

MEMO OF UNDERSTANDING FOR VAN MALL NORTH ANNEXATION, AUGUST 1, 2017

between

CITY OF VANCOUVER PUBLIC WORKS SURFACE WATER MANAGEMENT

and

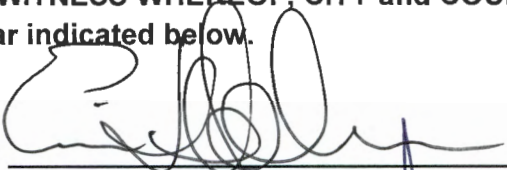
CLARK COUNTY PUBLIC WORKS CLEAN WATER DIVISION

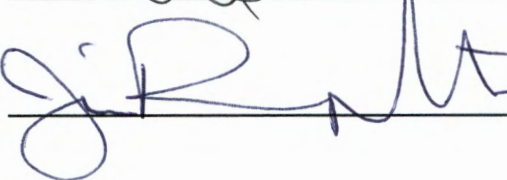
and

CLARK COUNTY PUBLIC WORKS PARKS AND LANDS DIVISION

- 1 **Purpose.** The city of Vancouver will annex an area known as Van Mall North effective August 1, 2017. The purpose of this agreement is to document an understanding between City of Vancouver Public Works Surface Water Management and Clark County Public Works Clean Water Program and Clark County Public Works Parks and Lands Division for the operational transfer of active projects files, historical files and other items as a result of the annexation.
- 2 **Authorization** A Master Interlocal Agreement and subsidiary Interlocal Agreements between the City of Vancouver and Clark County authorize department heads to develop Memoranda of Understanding (MOU) for the transfer of active project files historical files and other items. Memoranda may not transfer physical assets such as land or equipment, and may not transfer fees, loans or other financial resources. Memoranda may not set policies reserved for action by the city or county council. The controlling Interlocal Agreements specify provisions for dispute resolution, the geographic area covered by the agreements and memoranda, noticing requirements, hold harmless and indemnification requirements, and beneficiaries.
- 3 **Responsibilities of the City.** Responsibilities are outlined in Attachment A.
- 4 **Responsibilities of the County.** Responsibilities are outlined in Attachment A.
- 5 **Amendment:** Amendments to the MOU may be executed by the City and County Manager.

IN WITNESS WHEREOF, CITY and COUNTY executed this Agreement on the date and year indicated below.

By:  Date: 8-21-17

By:  Date: 8-29-17

ATTACHMENT A

Guiding Principles of Memorandum of Understanding

Guiding Principles of Agreement

City Responsibilities	The City will, assume full responsibility services as of the effective date of the annexation or January 1, 2018 as defined in this MOU. Exceptions will be approved on a case by case basis.
County Responsibilities	The County may complete processing of active permit applications, inspections, and enforcement activities on behalf of the City with the written permission of both parties. The county may complete only the currently active phase of activity.
Discretionary Actions	County completion of an active phase of an application or inspection shall be administrative and ministerial only. All discretionary actions shall be made by the City unless mutually agreed otherwise.
Code Compliance	City will assume full responsibility for code compliance as of the effective date of the annexation with the exception of all appeals received prior to annexation.
New Permit Applications	All new applications received, inspections requested and enforcement actions initiated on those properties within the annexed area as of the date of the annexation shall be submitted to the City for processing.
Renewals and Extensions	For active applications remaining with the County, City shall be responsible for all requests for permit extensions or renewals, provided that County may accept requests for ancillary permits for mechanical or fire systems for buildings under construction only when such permits are necessary to complete construction under the terms of the agreement. The City will be responsible for accepting permit applications that seek to extend the use or dimensions of the project under construction, or which seek approval for free-standing signs, tenant improvements, or accessory structures.
List of Applications in Process	The County will prepare and send to the city a list of pending projects and actions on July 1, 2017 and August 1, 2017. The list shall show the project identifier information (applicant, address, project type, etc.) and the phase of completion on the report dates.
Vesting	The City recognizes the County's vesting and contingent vesting process. Land use applications or counter complete pre-applications filed with the County prior to the date of annexation and determined to be fully complete

	per County Code, shall continue to be processed under County development regulations. Applications not contingently vested shall be treated as new applications and subject to City development regulations, even if transferred by County. Vested rights shall not extend to any development review fees.
Withdrawal of Project from County	Applicants filing an application with the County may submit an application to the City for the same project under city rules subject to the withdrawal of their application from the County. Applicants who voluntarily withdraw and resubmit their project to the City shall be subject to applicable City regulations and fees.
Final Transfer of Uncompleted Projects	August 1, 2018, any project retained by the county for completion of an active phase of activity, which has not been completed, shall be transferred to the city for review and completion under County regulations.
Fees and Fines	No fees, fee waivers, or fines shall be transferred between jurisdictions.
County Staff as City Contractors	City may request to contract with County staff to help with applications processed under county regulations or with actions necessary to maintain, monitor, inspect, or report wetland mitigation sites.
Existing Agreements	The City will recognize and enforce existing agreements enacted by the County prior to the annexation, including development agreements, code compliance agreements, etc.
Document Transfer	Transfer of active project files will occur at each phase of project completion, in accordance with the principles below. Closed\historical files will be transferred to the city no later than August 1, 2018.

