Tuesday, April 2, 2024
City Council Workshop - Hybrid (In-Person & Electronic)

5:30 P.M.
City Council Workshop - Hybrid (In-Person & Electronic)

In-Person at College Place City Hall, 625 S College Avenue, College Place Washington

Workshop may be viewed at: Live Stream on City of College Place, Washington YouTube at https://www.youtube.com/channel/UCbx3qrqzLDL_05NusReSl-g/featured
Zoom Attendee Link: https://us06web.zoom.us/j/82357763541

Or you may call this number to listen: 1-669-900-9128 ID# 823 5776 3541 Phone controls: *6 - toggle mute/un-mute and *9 - raise hand

1. Opening Items.

Subject :	1.01 Call To Order
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Procedural

Public Content

Mayor Hernándezwill call the workshop to order.

Subject :	1.02 Roll Call
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Procedural

Public Content

Mayor	Norma L. Hernández
Council Members	Paul T. Jessup, Michael Cleveland, Tito Espinoza Jr., Loren Peterson,

	Melodie Williams,
	Heather Schermann,
	Monica Boyle
	Administrator, Mike Rizzitiello;
	City Attorney, Rea Culwell;
	Finance Director, Brian Carleton;
	Public Works Director, Robert McAndrews;
Staff	Police Chief, Troy Tomaras;
	Fire Chief, David Winter;
	Community Development Director, Jon Rickard;
	HR Manager, Shawn Doering;
	City Clerk, Sherri St. Clair

Subject :	1.03 Pledge of Allegiance
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Procedural

Public Content

"Ipledge allegianceto the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Subject :	1.04 Public Comment -
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	1. Opening Items.
Access :	Public
Type :	Information

Public Content

Council meetings are primarily structured to permit Council Membersto arrive at the decisions necessary to govern the City.

Meeting Protocol for Public Comment:

When submitting public comments, include the following information regardless of the manner you are using: (Note that there are deadlines for writtencomments to be included in the meeting documents.)

- Your Name
- Your Address

WrittenPublic comments may be provided by submitting comment to Clerk@cpwa.usno later than 4:30 PMon the meeting date to be included in the record.(If typewritten, no less than 11 pt font).

VerbalPublic Comments may be made during the meeting:

- In-person at the meeting location - provided at the beginning of each agenda.

Telephone and Virtual Comments:

Any member of the public who desires to make a public comment at the City Council meeting by telephone or remote access, shall provide at least 24 hours notice (excluding weekends and holidays) prior to the start of the meeting at which the member of the public wants to make a comment, notify the City Clerk or designee in writing or by direct verbal communication of their desire to make a comment. Those notice shall include the member's first and last name, address or place of residence, and the topic or topics the comment will touch upon.

- Telephone comment - Call1-669-900-9128, entering the meeting ID (provided at beginning of agenda) and raise your hand (*9 to raise hand, *6 to mute/un-mute) when comments are requested.
- Virtual comment -Join using theZoom Attendee link (provided at beginning of agenda) and raise your hand when comments are requested.

Once recognized, you will have five minutes to speak on any subject that is under the control of the Council.

2. Workshop Topics.

Subject :	2.01 Mandatory minimum sentences for repeat criminal offenders - Ms. Culwell
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion

Public Content

Historical Perspective:

Currently, the City prosecutes the following misdemeanor and gross misdemeanor crimes (minimum jail and fine listed for each):

- Theft (theft of property or services valued at $750 or less); minimum punishment is 0 days in jail and $0 fine.
- Trespass; 0 jail/$0 fine
- Vehicle Prowl; 0 jail/ $0 fine
- Malicious Mischief (intentional damage to property - e.g. tagging); minimum punishment is 0 days in jail and $0 fine.
- Public Disorder (disorderly conduct); 0 jail/$0 fine;
- Indecent exposure; 0 jail/ $0 fine;
- Use of Controlled Substance in Public; 0 jail/ $0 fine

In recent months, the frequency of thefts and attempted thefts from Walmart have increased. Offenders are getting more sophisticated in how they steal from Walmart, including stealing when officers are out on other calls, stealing when law enforcement and/or Walmart loss prevention staff are dealing with a suspected theft, calling in false reports of an emergency to divert law enforcement from investigating thefts, having individuals distract Walmart loss prevention for others to steal, and having multiple individuals steal at the same time. All activities are intended to capitalize on our communities relatively small police force. These individuals know that even if they are caught, there is little if nothing to deter them from stealing again. Staff is seeing offenders from the Tri-Cities area coming to Walmart to steal.

In addition, the City is seeing more incidents of trespass and drug use associated with what is likely homelessness.

Routinely, the City will have a rash of tagging done on City and sometimes private property. Usually it is the doing of one individual.

Information for Consideration:

It is the City Attorney's experience that, the current criminal sentencing structure for these crimes when committed over and over by the same individual is insufficient to deter recidivism. Theft from Walmart impacts not only Walmart's ability to operate in our community, but also impacts other retailer's decision to come to our community. If the loss rate is too high compared to another location, a retailer would chose the other retailer. Walmart is a crucial part of College Place's ability to serve our community and Walmart serves as a necessary retail for our community, offering affordable prices for life necessities.

One option the City can take is to establish mandatory minimum jail terms for those who repeatedly commit crimes.

Marysville, WA has taken this step. Provided with this content is a copy of Marysville's code implementing the mandatory minimums.

Provided with this content are drafts of possible code for enactment for Councilmembers to consider.

Questions to consider:

1. What crime(s) should be included in the mandatory minimum sentencing?

2. What should the mandatory minimum be? Marysville instituted 30 days

3. Should there be an alternative to the mandatory minimum sentence? Recommended by City Attorney based upon caselaw addressing mandatory minimums. Alternatives include community service and behavioral (mental health/substance use disorder) health treatment.

4. Should the City just count convictions from the date of enactment of the ordinance? Or do we want to look back in time and count convictions occurring before enactment?

5. How far back should the City look? 2 years? Marysville instituted 5 years

6. How many convictions triggers the mandatory minimums? 1 prior? Marysville instituted 2 priors

A Draft of possible code amendment to implement mandatory minimums is provided with this content.

File Attachments

Marysville WA Chapter 6.03 GENERAL PROVISIONS.pdf (114 KB)
Mandatory Minimums - Draft City Code Amendment.pdf (90 KB)

Subject :	2.02 Removing Building Inspection for Water Service Unit Change - Ms. Culwell
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion

Public Content

Historical Perspective:

At least since 2019, the City has required water customers having a multi-family dwelling, thus separate unit charge for each dwelling, who desire to use the dwelling as single-family, thus only one unit charge for the property, to obtain an inspection and certification from the City's building department (building officer) to affirm the reduction of multi-dwelling to single-dwelling. A copy of the City's code section 13.04.420 is provided with this content.

The base rate for a single-family unit is less than for a multi-family unit. Multi-family unit base rate is dependent upon the number of units.

Information for Consideration:

In staff's experience, the inspection by the building department provides little benefit to the City; building officials who make such inspections always conclude that the information from and access provided by the user supports single-family use despite the fact that, switching back to multi-family can easily be done after the inspection concludes.

Current City code requires a property owner wishing to change the unit charge from multi-family to single-family certify by signature that the property has changed from multi to single.

Staff requests direction on removing the physical inspection requirement and tweaking the language regarding owner certification as well as a remedy should a user claim single-family and actually use the property as multi-family, such as a fine and back charges.

At council's direction, staff will prepare draft code language to implement changes.

File Attachments

13.04.430 Unit charge protocol amendment.pdf (133 KB)
Unit Charge Protocol Proposed Amendment to 13.04.430.pdf (199 KB)
Unit charge protocol.pdf (40 KB)

Subject :	2.03 Regulating Public Camping - Ms. Culwell
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion

Public Content

Historical Perspective:

While many local governments, the City of Walla Walla included, specifically regulate sitting, lying, camping or storage of personal property on city property, (anti-camping ordinances) the College Place does not.

In September of 2022, the federal Ninth Circuit Court of Appeals issued the*Johnson v. City of Grants Pass*decision which generally held that "when a [city] attempts to punish as a criminal offense the life-sustaining act of sleeping in public with bedding when a person has nowhere ese to go" it is a violation of the federal constitutional right to be free from cruel and unusual punishment. In response to this case, staff was asked to provide a comprehensive memo to council regarding homelessness, public safety, and temporary housing availability.With this content is a Legal Memorandum datedJanuary 5, 2023 with additional content dated April 27, 2023. In May of 2023, Council and staff discussed homelessness, the unhoused using city property, and public safety and whether to more specifically regulate camping in public places. At the time, based upon the information provided by law enforcement and city administration, the City financially supported the Walla Walla Sleep Center where, law enforcement could refer or transfer a person needing shelter rather than arrest and charge a person for trespass. Council requested staff continue to monitor use of City property for living and camping by those experiencing homelessness.

Information for Consideration:

Per law enforcement communication, the incidents and breadth of use of City property for camping, living, and storing personal property has steadily increased over the past year. Police officers have also seen an uptick in evidence of illegal drug use on public property and right of ways. It is common knowledge that in some areas where unhoused congregate experience increase incidents of criminal activity, including unhoused being victims of the crimes that occur, in addition to damage to property and the environment and existence of sanitary health hazards.

Passing a new law regulating camping and storage of personal property on City property would codify the City's current practice of offering a trespasser the option of a place to sleep. It could also provide tools for the City to set up temporary housing and property storage and to set and implement rules for use of the temporary housing and property storage.Such a law would provide detailed guidance not only to the City's police force, but also to the unhoused and

governmental and community based homelessness prevention advocates in hopes of striking a balance between public safety and providing basic needs to those in our community.

The Grants Pass has appealed the 9th Circuit's decision to the US Supreme Court. On January 12, 2024, the Supreme Court accepted the appeal and scheduled oral arguments for April 22, 2024. It is expected that a decision will be issued in August of 2024. City Attorney sees possible outcomes as: 1. 8th Amendment only applies to a person convicted of a crime (Grants Pass involves a class action, the class being all homeless people - not just those punished for a crime), class of plaintiffs haven't been convicted, resulting in overturning the 9th Circ.; 2. Public behavior versus one's status (as homeless) can be criminally and civilly punished as such behavior violates society's values, norms and customs; homelessness is not the same thing as behaving in a way prohibited by society; and 3. Uphold 9th Circuit decision.

A copy of the City of Walla Walla's "Unlawful Camping and Storage of Personal Property" ordinance is provided with this content.

Direction to staff is needed on whether to draft a proposed local ordinance regulating camping and storage of personal property for council and public consideration.

File Attachments

Walla Walla City UNLAWFUL CAMPING AND STORAGE OF PERSONAL PROPERTY.pdf (138 KB)

Subject :	2.04 Downtown Public Parking - Ms. Culwell
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	2. Workshop Topics.
Access :	Public
Type :	Discussion

Public Content

Historical Perspective:

In May of last year, 2023, the City passed by Ordinance 23-007, (copy provided) designating the Stone Creek/Downtown College Place Tax Increment Area (TIA) and identified the public improvements to be financed by the incremental increase in property tax revenue generated from increased assess value of properties improved by private development within the TIA. On public improvement identified by the City is Downtown Parking Lot(s).

The decision to designate the downtown public parking as a desired improvement was based on the College Place Stone Creek & Downtown Tax Increment Financing (TIF) Project Analysis (copy provided) prepared by the City's consultant in consultation with City staff and leadership as follows:

"TIF is proposed to fund the full cost of $1,400,000. City officials have cited a lack of parking in the Downtown area along College Avenue as deterring business and private investment in the Downtown. TIF funds would be used to acquire land and building 3-4 surface parking lots in the Downtown corridor likely providing up to 183 parking spaces that could be accessed by the land uses Downtown."

Information for Consideration:

City staff has reach out to owners of land which could fulfill or help fulfill the City's Downtown parking needs and such effort has not resulted in any viable options for the City to obtain and develop a Downtown parking facility. City staff will continue to try to work with owners of such property.

City administration has directed staff to draft a proposed Lease Agreement between the City and Walla Walla University for the City to provide Downtown public parking.

Washington State law allows City owned and/or operated public parking with some conditions. Provided with this content is a copy of the applicable RCW sections, in sum:

- the City has authority to provide off-street parking and facilities for park/civic center purposes and for other purposes pursuant to RCW 35.86A.120 (35.86.010) (applicable through 35A);
- in order for the City to provide the parking pursuant to RCW 35.86A.120, because it is not used for park/civic center parking (Downtown area access), the Citymust do so via a responsible, experienced private operators of such facilities.
- City must follow the bid requirements in RCW 35.86A.120.
- City may operate for 3 years if no satisfactory operator

Provided herewith is a draft lease agreement.

File Attachments

RCW 35.86.010_ Space and facilities authorized_.pdf (118 KB)
RCW 35.86.010_ Space and facilities authorized_.pdf (118 KB)
TIA TIF Ordinance.pdf (809 KB)
May 2 2023 - February 1 2023 COLLEGE PLACE Final Project Analysis_Appendix_1.pdf (12,860 KB)
Parking Lot Lease with WWU.pdf (204 KB)

3. Closing Items.

Subject :	3.01 Good of the Order
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	3. Closing Items.
Access :	Public
Type :	Discussion, Information
Subject :	3.02 Conclusion
Meeting :	Apr 2, 2024 - City Council Workshop - Hybrid (In-Person & Electronic)
Category :	3. Closing Items.
Access :	Public
Type :	Procedural

Public Content

Mayor Hernández will conclude the workshop.

Chapter 6.03
GENERAL PROVISIONS

Sections:

6.03.010 Short title.

6.03.020 Effective date.

6.03.030 Provisions not retroactive.

6.03.040 Alternative dispositions of criminal cases.

6.03.050 Collection of judgments.

6.03.060 Civil contempt.

6.03.070 Costs of prosecution and defense.

6.03.080 Age of capacity.

6.03.090 Statute of limitations.

6.03.100 Presumption of innocence.

6.03.110 Arrests – Citations – Warrants.

6.03.120 Classification of crimes – Penalties.

6.03.130 Mandatory minimum sentences for public disorder crimes.

6.03.010 Short title.

This title shall be known and may be cited as the Marysville Penal Code. (Ord. 965 § 1.01, 1977).

6.03.020 Effective date.

The provisions of Chapters 6.03 through 6.60 MMC shall apply to any offense committed on or after December 5, 1977, which is defined in said chapters, unless otherwise expressly provided or unless the context otherwise requires, and shall also apply to any defense to prosecution for such offense. (Ord. 965 § 1.02, 1977).

