appoint other officers, appoint committees, and establish methods of organization through proper means.
2. The Vice-Chairperson shall assist the Chairperson, temporarily assume the duties of the Chairperson when that person is absent or unable to serve and when that office becomes vacant, and perform other duties as assigned by the Advisory Board.
3. The Secretary, either directly or through a CS staff member, shall keep accurate permanent records of all proceedings of the Advisory Board; timely notify Members in advance of all special and regularly scheduled meetings; promptly notify Members who are delinquent in attendance as described in Section 4, Paragraph 1 of Article IV; and perform other duties as assigned by the Advisory Board.

SECTION 2. Elections

At the last meeting of the year, nominations for officers may be made by a nominating committee or from the floor. The election will be held and newly-elected officers will be installed at the first meeting of the year. In the event of an officer leaving prior to the end of their term, a special election may be held at the next scheduled meeting.

SECTION 3. Period of Office

The term for all officers shall begin at the January meeting following their election and shall end at the January meeting twelve (12) months later. No officer may serve more than three consecutive terms in the same position.

ARTICLE VII - MEETINGS

SECTION 1. Annual Meeting

The annual meeting, which shall be considered a regular meeting for conducting business, shall be held in the month of January, at such time and place as set by the Advisory Board to maximize participation and understanding of roles and responsibilities of Members.

SECTION 2. Regular

1. The Advisory Board shall set the calendar for the year's meetings at the annual meeting in January. Meeting dates, times, and locations will be published annually and as otherwise useful to maximize participation by low-income residents. In case of emergency or of extreme necessity, the officers or members may cancel or postpone meetings but shall give notice that is reasonable under the circumstances.
2. Regular meetings shall be held in person or via an electronic method such as Skype, conference call, webinar, etc, or a combination of both. In person meetings are preferred.

SECTION 3. Special

1. Special meetings of the Advisory Board may be called by the County Councilors or their designee, by the Advisory Board Chairperson (with or without request from Community Action Program or other county staff), or by written request of a majority of the Advisory Board Members, provided that each member of the Advisory Board, the public and any others who have communicated their interest, have advance notice of the time and place of the meeting.
2. The items of business (agenda) to be considered in a special meeting must be limited to those for which the meeting was called.

SECTION 4. Notices

Notices declaring meetings and the agenda for those meetings shall be sent to Advisory Board Members and to any others who have communicated their interest to the Advisory Board in writing not less than five days prior to the scheduled meeting day. If an electronic meeting, the notice shall include how to access the meeting such as telephone number, website address, etc.

SECTION 5. Agenda and Governance

The agenda for all scheduled meetings shall observe the adopted order of business. All meetings of the Advisory Board and of its committees shall be conducted using Robert's Rules of Order, newly revised edition, as a guide except where this conflicts with the by-laws.

SECTION 6. Quorum

A simple majority of non-vacant positions is the minimum required for a quorum of the Advisory Board or for any committee.

SECTION 7. Public Access and Notification

1. All regular and special Advisory Board meetings and committee meetings shall be open to the public. All meetings are subject to applicable provisions of the Open Public Meetings law, RCW Chapter 42.30B.

2. Notifications of meetings, special Advisory Board meetings and committee meetings will be communicated to the public on the Community Action [website](#), by e-mail to each member of the Advisory Board and to any others who have communicated their interest to Advisory Board staff.
3. Members of the public are welcome to attend the regularly scheduled meetings as guests. Guests will have the opportunity to briefly address the Advisory Board during Open Forum at the end of each meeting. If a member of the public needs additional time to address the Advisory Board, they will need to contact County staff at least two-weeks prior to the next regularly scheduled meeting to request time in the agenda.
4. A discussion held by a quorum of Advisory Board Members is considered a meeting and must comply with the Open Public Meetings Act.

SECTION 8. Vote

1. Each member shall have one vote either in person or by email. Votes cast by email must be provided to Advisory Board staff prior to, and will be read aloud at, the meeting where the vote is taking place.
2. Proxy votes shall not be permitted.
3. No Advisory Board member shall vote when a conflict of interest is present, as is stipulated in Article V, Section 1.2.
4. Except as required in Article IX, Section 1, a simple majority of the votes cast on any motion made and seconded in an Advisory Board meeting shall decide the motion.
5. Election of Officers shall be by an affirmative simple majority vote.

ARTICLE VIII - COMMITTEES

SECTION 1. Executive Committee

1. The Executive Committee shall be composed of the Officers of the Advisory Board.
2. The Executive Committee shall take actions that are consistent with policies and positions established by the Advisory Board. In emergencies, the Executive Committee is authorized to make decisions and to take action when it is not reasonably possible to assemble or to obtain opinions from the full Advisory Board. Any decisions or actions taken by the Executive Committee must come before the full Advisory Board for ratification at the next regularly scheduled meeting. The Executive Committee may advise CS or the Councilors on such policy or program matters as the full Advisory Board may delegate. The Advisory Board Chairperson shall serve as Chairperson for the committee.
3. The responsibilities of the Executive Committee shall include:
 - A. Overseeing the work of all other committees;
 - B. Acting on behalf of the Advisory Board in matters that require action before the full Advisory Board can be convened;
 - C. Monitoring the adequacy and effectiveness of the by-laws, and convening an ad hoc By-laws Committee to review and recommend changes as deemed necessary.

SECTION 2. Other Committees

The Advisory Board may establish additional standing or ad hoc committees or work groups that it decides are necessary for its effective functioning.

1. Committees should generally have not less than three Advisory Board members and to the extent possible should include representatives of each type, and may include non-Members.
2. Advisory Board members shall volunteer for any committees or work groups. A chairperson for each committee or work group will be selected during the first scheduled meeting. In the event that there are not enough volunteers, the Chairperson may appoint additional Advisory Board members.
3. The committee chairperson is responsible for providing updates on the progress of the committee or work group to the full Advisory Board at the next regular meeting.