Responsibilities in Transitioning Active Development Projects to the City

1. Transfer of storm water reviews for active projects and code violations will follow the principles defined in the Community Development MOU.

Responsibilities for Transferring Stormwater Information Sufficient to Allow Utility Location

1. No later than July 5, 2017 the city shall identify the GIS layers necessary to allow utility location in the annexation area as of August 1, 2017.
2. No later than July 15, 2017, Clark County GIS shall provide the layers to the city.

Responsibilities for Transferring Completed Development Projects to the City

1. Files available via Clark County GIS will not be transferred. The city will access the files via GIS and make copies at their discretion.
2. Files not available via Clark County GIS will be provided by the county to the city in hard copy form. The county may charge for the cost of production.
3. Construction inspection records will be provided by the county to the city in an electronic format mutually agreed upon by the parties.

Responsibilities for Transferring Maintenance Inspection Records

1. Maintenance inspection records will be provided by the county to the city in an electronic format mutually agreed upon by the parties. Inspection records for the years 2012 to 2017 shall be provided.

Responsibilities for Transferring Capital Project Records

1. Files available via Clark County GIS will not be transferred. The city will access the files via GIS and make copies at their discretion.
2. Files not available via Clark County GIS will be provided by the county to the city in hard copy form.

Responsibilities for Transferring Local Source Control Outreach Records

1. Records shall be provided by the county to the city in a spreadsheet format.

Responsibility for Transferring Ownership and Maintenance of Stormwater Facilities

1. Effective January 1, 2018, the County shall transfer storm water facilities and related maintenance responsibilities to the city. The county is responsible for identifying the correct mechanisms and methods for transfer and for communicating the process and method to the city.

Responsibility for Transferring Ownership, Maintenance and Monitoring of Wetland Mitigation Sites Associated with Transportation Projects

1. Effective August 1, 2017 the County shall transfer wetland mitigation sites associated with transportation projects and related permit requirements, maintenance and monitoring responsibilities to the city. The county is responsible for identifying the correct mechanisms and methods for transfer and for communicating the process and method to the city.
2. City shall complete transfer of authorization forms with US Army Corps of Engineers for each active wetland mitigation site and submit transfer of ownership letter to Washington Department of Ecology for each active wetland mitigation site by December 31, 2017.

Preliminary List of Files to Transfer June 2017
this list may be edited as more research occurs with file transfer

COV Engineering #s	Clark County (CC) Project Development Files	Parcel
	North Park Industrial:	
	Ph I - DEV2000-00020/ENG1999-00049	106076000+
	Ph II - FSR2011-00020/ENG2014-00055	106083001+
	Ph III - FSR2002-00012/SPR93-024	106080000+
COV ENG2003-00110	Ph IV - FSR2003-00011/ENG2003-00055	106081000
	Uptown Village Mobile Home Park AND NW Auto Upholstery	106082000+
COV ENG2003-00028	Kruse Plumbing Wrhs - FSR2002-00006	106092000
COV ENG1999-00009	Opus/205 Distribution - FSR2001-00045	106088000
	Central Industrial Park:	
WB1565, WB1480	Ph 1 Prairie Electric - SPR94061/ENG95013	106084000
	Ph 2 Greer Site - PRJ2000-00196/WET00-080	106108000
	Synergy/Rotschy - PRJ2010-00009	106096000+
	Nelson/Simmons - FT950011/C95C0045	105950000+
	Christiansen/Rail Asset Mgmt-AU084257	156215000
	Oberst/All Concrete - SPR94021/ENG94046	156218000
	JAKS Continental - ENG2015-00101	156217000+
	I-205 Commerce/Padden Employment Ctr:	
	I-205 Commerce - PST2008-00012	
	Padden Employ Ph I - ENG2005-00064	Multiple
COV ENG2009-00025	Padden Employ Ph I - ENG2010-00011	Multiple
COV ENG-47441	St Eliz A Seton School - ENG2015-00087	106100000
	Seton Athletic Fac - ENG2016-00172	106104000
COV ENG-56465	Padden Wellness Ctr Ph 1-A- ENG2016-00166	106116000
	Padden Employ Ctr - ENG2015-00110	106116000
	Padden Wellness Ctr - ENG2017-00081	106116000
COV ENG2005-00162	88th St RV-Mini Storage - ENG2005-00144	106104007
	Sunrise Express - C90SR006	106184000
	62 Unit Mini Storage - 93ENG039	106168000
	Java Depot - PSR2014-00028	106168000
	88th St Industrial - PSR2006-00104	106156000
COV ENG2007-00068	Marv's Auto - ENG2007-00036	106164000
COV WB1111	State Pipe & Supply - Padden & NE 62nd	106145000
	Vancouver Storage - PAC2016-00164	106146000
	Shea Project - PRJ2001-00074	106146000
	Bowdish Project - PRJ2010-00014	106146000
	Scott/Thompson Project - AU032315	106136000