6.03.030 Provisions not retroactive.

The provisions of Chapters 6.03 through 6.60 MMC do not apply to or govern the construction of and punishment for any offense committed prior to December 5, 1977, or to the construction and application of any defense to a prosecution for such an offense. Such an offense must be construed and punished according to the provisions of law existing at the time of the commission thereof in the same manner as if Chapters 6.03 through 6.60 MMC had not been enacted. (Ord. 965 § 1.03, 1977).

6.03.040 Alternative dispositions of criminal cases.

(1) Compromise and Dismissal. In all cases where a defendant is charged with a criminal act for which there is a civil remedy available to the victim, except in those cases involving offenses against public officers or violence of any nature, the court may, in its discretion, dismiss all criminal charges upon a finding that the victim has acknowledged in writing that he has received satisfaction for the injury or loss sustained, and upon payment by the defendant of all costs incurred by the city in the proceedings.

(2) Assessment of Punishment. If a defendant is found guilty, the court shall set the punishment therefor in the form of a judgment for costs as provided in MMC 6.03.070, and a fine or imprisonment, or both, as provided in MMC 6.03.120.

(3) Deferral of Sentence. After a conviction, the court may defer sentencing the defendant and place the defendant on probation and prescribe the conditions thereof. Such conditions may include making restitution to the victim of the crime and the payment of court costs and a fine in an amount equivalent to that which would have been assessed had the sentence not been deferred. In no case shall the time of deferral extend for more than two years from the date of conviction. During the time of deferral the court may, for good cause shown, permit a defendant to withdraw his plea of guilty, permit him to enter a plea of not guilty, and dismiss the charges against him. If the defendant fails to comply with any term or condition imposed by the court during the deferral, the defendant shall be required to appear before the court and the court may enter a conviction upon his record and impose sentence.

(4) Suspension of Sentence. For a period not to exceed two years after imposition of sentence, the court shall have continuing jurisdiction and authority to suspend the execution of all or any part of its sentence upon stated terms and conditions. Such conditions may include making restitution to the victim of the crime and payment of court costs and a fine. If the defendant fails to comply with any term or condition of probation, he shall be required to appear before the court for revocation of probation and for resentencing.

(5) Restitution in Lieu of Punishment. If a person has gained money or property or caused a victim to lose money or property through the commission of a crime, upon conviction thereof, the court, in lieu of imposing a fine or imprisonment authorized by MMC 6.03.120, may order the defendant to pay an

amount fixed by the court, not to exceed double the amount of the defendant's gain or the victim's loss from the commission of the crime. Such amount shall be used to provide restitution to the victim at the order of the court. In such case, the court shall make a finding as to the amount of the defendant's gain or the victim's loss from the crime; and if the record does not contain sufficient evidence to support such finding, the court may conduct a hearing upon the issue. For the purpose of this section, the terms "gain" or "loss" refer to the amount of money or the value of property or services gained or lost. (Ord. 1777 §§ 1, 2, 1990; Ord. 1221 § 2, 1982).

6.03.050 Collection of judgments.

Upon conviction and entry of judgment for a fine and costs, execution may be issued against the property of a defendant and returned in the same manner as in civil actions. Upon order of the court, a convicted defendant who is in default on payment of any monetary sums required by the judgment may be imprisoned until all such monetary sums are either paid, credited for time served, or worked out at a community service project designated by the city. A defendant shall be given credit of $25.00 for each day of imprisonment and $5.00 per hour for work on a designated community service project. (Ord. 1777 § 3, 1990; Ord. 1221 § 3, 1982; Ord. 965 § 1.07, 1977).

6.03.060 Civil contempt.

A court may, in its discretion, treat any intentional failure to comply with a court order in respect to fines or costs or both, upon conviction, as civil contempt. (Ord. 965 § 1.08, 1977).

6.03.070 Costs of prosecution and defense.

Whenever anyone is convicted of an offense under this title, in addition to the fine imposed, he must pay the costs of prosecution. Costs of prosecution shall include any or all of the following: cost of docketing, cost of issuing a warrant, cost for mileage and processing the warrant, a fee for a personal recognizance bond, and costs for witness fees. Furthermore, in the court's discretion, a defendant may be required to reimburse the city for the cost of retaining assigned defense counsel. If in default on any of the above costs, a defendant shall be imprisoned until such fine and costs of prosecution and defense are paid, credited for time served, or worked out at a community service project designated by the city. A defendant shall be given credit of $25.00 for each day of imprisonment, and $5.00 per hour for work on a designated community service project. (Ord. 1777 § 4, 1990; Ord. 1221 § 4, 1982; Ord. 965 § 1.09, 1977).

6.03.080 Age of capacity.

Children under the age of eight years are incapable of committing crime. Children of eight years and under 12 years of age are presumed to be incapable of committing crime, but this presumption may be removed by proof that they have sufficient capacity to understand the act or neglect, and to know that it was wrong. Whenever in legal proceedings it becomes necessary to determine the age of a

child, he may be produced for inspection, to enable the court or jury to determine the age thereby; and the court may also direct his examination by one or more physicians, whose opinion shall be competent evidence upon the question of his age. (Ord. 965 § 1.10, 1977).

6.03.090 Statute of limitations.

Prosecutions for criminal offenses defined in the Marysville Municipal Code, and for those state statutes incorporated herein by reference, may be commenced at any time within two years after their commission if they constitute gross misdemeanors, and at any time within one year after their commission if they constitute misdemeanors; provided, that the statutes of limitations prescribed herein shall not run during any time when the person charged is not usually and publicly resident within the state of Washington. (Ord. 1777 § 5, 1990; Ord. 965 § 1.11, 1977).

6.03.100 Presumption of innocence.

Every person charged with the commission of a crime is presumed innocent unless proved guilty. No person may be convicted of a crime unless each element of such crime is proved by competent evidence beyond a reasonable doubt. (Ord. 965 § 1.12, 1977).

6.03.110 Arrests – Citations – Warrants.

(1) A peace officer may arrest a person without a warrant if the officer has probable cause to believe that such person has:

(a) Committed a crime in the officer's presence; or

(b) Committed a crime not in the officer's presence if allowed by RCW 10.31.100, as now or hereafter amended.

(2) Whenever a person is arrested for a violation of the law, the arresting officer, or any other authorized peace officer, may serve upon the arrested person a citation and notice to appear, in lieu of continued custody, as provided by the Criminal Rules for Justice Court, as now or hereafter amended.

(3) Warrants shall issue and bail shall be set for persons who violate their promise to appear in court as provided by the Criminal Rules for Justice Court, as now or hereafter amended. The Criminal Rules for Justice Court shall apply to procedures relating to arrests, citations, warrants and other criminal proceedings. (Ord. 965 § 1.13, 1977).

6.03.120 Classification of crimes – Penalties.

All offenses defined by this title, or by any state statute which is incorporated herein by reference, constitute crimes and are classified as misdemeanors or gross misdemeanors as indicated by state law for the particular offense; provided, that where no express designation is made in state law or this

code, such crimes shall be misdemeanors. Any party convicted of having committed a misdemeanor or gross misdemeanor shall be punished by a fine and/or imprisonment not to exceed the limits set forth for misdemeanors and gross misdemeanors in RCW 9A.20.021(2) and (3).

(1) Gross Misdemeanor. Every person convicted of a gross misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than 364 days, or by a fine in an amount fixed by the court of not more than $5,000, or by both such imprisonment and fine.

(2) Misdemeanor. Every person convicted of a misdemeanor shall be punished by imprisonment in jail for a maximum term fixed by the court of not more than 90 days, or by a fine in an amount fixed by the court of not more than $1,000, or by both such imprisonment and fine. (Ord. 2951 § 5, 2014; Ord. 2748 § 1, 2008; Ord. 1993 § 2, 1994; Ord. 1421 § 2, 1985; Ord. 965 § 1.05, 1977).

6.03.130 Mandatory minimum sentences for public disorder crimes.

(1) “Public disorder crime” means theft in the third degree, vehicle prowling, criminal trespass, and use of a controlled substance in a public place. Multiple charges on the same date count as one public disorder crime.

(2) Upon a conviction for a public disorder crime charged on or after the effective date of the ordinance codified in this section, the municipal court shall impose a mandatory minimum sentence of no less than 30 days in jail if, within the five years prior to the conviction, the defendant had, in the state of Washington, two or more of the following dispositions for any crime defined in this section as a public disorder crime:

(a) A conviction; or

(b) A stipulated order of continuance or similar agreement; or

(c) A deferred sentence.

(3) A stipulated order of continuance shall be considered a disposition for the purposes of this section regardless of whether it has been revoked or whether the defendant successfully completed the terms of the stipulation resulting in the dismissal of the charge.

(4) A deferred sentence shall be considered a disposition for the purposes of this section regardless of whether judgment has been entered or whether the defendant successfully completed the terms of the sentence resulting in the dismissal of the charge.

(5) If a defendant is convicted of two or more public disorder crimes on the same date and the offenses occurred on separate dates, then a mandatory minimum sentence shall be imposed for each public disorder crime conviction.

(6) Post-Sentencing Petitions.

(a) A defendant sentenced to a mandatory minimum sentence under this section and serving the sentence may petition the municipal court for relief from the sentence if he or she meets the following criteria:

(i) A qualified professional has determined that the defendant would benefit from in-patient drug or alcohol treatment;

(ii) The defendant has a specific bed date to enter the treatment program during the defendant's commitment to jail;

(iii) The defendant executes a waiver to release information to the city regarding the defendant's presence in the treatment facility and whether the defendant successfully completed the treatment program;

(iv) The defendant agrees in writing to attend treatment and comply with all treatment recommendations; and

(v) The municipal court finds that treatment is an appropriate alternative to jail.

(b) If the municipal court grants the petition, the judge may enter an order of release with appropriate conditions. The court will advise the defendant of the penalties for escape in the third degree – absconding from treatment.

(c) If the defendant provides proof of successful completion of treatment to the satisfaction of the municipal court, the court may suspend any remaining jail time.

(7) A defendant who otherwise would be subject to a mandatory minimum sentence under this section, and who diverts through the municipal court's Mental Health Alternatives (MAP) program, is subject to a mandatory minimum sentence under this section if he or she opts out of the program or fails to complete the program. (Ord. 3289 § 1 (Exh. A), 2023).

Disclaimer: The city clerk’s office has the official version of the Marysville Municipal Code. Users should contact the city clerk’s office for ordinances passed subsequent to the ordinance cited above.

City Website: https://www.marysvillewa.gov/
City Telephone: (360) 363-8000

Code Publishing Company

NEW SECTION:

9.04.070 – Mandatory minimum jail and jail alternative sentences for repeat criminal offenders.

A. This section shall apply to criminal matters filed by the City.

B. "Prior criminal disposition" means a conviction, stipulated order of continuance or similar agreement, deferred prosecution, and/or deferred sentence.

C. "Public disorder crime" means a misdemeanor or gross misdemeanor violation of:

1. Chapter 9A.52 RCW (Trespass)
2. Chapter 9A.84 RCW (Public Disorder)
3. Chapter 9A.56 RCW (Theft)
4. Chapter 9A.48 RCW (Malicious Mischief)
5. Chapter 9A.84 RCW (Public Disturbance)
6. RCW 9A.88.010 (Indecent exposure)
7. RCW 69.50.4013(1)(b) (Use of Controlled Substance in Public Place)
8. Chapter 9A.28 RCW (Attempt, Solicitation, and Conspiracy) to commit crime listed in this subsection above, 1-7
9. Chapter 9A.28 RCW (Attempt, Solicitation, and Conspiracy) to commit a class C violation of Chapters 9A.52, 9A.84, 9A.56, 9A.88, and 65.50 RCW

D. Upon a conviction for a public disorder crime charged on or after the effective date of the ordinance codified in this section, the court with jurisdiction to adjudicate the City's criminal cases (Court), shall impose a mandatory minimum sentence of no less than 30 days in jail if, within three years prior to the conviction, the defendant had, in the state of Washington, one or more prior criminal disposition(s) for a public disorder crime.

E. If a defendant is convicted of two or more public disorder crimes on the same date and the offenses occurred on separate dates, the defendant shall be subject to this section as if the defendant had been convicted of the offense which occurred first prior to being convicted of the offense which occurred last and the Court shall impose a mandatory minimum sentence pursuant to subsection D for each public disorder crime conviction.

F. Post-Sentencing Petition.

1. A defendant sentenced to a mandatory minimum and serving the sentence may petition the Court for relief from the sentence if he, she, or they meet the following criteria:

    i. A qualified professional has determined the defendant would benefit from inpatient substance use disorder treatment;

ii. The defendant has a specific inpatient date (bed date);

iii. The defendant executes a waiver to release all treatment information to the City; and

iv. The Court finds treatment is an appropriate alternative to jail.

2. If the Court grants the petition, a judge may enter an order of release with appropriate conditions, to include treatment.

3. If the defendant provides proof of successful completion of treatment to the satisfaction of the Court, the Court may suspend any remaining jail time.

4. If the defendant fails to successfully complete treatment to the satisfaction of the Court, the Court shall require the defendant to serve any remaining mandatory jail sentence.

G. A defendant who otherwise would be subject to a mandatory minimum sentence under this section and who diverts through a therapeutic or community court program, is subject to a mandatory sentence under this section if he, she, or they opts out of or are terminated from the program due to non-compliance or fails to complete the program.

DRAFT

City of College Place, Washington

ORDINANCE NO. 24-XXX

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON TO AMEND COLLEGE PLACE MUNICIPAL CODE 13.04.430 – UNIT CHARGE PROTOCOL TO REMOVE CITY INSPECTION AND REQUIRE ATTESTATION UNDER OATH OF NUMBER OF WATER UTILITY UNITS

Whereas the City of College Place is a non-charter code city governed by the rules and regulations of RCW 35A; and

Whereas the City has the authority to and does provide water utility services to customers within the City's water utility service area pursuant to Chapter 35.92 RCW; and

Whereas the City's authority to provide water includes the authority to require charging a per unit rate for each dwelling unit and the City, for residential use, does charge per dwelling unit; and

Whereas the City's current code section 13.04.430 governs the procedure to be taken when the property being served by the City water utility changes from a multi-family dwelling to a single-family dwelling and includes a required inspection by the City building official; and

Whereas such mandatory inspection does not serve the City's interest of accurately and fairly charging customers for water utility service; and

Whereas requiring customers and potential customers to attest under oath to the truth of their statement as to the number of dwelling units to be served at a particular property coupled with the City's established ability to monitor and inspect water utility and usage by customers will better serve the City's interest in accurately and fairly charging customers for water utility service and in efficient use of City's resources; and

Whereas City code 13.04.430 should be modified to eliminate the mandatory physical inspection requirement and require attestation under oath by the utility customer as to the number of dwelling units to be served at any one property.