ARTICLE IX - LIMITATIONS

SECTION 1. Amendment

These by-laws may be amended by a simple majority vote of the Advisory Board Members at any meeting that occurs at least seven (7) days after all Members have been provided with copies of the proposed amendments. Amendments will become effective upon adoption but cannot be retroactive.

SECTION 2. Superior Rules

If any of these by-laws conflict with County, State or Federal statutes, regulations, guidelines, or instructions, the latter shall prevail.

SECTION 3. Previous By-laws

These by-laws shall supersede all previous by-laws.

COMMUNITY ACTION ADVISORY BOARD MEETING MINUTES

Meeting held remotely. Audio at: <https://www.clark.wa.gov/community-services/community-action-advisory-board>

November 3, 2020

<u>PRESENT</u>	<u>EXCUSED</u>	<u>ABSENT</u>	<u>STAFF</u>
Alishia Topper, chair	Hilaree Prepula		Rebecca Royce
David Poland	Amy Roark		Beth Landry
Melanie Green			Janet Snook
Thomas Breitenbauch			
Jamie Spinelli			
Doug Boff			
Amy Boget			
Karyn Kameroff			
Linda Glover			
Bridget McLeman, secretary			
Adam Kravitz, vice chair			

Guests: CODAs Interpreters; Peggy Sheehan (City of Vancouver); Alissa Page, Rhonda Hills (Clark County); Monte Constable (DSHS)

- I. Roll Call
- II. May 2020 Minutes
The minutes were approved following a motion by Melanie Green that was seconded by Bridget McLeman.
- III. 2021 Executive Team Nominations
Anyone interested in serving on the executive team may contact Rebecca Royce. Current elected team members have expressed interest in serving another term.
- IV. 2021 CAAB Work Plan
Program presentations will continue in 2021.
- V. Community Needs Assessment Task Force update
The community forums for collecting qualitative data were changed to December 1-3. Quantitative data was compiled from 1655 surveys, showing housing, food, and asset building as the top three needs.
- VI. Legislative and Funding updates
 - The State is working on balancing the budget following affects of COVID-19.
 - The federal budget is operating under a continuing resolution through December 11.

Funding Updates:

 - CDBG-CV: Initial allocation of \$890,000 provided small business assistance and TBRA case management. Planning for second allocation of just over \$1.1M is in process
 - CSBG-CV: \$543,000 went to CAP agencies
 - County CRF Title V: Supported HCRS and small business assistance.
 - ERAP: Received \$4.9M with almost \$3M spent on eviction prevention rental assistance to date.
 - ESG: First allocation of nearly \$800,000 towards shelters, HMIS, outreach prevention; planning for second allocation of \$4.1M in process
 - COVID-19 Emergency Housing Grant: covered quarantine and isolation facility. This is now being taken over by Public Health. To date 175 persons were helped through the shelter expansion project, 24 through quarantine and 39 for isolation assistance
 - Commerce Shelter Grant: Location being identified for additional shelter beds.
 - CDBG/HOME annual grants: Preapplications were due October 31. Funding awarded in March

- Winter shelters: A variety of funding and partnerships is making it possible to continue Winter Hospitality Overflow and Severe Weather Shelters this season.
- HEN and HEN Pilot: \$1.07M for rapid rehousing for HEN-eligible households

VII. City of Vancouver Affordable Housing Fund and Homeless Services Updates (Peggy Sheehan)

- Applications for Affordable Housing Funds and CDBG are due December 2
- See City website for report of the first three years of the Affordable Housing Fund: <https://www.cityofvancouver.us/ced/page/affordable-housing-fund>
- The City's Housing Commission will begin in January. It will review the Affordable Housing Fund and determine whether to submit a new proposition on the 2023 ballot

VIII. January Meeting Discussion

Members decided on a two-hour meeting from 9-11am, January 5, 2021, to discuss general business and updates on the Strategic Plan and housing projects.

IX. July 2019-June 2020 All Funding Finance Report (Org. Standards 8.7)

First year spending was on target for all contracts. Clark College got a late start and the county agreed to roll forward some funds.

X. Open Forum

No discussion.

XI. Other Business

- Members expressed excitement over new County/City coalition addressing homelessness
- Cowlitz Tribe has a new housing program to help applicants with deposit and first/last months' rent
- The Organizational Standards have been submitted to Commerce
- Next meeting: 9-11am, January 5, 2021, virtually

Meeting adjourned.

Bridget McLeman, secretary

rr

Community Action Advisory Board Work Plan for 2021

Meetings are held on the 1st Tuesday of each odd numbered month starting at 8:00am.

Ongoing Efforts: The Community Action Advisory Board works to fulfill the following goals.

- Encourage members to engage and advocate on local, state and federal levels.
- In the public and private sectors, serve as an advocate in the interest of people who are low-income in Clark County.
- Utilize planning documents, community forums and local data to understand and set the priority needs of Clark County's low-income population.
- Publish an annual data report to the community.
- Understand how the work of the CAAB affects other systems and can more strongly integrate into community efforts.

2021 Focus: Board members will actively participate in the following objectives this year.

- Increase board driven advocacy efforts.
 - Complete and adopt the Community Needs Assessment.
 - Increase knowledge of funded programs and their outcomes.
-

January Day-Long Meeting:

Executive Team Elections

Board Business

- Adopt 2021 Work Plan
- By-laws (Org Standards 5.4)
- Conflict of Interest Policy (Org Standards 5.6)
- Board Member Responsibilities (Org Standards 5.8)
- Community Services Strategic Plan Update (Org Standard 6.5)
- July 2019-June 2020 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)
- July-Sept 2020 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)

CNA Task Force Updates

Legislative and Funding Updates

March:

Director Updates

July-Dec 2020 Outcomes Report (Org Standards 4.4, 5.9, 8.7)

City of Vancouver Affordable Housing Fund and Homeless Services Updates

Legislative Update

Advocacy Task Force Updates

CNA Task Force Updates – Draft CNA for review

HCRS Presentation

May:

July 2020-December 2020 All Funding Finance Report (Org Standard 8.7)