COV ENG2003-00159	United Pipe - ENG2003-00105	106128000
	Costco - DEV2001-00469/FSR2003-00009	106132000
	Costco - On-site - ENG2003-00053	
COV ENG2002-00133	Costco - Off-site - ENG2003-00082	
	Costco - NE 88th St Imp - ENG2004-00009	
	Costco - Curtain Creek Realign - FWP2003-00020	
	Costco - Early Grading - GRD2003-00064	
	Costco - Hinton Grading - GRD2003-00074	
	Costco Gasoline - COM2003-00273	
	Costco Gasoline Additive Tank - ENG2010-00052	
	Costco Gasoline Expansion - GRD2015-00005	
COV ENG2005-00053	Padden Crossing - ENG2005-00051/FSR2005-00015	
	Panda Express - ENG2005-00118	156311000
	Burger King - COM2005-00231	156312000
	Columbia River Veterinary Clinic - COM2013-00186	106120000
	Columbia River Veterinary Exp - COM2014-00317	106120000
	Kennedy Comm Towers - DEV2004-00314	156201000
COV WB1741	Centerpointe - SPR96094/ENG96183	156190000+
	Retail Center - PSR2002-00037	156216000
COV WB1865	Home Depot - SPR97053	156190000
COV ENG2003-00152	Riverview Bank - PSR2004-00074	156234000
COV ENG2000-00055	Wendy's at Centerpointe-PSR2000-00005	156213000
COV WB1982	Mustafa Gas - SPR98003	156306000
COV ENG2005-00007	Wienerschnitzel - PSR2004-00007	156305000
COV ENG2003-00127	Krispy Crème - FSR2003-00027/ENG2003-00090	156188000
COV ENG-36022	Black Rock Coffee - PSR2014-00013/ENG2014-00026	156211000
	Centerpointe 2 Medical - PSR2006-00001	
COV ENG2003-00145	Sunbelt Rentals - ENG2003-00086	156221000
COV ENG2008-00143	West Coast Self Storg-FSR08-037/E08-097	156229000
COV ENG2000-00077	Crossroads Church-SPR99021/ENG00-047	105712000+
COV WB583, WB629	National/Storage USA/Extra Space - 8016 NE 78th St	105625000
	Green Meadows Golf Course/Club - 00027478	157288000
COV WB676	Golfside Village/Meadows Apartments	156822000
	Green Meadows Apts -PAC2014-00076	156686000
COV 1404W, WO1871	Brentwood West Subdivision - G622-no other #	106512062
COV ENG2003-00163	Sunny Glen Subdivision - 311214/ENG2003-00111	156863000
COV ENG-51643	Rivendel Subdivision - G619/ENG16-032	105522228
	Manning Estates Subdivision - G266-no other #	105522200
COV ENG-42545	Hidden Glen North Subd - ENG15-008	156810000+
COV WB1096	Sunshine View Estates Subdivision - H795	106511676
	Killian Short Plat - 3-172/95-023-722	156658000
	Kole's Landing PUD	
	Ph 1 - FLD2007-00058	