Now therefore, the City Council of the City of College Place do hereby Ordain as follows:

Section 1: Amend section 13.04.430 of the College Place City code as attached hereto as Exhibit A and fully incorporated herein.

Section 3: Clerical Corrections. The City Clerk and the codifiers of this ordinance are authorized to make necessary clerical corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 4: Severability. If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 5: Effective Date. This ordinance shall take effect and be in full force five days after its passage and publication as provided by law.

PASSED by the City Council of the City of College Place, Washington, this _____ day of _____, 2024.

_____
Norma L. Hernández, Mayor

Attest:

_____
Sherri St. Clair, City Clerk

Approved as to form:

_____
Rea Culwell, City Attorney

13.04.430 - Unit charge protocol.

A. A property is considered a "multiple-dwelling unit dwelling" if two of the following conditions are met:

    1. A door with a separate lock and key separates units.

    2. Units have different addresses.

    3. A door with a separate lock and key separates units.

    4. Units have different addresses.

    5. Units have separate mailboxes.

    6. Unit has more than one full bathroom consisting of a sink, bathtub/shower.

    7. Unit has more than one kitchen consisting of a sink and common appliances including a refrigerator and a stove.

B. Within 60 business days of purchase if a new property owner reports to the city finance department that a previously classified single-family home does in fact have multiple units the owner will be responsible for future unit charges and will not be held responsible for incorrect reporting by the prior owner. This shall not apply if reported to the city after 60 business days.

C. If a single-family dwelling unit is converted to a multiple-dwelling unit, the change must be reported to the city finance department within 30 business days by the property owner. The base rate for each unit shall apply. Failure to report such change will subject the property owner to a per day fine of $1,000.00. The city can certify presence of multiple units upon proof of solicitation of tenants or any other reasonable means.

D. If a multiple-dwelling unit property is converted to a single-family dwelling unit, the property owner should report the change to the city within 30 business days. ~~The building official or designee must certify.~~ Prior to the City converting the account to a single-family dwelling ~~A fee for the building official to inspect the change will apply as stated in the annual fee schedule adopted by the city council. T~~the property owner must sign a form declaring under the penalty of perjury of the laws of Washington state, that the property is being used as a single-family dwelling unit and must pay the City a conversion fee as set by City Council in its annual fee schedule~~and the subject property will then be charged the single-family base rate~~.

13.04.430 - Unit charge protocol.

A. A property is considered a "multiple-dwelling unit dwelling" if two of the following conditions are met:

1. A door with a separate lock and key separates units.
2. Units have different addresses.
3. Units have separate mailboxes.
4. Unit has more than one full bathroom consisting of a sink, bathtub/shower.
5. Unit has more than one kitchen consisting of a sink and common appliances including a refrigerator and a stove.

B. Within 60 business days of purchase if a new property owner reports to the city finance department that a previously classified single-family home does in fact have multiple units the owner will be responsible for future unit charges and will not be held responsible for incorrect reporting by the prior owner. This shall not apply if reported to the city after 60 business days.

C. If a single-family dwelling unit is converted to a multiple-dwelling unit, the change must be reported to the city finance department within 30 business days by the property owner. The base rate for each unit shall apply. Failure to report such change will subject the property owner to a fine of $1,000.00. The city can certify presence of multiple units upon proof of solicitation of tenants or any other reasonable means.

D. If a multiple-dwelling unit property is converted to a single-family dwelling unit, the property owner should report the change to the city within 30 business days. The building official or designee must certify. A fee for the building official to inspect the change will apply as stated in the annual fee schedule adopted by the city council. The property owner will need to sign a form certifying the change and the subject property will then be charged the single-family base rate.

(Ord. No. 19-018 , § 1(Exh. 3), 7-9-2019)

Chapter 9.18
UNLAWFUL CAMPING AND STORAGE OF PERSONAL PROPERTY

Sections:

9.18.010 Definitions.

9.18.020 Unlawful camping in streets, roadways, parking lots, planting strips, medians, traffic islands, parks and other areas.

9.18.025 Unlawful camping on sidewalks.

9.18.030 Storage of personal property in public places.

9.18.040 Erecting camping facilities or camping paraphernalia on public parks or property.

9.18.050 Camping in parks prohibited.

9.18.060 Camping on public property prohibited.

9.18.070 Parked recreational vehicles.

9.18.080 Conditions for remaining in camping areas.

9.18.100 Penalty.

9.18.010 Definitions.

A. “Camping” or “camp” means to pitch or occupy camp facilities, and/or to use camping paraphernalia.

B. “Camping facilities” includes, but is not limited to, tents, huts, or temporary shelters made of any material.

C. “Camping paraphernalia” includes, but is not limited to, tarpaulins, cots, beds, sleeping bags, hammocks, and/or outdoor cooking facilities such as camp stoves.

D. “City” means the city of Walla Walla.

E. “Planting strip” means the area between a sidewalk or trail and a street.

F. “Public property” means all property owned, operated, or controlled by the city.

G. “Recreational vehicle” means a travel trailer, motor home, truck camper, or camping trailer that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, and is transient.

H. “Store” means to put aside or accumulate for use when needed, to put for safekeeping, to place or leave in a location unattended.

I. “Street” means any highway, lane, road, street, right-of-way, boulevard, alley and every way or place in the city open to the public for vehicular travel.

J. “Trail” means any pathway or trail in the city, owned, operated or maintained by the city, that is open to the public for walking, biking or other nonvehicular travel. (Ord. 2017-04 § 2 (part), 2017).

9.18.020 Unlawful camping in streets, roadways, parking lots, planting strips, medians, traffic islands, parks and other areas.

A. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia at any time in the following areas:

1. Any street, roadway, alley, or public right-of-way that is used or designed for use by motor vehicles;

2. Any multi-use path or trail;

3. Any parking lot or other public property, improved or unimproved, that is used or designed for use by motor vehicles;

4. Any planting strip, street median, street median strip, street median island, traffic island, roundabout island, pedestrian refuge island or median, or other area or device that is used or designed to separate streets or roadways from sidewalks, control intersections, or otherwise calm or direct the travel of motor vehicles;

5. Any park, except in camping areas designated in accordance with Section 9.18.050; and

6. Any public property, except in camping areas designated in accordance with Section 9.18.060.

B. In addition to other remedies provided by law, including, but not limited to, the penalty provisions of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.05. (Ord. 2019-05 § 4, 2019: Ord. 2017-04 § 2 (part), 2017).

9.18.025 Unlawful camping on sidewalks.

A. April, May, June, July, August, September, and October.

1. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of nine a.m. and six p.m. each day during the months of April, May, June, July, August, September, and October.

2. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of six p.m. and nine a.m. of the following day during the months of April, May, June, July, August, September, and October when space is available for the person to camp at an area designated in accordance with Section 9.18.050 or 9.18.060 or shelter accommodations or other housing is otherwise available to the person.

B. March and November.

1. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of nine a.m. and five p.m. each day during the months of March and November.

2. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of five p.m. and nine a.m. of the following day during the months of March and November when space is available for the person to camp at an area

designated in accordance with Section 9.18.050 or 9.18.060 or shelter accommodations or other housing is otherwise available to the person.

C. December, January, and February.

1. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of nine a.m. and four p.m. each day during the months of December, January, and February.

2. It shall be unlawful for any person to camp, occupy camp facilities, or use camp paraphernalia on any sidewalk between the hours of four p.m. and nine a.m. of the following day during the months of December, January, and February when space is available for the person to camp at an area designated in accordance with Section 9.18.050 or 9.18.060 or shelter accommodations or other housing is otherwise available to the person.

D. Space and accommodations shall be considered available under this section unless they are actually unavailable for reason(s) other than choice or misconduct of the person who is found camping, occupying camp facilities, or using camp paraphernalia.

E. It is unlawful for camp facilities and camp paraphernalia to unreasonably obstruct or interfere with pedestrian or vehicular traffic at any time.

F. In addition to other remedies provided by law, including, but not limited to, the penalty provisions of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.05. (Ord. 2019-05 § 5, 2019).

9.18.030 Storage of personal property in public places.

A. It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camp paraphernalia, in the following areas:

1. Any street, roadway, alley, or public right-of-way that is used or designed for use by motor vehicles;

2. Any multi-use path or trail;

3. Any parking lot or other public property, improved or unimproved;

4. Any planting strip, street median, street median strip, street median island, traffic island, roundabout island, pedestrian refuge island or median, or other area or device that is used or designed to separate streets or roadways from sidewalks, control intersections, or otherwise calm or direct the travel of motor vehicles;

5. Any park, except in camping areas designated in accordance with Section 9.18.050; and

6. Any public property, except in camping areas designated in accordance with Section 9.18.060.

B. It shall be unlawful for any person to store personal property, including, but not limited to, camp facilities and camp paraphernalia, on a sidewalk area when storage space is available at a camping area designated in accordance with Section 9.18.050 or 9.18.060 or reasonably available at some other location.

1. Storage space shall be considered available under this subsection unless it is actually unavailable for reason(s) other than choice or misconduct of the person whose property is found

stored on a sidewalk.

C. It is unlawful for personal property to unreasonably obstruct or interfere with pedestrian or vehicular traffic at any time.

D. In addition to other remedies provided by law, including, but not limited to, the penalty provisions of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.05. (Ord. 2019-05 § 6, 2019: Ord. 2017-04 § 2 (part), 2017).

9.18.040 Erecting camping facilities or camping paraphernalia on public parks or property.
A. It shall be unlawful to erect, install, place, leave, or set up any type of permanent or temporary camping paraphernalia or camping facilities or structure of any material(s) intended for camping in or upon any public park or property without a permit or other express authorization from the city.

B. In addition to other remedies provided by law, including, but not limited to, the penalty provision of this chapter, any violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.05.

C. The provisions of this section do not apply to camping areas designated in accordance with Section 9.18.050 or 9.18.060. (Ord. 2019-05 § 7, 2019: Ord. 2017-04 § 2 (part), 2017).

9.18.050 Camping in parks prohibited.
Camping in public parks is prohibited except in areas expressly designated by the city manager as camping areas and during times designated by the city manager. The city manager is authorized to promulgate rules and regulations regarding the use of designated camping areas. (Ord. 2017-04 § 2 (part), 2017).

9.18.060 Camping on public property prohibited.
Camping on public property is prohibited except in areas expressly designated by the city manager as camping areas and during times designated by the city manager. The city manager is authorized to promulgate rules and regulations regarding the use of designated camping areas. (Ord. 2017-04 § 2 (part), 2017).

9.18.070 Parked recreational vehicles.
A. All recreational vehicles parked on city streets shall abide by the parking rules and regulations of the city, including, but not limited to, Chapter 10.13.

B. Recreational vehicles shall not be used for residential purposes in any parking lot or other public property, improved or unimproved, except as provided in subsection C of this section.

C. The city manager is authorized to designate areas on public property where recreational vehicles may be used for temporary residential purposes; provided, that such areas have adequate facilities to accommodate such vehicles. The city manager is authorized to promulgate rules and regulations regarding the use of areas designated for temporary residential use by recreational vehicles.

D. In addition to other remedies provided by law, including, but not limited to, the penalty provision of this chapter, use of a recreational vehicle in violation of this section is hereby declared to be a public nuisance. The city may abate any such nuisance as provided in Chapter 8.05. (Ord. 2017-04 § 2 (part), 2017).

9.18.080 Conditions for remaining in camping areas.

In addition to the general conditions for entering and remaining in city-owned buildings and on city-owned property established by Section 9.22.020, it is a condition for entering and remaining in camping areas designated in accordance with Section 9.18.050, 9.18.060 or 9.18.070 that persons comply with rules and regulations promulgated by the Walla Walla city manager. (Ord. 2017-14 § 1, 2017).

9.18.100 Penalty.

Any person violating any of the provisions of this chapter shall, upon conviction of such violation, be found guilty of a misdemeanor punishable in accordance with Chapter 1.24. (Ord. 2017-04 § 2 (part), 2017).

The Walla Walla Municipal Code is current through Ordinance 2023-37, passed December 20, 2023.

Disclaimer: The City Clerk's Office has the official version of the Walla Walla Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

City Website: https://www.wallawallawa.gov/
City Telephone: (509) 527-4424

Code Publishing Company

PDF **RCW 35.86.010**

Space and facilities authorized.

Cities of the first and second classes are authorized to provide off-street parking space and facilities located on land dedicated for park or civic center purposes, or on other municipally-owned land where the primary purpose of such off-street parking facility is to provide parking for persons who use such park or civic center facilities. In addition a city may own other off-street parking facilities and operate them in accordance with RCW **35.86A.120**.

[**1997 c 361 § 16**; **1975 1st ex.s. c 221 § 1**; **1967 ex.s. c 144 § 13**; **1965 c 7 § 35.86.010**. Prior: **1961 c 186 § 1**; **1959 c 302 § 1**.]

NOTES:

Severability—1975 1st ex.s. c 221: "If any provision of this 1975 amendatory act, or its application to any person or circumstance is held invalid, the remainder of the act, or the application of the provision to other persons or circumstances is not affected." [**1975 1st ex.s. c 221 § 5**.]

Severability—1967 ex.s. c 144: See note following RCW **36.900.030**.

*Off-street parking space and facilities in towns: RCW **35.27.550** through **35.27.600**.*

*Public parks in or beneath off-street parking space or facilities—Revenue bond financing—Special funds —Use of off-street and on-street parking revenues: RCW **35.41.010**.*

PDF **RCW 35.86.010**

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City of College Place, Washington
ORDINANCE NO. 23-007

AN ORDINANCE OF THE CITY OF COLLEGE PLACE, WASHINGTON, DESIGNATING THE STONE CREEK/DOWNTOWN COLLEGE PLACE TAX INCREMENT AREA, SETTING A SUNSET DATE FOR THE INCREMENT AREA, IDENTIFYING THE PUBLIC IMPROVEMENTS TO BE FINANCED, INDICATING THE CITY'S INTENT TO ISSUE BONDS TO FINANCE PUBLIC IMPROVEMENT COSTS IN A MAXIMUM PRINCIPAL AMOUNT NOT TO EXCEED $8,186,000, PROVIDING THAT THE INCREMENT AREA WILL TAKE EFFECT ON JUNE 1, 2023, IMPOSING A DEADLINE FOR COMMENCEMENT OF CONSTRUCTION, AND PROVIDING FOR RELATED MATTERS.