City of Vancouver Affordable Housing Fund and Homeless Services Updates

Legislative Update

Advocacy Task Force Updates

May is Community Action Month

Adopt Community Needs Assessment (Org Standard 3.5)

CAP Presentation

July:

Review Point in Time Count and Homeless Connect Data (Org Standards 5.9)

July 2020-Mar 2021 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)

City of Vancouver Affordable Housing Fund and Homeless Services Updates

Legislative Update

Review Draft Report to the Community (Org Standard 4.4, 5.9)

Advocacy Task Force Updates

HCRS Presentation

September:

Adopt Report to the Community (Org Standard 4.4, 5.9)

July 2020-June 2021 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)

Advocacy Task Force Updates

City of Vancouver Affordable Housing Fund and Homeless Services Updates

Legislative Update

January Meeting Discussion – Special Requests, Location, etc

CAP Presentation

November:

July 2020-June 2021 Finance Report (Org Standard 8.7)

Nominations for 2021 CAAB Executive Team

City of Vancouver Affordable Housing Fund and Homeless Services Updates

Advocacy Task Force Updates

Legislative Update

HCRS Presentation



CAAB Meeting Agenda

Tuesday, January 26, 2021
9:00am-11:00am



Webex Meeting link:

9:00am	Introductions & Go Around	Alishia Topper, Chair	
9:05am	Election of Executive Officers	Alishia Topper, Chair	Action
9:15am	Board Business <ul style="list-style-type: none"> Approval of November 2020 Minutes 2021 Work Plan Adoption 	Alishia Topper, Chair	Action
9:25am	Board Business <ul style="list-style-type: none"> CAAB By-laws (Org Standard 5.4) July 2019-June 2020 Outcomes Report (Org Standards 4.4, 5.9, 8.7) July-September 2020 Outcomes Report (Org Standards 4.4, 5.9, 8.7) Conflict of Interest Policy (Org Standard 5.6) Board Member Responsibilities (Org Standard 5.8) 2021 Board Member Roster 	Rebecca Royce	Information
10:00am	By-laws review subcommittee	Alishia Topper, Chair	Information
10:10am	Strategic Plan Update (Org Standard 6.5)	Michael Torres	Information
10:20am	Legislative and Funding Updates	Michael Torres	Information
10:35am	ESG-CV Review Committee	Alishia Topper, Chair	Information
10:40am	Community Needs Assessment Task Force Update	Rebecca Royce	Information
10:50am	Open Forum	Public	Information
11:00am	Other Business: <ul style="list-style-type: none"> Next Meeting: March 2, 2021, starting at 8am, via Webex 		
	Adjourn		



Please call Rebecca Royce, 564-397-7863, if you have any questions or are unable to attend the meeting. This building is wheelchair accessible. If you need special assistance to participate in this meeting, please contact Clark County, Relay 711, at least two working days prior to the event.

COMMUNITY ACTION

Community Action changes people's lives, embodies the spirit of hope, improves communities, and makes Clark County a better place to live. We care about the entire community, and we are dedicated to helping people help themselves and each other.

Objectives of the Clark County Community Action Program:

- To promote institutional and community changes which address the causes of poverty and to remove barriers to self-sufficiency faced by low-income communities, families, and individuals;
- To reduce the impact of poverty on communities, families, and individuals by providing resources for services which are responsive to their needs;
- To promote innovative approaches to addressing the causes and impacts of poverty in the community;
- To serve as a catalyst for community efforts to leverage additional resources which address the causes and impacts of poverty; and
- To make recommendations or take other action on any other subject as referred by the Commissioners or jointly by the Commissioners and one or more city governments.

ORGANIZATIONAL STANDARDS (50 TOTAL)

Category 1: Consumer Input & Involvement (3 Standards)

Category 2: Community Engagement (4 Standards)

Category 3: Community Assessment (5 Standards)

Category 4: Organizational Leadership (6 Standards)

Category 5: Board Governance (8 Standards)

Category 6: Strategic Planning (5 Standards)

Category 7: Human Resource Management (8 Standards)

Category 8: Financial Operations & Oversight (7 Standards)

Category 9: Data & Analysis (4 Standards)



CAAB Meeting Agenda

Tuesday, March 2, 2021
8am-9:30am



Webex Meeting link: <https://clarkwa.webex.com/clarkwa/j.php?MTID=m1d0bff7cc05e9370e4fc1e8c14f90f>

8:00	Introductions & Go Around	Alishia Topper, Chair	Information
8:05	Approval of February Minutes	Alishia Topper	Action
8:10	Clark County Community Services Director Updates	Vanessa Gaston, Director	Information
8:45	July-Dec 2020 Outcomes Report (Org Standards 4.4, 5.9, 8.7)	Rebecca Royce	Information
8:55	Legislative Update <ul style="list-style-type: none">• State• Federal	Michael Torres	Information
9:10	City of Vancouver Affordable Housing Fund and Homeless Services Updates	Peggy Sheehan, City of Vancouver	Information
9:20	Open Forum	Public	Information
9:25	Other Business: <ul style="list-style-type: none">• Next meeting, May 4, 2021, from 8-9:30am, via Webex		
9:30	Adjourn		



Please call Rebecca Royce, 564-397-7863, if you have any questions or are unable to attend the meeting. This building is wheelchair accessible. If you need special assistance to participate in this meeting, please contact Clark County, Relay 711, at least two working days prior to the event.

COMMUNITY ACTION

Community Action changes people's lives, embodies the spirit of hope, improves communities, and makes Clark County a better place to live. We care about the entire community, and we are dedicated to helping people help themselves and each other.

Objectives of the Clark County Community Action Program:

- To promote institutional and community changes which address the causes of poverty and to remove barriers to self-sufficiency faced by low-income communities, families, and individuals;
- To reduce the impact of poverty on communities, families, and individuals by providing resources for services which are responsive to their needs;
- To promote innovative approaches to addressing the causes and impacts of poverty in the community;
- To serve as a catalyst for community efforts to leverage additional resources which address the causes and impacts of poverty; and
- To make recommendations or take other action on any other subject as referred by the Commissioners or jointly by the Commissioners and one or more city governments.