COV ENG2006-00211	Ph 2 - FLD08-003/P784/ENG2006-00186	986028003
	Ph 3 - 311889/FLD2017-00006	156740000
COV WB1566	Heron Hills/Wakefield Subdivision-310636-no #	105158000
COV ENG2003-00135	Madison Field aka Morgan-ENG03-095/FLD04-008	105160000
	East Meadows Estates Subdivision - G217-no #	105522096
	North Meadow Estates Subdivision - G218-no #	105522132
COV ENG2007-00137	Meadow Estates SD-G139/ENG2007-00096	105522010
COV 2008W	Meadow Estates 2 Subdivision - G752-no #	105522250
	Meadow Estates 3 Subdivision - G826/File 77-03-199	105522360
	Meadow Estates 4 Subdivision - G916/File77-03-1??	105522430
COV 2541W	Meadow Estates 5 Subdivision - G917/File 78-02-251	105522446
COV WB073, WB536	Meadow Estates 6 Subdivision - H104/File 79-04-305	105522476
COV WB1236 E07-137	Meadow Estates 7 Ph I - H928/ENG07-096-ENG08-070	105522610
	Meadows North - G112	105522002
COV ENG2004-00123	Laurel Hills Subdivision - 311276 - ENG2004-00039	105140000
COV WB606 FH only	Fire Station #5 - 2-976 - 63rd St & Andresen	156872000
COV WB983	Matranga Short Plat - 2-575	105190005
COV WB399	Grassland Meadows Ph I - H583 - no other #	105525166
	Huyette Short Plat - 2-855	105220020+
COV ENG2007-00219	Tillman Short Plat - ENG2007-00146	105282000
COV ENG2006-00141	Meadowcharm SD-311527/ENG2006-00135	105260000
COV WB1084	Hunters Glen Subdivision - H780-no #	105525256
COV ENG2005-00107	Generation Place SD-311457/ENG05-108	156690000+
COV ENG-35461	Generation Place II SP - ENG2014-00003	156690044+
COV WB1730	Walnut Grove Terrace Subdivision - J461	105522618
COV ENG2004-00066	Walnut Grove Est Twnhm-311385/E04-052	105000000
COV ENG2004-00183	Walnut Grove SD-311335/ENG2004-00148	107981000
COV WB1625, SB1415	Walnut Grove Elementary - ENG96003/SPR95073	105030000
	Walnut Grove Baptist - 00036639	156707000
COV ENG2004-00184	Walnut Village SD-311334/ENG2004-00155	104990000
COV WB1277, SB1162	Walnut Place Subdivision - H894	106361290
COV ENG2004-00069	Walnut Manor I SD-311313/ENG04-044	104906000
COV ENG2004-00068	Walnut Manor II SD-311314/ENG04-045	104909000
COV ENG2006-00120	Walnut Manor III (Keen)-311505/E06-082	104902000
COV ENG2004-00081	Walnut Grove SR Apts - DEV2003-00092	107990000
	CPU Walnut Grove Substation	108033000
COV ENG2007-00002	Walnut Park - ENG2007-00116	108017005
COV ENG2007-00099	Sunrise Grove SD-311587/ENG2007-00067	104967000
COV ENG2004-00194	Sunny Meadows TH SD-311373/ENG04-162	104950000
COV ENG2006-00040	Jones Corner SD-311437/ENG2006-00033	104930000
COV ENG2006-00165	Birrel Estates Subdivision - ENG2014-00063	156664000
	Klaudt Estates - FSR2016-00004	156665000
	58th St Condos - PSR2006-00075	156718000

	Pacific Dis Conf MB Churches-00026660	156858000
COV WB1201, SB1097	Robin's Glen I Subdivision - H857-no #	108141600
COV WB1258, SB1145	Robin's Glen II Subdivision - H924-no #	106361240
	Dean's Landing Subdivision - J127-no #	106361454
COV WB1064, SB996	Glen Field Estates Subdivision - H763-no #	105525216
COV WB642, SB725	Owl Ridge 1 Subdivision - H412 - no #	105525108
COV WB745, SB790	Owl Ridge 2 Subdivision - H456-no #	105525080
COV SB890	Owl Ridge 3 Subdivision - no #	105525150
COV WB1091, SB1018	Owl Ridge 4 Subdivision - H765	105525236
	Meadowcrest Subdivision - G337-no #	105525002
COV 10447W	Meadowcrest 2 Subdivision - G584-no #	105525056
	Glenwood Hills Subdivision - G160	105529150
	Glenwood Hills 2 Subdivision - G249-no #	105529196
COV WO10921	Glenwood Hills 3 Subdivision - G490	105529294
COV ENG2006-00027	Cascade Woods TH SD-311445/ENG06-022	106776000
COV ENG2005-00070	Orchard Hill SD-311365/ENG2005-00070	160744000+
COV ENG2009-00019	Andresen Hghts/Grove at Mall-ENG13-005	160867000
COV ENG2005-00078	Westfield Park SD-311403/ENG2005-00077	108027000
	Wooly's Landing Subd - DEV2006-00070	108029002
COV ENG2007-00009	Toler Estates SD-311637/ENG2007-00002	108015000
COV WB1105, SB1026	Idylwood Subdivision - H778-no #	108141350
COV WB1322, SB1195	Raymond Place Subdivision - J027-no #	108141742
	Amhurst Commons Condos - 700-14	Multiple
	Van Mall Assisted Living (aka Lodge) - SPR93018	108060000
COV ENG2004-00062	Berdinner Estates (aka Glen)-ENG2004-00080	108050000
COV ENG2005-00213	Garden Terrace at Mall-ENG2006-00103	108034000
	Beckers Subdivision - G132	105528002
	Morning Star Lutheran Church - 1-549	156858000
	ROADWAYS	
	Andresen Road - CRP310822	
	NE 72nd Ave - CRP393122	
	NE 58th St - Bin 342	
	NE 63rd St - CRP330422	
	NE 78th St - Andresen to I-205	
	Padden Parkway - CRP392722	
	88th St - Railroad to I-205 - Bin 49 - CRP321022	
	NE 62nd Ave - CRP36 - Bin 44	
	Wetlands @ Schuller Property - Bin 782	
	PUBLIC STORM FACILITIES	PARCEL
	Padden-Andresen Storm Facilities	ROW
	Heron Hills NWWakefield Facility #143	106361788