WHEREAS, for many recent years, the City has been studying, evaluating, designing and completing key infrastructure improvements to enable a residential and commercial use development within the Stone Creek and Downtown area; and

WHEREAS, the City has identified a proposed Tax Increment Area (TIA) of approximately 258.9 acres of property that is being planned for residential and some commercial development and is in need of substantial infrastructure improvements to support the desired development; and

WHEREAS, the TIA has the opportunity, if developed, to provide a variety of housing types, parks, open space and commercial amenities for the community providing for increased tax revenues to support City services and providing employment opportunities and housing options for the residents of the City; and

WHEREAS, the Washington State Legislature, during its 2021 legislative session, enacted Engrossed Substitute House Bill 1189 as Chapter 207, Laws of 2021, titled "AN ACT Relating to tax increment financing" and codified as Chapter 39.114 RCW (the "TIF Act"), which authorizes local governments, including cities, to carry out tax increment financing of public improvements needed to support vital private economic development projects; and

WHEREAS, Tax Increment Financing (TIF) Act authorizes the allocation of property tax revenues generated from the increased assessed valuation of properties improved by private development that are within a TIA to pay for public improvements that are needed to support the private development; and

WHEREAS, City management has identified the TIF public improve improvements (TIF Projects) that are outside of a developer's ability to fund and achieve the desired development based on market conditions necessary to accommodate housing demands and commercial tenants; and

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WHEREAS, the TIF infrastructure improvements have been estimated to cost approximately $18.9 million to construct; and

WHEREAS, the TIF Projects are key to supporting and managing the City's growth demands with development of roads and additional housing, including affordable housing; and

WHEREAS, City management anticipates bringing forward for Council consideration an agreement between the City and future developers that memorializes the infrastructure improvement responsibilities and private development associated with the TIF projects;

WHEREAS, it is expected the Stone Creek area developers will dedicate approximately 131 acres of land in the identified TIA to develop with the benefit of the TIF Projects and will fund and construct additional public improvements resulting in an estimated value of $403,133,000.00 in project benefit; and

WHEREAS, City management anticipates bringing forward for Council consideration an agreement between the City and future developers that memorializes the infrastructure improvement responsibilities and private development associated with the TIF infrastructure improvements; and

WHEREAS, the City has prepared a Project Analysis for the Stone Creek and Downtown TIA and submitted such to the Office of the State Treasurer for review and comment as required by law; and

WHEREAS, there exists no TIA within College Place and the TIA does not consist of the entire geographical area of the City and does not have an assessed valuation of more than $200,000,000 or more than 20% of the City's total assessed valuation;

WHEREAS, the Office of the State Treasurer has completed its review of the Stone Creek and Downtown Project Analysis and has stated that it meets the requirements of the TIF Act; and

WHEREAS, the City has conducted public briefings on the proposed TIA to inform the community and other public agencies about the anticipated benefits and impacts associated with the development; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLLEGE PLACE, WASHINGTON, AS FOLLOWS:

Section 1. Definitions. Capitalized terms used in this ordinance shall have the meanings set forth in the recitals to this ordinance above and in this Section 1. The uncapitalized terms "public improvement costs," "regular property taxes," and "tax allocation revenues," used in this ordinance shall have the meanings provided for those terms by RCW 39.114.010, as the context requires.

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(a) *"City"* means the City of College Place, Washington

(b) *"Code"* means the Internal Revenue Code of 1986, as amended, and applicable rules and regulations promulgated thereunder.

(c) *"Council"* means the College Place City Council, acting in its legislative capacity.

(d) *"County"* means Walla Walla County, Washington.

(e) *"Finance Director"* means the Director of Finance of the City or such other officer of the City who succeeds to substantially all of the responsibilities of that office.

(f) *"Increment Area"* means the 258.9 acres of land designated by Section 2 of this ordinance as the "Stone Creek and Downtown Increment Area."

(g) *"Project Analysis"* means the City's Stone Creek and Downtown TIF Project Analysis submitted to the Washington State Treasurer on February 1, 2023 for its review and comment.

(h) *"Treasurer's Review Letter"* means the letter to the City from the Office of State Treasurer dated April 28, 2023, summarizing its review of and providing comments, recommendations and acceptance with respect to the Project Analysis for consideration by the City.

Section 2. Designation of Increment Area. Pursuant to the TIF Act, the City designates the 258.9-acre parcel of land known as the Stone Creek and Downtown development and described in **Exhibit A** to this ordinance as the "Stone Creek and Downtown Increment Area." In making this designation, the Council takes note of the facts that the Increment Area (i) is the only increment area designated by the City under the TIF Act, (ii) is located within the boundaries of the City, (iii) does not include the City's entire territory, and (iv) does not have an assessed value on the date of this ordinance greater than the lesser of $200,000,000 or 20 percent of the total assessed value of taxable property within the City of $22,446.010.

Section 3. Sunset Date of the Increment Area. The sunset date of the Increment Area is hereby set as (i) December 31, 2049, which is the date not later than 25 years after the first year (calendar year 2024) in which tax allocation revenues will be collected on taxable property within the Increment Area (the "outside sunset date"), or (ii) if earlier, the date ("an early sunset date") on which the City certifies to the County Treasurer that all public improvement costs to be paid or reimbursed with tax allocation revenues derived from the Increment Area have been fully paid, including but not limited to reimbursements to the City for principal and interest payments required to be made by the City from revenue sources other than tax allocation revenues on limited tax general obligation bonds issued to finance the portion of public improvement costs that are intended to be paid and retired, in whole, from tax allocation revenues, as authorized by RCW 39.114.060(1).

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Section 4. Identification of Public Improvements to Be Financed. The public improvements to be financed consist of the following infrastructure improvements to be owned by the City and located within or outside of and serving the Increment Area:

A) Mojonnier Road improvements
B) East-West Road construction across McKiernan property
C) Signalization at College Avenue and East-West Road
D) Downtown Parking Lot(s)

The exact timing, specifications, and features of the public improvements described above are to be determined by the City. As authorized by RCW 39.114.020(1)(h), the City may expand, alter, or add to the public improvements identified above only if City Council determines that such changes are necessary to assure that the public improvements identified above can be constructed or operated as intended. If the City Council determines that it has become impractical to acquire, construct, or equip any, or any portion of, the public improvements by reason of changed conditions, or costs substantially in excess of the amount of bond proceeds or tax allocation revenues, the City shall not be required to acquire, construct or equip such public improvements or portions thereof.

Section 5. Expected Issuance of Bonds to Finance a Portion of the Public Improvement Costs.

(a) Pursuant to RCW 39.114.060 and other law, including the applicable provisions of Chapters 39.36 and 39.46 RCW, the City intends to incur general indebtedness and issue limited tax general obligation bonds with a term of approximately 25 years to finance a portion (the "bond-financed portion") of the public improvement costs to be paid in whole or in part from tax allocation revenues. To pay and secure the bonds, the City expects to pledge the tax allocation revenues received by the City from the Increment Area, the City's other regular property tax revenues, other lawfully available revenues of the City, and the full faith and credit of the City. The bonds are expected to be issued as tax-exempt bonds under the applicable provisions of the Code; however, if and to the extent that bond counsel determines that any of the public improvements (or portions thereof) do not qualify to be financed with tax-exempt bonds, the City expects to allocate funding sources other than proceeds of tax-exempt bonds, including but not limited to proceeds of taxable bonds, to the financing of those public improvements (or portions thereof).

As of the date of adoption of this ordinance, the estimated maximum principal amount of bonds expected to be issued by the City to finance the bond-financed portion of the public improvements $8.186 million. This estimated maximum principal amount of bonds is subject to change based upon the final timing, specifications, and features of the public improvements identified in Section 4 of this ordinance. The amount of proceeds of such bonds also may vary (be lower or higher

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than the maximum principal amount of $1.86 million) to the extent that the bonds are sold with original issue premium or original issue discount (respectfully).

(b) While the City will pledge its full faith and credit as well as its regular property tax revenues and other lawfully available revenues, in addition to tax allocation revenues received by the City from the Increment Area, to pay debt service on the bonds, the City intends that debt service on the bonds shall be payable, in whole, from tax allocation revenues as authorized by RCW 39.114.060(1). Accordingly, if and to the extent debt service payments on its general obligation bonds issued to finance the public improvements are required to be made from the City's other regular property tax revenues and/or from other lawfully available revenues because the amount of tax allocation revenues received are insufficient for that purpose, those debt service payments to that extent may be reimbursed from later-received tax allocation revenues that become available to reimburse the City for those debt service payments.

(c) The City intends that the provisions of Section 4 of this ordinance (identifying the public improvements to be financed) and this Section 5 (stating the estimated maximum amount of bonds expected to be issued) together shall constitute a declaration of official intent under Treasury Regulations §1.150-2 to reimburse with bond proceeds any original expenditures for the public improvements paid before the issue date of the bonds that are intended to finance the bond-financed portion of the public improvement costs.

Section 6. Increment to Take Effect on June 1, 2023. The tax increment for the Increment Area designated in Section 2 of this ordinance shall take effect on June 1, 2023.

Section 7. Deadline for Commencement of Construction of Public Improvements. The City expects that construction of the public improvements identified in Section 4 of this ordinance will commence after June 1, 2023. In no event will construction of those public improvements commence later than October 31, 2027, the date five years from the date of adoption of this ordinance, unless that deadline is extended for good cause.

Section 8. Required Findings by the City Council. Based upon the Project Analysis, the Council finds that:

(a) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the Increment Area-i.e., the private development of the Stone Creek and Downtown area, and to increase the assessed value of real property within the Increment Area;

(b) The private development that is anticipated to occur within the Increment Area as a result of the proposed public improvements will be permitted consistent with the applicable zoning and development standards of the City, which is expected to be the

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permitting jurisdiction for the Increment Area;

(c) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and

(d) The increased assessed value of taxable property within the Increment Area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed private development with the proposed public improvements.

Section 9. Preparation and Consideration of Project Analysis. As required by RCW 39.114.020(2), the Council has caused the Project Analysis, attached hereto as **Exhibit B**, to describe and analyze, among other matters, the factors and considerations listed in that statute. The Council takes note of the conclusion expressed in the Treasurer's Review Letter that the City's Project Analysis generally addresses the topics listed in subsection (2) of RCW 39.114.020. In its consideration and adoption of this ordinance, the Council has reviewed and considered, among other things, the Project Analysis and the Treasurer's Review Letter, attached hereto as **Exhibit C**, including the "Key Risks to the City”" and "Recommendations" noted in the Treasurer's Review Letter.

Section 10. Reimbursement of Expenses Incurred by County Assessor and County Treasurer. Pursuant to RCW 39.114.020(6), the City may enter into arrangements to reimburse the County Assessor and County Treasurer for the expenses incurred by those officials in connection with the implementation and ongoing administration of the Increment Area as described in RCW 39.114.0l0(6)(e). Such expenses shall be a portion of the public improvement costs to be paid or reimbursed from tax allocation revenues derived from the Increment Area.

Section 11. Public Briefings Held by the City. As required by RCW 39.114.020(7)(a), the City has held two public briefings for the community regarding the Stone Creek and Downtown Development and the public improvements needed to serve the Increment Area. These public briefings were held on April 24, 2023, and May 8, 2023, and announced to the public at least two weeks prior to the date each briefing was held by publishing notice in the Union-Bulletin, a legal newspaper of general circulation in the City and the greater County area, and by posting information on the City’s website and on all of its social media sites. Each public briefing included a description of the Increment Area, the public improvements proposed to be financed with tax allocation revenues derived from the Increment Area, and a detailed estimate of tax revenues for the participating local governments and taxing districts, including the amounts allocated to the public improvements serving the Increment Area. The City also has provided additional briefings for elected and administrative officials of the County, the Port of Walla Walla.

Section 12. Publication of Notice and Delivery of Ordinance Designating Increment Area On May 7, 2023, which is at least two weeks before the date of adoption of this ordinance, the City published in the Union-Bulletin, a legal newspaper of general circulation within the

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jurisdiction of the City., a notice that describes the public improvements, describes the boundaries of the Increment Area, and identifies the location and times where this ordinance and other public information concerning the public improvements may be inspected. Following the adoption of this ordinance, the City will publish, in the Union-Bulletin, a legal newspaper of general circulation within the jurisdiction of the City, a notice that describes the public improvements, describes the boundaries of the Increment Area, and identifies the location and times where this ordinance and other public information concerning the public improvements may be inspected. Following the adoption of this ordinance, the City will deliver a certified copy of this ordinance to the County Treasurer, the County Assessor, and the governing body of each taxing district within which the Increment Area is located.

Section 13. General Authorization and Ratification. The appropriate officers of the City are severally authorized to take such actions and to execute such documents as in their judgment may be necessary or desirable to carry out the tax increment financing of the public improvements serving the Increment Area contemplated in connection with this ordinance. All actions taken prior to the effective date of this ordinance in furtherance of the purposes described in this ordinance and not inconsistent with the terms of this ordinance are ratified and confirmed in all respects.

Section 14. Severability. The provisions of this ordinance are declared to be separate and severable. If a court of competent jurisdiction, all appeals having been exhausted or all appeal periods having run, finds any provision of this ordinance to be invalid or unenforceable as to any person or circumstance, such offending provision shall, if feasible, be deemed to be modified to be within the limits of enforceability or validity. However, if the offending provision cannot be so modified, it shall be null and void with respect to the particular person or circumstance, and all other provisions of this ordinance in all other respects, and the offending provision with respect to all other persons and all other circumstances, shall remain valid and enforceable.

Section 15. Effective Date of Ordinance. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law.

PASSED by the City Council of the City of College Place, Washington this 23rd day of May, 2023.