ORGANIZATIONAL STANDARDS (50 TOTAL)

Category 1: Consumer Input & Involvement (3 Standards)

Category 2: Community Engagement (4 Standards)

Category 3: Community Assessment (5 Standards)

Category 4: Organizational Leadership (6 Standards)

Category 5: Board Governance (8 Standards)

Category 6: Strategic Planning (5 Standards)

Category 7: Human Resource Management (8 Standards)

Category 8: Financial Operations & Oversight (7 Standards)

Category 9: Data & Analysis (4 Standards)

COMMUNITY ACTION ADVISORY BOARD MEETING MINUTES

Meeting held remotely. Audio at: <https://www.clark.wa.gov/community-services/community-action-advisory-board>

February 11, 2021

<u>PRESENT</u>	<u>EXCUSED</u>	<u>ABSENT</u>	<u>STAFF</u>
Alisha Topper, Chair	David Poland		Rebecca Royce
Amy Roark			Michael Torres
Melanie Green			Dawn Lee
Rob Perkins			
Jamie Spinelli			
Amy Boget			
Karyn Kameroff			
Linda Glover			
Bridget McLeman, secretary			

Introductions & Go Around

Election of Executive Officers

- Melanie Green motioned for Alisha Topper to serve as Chair, Karyn Kameroff seconded, all in favor; approved.
- Alisha Topper motioned for open polling by Board members for both David Poland and Karen Kameroff for Vice Chair position. Karyn withdrew her candidacy; David Poland will serve as Vice Chair.
- Rob Perkins motioned for Bridget McLeman to serve as Secretary, Melanie Green seconded, all in favor; approved.

Board Business

- Approval of November 2020 Minutes
 - Motion made by Jamie Spinelli, seconded by Bridget McLeman and approved.
- 2021 Work Plan Adoption
 - Work Plan is very similar to last year. The focus for 2021 is: to increase Board advocacy efforts; complete & adopt Community Needs Assessment; and increase knowledge of funded programs and outcomes. Agency presentations will begin when in-person meetings can take place and RFA trainings will begin before end-of-year. The Work Plan Adoption motion made by Melanie Green, Karen Kameroff seconded and approved.
- CAAB By-Laws (Org Standard 5.4)
 - Can be found on our website. Let Rebecca know if you need a copy.
- July 2019-June 2020 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)
 - An overview of the fiscal year 2020 report was provided including satisfaction survey overview, outcomes of programs and spending levels. A copy of the report will be sent to the board.
- July-September 2020 Outcomes Report (Org Standards 1.3, 4.4, 5.9, 8.7)
 - An overview of the first quarter of fiscal year 2021 report was provided including satisfaction survey overview, outcomes of programs and spending levels. A copy of the report will be sent to the board.
- Conflict of Interest Policy (Org Standard 5.6)
 - All board members received and signed an electronic version of the policy ahead of the meeting. The board agreed to sign electronically moving forward since this worked well.
- Board Member Responsibilities (Org Standard 5.8)
 - All board members received and signed an electronic version of the document ahead of the meeting. The board agreed to sign electronically moving forward since this worked well.
- 2021 Board Member Roster
 - Currently under construction due to vacancies. Staff will provide an updated roster soon.
 - There are three vacant positions at this time. Two positions in District 4 (Community Rep & Low Income) and the Low-Income Rep in District 3 due to Tom Breitenbauch's resignation. Three

applications have been received for the District 4 Community Rep Position and will be sent to the Executive Committee for review.

- All open low-income positions will be advertised soon.
- Rob Perkins, Evergreen Public Schools board member, is new to the board representing District 3 as an elected official. Welcome Rob!
- Treasurer Alisha Topper now represents District 2 as an elected official. Because the Treasurer is voted by the entire community, Alisha is able to fill any district seat.

By-Laws Review Subcommittee

- Last reviewed and adopted in May 2018. Since it has been a few years, and with a new understanding of the re-appointment process, staff recommend creating a subcommittee to review the bylaws. The following board members volunteered: Alisha Topper; Jamie Spinelli; Rob Perkins; and Karyn Kameroff. Staff will facilitate the discussions. All changes will need to be reviewed by the prosecuting attorney's office. Target completion is slated for May meeting

Strategic Plan Update (Ord Standard 6.5)

- Michael Torres provided an overview of Community Services Strategic Plan including the process of implementing the plan, the outcomes achieved to date and the next steps.

Legislative & Funding Updates (refer to DCS email for details)

- An email was sent to board members prior to the meeting with updates on bills in the state legislature. The County works on specific bills through the Association of County Human Services and staff will continue to forward any legislative information as it is received. Rob Perkins asked about SB2039 and if this was on radar. The bill limits rents; City has been silent on this bill.
- At the federal level, the new administration is proposing \$1.9T economic stimulus package.
- Rebecca Royce shared a funding report and will send out the PowerPoint after the meeting. The report provides information about what programs are being funded under different categories. The breakdown shows programs funded through regular funding streams and allocated through the last request for application process, new funds that have been allocated to the county for specific use, and a look the funds that have been allocated through stimulus packages due to the pandemic.

ESG-CV review Committee

- The request for application (RFA) for these funds was put on hold due to other funding with more pressing deadlines. Staff hope to get the RFA open soon and are looking for up to 5 CAAB members for a review committee. Staff will send out an email with details on the timeline for the RFA and ask for volunteers at that time. The RFA will include two areas of services: Coordinated Homeless Outreach Provider; and Rapid Re-housing Program Provider.

Community Needs Assessment Task Force Update

- Two community forums were completed on December 2 and 3, 2020. The next step is to have a consultant draft the CNA for the CNA Task Force to review. The content for the final CNA will be provided to the board for adoption at the May CAAB meeting. Clark County Communications will design the final report. The final version will be posted online with hard copies in print going to Councilors and the community at large.
- Karen Kameroff noted lack of elected officials at the meetings and Bridget McLeman suggested presenting the CNA to Council.