	Heron Hills NE/Wakefield Facility #1115	106361790
	Heron Hills SW/Wakefield Facility #919	106361786
	Morgan/Madison Field Facility #1116	105160090
	Laurel Hills Facility #1350	105140048
	63rd St & 72nd Ave Wetpond #2506	156689000
	Walnut Grove Facility #1613	105000170
	Westfield Park Facility #1611	108027182
	Glenwood I Facility #99	107970000
	Jones Corner Facility #1619	104930110
	Sunny Meadows Facility #1615	104950122
	Grassland Meadows Facility #355	105525215
	Andresen & 78th St Facility #1768	156194000
	88th St East CRP 321022 Fac 3 Facility #2804	106111000
	Walnut Grove Terrace #795	105522666
	Hidden Glen North #3429	986038430
	PRIVATE STORM FACILITIES	PARCEL
	All Concrete Specialities #2105	156218000
	North Park Facilities #1257-1259 #2940-2944	multiple
	nLight Facilities #3248-3250	106083001
	Opus205 #1575	106088000
	Central Industrial Park #466	106084000
	Padden Emly Ctr #3542	106116000
	Seton Catholic #3537-3541	106100000
	Costco Padden #336	106132000
	Home Depot-CenterPointe #1273	156190000
	West Coast Storage #2835	156229000
	Crossroads Church #1724-1726	105720000
	Green Meadows #51	157288000
	Kohl's Landing Ph 2 #2288	986036637
	Meadowcharm #1678	105260088
	Hunter's Glen #2439	105525258
	Fire Station 5 (HQ) #379	156872010
	Generation Place #1612	156690118
	Walnut Grove Elementary #380	105080000
	Walnut Grove Apartments #1511	
	Grove at the Mall/Andresen Heights #3121	160867000
	Orchard Hill #1605	160743110
	Sunrise Grove #2348	104967053
	KEY:	
	CC = Clark County	
	COV = City of Vancouver	

Wetland Mitigation Site Parcels

City of Vancouver - Mitigation Site Annexation

Line Item	Parcel Serial Number	Location	Project Name	Permits	Mitigation Year	Conservation Covenant
1	106111000	NW corner of NE 88th St./NE 62nd Ave.	NE 88th Street - Pond 3	CDE - NWS-2006-1396 ICV - Order 5448 CC - HAB2009-00025	8 of 10	4807019
2		SW corner of NE Padden Parkway/NE Andresen Rd.	Salmon Creek Interchange - Offsite	CDE - NEW-2009-1096 CC - W67201D-00015	5 of 10	3774543 4018046
3		SW corner of NE Padden Parkway/NE Andresen Rd.	Padden West	mitigation requirements complete		3774543
4		SE corner of NE Padden Parkway/NE Andresen Rd.	NE 117/119th St. Realignment - Offsite 2	mitigation requirements complete		3421583
5		SE corner of NE Padden Parkway/NE Andresen Rd.	NE 83rd St./NE Andresen Intersection Improvement	mitigation requirements complete		3421583
6	156194000	NE corner of NE 78th Street/NE Andresen Rd.	NE 78th St./NE Andresen Rd. Phase 1	mitigation requirements complete		3774543
7	156194000	NW corner of NE 78th Street/NE 72nd Avenue	NE 78th St./NE Andresen Rd. Phase 2	mitigation requirements complete		3774543
8	156194000	NE corner of NE 78th Street/NE Andresen Rd.	NE 63rd Street - Offsite	mitigation requirements complete		3774543