DocuSigned by:
Norma L. Hernandez
E7C117EE7FEC409...
Norma L. Hernández, Mayor

Attest:
DocuSigned by:
Sherri St.Clair
1F0CE5D2F0F846A...
Sherri St. Clair, City Clerk

Approved as to form:
DocuSigned by:
Rea L. Culwell
D2A91C622F3A4F8...
Rea Culwell, City Attorney

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CERTIFICATION

I, the undersigned, City Clerk of the City of College Place, Washington (the "City"), hereby certify as follows:

1. The attached copy of Ordinance No. 23-007 (the "Ordinance") is a full, true and correct copy of the Ordinance duly adopted at a regular meeting of the College Place City Council held on May 23, 2023 (the "Meeting"), as that Ordinance appears on the minute book of the City.

2. The Ordinance is in full force and effect.

3. The Meeting was duly convened and held in all respects in accordance with law, the public was notified of the access options for remote attendance via the City's website, a quorum of the members of the Council was present throughout the meeting and a sufficient number of members of the Council present voted in the proper manner for the adoption of the Ordinance.

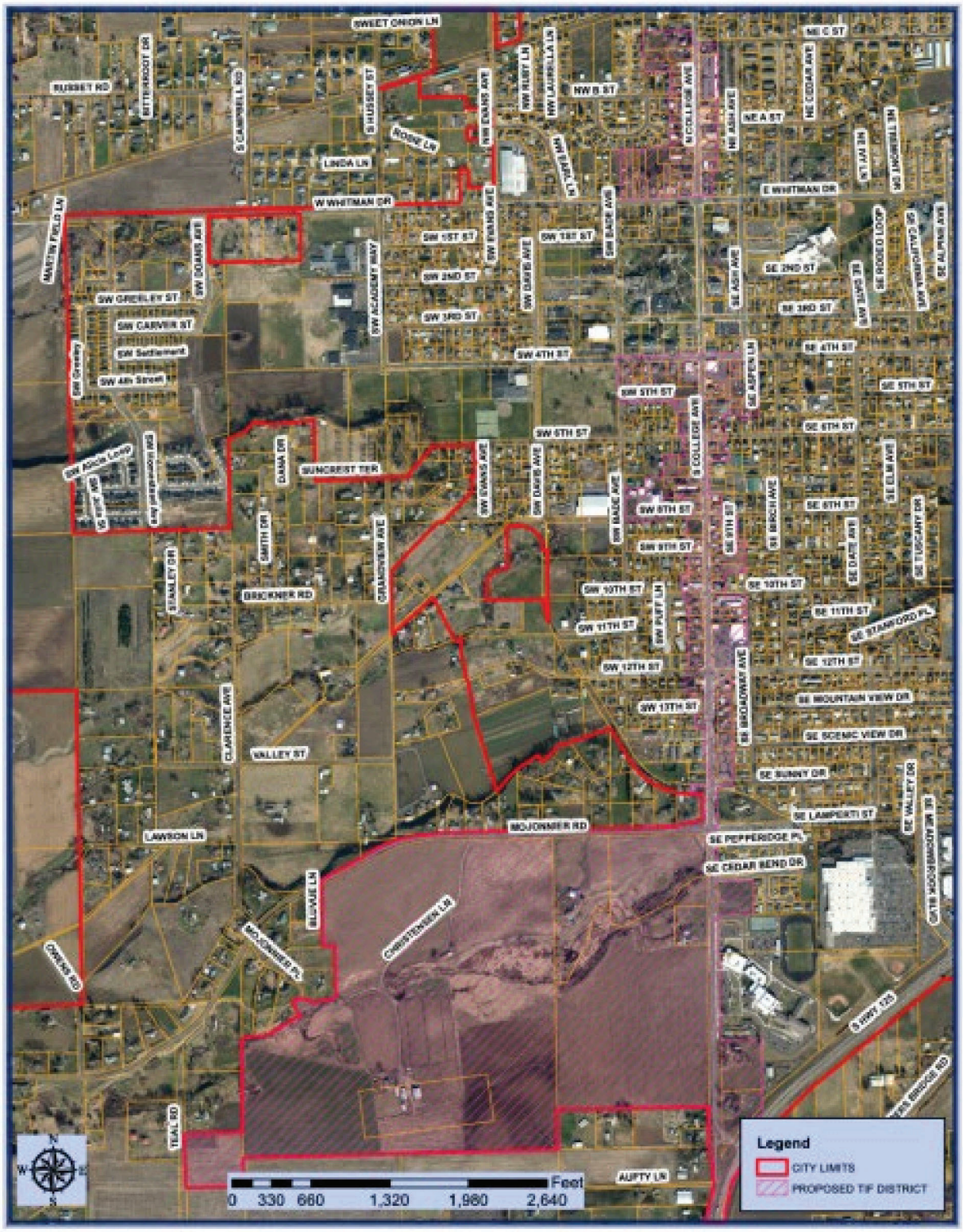
Dated: 5/25/2023

DocuSigned by:
Sherri St.Clair
1F0CE5D2F0F846A...

City Clerk

DocuSign Envelope ID: 44FE9071-ECC7-41E3-AAFB-18A505D3DE3C

Exhibit A: Tax Increment Area (TIA)



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Parcels in the Stone Creek and Downtown TIA, Walla Walla County WA include:

College Place TIA Parcels

350601230047	350725330018	350735601727	350736580113
350735602419	350725330014	350736580116	350726523982
350726523978	350726523971	350602230040	350736600506
350726523936	350726523918	350726523843	350602110003
350726523821	350726523933	350726523927	350736600523
350736601209	350736600401	350736601203	350735601706
350602110002	350735601724	350725620002	350735601728
350736601211	350602110005	350725570109	350736601329
350725570412	350725570414	350735602411	350726523810
350726523983	350735602802	350736600408	350736601333
350735601746	350726523823	350736600444	350725570413
350736600416	350736600514	350736601210	350726523926
350736601321	350726523928	350602120006	350726523925
350736580118	350735601747	350736600437	350726523972
350736600418	350601230032	350735601748	350736600403
350735601737	350736600445	350736601212	350735602412
350726523919	350726523932	350736601322	350736600407
350735440053	350735601722	350735602410	350735602417
350735601708	350736601215	350736580106	350726523969
350736601234	350725620001	350735602414	350726523901
350735601703	350735602427	350736600443	350735601701
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350736601239	350735602808	350725570107	350735601741
350735601744	350736600515	350726523934	350601220067
350726523811	350735602521	350735602544	
350735602514	350736580111	350736600513	
350736600404	350736600507	350736600406	
350736600446	350735602804	350725330063	
350735602413	350736601237	350735602809	
350735602805	350726523822	350725330062	
350736600417	350726523970	350736601208	
350736601213	350736601328	350735601704	
350735602530	350736580101	350735440061	
350735602528	350726523979	350725570111	
350726523828	350735601725	350735602541	
350726523935	350726523931	350602110004	
350736600429	350602130001	350726523842	
350735602420	350725330061	350735440027	

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350735602424	350726523915	350735602519
350736601201	350735602807	350736580109

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Exhibit B: Stone Creek and Downtown Project Analysis (Document is Appendix #1)

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Exhibit C: Office of State Treasurer Project Analysis Review Letter (Document is Appendix #2)

COLLEGE PLACE
STONE CREEK & DOWNTOWN DEVELOPMENT
TAX INCREMENT FINANCING (TIF)
PROJECT ANALYSIS

February 1, 2023

ACKNOWLEDGEMENTS

This Project Analysis was prepared for the City of College Place by Stowe Development & Strategies, LLC in association with ECONorthwest (SDS/ECO team).

The Project Analysis represents a thorough and comprehensive evaluation of a future Tax Increment Financing program and establishment of a Tax Increment Area for a significant development opportunity in the Stone Creek and Downtown areas. The production of this report would not have been possible without the participation, collaboration, and guidance of the following individuals and groups.

College Place Mayor & City Council

- Mayor Norma Hernandez
- Councilmember Paul Jessup
- Councilmember Michael Cleveland
- Councilmember Tito Espinoza
- Councilmember Loren Peterson
- Councilmember Melodie Williams
- Councilmember Heather Schermann
- Councilmember Monica Boyle

City of College Place Staff

- Mike Rizzitiello, City Administrator
- Rea Culwell, City Attorney
- Brian Carleton, Finance Director
- Jon Rickard, Community Development Director
- Robert McAndrews, Public Works Director

Tax Increment Financing Consultants

- Bob Stowe, Stowe Development & Strategies (TIF Project Manager)
- Morgan Shook, ECONorthwest

Table of Contents

About College Place: ***4***

Introduction/Summary ***5***

Highlights ***5***

Overview of TIF Allocation Revenues 13

TIA Allocation Revenue Modeling 15

TIA Allocation Results 15

Debt Service Payments and Coverage ***21***

Construction Employment **23**

Ongoing Employment 23

Impact Assessment and Mitigation ***24***

Early Outreach to Impacted Taxing Districts ***25***

Additional Incremental Taxes ***27***

City of College Place 27

Tax Base Productivity Assumptions 29

Summary of Additional Tax Results 29

College Place TIF Team ***33***

Future TIF Actions ***34***

Findings | Bottom Line ***36***

APPENDICES ***37***

About College Place:

The City of College Place is located in the Walla Walla Valley of Southeastern Washington State adjacent to the City of Walla Walla. The City incorporated on January 19, 1946 and has a Strong Mayor form of government. College Place is a full service municipality providing police, fire, ambulance, community development, public works, and a host of other services with 55 staff members.

The City has 9,902 residents and is anchored by Walla Walla University, a Seventh-Day Adventist Higher Education Institution. The City also features a public K-12 and Seventh-Day Adventist K-12 School Systems. The City has a Downtown Business District focused around College Avenue as well as big box commercial districts located near Myra Rd, State Route 125 and Meadowbrook Blvd.

Figure1: College Ave./Walla Walla University

Source: City of College Place, 2023

Introduction/Summary

This Project Analysis explains in detail the proposed Tax Increment Area designation of Stone Creek and Downtown, public improvement projects, envisioned private development, and associated tax increment revenue to fund the public improvement projects.

Highlights

- $18.9M Total Public Infrastructure – **$8.186M TIF Funded**
  - $9.1M Mojonnier Road - **$4.3M TIF funded**
  - $7.1M new East-West road - **$1.936M TIF funded**
  - $1.1M new traffic signals at College Ave/new East-West road - **$550,000 TIF funded**
  - $1.4M 3-4 parking lots downtown - **$1.4M TIF funded**

- **Up to $17M of TIF increment Property Tax Revenue at Full Build-Out Over 25 Years**
  - Baseline (Most Aggressive): $17,020,000
  - Alternative1 (Most Likely): $13,850,000
  - Alternative 2: $9,180,000

- **Private Development at Build-Out:**
  - 829 residential units (200 senior housing)
  - One 200 room hotel
  - 280,000 SF of commercial development

- **$414M Market Value of Private Development at Build-Out**

- **$21.7M Additional Tax Revenue**

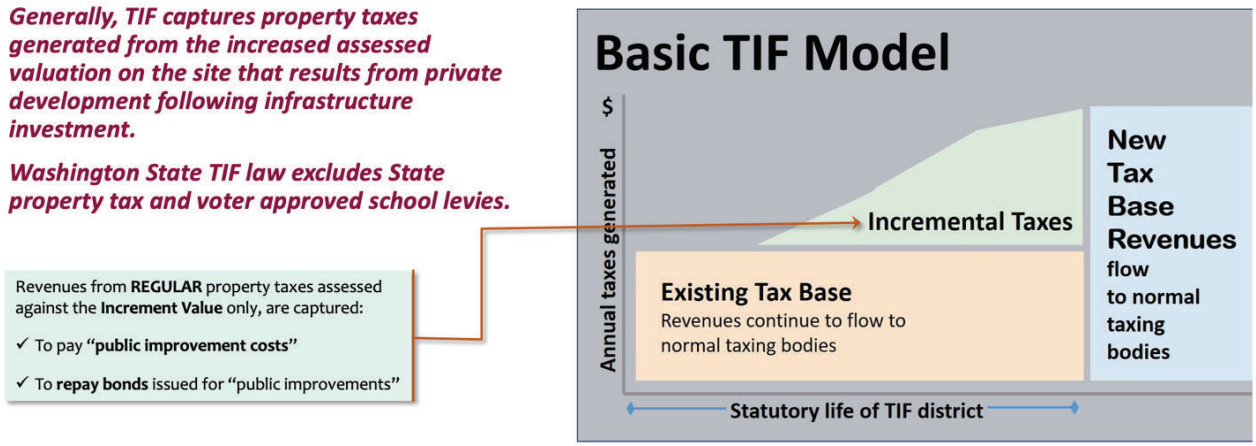
- **1130 Temporary Construction Jobs**

- **270 Ongoing Jobs**

Tax Increment Financing (TIF) is a powerful economic development tool adopted into law in Washington State in 2021. The Washington state legislature created the TIF authority through House Bill 1189 (now codified as chapter 39.114, Revised Code of Washington (RCW) for a city, county, or port district to designate a geographical area within the jurisdiction as a tax increment area (TIA). The increment property tax revenue funds the public infrastructure needed by private development in the TIA. Jurisdictions throughout the United States use TIFs to promote economic development.

In general, our State's TIF is a financing option which allows a city, county, or port to fund publicly-owned infrastructure determined necessary to encourage private development within a TIA . As private development occurs as a result of the public agency's investment in public improvements, property values rise, and the public agency uses the newly generated property tax dollars to pay for the public improvements. After the costs are paid, the public agency retires the TIA. Sponsoring jurisdictions identify TIAs and the public infrastructure, including costs of construction by ordinance. The sponsoring jurisdiction may incur debt through bond issuance to secure financing to make public improvements in the TIA.

Figure 2: TIF Model



Source: Stowe Development & Strategies, 2023

Statutory limits on TIF

- No more than two active increment areas per sponsoring jurisdiction, which cannot overlap, and cannot be changed.
- Increment areas may not total more than $200 million in assessed valuation, or more than 20% of the total assessed valuation of the sponsoring jurisdiction, whichever is less.
- Once public improvements are identified, additional public improvements cannot be TIF financed.
- Construction of public improvements must begin within 5 years following adoption of the TIF ordinance (with an ability to extend for good cause).
- Sponsoring jurisdiction may only receive TIF revenues for the time period necessary to pay for the public improvements.
- TIA must be retired no more than 25 years after the adoption of the ordinance.