Open Forum

- There were no community members present at the meeting.

Other Business

- Staff created a new resource for CAAB member on our website. The link will be provided following the meeting.
- Next meeting: March 2, 2021, begins at 8:00 am, via WebEx.

Meeting adjourned 4:00 pm.



Clark County - Government Relations Report February 6, 2021

One week remains until the first legislative deadline, February 15th, 2021, when all policy bills must be voted out of their respective policy committees to remain under consideration for the year. Bills that do not meet this deadline will be considered “dead” for this legislative session. Bills with a fiscal impact must be approved by a second fiscal committee by February 22nd, 2021. After the first legislative deadline, the number of bills under consideration will significantly narrow.

The COVID-19 relief proposal ([House Bill 1368](#)) that allocates \$2.2 billion in federal assistance to public schools, public health, housing assistance, and small businesses continues to advance through the legislative process. The bill has been voted out of the House of Representatives and is now being considered by the Senate. Legislators also continue to discuss potential tax reforms. This past week, the House Finance Committee held a public hearing on a wealth tax proposal ([House Bill 1406](#)) that would tax those with tangible assets over \$1 billion (approximately 100 taxpayers).

As previously reported, the legislative process has key deadlines that bills need to meet to remain under consideration. Below is an outline of the deadlines for this year’s legislative process:

Session Cutoff Calendar	
February 15, 2021	Policy Committee Deadline
February 22, 2021	Fiscal Committee Deadline
March 9, 2021	Chamber-of-Origin Deadline
March 26, 2021	Opposite Chamber Policy Committee Deadline
April 2, 2021	Opposite Chamber Fiscal Committee Deadline
April 11, 2021	Opposite Chamber Deadline
April 25, 2021	Session adjourns - Sine Die

Legislative Priorities

Wildfire Cost Recovery

Clark County is requesting \$87,000 in operating budget funding to recover costs from the emergency evacuation and relocation of livestock during the 2020 wildfires. Sen. Lynda Wilson (R- Vancouver), Ranking Member on the Senate Ways and Means Committee, has agreed to sponsor the operating budget request in the Senate. We have provided a completed operating budget form and line-item expenditure sheet to Sen. Wilson to submit for this request. We have reached out to Rep. Monica Stonier (D- Vancouver) to see if she will submit the request in the House; Rep. Stonier sits on the House operating budget committee, the Appropriations Committee, and is positioned well to make the request.



Retain Funding for 179th Street

Clark County requests that the state retains the current schedule and full \$50 million allocated for the 179th Interchange project funded in the 2015 Connecting Washington transportation package. Transportation budget leadership have indicated that a revenue package is necessary to ensure that projects funded in the 2015 Connecting Washington package are not delayed. We will be following transportation budget negotiations closely to ensure that the original Connecting Washington funding and scheduled is retained.

Revenue Package Proposals

The House and Senate have each released the broad framework for their respective proposed transportation revenue packages: [House Transportation Package Proposal](#) and [Senate “Forward Washington” Proposal](#). The Senate proposal invests approximately \$18 billion over 16-years, and the House proposal raises approximately \$26 billion over 16-years. The Senate proposal includes a 6-cent gas tax increase, while the House proposal contains an 18-cent increase. Notably, both proposals also utilize carbon-related revenues. The Senate proposal bonds revenue to fund projects; while the House proposal uses a pay-as-you-go approach; this means that the House proposal can be approved with a simple majority (Democrats can enact without support from Republicans) while the Senate proposal requires a supermajority (requires support from both parties). In addition to these two proposals, Sen. Rebecca Saldana (D-Seattle) has released a framework for investments that she hopes will inform the further development of the Senate “Forward Washington” proposal, and Republican Ranking Member on the Senate Transportation Committee, Sen. Curtis King (R-Yakima), has indicated that he intends to release a counter-proposal.

Over the next several weeks, the transportation committees in the House and Senate will further refine their proposals, including contemplating the merits of cap and invest versus a carbon fee revenues, to bond revenues or not to bond revenues, and other elements of their proposals. In the Senate, there is an ongoing discussion about whether or not an alternative funding source can be identified to fund the \$3.5 billion needed to replace state-owned culverts and comply with a recent Supreme Court case. Alternative funding sources may include a per-parcel fee, capital budget funding, or some other approach. Identifying alternative funding would allow additional revenue to be available for transportation investments.

Neither proposal has been formally introduced as legislation. We anticipate seeing additional details in the coming weeks.

COVID Relief and Recovery

The COVID-19 pandemic has significantly impacted local governments and the communities they serve. Funding provided to counties for COVID-19 response is used for essential programs, including local public health, emergency rental assistance, emergency homelessness assistance, and small business economic relief. Clark County requests that the Legislature continue to provide sufficient funding to maintain COVID-19 response and other essential county functions.

Democrats have introduced two key proposals relating to restructuring local public health: [House Bill 1152](#) / [Senate Bill 5173](#), sponsored by Rep. Marcus Riccelli (D- Spokane) and Sen. June Robinson (D- Everett), and [House Bill 1110](#), also sponsored by Rep. Riccelli. [House Bill 1152](#) is Governor-



request legislation establishing regionalized comprehensive public health districts encompassing a population of at least 250,000 individuals. The regional health districts would be under the jurisdiction of the state Department of Health, Board of Health membership expanded and changed, among other significant changes. [House Bill 1110](#) expands Local Board of Health membership to include at least four members, of which at least half must come from the following categories: health care providers/professionals; county public health professionals; public health consumers self-identifying as facing significant health inequities or representing historically marginalized communities, and community stakeholders, including representatives working with populations that experience health inequities. Public health stakeholders have been negotiating with the bill sponsor to incorporate some changes before either proposal moves out of committee. This week, we learned that House Bill 1152 will be significantly changed to respond to certain stakeholder concerns. The bill will be amended to **retain** local public health districts and their existing boundaries; additionally, Health Officer reporting to the state Department of Health will be removed. The bill will instead fold in the Board of Health restructure and expansion language from House Bill 1110. Bill proponents have indicated that the substitute bill will be dropped early next week, and stakeholders will be meeting to provide feedback on the substitute proposal on Tuesday, February 6th. While still problematic for many counties, this will be a more workable starting point to continue negotiations. At the Legislative Steering Committee meeting on Friday, February 6th, WSAC urged counties to relay to bill proponents which pieces of the proposal still need to be changed. House Bill 1152 has been scheduled for executive session on Wednesday, February 10th, at 8:00am in the House Health Care and Wellness Committee. We discussed House Bill 1152 at the County delegation call this week. Rep. Harris confirmed his opposition to the bill and is committed to working with sponsors to ensure the County's perspective is included. Sen. Cleveland, the Chair of the Senate Health and Long Term Care Committee, will be influential in moving this bill forward. The County should continue to work with delegation members to convey concerns with this bill.

There has been little movement on foundational public health funding proposals. The FPHS funding proposal associated with House Bill 1152, [Senate Bill 5149](#), sponsored by Sen. June Robinson (D-Everett), has been scheduled and removed from executive session as of Friday, February 5th. The proposal imposes a covered lives assessment on health carriers, Medicaid managed care organizations, and third-party administrators to be deposited in the Foundational Public Health Services Account. The assessment is \$3.25 per member per month assessment in fiscal year (FY) 2023, \$143,000,000 total in FY 2024, and \$200,000,000 total in FY 2025 and thereafter. The proposal will eventually generate \$400 million/biennium. The covered lives assessment is extremely controversial with businesses and unions and faced significant pushback at the hearing last week, though bill proponents are determined to move the proposal forward. Two other FPHS funding bills have been introduced: [Senate Bill 5020](#), sponsored by Sen. Karen Keiser (D-Kent), which assesses a penalty against drug manufacturers on revenue generated from prescription drug price increases that are unsupported by clinical evidence; and [Senate Bill 5371](#), sponsored by Sen. June Robinson (D-Everett), which imposes a statewide sweetened beverage tax modeled after Seattle's sweetened beverage tax. None of these bills have been scheduled for executive session at this point -- we anticipate action on these proposals further along in session as concerns are addressed outside of committee.

Democrats Introduce COVID-19 Relief Proposal

House and Senate Democrats jointly introduced a proposal allocating federal funding for COVID-19 pandemic relief: [House Bill 1368](#), sponsored by Appropriations Chair Rep. Timm Ormsby (D-

Spokane), and [Senate Bill 5344](#), sponsored by Ways and Means Chair Sen. Christine Rolfes (D-Bainbridge Island). The bill provides \$2.2 billion in total and appropriates funding for the remainder of the current fiscal year (June 30, 2021). Distributions are provided for childcare, rent relief, food assistance, developmental disability and senior programs, medical and health care assistance, education, and public health activities, including testing and vaccine distribution. The House passed this bill passed off the floor with amendments adjusting the bill's business grant program on Monday, February 1st. There is no change in appropriated funding. Republican members attempted to hang multiple amendments on the bill allocating funding from the Rainy-Day Fund, none of which passed. The House version of the bill was passed out of the Senate Ways and Means Committee on Thursday, February 4th, without further amendment. During a Democratic leadership press conference this week, leadership indicated the bill would be debated on the Senate floor next Wednesday, February 10th; accordingly, the bill has been moved to second reading in the Senate Rules Committee, the step prior being pulled to the floor in the legislative process.

Unfunded Mandates –GMA

WSAC LSC voted to support with amendment [House Bill 1117](#), sponsored by Rep. Debra Lekanoff (D- Bow), adding salmon recovery as a goal of the GMA. The goal incorporates a new standard to achieve net ecological gain, replacing the current standard of no net loss of ecological function. The bill was heavily negotiated by WSAC staff over the interim, and the final proposal includes a null and void clause if funding is not provided. The bill was heard in the House Environment and Energy Committee on Thursday, January 28th; Paul Jewell testified in support of this bill on behalf of WSAC. The bill passed out of committee on Thursday, February 4th with multiple amendments, including clarification that any requirements to incorporate changes to comprehensive plans or development regulations come into effect only if funds are sufficient to cover local government costs and are provided 2 years in advance of any required comprehensive plan updates. The County is remaining neutral on this proposal.

Broadband

Rep. Drew Hansen (D- Bainbridge Island) is sponsoring [House Bill 1336](#), which authorizes public utility districts, ports, cities, and counties to provide retail broadband service. The bill passed out of Committee on Wednesday, February 3rd, with multiple amendments. The substitute bill:

- Removes code cities and first-class cities from the bill, at request of AWC. First class cities and code cities statutorily have authority to offer retail broadband service. Towns, second-class cities, and counties, which currently do not have authority to provide retail broadband service, remain in the bill.
- Allows PUDs to provide wholesale broadband outside of the District to the same extent as retail broadband services.
- Clarifies that Tribes and public entities with the authority to provide retail broadband are eligible carriers for the FCC Universal Services Program.
- Encourages PUDs and port districts prior to providing service to examine and report back to their governing bodies on various standards, including anticipated retail costs, service for underserved or underserved populations, and evidence that proposed infrastructure will be able to be scaled to meet statewide broadband goals.

In response to existing telecommunications provider concerns, Sen. Lisa Wellman (D- Mercer Island) introduced [Senate Bill 5383](#), which would allow PUDs retail broadband authority in unserved areas



subject to limitations. The bill allows private telecom companies to object to any proposed expansion should they be able to prove the proposed expansion would result in an overbuild. They must submit a broadband service plan with the objection. On Wednesday, this bill had a public hearing in the Senate Environment, Energy & Technology Committee. Several PUDs raised concerns that this would significantly limit a PUD's ability to serve communities and potentially prevent PUDs from being eligible for federal grant funding. The bill is scheduled to be voted on by the committee on Thursday, February 11.

Other Items

GTHGA is monitoring the following priority items on your behalf. We will provide updates on these items as legislative action occurs. We will continue to be in contact with you on legislative proposals relevant to these items.