Risks

Because increased tax revenue is generated after a local government begins construction on public infrastructure and after private development occurs, using TIF is risky. Understanding and accepting a certain level of risk is important as the City will be obligated for the repayment of any bond debt that is issued for the infrastructure improvements, regardless if the projected private development and property tax materialize. Sponsoring jurisdictions must evaluate risks associated with TIF . The two main risks are: 1) expected private development does not occur; occurs slower than expected; and/or, the type of development and its magnitude is less than expected, and, 2)

cost for infrastructure improvements is higher than projected. These risks impact the expected TIF revenues and/or the public infrastructure improvements cost. If revenues are not sufficient to cover the cost, the sponsoring jurisdiction must then use other sources of revenue to pay for the public infrastructure. A mitigation plan may alleviate some risks. Other risks include over-investment of infrastructure, or building infrastructure, which isn't necessary for development to occur, resulting in loss of tax dollars that could have been used for other public purposes. Local governments can guard against and potentially avoid over-investing and under-development by carefully evaluating the local market conditions and analyzing the But-For requirement. Utilized correctly, growth and development in a TIA will pay for the infrastructure investments that encouraged it.

A risk and mitigation plan is included in this Project Analysis.

Other Revenues and Options

This Project Analysis also examines other anticipated revenues from the projected private development, including sales tax on construction and ongoing sales tax. Additionally, we examine sequencing appropriate infrastructure improvements with multiple bond issues over time (e.g., 5-year period) as well as structuring debt service to align with projected property tax revenues generated to better manage risks. Following TIA adoption, the City has multiple levers to direct a successful project utilizing TIA generated revenues and safeguarding its other resources. These options include amount of debt issued and when to issue debt based upon expected private development type and scale, as well as refinement of infrastructure cost estimates.

Private development interest and anticipated interest rates will drive the City's actions; the City can proceed with the development plan identified here, or, because the City has up to five years after passing the TIF ordinance, may modify it as conditions may change. The City could choose not to issue any debt, especially if development interest substantially changes to a very low level or the cost of debt it too high. The City could use a pay-as-you-go strategy for the infrastructure, however, doing so will likely delay the timing and reduce the scale of the private development. Finally, the City could also rescind or retire the TIA by ordinance prior to incurring debt.

Planning

Figure 3: Comprehensive Plan Meeting

The City of College Place has been planning the Stone Creek and Downtown area development for many years. Stone Creek area planning dates back to the early 2000s when the land was brought into the College Place Urban Growth area The City annexed the area in 2018. The Stone Creek area (SW Mojonnier Road, East-West Road, and intersection of College Avenue & East-West Road) has been slated for a mix of residential and commercial development as was expounded upon in the 2018 Comprehensive Plan: Likewise, the vision for College Avenue as a mixed-use Downtown corridor can also be traced in the City's 2018 Comprehensive Plan and the 2018 City adopted College Avenue Design Standards and Guidelines which can be found at: https://www.cpwa.us/departments/planning/design_standards.php

Public development projects which would support private development of the Stone Creek area have existed in the City's Comprehensive Plan and Capital Facilities Plan for several years.

Infrastructure Needs

To spur and support the envisioned private development within the Stone Creek and Downtown TIA, a public infrastructure investment of **$8,186,000 from TIF** is needed**.** The proposed improvements will correct inadequate infrastructure, provide regional transportation benefits, and support the envisioned private development. Four projects were identified as candidates to be supported by TIF because they were unlikely to be built by any single development and may take over a decade to complete, if at all. Proactively building the infrastructure will serves the City's development vision.

Mojonnier Road **Cost: $9.3 million**

TIF is proposed to fund **$4, 300,000 of improvements to Mojonnier Road**, with the balance coming from Federal earmark funds (already received), and expected State earmark funds. The current condition of this road is inadequate to support additional development and traffic to and from College Place High School/Sager Middle School campuses (CPHS/Sager campuses) and the proposed future development of the Stone Creek area.

East-West Road **Cost: $7.1 million**

TIF is proposed to fund **$1,936,000 (for new road improvements across the McKiernan Property planned for commercial development)** with the balance coming from the Stone Creek developer, College Place School District, and the City of College Place. The specific funding contributions will be determined at a later date. This new road is needed to allow circulation into the development and to connect the CPHS/Sager campuses with the eventual new intermediate school at the far west end of the East-West Road.

Signalization at College Avenue and East/West road **Cost: $1.1 million**

TIF is proposed to fund **$550,000 for new traffic signals at College Avenue and the proposed new East-West road** with the balance coming from the Stone Creek developer, College Place School District, and the City of College Place. The specific funding contributions will be determined at a later date. The improvements will make safer CPHS/Sager campuses ingress and egress by lining up the school parking lot entrance with the new East-West road and installing traffic controlled at the intersection. The signalization will support the increased vehicle and pedestrian traffic from the envisioned private development.

Downtown Parking Lots **Cost: $1.4 million**

TIF is proposed to fund the **full cost of $1,400,000 for 3 to 4 new parking lots Downtown.** City officials have cited a lack of parking in the Downtown area along College Avenue as deterring business and private investment in the Downtown. TIF funds would be used to acquire land and build 3-4 surface parking lots in the Downtown corridor likely providing up to 183 parking spaces that could be accessed by the land uses Downtown. Simultaneously, City administration plans to advance legislation for the City Council to consider reducing and/or eliminating parking requirements in the Downtown to further encourage private investment in concert with the proposed TIF improvements.

Private Development

The proposed TIA includes two development areas of Stone Creek and Downtown. The Stone Creek area is owned by two property owners. The largest area of 131 acres is owned by Lakeside Capital. McKiernan Commercial owns the other parcel of land comprising 47.5 acres. The remaining properties are owned by multiple parties in Downtown along College Avenue. Within the Stone Creek area, it is envisioned that a mixed-use development will be built that contains 829 residential units (including senior housing), a 200-room hotel, and both small and large commercial retail stores totaling 280,000 square feet. Based on discussions with the Stone Creek property owners and review of the Draft Conceptual Site Plan (see next page) created by the Stone Creek property owner/developers, SDS has developed a preliminary Base Development Scenario below for purposes of evaluating potential TIF revenues. The Baseline Development Scenario represents over $414 million of private market value in the TIA.

Figure 4: Baseline Development Scenario

Phase 1 - North	Value Per Unit	Number of Units	Start Year	Build-Out/Years	Total Value
SF Homes - 5,200 Lot	$676,554	130	2024	4 years	$87,952,020
SF Homes - 7,800 Lot	$817,148	44	2026	2 years	$35,954,512
Sub-Total					**$123,906,532**
Phase 2 - South					
Row Homes	$448,880	50	2030	2 years	$22,444,000
Cottage BTR	$448,880	37	2032	2 years	$16,608,560
SF Homes- 3850 Lot	$524,635	24	2029	3 years	$12,591,240
SF Homes - 5720 Lot	$676,554	58	2030	2 years	$39,240,132
SF Homes - 8640 Lot	$817,148	20	2031	2 years	$16,342,960
Sub-Total					**$107,226,892**
Phase 3					
Apartments (Market)	$225,000	176	2034	2 years	$39,600,000
Apartments (Workforce)	$175,000	120	2036	2 years	$21,000,000
Sub-Total					**$60,600,000**
Phase 4					
Senior Housing	$200,000	170	2038	2 years	$34,000,000
Sub-Total					**$34,000,000**
McKiernan					
Hotel (Rooms)	$150,000	200	2026	2 years	$30,000,000
Retail - Large Format (SF)	$150	200,000	2030	4 years	$30,000,000
Retail/Restaurant (SF)	$325	80,000	2026	10 years	$26,000,000
Sub-Total					**$86,000,000**
Downtown					
Retail/Restaurant (SF)	$325	10,000	2024	5 years	$3,250,000
Sub-Total					**$3,250,000**
TOTAL					**$414,983,424**

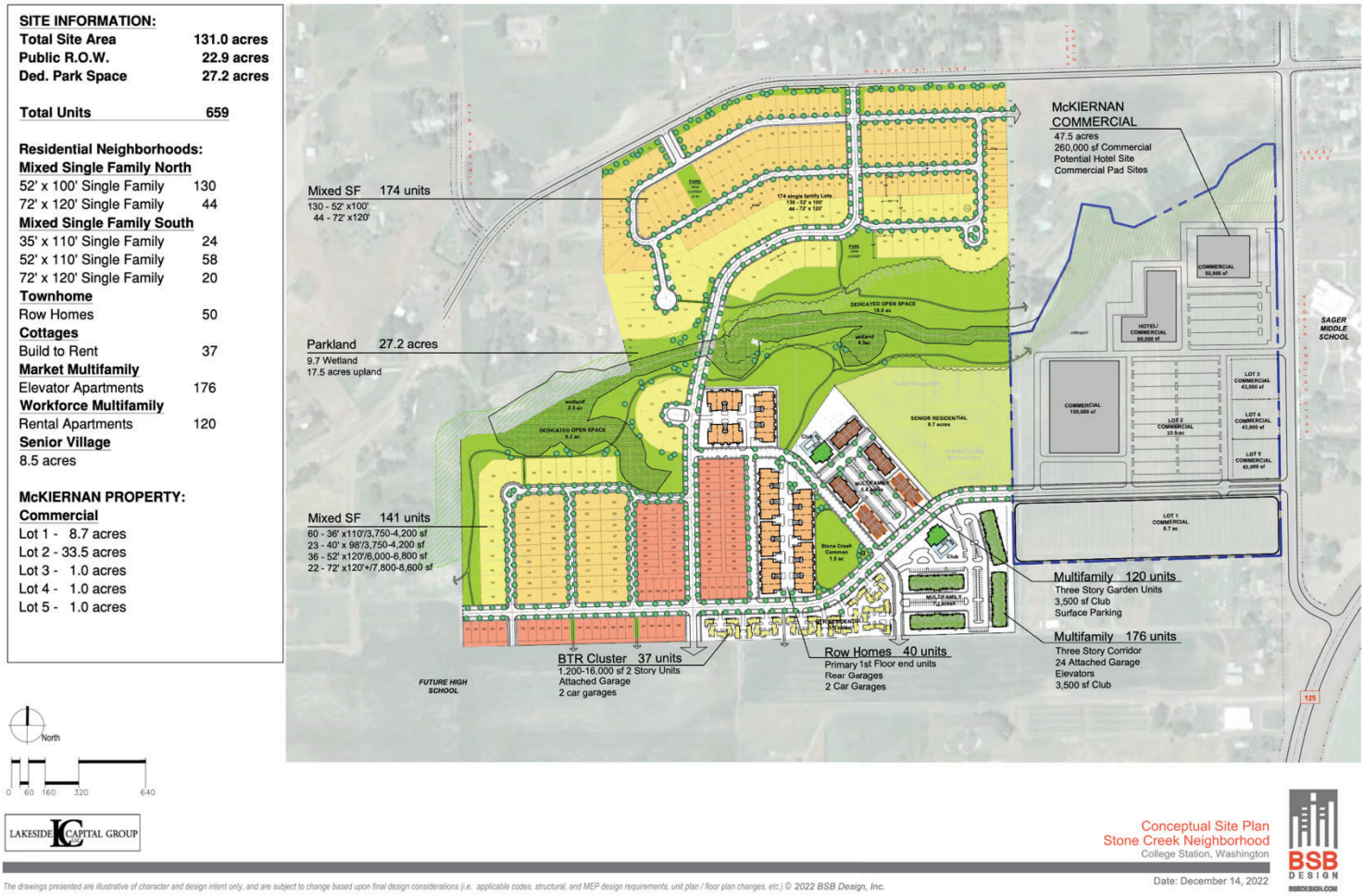
Source: Stowe Development & Strategies; Values Per Unit for Phase 1 and 2 provided by Lakeside Capital Group/John Burns Real Estate Consulting

The Base Development Scenario has been developed to help assess potential opportunities and risks within the TIA. The Baseline Development Scenario represents the most aggressive development program. Two additional development scenarios (Alternative 1 and Alternative 2) were developed as part of a sensitivity analysis to further help assess the risks and provide greater

certainty the City will have sufficient resources to pay for the proposed infrastructure improvements before the issuance of any bonds.

DRAFT CONCEPTUAL SITE PLAN: SUBJECT TO CHANGE

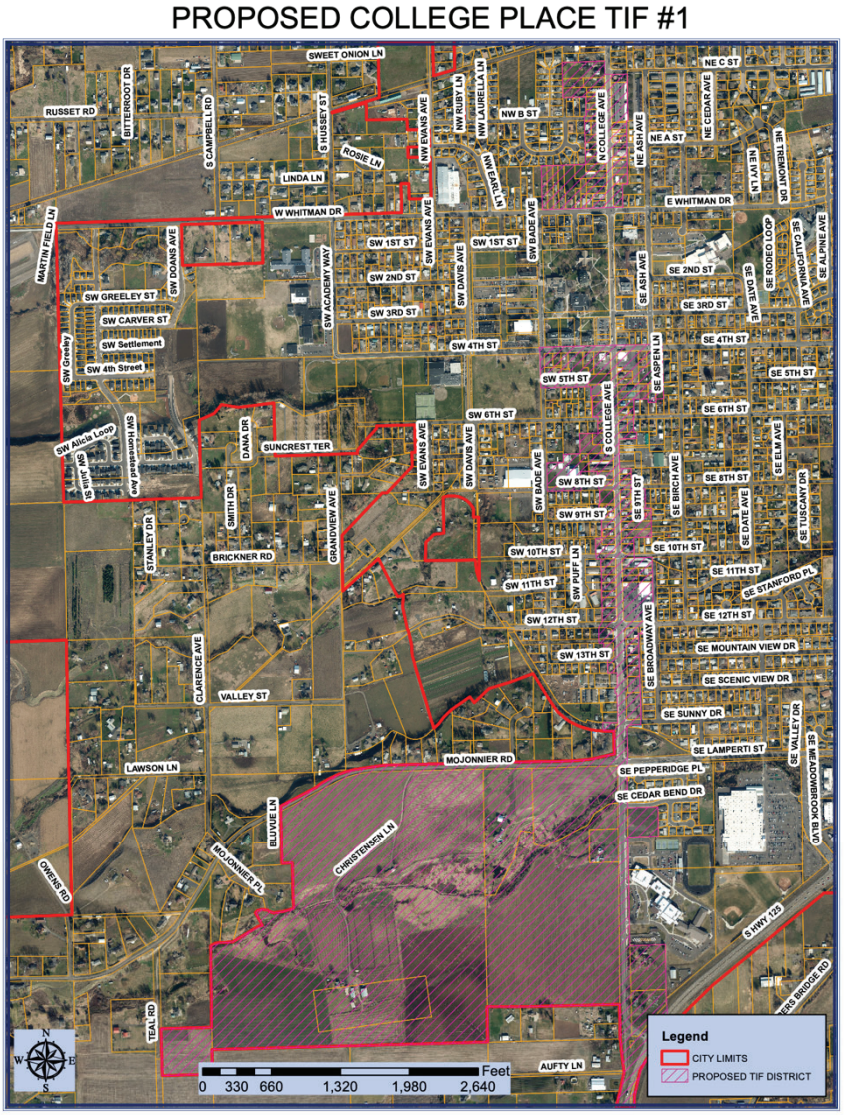
Figure 5:Draft Conceptual Pan



Tax Increment Area

The TIA includes the Stone Creek and Downtown area shown below which represents approximately 258.9 acres. The assessed valuation of the TIA in 2022 for 2023 taxes is approximately $42,835,090, well below either the $200 million assessed valuation threshold or the 20% of the City of College Place's total assessed valuation of $907,140,360 at $181,428,072.[1] The TIA is 4.7% of the total City valuation. The TIA boundary was selected in part because it represents key areas that are expected to redevelop over time as the result of the infrastructure improvements funded by TIF and also reserves some capacity to form another TIA in the future provided that the assessed value of a second TIA is less than $138,592,982.

Figure 6: Map of TIA



Source: City of College Place, 2023

[1] The Walla Walla County Assessor has not published 2023 valuations for 2024 taxes at the time of this analysis.

The below table in Figure 7 summarizes the parcel identification numbers and assessed values of properties in the TIF area.

Figure 7: Summary TIF Parcels

Parcel ID	Appraised Land Value	Appraised Improvement Value	Total Appraised Value	Parcel ID	Appraised Land Value	Appraised Improvement Value	Total Appraised Value	Parcel ID	Appraised Land Value	Appraised Improvement Value	Total Appraised Value
350601230047	$94,410	$155,110	$249,520	350726523811	$0	$0	$0	350736600514	$39,900	$132,300	$172,200
350735602419	$60,010	$286,820	$346,830	350735602514	$65,780	$0	$65,780	350726523928	$0	$0	$0
350726523978	$49,140	$271,070	$320,210	350736600404	$67,900	$0	$67,900	350735601747	$105,500	$0	$105,500
350726523936	$60,900	$25,100	$86,000	350736600446	$61,670	$291,640	$353,310	350601230032	$103,600	$240,480	$344,080
350726523821	$61,040	$109,780	$170,820	350735602413	$35,400	$0	$35,400	350736600445	$77,380	$111,810	$189,190
350736601209	$61,300	$201,810	$263,110	350735602805	$61,080	$240,470	$301,550	350726523932	$0	$0	$0
350602110002	$0	$0	$0	350736600417	$61,710	$298,230	$359,940	350735601722	$62,070	$298,380	$360,450
350736601211	$38,480	$221,610	$260,090	350736601213	$32,060	$133,840	$165,900	350736601215	$45,400	$13,800	$59,200
350725570412	$28,400	$130,600	$159,000	350735602530	$56,700	$41,810	$98,510	350725620001	$28,500	$103,500	$132,000
350726523983	$81,310	$170,110	$251,420	350735602528	$0	$0	$0	350735602427	$72,890	$0	$72,890
350735601746	$211,700	$517,800	$729,500	350726523828	$62,510	$263,060	$325,570	350735602803	$61,080	$247,150	$308,230
350736600416	$213,300	$1,003,400	$1,216,700	350726523935	$0	$247,010	$247,010	350736601334	$397,900	$1,586,100	$1,984,000
350736601321	$59,230	$0	$59,230	350736600429	$23,970	$0	$23,970	350735601723	$41,300	$312,300	$353,600
350736580118	$61,100	$101,500	$162,600	350735602420	$47,250	$265,310	$312,560	350726523920	$63,820	$213,650	$277,470
350736600418	$47,960	$201,650	$249,610	350735602424	$67,910	$294,970	$362,880	350735602808	$61,140	$275,910	$337,050
350735601737	$61,570	$273,110	$334,680	350736601201	$68,310	$154,330	$222,640	350736600515	$37,130	$288,520	$325,650
350726523919	$63,820	$333,100	$396,920	350725330018	$204,400	$0	$204,400	350735602521	$46,300	$231,200	$277,500
350735440053	$63,010	$261,770	$324,780	350725330014	$60,940	$217,130	$278,070	350736580111	$62,720	$143,110	$205,830
350735601708	$61,250	$232,110	$293,360	350726523971	$66,700	$307,150	$373,850	350736600507	$72,700	$154,800	$227,500
350736601234	$44,550	$168,500	$213,050	350726523918	$64,800	$290,840	$355,640	350735602804	$61,080	$253,940	$315,020
350735601703	$61,200	$274,620	$335,820	350726523933	$58,850	$284,960	$343,810	350736601237	$64,050	$142,550	$206,600
350736600421	$12,600	$43,100	$55,700	350736600401	$61,350	$97,500	$158,850	350726523822	$61,310	$202,490	$263,800
350735602525	$106,300	$174,500	$280,800	350735601724	$30,380	$155,540	$185,920	350726523970	$2,030	$0	$2,030
350735602523	$66,000	$0	$66,000	350602110005	$0	$0	$0	350736601328	$53,760	$197,560	$251,320
350736580115	$42,200	$3,000	$45,200	350725570414	$46,200	$175,800	$222,000	350736580101	$85,600	$1,418,000	$1,503,600
350736601239	$73,000	$390,080	$463,080	350735602802	$64,550	$262,480	$327,030	350726523979	$19,090	$31,810	$50,900
350735601744	$159,200	$698,200	$857,400	350726523823	$0	$0	$0	350735601725	$62,400	$0	$62,400
350726523931	$70,700	$234,600	$305,300	350736600443	$43,620	$0	$43,620	350736600506	$72,600	$331,900	$404,500
350602130001	$0	$159,200	$159,200	350601320073	$75,500	$0	$75,500	350602110003	$158,000	$123,350	$281,350
350725330061	$41,200	$0	$41,200	350735440128	$5,090	$0	$5,090	350736600523	$50,200	$10,700	$60,900
350726523915	$52,500	$0	$52,500	350735602545	$25,400	$110,100	$135,500	350735601706	$33,800	$131,600	$165,400
350735602807	$62,570	$248,120	$310,690	350725570105	$54,200	$258,700	$312,900	350735601728	$30,380	$137,180	$167,560
350735601727	$30,780	$248,370	$279,150	350725570107	$8,500	$0	$8,500	350736601329	$61,060	$303,670	$364,730
350736580116	$75,100	$215,100	$290,200	350726523934	$49,000	$237,200	$286,200	350726523810	$62,210	$10,200	$72,410
350602230040	$259,700	$0	$259,700	350735602544	$35,400	$199,090	$234,490	350736601333	$163,700	$121,000	$284,700
350726523843	$9,870	$0	$9,870	350736600513	$0	$0	$0	350725570413	$73,600	$639,000	$712,600
350726523927	$69,500	$397,890	$467,390	350736600406	$61,990	$229,560	$291,550	350726523926	$68,630	$118,210	$186,840
350736601203	$68,310	$152,680	$220,990	350725330063	$54,100	$1,143,250	$1,197,350	350726523925	$68,040	$159,700	$227,740
350725620002	$28,100	$98,700	$126,800	350735602809	$49,800	$434,130	$483,930	350726523972	$4,860	$0	$4,860
350725570109	$20,300	$93,400	$113,700	350725330062	$98,100	$64,000	$162,100	350736600403	$67,900	$456,500	$524,400
350735602411	$88,100	$762,300	$850,400	350736601208	$0	$0	$0	350735602412	$60,930	$113,350	$174,280
350736600408	$46,240	$252,560	$298,800	350735601704	$62,020	$269,000	$331,020	350736600407	$27,840	$174,020	$201,860
350736600444	$41,320	$269,450	$310,770	350735440061	$87,000	$573,090	$660,090	350735602417	$54,300	$593,800	$648,100
350736601210	$53,400	$64,100	$117,500	350725570111	$37,800	$121,500	$159,300	350726523969	$53,840	$262,020	$315,860
350602120006	$0	$0	$0	350735602541	$12,150	$0	$12,150	350726523901	$63,820	$302,180	$366,000
350736600437	$63,470	$247,980	$311,450	350602110004	$222,470	$470,610	$693,080	350735601701	$104,000	$284,800	$388,800
350735601748	$71,800	$271,760	$343,560	350726523842	$66,260	$257,800	$324,060	350735601726	$30,800	$157,550	$188,350
350736601212	$61,820	$334,890	$396,710	350735440027	$40,090	$216,550	$256,640	350735601729	$112,500	$391,400	$503,900
350736601322	$61,210	$0	$61,210	350735602519	$48,600	$189,590	$238,190	350726523817	$61,860	$112,740	$174,600
350735602410	$175,600	$1,707,000	$1,882,600	350736580109	$62,810	$250,600	$313,410	350735602426	$20,760	$54,630	$75,390
350736580106	$66,500	$0	$66,500	350736580113	$62,700	$19,100	$81,800	350735601741	$18,590	$0	$18,590
350735602414	$66,700	$605,220	$671,920	350726523982	$0	$0	$0	350601220067	$94,860	$0	$94,860
								Total Assessed Value			$22,446,010

Source: ECONorthwest, 2023

Tax Increment Revenue Projections

Overview of TIF Allocation Revenues

Following guidance issued by the Washington State Department of Revenue (June 29, 2022), the analysis estimates the apportionment of taxes to the TIA. These revenues are available to the sponsoring jurisdiction for funding identified public infrastructure projects. Under the TIF

legislation, only certain regular levies are available to the TIA. Using 2022 levy rates in the preliminary TIA, only $4.17 of the $11.68 total levy, approximately 35.7%, would be available.[2]

Since these are regular levies, the taxes must conform with the constitutional 1% limit as well as the $5.90 aggregate limits. Both parts of the State School levy, local school district excess levies, and voted bond levies are excluded. Also, any taxes levied by port districts for making payments on bonds would be excluded.

TIF in Washington allocates a portion of incremental property taxes to the TIA based on the amount of assessed value added to the TIA. Each taxing district in the TIA will receive that portion of its regular property taxes produced by the rate of tax levied by the taxing district based on the assessed value of real property located in the area in the year that the TIA was created. This amount will flow to the member districts for the period that the TIA is in place. The local government that created the TIA will receive a portion of the regular property taxes levied by each taxing district based on the increment value within the increment area. For the local government that created the TIA, this includes their portion of their regular levy. Property taxes from the TIA begin on the calendar year following the passage of the ordinance. The County Treasurer will distribute these funds to the agency that created the TIA. The table on the following page shows the Levy Rate Composition for 2023 Taxes.

Figure 8: Levy Rate Composition for 2023 Taxes

Levy Code Area 74	2022 Taxes Rates	Exempt: State Schools	Exempt: Excess and Other Levies	Available for TIF allocation
Total	$11.6779	$2.8308	$4.6769	$4.1703
State				
Part 1	$1.83965	$1.8397		$0.0000
Part 2	$0.99115	$0.9911		$0.0000
County				
Regular_Current Expense	$1.20642			$1.2064
Regular_Veterans Aid	$0.01560			$0.0156
Regular_Mental Health	$0.02500			$0.0250
Port				
General Fund	$0.29279			$0.2928
Bond Fund			$0.00000	$0.0000
City of College Place				
Regular Levy	$1.75704			$1.7570
City Bond	$0.54596		$0.54596	$0.0000
EMS				
Regular Levy	$0.44688			$0.4469
School				
#250 Enrichment	$1.85621		$1.85621	$0.0000
#250 Bond	$1.85621		$1.85621	$0.0000
#250 Capital	$0.41849		$0.41849	$0.0000
Library District				
Regular Levy	$0.42655			$0.4265
Bond Levy			$0.00000	$0.0000

Source: ECONorthwest, 2023

[2] The Walla Walla County Assessor has not published 2024 levy rates.

TIA Allocation Revenue Modeling

New incremental development in the TIA will drive future growth in incremental assessed value. These values are multiplied by the levy rate in the respective years to estimate the amount of TIA allocation revenues. To accomplish this, four separate analyses must be completed.

- **Forecast incremental TIA assessed value**. Based on the development program, the future assessed value is estimated by assigning market-based improvement prices based on the land use and size of the proposed development.
- **Forecast jurisdiction assessed value**. Outside of growth in the incremental assessed value in the TIA, it is necessary to forecast growth in the City's overall assessed value (not including incremental growth in the TIA.
- **Forecast the highest lawful levy.** For each taxing jurisdiction in the TIA, future levies must be estimated. To do so, the amount of new construction, other add-on value, 101% limit factor, total levy limit, and the maximum allowable levy must be taken into consideration. From that interplay, it is possible to estimate what the given levy will be for any respective jurisdiction in the future.
- **Forecast levy rates.** Once the levy and assessed value are known in future years, it is possible to calculate the levy rate (divide levy by thousands of assessed value). TIA allocations are made by multiplying the levy rate by the incremental TIF assessed value.

To determine TIA allocation property tax revenues, a 25-year cash flow model estimates the stream of future property tax revenues, which reflect development over time using the appropriate property tax base productivity and property tax rates. Additional assumptions in the forecast modelling include:

- Inflation (impacting the cost of construction) is assumed to be 3%.
- City assessed valuation growth is assumed to be 2.8% a year. This is the average real growth in assessed value growth.
- Newly built structures, (new tax assessments), are also assumed to grow at a real rate of 2.8% a year after their initial assessment.
- Outside of new construction growth within the tax increment area, new construction within the City is assumed to be no more than 2.9% of the City's assessed value base (based on a historical average of the relationship).

TIA Allocation Results

Assumptions on Incremental Assessed Value Growth

Using the assumptions identified in the Baseline Development Scenario, plus two additional scenario alternatives, future assessed values of improvements are estimated and serve as a foundation for the expected TIA allocation revenues.

TIA Allocation Revenues

The following tables summarize the discounted value of 25 years of TIA allocation revenues that would flow to the preliminary TIA(first year of revenues is 2024) based on a Base Development Scenario. Revenues are discounted at a rate of 4.5% to approximate the City's cost of capital (debt and issuance costs) and a slightly higher rate of 5.0% to address rate uncertainty. The Base Development scenario supported by TIF could generate between $15.9 and $17.0 million in TIF allocation revenues (25-year PV at 4.5 and 5.0%). As stated previously, the Base Development scenario is the most aggressive development program.