- Police Reform
- Sales Tax Leakage
- Indigent Defense
- Protect State-Shared Revenues

Upcoming Events

Environment & Energy (House) - Virtual, - 2/9 @ 8:00am

HB 1193 - Exec Session - Affirming the process for disposing of dredged materials for federal navigation channel maintenance and improvement. (Support)

Housing & Local Government (Senate) - Virtual, - 2/9 @ 8:00am

SB 5390 - Public Hearing - Increasing housing supply through the growth management act and housing density tax incentives for local governments. (Remote testimony.)

Local Government (House) - Virtual, - 2/9 @ 10:00am

HB 1220 - Exec Session - Supporting emergency shelters and housing through local planning and development regulations.

HB 1232 - Public Hearing - Planning for affordable housing under the growth management act. (Remote testimony.)

HB 1298 - Public Hearing - Concerning regulation of accessory dwelling units located outside of urban growth areas. (Remote testimony.) (Support)

HB 1337 - Public Hearing - Concerning accessory dwelling units. (Remote testimony.)

Environment, Energy & Technology (Senate) - Virtual, - 2/9 @ 10:30am

SB 5125 - Exec Session - Affirming the process for disposing of dredged materials for federal navigation channel maintenance and improvement. (Support)



Finance (House) - Virtual, - 2/9 @ 1:30pm

HB 1410 - Public Hearing - Protecting taxpayers from home foreclosure. (Remote testimony.)

Health Care & Wellness (House) - Virtual, - 2/10 @ 8:00am

HB 1152 - Exec Session - Supporting measures to create comprehensive public health districts. (Oppose)

HB 1348 - Exec Session - Providing medical assistance to incarcerated persons. (Support)

Civil Rights & Judiciary (House) - Virtual, - 2/10 @ 10:00am

HB 1412 - Exec Session - Concerning legal financial obligations.

Local Government (House) - Virtual, - 2/10 @ 10:00am

HB 1220 - Exec Session - Supporting emergency shelters and housing through local planning and development regulations.

HB 1241 - Exec Session - Planning under the growth management act.

Ways & Means (Senate) - Virtual, - 2/11 @ 4:00pm

SSB 5066 - Exec Session - Concerning a peace officer's duty to intervene.

SB 5175 - Public Hearing - Concerning the authority of the community economic revitalization board. (Remote testimony.)

Civil Rights & Judiciary (House) - Virtual, - 2/12 @ 8:00am

HB 1412 - Exec Session - Concerning legal financial obligations.

Local Government (House) - Virtual, - 2/12 @ 8:00am

HB 1241 - Exec Session - Planning under the growth management act.

HB 1298 - Exec Session - Concerning regulation of accessory dwelling units located outside of urban growth areas. (Support)

HB 1329 - Exec Session - Concerning public meeting accessibility and participation.

HB 1337 - Exec Session - Concerning accessory dwelling units.

State Government & Elections (Senate) - Virtual, - 2/12 @ 10:30am

ESHB 1056 - Public Hearing - Concerning open public meeting notice requirements and declared emergencies. (Remote testimony.)

Bill Summaries



Outlined below are relevant bills GTHGA is tracking for the County. Bills that are in the “lobbying” category are those that GTHGA is taking action to either advance or stall; bills that are marked as “monitoring” are those that GTHGA is keeping track of but not actively lobbying.

Lobbying

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>HB 1152</u> (SB 5173)	Comp public health districts Supporting measures to create comprehensive public health districts.	H HC/Wellness Riccelli	Oppose
<u>HB 1193</u> (SB 5125)	Dredged material disposal Affirming the process for disposing of dredged materials for federal navigation channel maintenance and improvement.	H Env & Energy Hoff	Support
<u>HB 1202</u>	Police misconduct/civil rem. Addressing meaningful civil remedies for persons injured as a result of police misconduct, including by allowing for an award of attorney fees in addition to damages and injunctive and declaratory relief.	H Exec Action Thai	Oppose
<u>HB 1298</u> (SB 5221)	Accessory dwelling units Concerning regulation of accessory dwelling units located outside of urban growth areas.	H Local Govt Vick	Support
<u>HB 1322</u>	Off-road vehicle enforcement Addressing off-road vehicle and snowmobile registration enforcement.	H Transportation Wylie	Support
<u>HB 1348</u>	Incarcerated persons/medical Providing medical assistance to incarcerated persons.	H HC/Wellness Davis	Support
<u>SB 5125</u> (HB 1193)	Dredged material disposal Affirming the process for disposing of dredged materials for federal navigation channel maintenance and improvement.	S Environment, E Cleveland	Support
<u>SB 5173</u> (HB 1152)	Comp public health districts Supporting measures to create comprehensive public health districts.	S Health & Long Robinson	Oppose
<u>SB 5221</u> (HB 1298)	Accessory dwelling units Concerning regulation of accessory dwelling units located outside of urban growth areas.	S Housing & Loca Gildon	Support

Monitoring

<u>Bill Details</u>	<u>Status</u>	<u>Sponsor</u>	<u>Position</u>
<u>HB 1025</u> (SB 5006)	Local parks funding options Concerning local parks funding options.	H Finance Wicks	
<u>ESHB 1056</u>	Public meetings/emergencies Concerning open public meeting notice requirements and declared emergencies.	S State Govt & EI Pollet	
<u>SHB 1070</u>	Housing/local tax revenue Modifying allowed uses of local tax revenue for affordable housing and related services to include the acquisition and construction of affordable housing and facilities.	H Rules R Ryu	
<u>HB 1082</u> (SSB 5051)	Peace & corrections officers Concerning state oversight and accountability of peace officers and corrections officers.	H Public Safety Goodman	
<u>SHB 1088</u> (SB 5067)	Impeachment disclosures Concerning potential impeachment disclosures.	H Rules R Lovick	
<u>SHB 1092</u> (SSB 5259)	Law enforcement data Concerning law enforcement data collection.	H Exec Action Lovick	
<u>SHB 1099</u>	Comprehensive planning Improving the state's climate response through updates to the state's comprehensive planning framework.	H Approps Duerr	Neutral
<u>HB 1110</u>	Local boards of health Concerning the composition of local boards of health.	H HC/Wellness Riccelli	
<u>SHB 1117</u>	Comp. planning/salmon Promoting salmon recovery through revisions to the state's comprehensive planning framework.	H ENVIDPS Lekanoff	Neutral

<u>HB 1157</u> (SB 5390)	Housing supply Increasing housing supply through the growth management act and housing density tax incentives for local governments.	H Local Govt	Bateman
<u>HB 1182</u> (SB 5209)	Crisis response services Enhancing and expanding behavioral health and suicide prevention crisis response services.	H HC/Wellness	Orwall
<u>HB 1220</u>	Emergency shelters & housing Supporting emergency shelters and housing through local planning and development regulations.	H Local Govt	Peterson
<u>HB 1232</u>	GMA/affordable housing plans Planning for affordable housing under the growth management act.	H Local Govt	Barkis
<u>HB 1233</u>	Intensive rural development Concerning limited areas of more intensive rural development.	H Local Govt	Barkis
<u>HB 1241</u>	Growth management act plans Planning under the growth management act.	H Local Govt	Duerr
<u>HB 1267</u>	Police use of force Concerning investigation of potential criminal conduct arising from police use of force, including custodial injuries, and other officer-involved incidents.	H Exec Action	Entenman
<u>HB 1308</u>	Apprenticeship utilization Expanding apprenticeship utilization requirements.	H Cap Budget	Riccelli
<u>SHB 1309</u>	Levy certification dates Concerning the dates of certification of levies.	H Rules R	Eslick
<u>HB 1310</u>	Uses of force by officers Concerning permissible uses of force by law enforcement and correctional officers.	H Public Safety	Johnson
<u>HB 1321</u> (SB 5114)	Reopening/public health Concerning safely reopening Washington.	H HC/Wellness	MacEwen

<u>HB 1329</u>	Public meetings Concerning public meeting accessibility and participation.	H Local Govt	Wicks
<u>HB 1332</u> (SB 5402)	Property tax deferral/COVID Concerning property tax deferral during the COVID-19 pandemic.	H Finance	Sullivan
<u>HB 1333</u>	Rural public facilities/tax Providing an extension to the local sales and use tax for public facilities in rural counties.	H Finance	Tharinger
<u>HB 1337</u>	Accessory dwelling units Concerning accessory dwelling units.	H Local Govt	Gregerson
<u>HB 1362</u>	Property tax revenue growth Modifying the annual regular property tax revenue growth limit.	H Finance	Duerr
<u>ESHB 1368</u> (SB 5344)	Federal funding/COVID-19 Responding to the COVID-19 pandemic through state actions supported by federal funding.	S 2nd Reading	Ormsby
<u>HB 1407</u>	Fees of county officers Concerning fees of county officers.	H Civil R & Judi	Volz
<u>HB 1410</u>	Home foreclosure/taxes Protecting taxpayers from home foreclosure.	H Finance	Volz
<u>HB 1412</u>	Legal financial obligations Concerning legal financial obligations.	H Civil R & Judi	Simmons
<u>HB 1414</u>	Marijuana licensing/zoning Aligning marijuana licensing decisions by the liquor and cannabis board with local zoning ordinances.	H Commerce & Gami	Goehner
<u>HB 1440</u>	Small wireless facilities Bringing innovation and investment to Washington's economy by streamlining the requirements for deployment of small wireless facilities.	H Comm & Econ De	Boehnke

<u>HB 1507</u>	Indep. prosecutions/police		Entenman
	Establishing a mechanism for independent prosecutions of criminal conduct arising from police use of force.		
<u>SB 5006</u> (HB 1025)	Local parks funding options	S Ways & Means	Van De Wege
	Concerning local parks funding options.		
<u>SB 5042</u>	GMA actions effective date	S Rules 2	Salomon
	Concerning the effective date of certain actions taken under the growth management act.		
<u>SSB 5051</u> (HB 1082)	Peace & corrections officers	S Ways & Means	Pedersen
	Concerning state oversight and accountability of peace officers and corrections officers.		
<u>SSB 5055</u>	Law enforcement grievances	S Rules 2	Nguyen
	Concerning law enforcement personnel collective bargaining.		
<u>SSB 5066</u>	Officer duty to intervene	S Ways & Means	Dhingra
	Concerning a peace officer's duty to intervene.		
<u>SB 5067</u> (SHB 1088)	Impeachment disclosures	S Law & Justice	Dhingra
	Concerning potential impeachment disclosures.		
<u>SSB 5089</u>	Peace officer hiring & cert.	S Rules 2	Kuderer
	Concerning peace officer hiring and certification.		
<u>SB 5114</u> (HB 1321)	Reopening/public health	S State Govt & E	Braun
	Concerning safely reopening Washington.		
<u>SB 5149</u> (HB 1201)	Found. public health funding	S Health & Long	Robinson
	Funding foundational public health services.		
<u>SB 5175</u>	Economic revitalization bd	S Ways & Means	Nguyen
	Concerning the authority of the community economic revitalization board.		

<u>SB 5209</u> (HB 1182)	Crisis response services Enhancing and expanding behavioral health and suicide prevention crisis response services.	S Behavioral Heal	Dhingra
<u>SSB 5259</u> (SHB 1092)	Law enforcement data Concerning law enforcement data collection.	S Ways & Means	Nobles
<u>SB 5261</u>	Police data collection Collecting information regarding police use of deadly force, personnel complaints, pursuit incidences, and patrol car crashes.	S Law & Justice	Padden
<u>SB 5275</u>	Intense rural dev. areas Enhancing opportunity in limited areas of more intense rural development.	S Housing & Loca	Short
<u>SB 5368</u>	Rural economic development Encouraging rural economic development.	S Housing & Loca	Short
<u>SB 5390</u> (HB 1157)	Housing supply Increasing housing supply through the growth management act and housing density tax incentives for local governments.	S Housing & Loca	Liias