Two other scenarios have also prepared. Alternative 1 doubles the build-out/years for completion of all development identified in the Baseline Scenario and reduces the single-family home value by 20%. Alternative 2 also doubles the build-out/years for completion of all development identified in the Baseline Scenario, reduces the single-family home value by 30%, reduces the number of senior housing units by 50%, and only includes commercial development of the hotel. These alternatives generate between $9.2 and $13.8 million depending on the alternative and discount rate. The following tables summarize the discounted values of TIA allocation revenues for each of the development scenario alternatives.

Baseline

- Represents Full Development

Alternative 1

- Extends the Build-Out/Year for All Development by 2X; and,
- Reduce Single-Family Home valuation developed by 20 percent.

Alternative 2

- Extend Build-Out/Year for All Development by 2X;
- Reduce Single-Family Home Value by **30 percent;**
- Reduce Senior Housing by 50 percent; and,
- Hotel Development Only on McKiernan Parcel.

Figure 9: Summary of TIF Allocation Revenues

4.50% Discount Rate			
	Baseline	Alternative 1	Alternative 2
College Place	$7,130,000	$5,800,000	$4,150,000
Walla Walla County	$5,150,000	$4,190,000	$3,000,000
Port of Walla Walla	$1,190,000	$970,000	$690,000
EMS	$1,820,000	$1,480,000	$1,060,000
Library	$1,730,000	$1,410,000	$1,010,000
Total	$17,020,000	$13,850,000	$9,910,000

5.00% Discount Rate	Discount Rate	Discount Rate
Baseline	Alternative 1	Alternative 2
College Place	$6,640,000	$5,380,000	$3,850,000
Walla Walla County	$4,800,000	$3,890,000	$2,780,000
Port of Walla Walla	$1,110,000	$900,000	$640,000
EMS	$1,690,000	$1,370,000	$980,000
Library	$1,610,000	$1,310,000	$930,000
Total	$15,850,000	$12,850,000	$9,180,000

Source: ECONorthwest, 2023

The table in the figure below 1) summarizes the property taxes that will remain in the affected taxing districts and 2) identifies the property tax allocation values that will flow to the TIA. They are shown for:

- The City of College Place
- Walla Walla County
- The Port of Walla Walla
- Emergency Medical District (EMS)
- Library

Figure 10: TIF Allocation Revenues to City and Other Taxing Jurisdictions – Baseline Scenario

City of College Place													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base Value	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
Increment Value	$0	$0	$26,000,000	$53,490,000	$114,270,000	$178,490,000	$184,170,000	$195,460,000	$254,180,000	$325,540,000	$365,750,000	$397,370,000	$433,770,000
Levy Rate	$1.67	$1.64	$1.62	$1.59	$1.56	$1.54	$1.51	$1.49	$1.46	$1.44	$1.41	$1.39	$1.37
Total Property Tax	$40,000	$40,000	$80,000	$120,000	$210,000	$310,000	$310,000	$320,000	$400,000	$500,000	$550,000	$580,000	$620,000
Tax Allocated to TIF	$0	$0	$40,000	$90,000	$180,000	$270,000	$280,000	$290,000	$370,000	$470,000	$520,000	$550,000	$590,000
Tax Allocated to City	$40,000	$40,000	$40,000	$40,000	$40,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000

2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049
$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
$471,940,000	$503,340,000	$536,160,000	$602,660,000	$672,550,000	$691,040,000	$710,050,000	$729,570,000	$749,640,000	$770,250,000	$791,430,000	$813,200,000	$835,560,000	$858,540,000
$1.35	$1.32	$1.30	$1.28	$1.26	$1.24	$1.22	$1.20	$1.18	$1.16	$1.14	$1.12	$1.10	$1.08
$670,000	$700,000	$730,000	$800,000	$870,000	$880,000	$890,000	$900,000	$910,000	$920,000	$930,000	$940,000	$940,000	$950,000
$630,000	$670,000	$700,000	$770,000	$850,000	$860,000	$860,000	$870,000	$880,000	$890,000	$900,000	$910,000	$920,000	$930,000
$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$30,000	$20,000	$20,000

Walla Walla County													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base Value	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
Increment Value	$0	$0	$26,000,000	$53,490,000	$114,270,000	$178,490,000	$184,170,000	$195,460,000	$254,180,000	$325,540,000	$365,750,000	$397,370,000	$433,770,000
Levy Rate	$1.25	$1.19	$1.17	$1.15	$1.13	$1.11	$1.09	$1.07	$1.06	$1.04	$1.02	$1.00	$0.99
Total Property Tax	$30,000	$30,000	$60,000	$90,000	$150,000	$220,000	$230,000	$230,000	$290,000	$360,000	$400,000	$420,000	$450,000
Tax Allocated to TIF	$0	$0	$30,000	$60,000	$130,000	$200,000	$200,000	$210,000	$270,000	$340,000	$370,000	$400,000	$430,000
Tax Allocated to County	$30,000	$30,000	$30,000	$30,000	$30,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000

2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049
$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
$471,940,000	$503,340,000	$536,160,000	$602,660,000	$672,550,000	$691,040,000	$710,050,000	$729,570,000	$749,640,000	$770,250,000	$791,430,000	$813,200,000	$835,560,000	$858,540,000
$0.97	$0.96	$0.94	$0.92	$0.91	$0.89	$0.88	$0.86	$0.85	$0.84	$0.82	$0.81	$0.80	$0.78
$480,000	$500,000	$530,000	$580,000	$630,000	$640,000	$640,000	$650,000	$660,000	$660,000	$670,000	$680,000	$680,000	$690,000
$460,000	$480,000	$500,000	$560,000	$610,000	$620,000	$620,000	$630,000	$640,000	$640,000	$650,000	$660,000	$660,000	$670,000
$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000	$20,000

Port of Walla Walla													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base Value	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
Increment Value	$0	$0	$26,000,000	$53,490,000	$114,270,000	$178,490,000	$184,170,000	$195,460,000	$254,180,000	$325,540,000	$365,750,000	$397,370,000	$433,770,000
Levy Rate	$0.28	$0.27	$0.27	$0.27	$0.26	$0.26	$0.25	$0.25	$0.24	$0.24	$0.24	$0.23	$0.23
Total Property Tax	$10,000	$10,000	$10,000	$20,000	$40,000	$50,000	$50,000	$50,000	$70,000	$80,000	$90,000	$100,000	$100,000
Tax Allocated to TIF	$0	$0	$10,000	$10,000	$30,000	$50,000	$50,000	$50,000	$60,000	$80,000	$90,000	$90,000	$100,000
Tax Allocated to Port	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000

2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049
$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
$471,940,000	$503,340,000	$536,160,000	$602,660,000	$672,550,000	$691,040,000	$710,050,000	$729,570,000	$749,640,000	$770,250,000	$791,430,000	$813,200,000	$835,560,000	$858,540,000
$0.22	$0.22	$0.22	$0.21	$0.21	$0.21	$0.20	$0.20	$0.20	$0.19	$0.19	$0.19	$0.18	$0.18
$110,000	$120,000	$120,000	$130,000	$150,000	$150,000	$150,000	$150,000	$150,000	$150,000	$150,000	$160,000	$160,000	$160,000
$110,000	$110,000	$120,000	$130,000	$140,000	$140,000	$140,000	$150,000	$150,000	$150,000	$150,000	$150,000	$150,000	$160,000
$10,000	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0	$0

Figure 10: TIF Allocation Revenues to City and Other Taxing Jurisdictions – Baseline Scenario Continued

EMS													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base Value	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
Increment Value	$0	$0	$26,000,000	$53,490,000	$114,270,000	$178,490,000	$184,170,000	$195,460,000	$254,180,000	$325,540,000	$365,750,000	$397,370,000	$433,770,000
Levy Rate	$0.43	$0.42	$0.41	$0.40	$0.40	$0.39	$0.39	$0.38	$0.37	$0.37	$0.36	$0.35	$0.35
Total Property Tax	$10,000	$10,000	$20,000	$30,000	$50,000	$80,000	$80,000	$80,000	$100,000	$130,000	$140,000	$150,000	$160,000
Tax Allocated to TIF	$0	$0	$10,000	$20,000	$50,000	$70,000	$70,000	$70,000	$90,000	$120,000	$130,000	$140,000	$150,000
Tax Allocated to EMS	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000

2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049
$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
$471,940,000	$503,340,000	$536,160,000	$602,660,000	$672,550,000	$691,040,000	$710,050,000	$729,570,000	$749,640,000	$770,250,000	$791,430,000	$813,200,000	$835,560,000	$858,540,000
$0.34	$0.34	$0.33	$0.33	$0.32	$0.32	$0.31	$0.30	$0.30	$0.29	$0.29	$0.29	$0.28	$0.28
$170,000	$180,000	$190,000	$200,000	$220,000	$220,000	$230,000	$230,000	$230,000	$230,000	$240,000	$240,000	$240,000	$240,000
$160,000	$170,000	$180,000	$200,000	$220,000	$220,000	$220,000	$220,000	$220,000	$230,000	$230,000	$230,000	$230,000	$240,000
$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000

Library													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Base Value	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
Increment Value	$0	$0	$26,000,000	$53,490,000	$114,270,000	$178,490,000	$184,170,000	$195,460,000	$254,180,000	$325,540,000	$365,750,000	$397,370,000	$433,770,000
Levy Rate	$0.41	$0.40	$0.39	$0.39	$0.38	$0.37	$0.37	$0.36	$0.36	$0.35	$0.34	$0.34	$0.33
Total Property Tax	$10,000	$10,000	$20,000	$30,000	$50,000	$80,000	$80,000	$80,000	$100,000	$120,000	$130,000	$140,000	$150,000
Tax Allocated to TIF	$0	$0	$10,000	$20,000	$40,000	$70,000	$70,000	$70,000	$90,000	$110,000	$130,000	$130,000	$140,000
Tax Allocated to Library	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000

2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049
$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000	$22,450,000
$471,940,000	$503,340,000	$536,160,000	$602,660,000	$672,550,000	$691,040,000	$710,050,000	$729,570,000	$749,640,000	$770,250,000	$791,430,000	$813,200,000	$835,560,000	$858,540,000
$0.33	$0.32	$0.32	$0.31	$0.31	$0.30	$0.30	$0.29	$0.29	$0.28	$0.28	$0.27	$0.27	$0.26
$160,000	$170,000	$180,000	$190,000	$210,000	$210,000	$220,000	$220,000	$220,000	$220,000	$230,000	$230,000	$230,000	$230,000
$150,000	$160,000	$170,000	$190,000	$210,000	$210,000	$210,000	$210,000	$210,000	$220,000	$220,000	$220,000	$220,000	$230,000
$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000	$10,000

Financing Plan/Duration of TIA

The City anticipates issuing Limited Term General Obligation (LTGO no-voted debt) tax-exempt bonds to pay for the TIF infrastructure projects in the amount not to exceed $8.186 million. The City anticipates issuing the debt in mid 2023 or early 2024 to coincide with the public infrastructure and private development timelines.

The City plans the LTGO bonds to be structured with a 25-year amortization and a 10-year par call. Additionally, the City is not currently expecting to capitalize interest during the first three years of the financing when TIF revenues alone are not expected to be sufficient to cover debt service. Instead, the City plans to pay any difference between debt service and TIF revenues from non-TIF revenues. The City will reimburse itself for any feasibility studies, including engineering design work to accurately project costs that occurred prior to the expected adoption of the Ordinance designating a TIA in May 2023. The City also plans to reimburse itself for any non-TIF revenue sources that are needed to meet the City's debt service payments associated with the TIF Infrastructure.

Debt Capacity

The maximum limit for LTGO non-voted debt cannot exceed 1.5 percent of the value of taxable property within the City. Based on an assessed value of $907,140,360 in 2022, the City has $13,607,105 million in total non-voted debt capacity and will have $16,050,895 in 2023. As shown below, the City has sufficient capacity for the issuance of the proposed $8.186 million LTGO bonds related to the TIF public improvements and is expected to have approximately $3.988 million, in debt capacity available after the proposed issuance.

Figure 11: Debt Capacity Table

	2022	**2023**
Assessed Valuation for 2022/2023 Collections	$907,140,360	$1,070,059,643
Non-Voted Debt Capacity (1.5% of AV)	$13,607,105	$16,050,895
Less: Outstanding Non-Voted Debt	$4,138,800	$3,877,052
New Non-Voted Debt	$9,468,305	$12,173,843
Less: Financing Proposed		$8,186,000
Projected Remaining Non-Voted Capacity		**$3,987,843**

Source: Stowe Development & Strategies & City of College Place, 2023

Debt Service Payments and Coverage

Assuming the City issues $8,186,000 of debt in mid 2023 or early 2024 to fund the proposed infrastructure project, it will need to service that debt with available resources regardless of whether the anticipated private development occurs and regardless of whether assessed values increase within the TIA. The debt service in Figure 12 assumes an interest rate of 4.5% and the schedule is illustrative of the range of debt but does not have the precision of working with bond professionals in the issuance of debt.

However, given the nature of TIF, incremental revenues early in the TIF period may not be sufficient to service the debt as private development construction will be in progress, and it will take time to build incremental assessed value contributions that ultimately determine the TIF allocation revenues estimated in this report.

Figure 13 summarizes potential debt service payments (assuming equal debt service) relative to the different TIF tax allocation revenue scenarios that would flow to the City. Until private development (and more specifically increases in assessed valuation in the TIA) catches up and matches the City's debt service payment, the City will need to cover these early deficits by using revenues identified in this Project Analysis (see Additional Incremental Tax and Impact Assessment and Mitigation Sections below) or structure their debt payments in line with their revenue stream (such as interest only).

Figure 12: Illustrative Debt Service Schedule – Level Payments

Year	Debt Payment	Year	Debt Payment
2023		2036	$629,308
2024	$629,308	2037	$629,308
2025	$629,308	2038	$629,308
2026	$629,308	2039	$629,308
2027	$629,308	2040	$629,308
2028	$629,308	2041	$629,308
2029	$629,308	2042	$629,308
2030	$629,308	2043	$629,308
2031	$629,308	2044	
2032	$629,308	2045	
2033	$629,308	2046	
2034	$629,308	2047	
2035	$629,308		

Source: ECONorthwest calculations

Figure 13: Summary Equal Debt Payments and TIF Revenue Allocations

TIF Allocation Revenues													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Baseline													
TIF Revenues	$0	$0	$100,000	$200,000	$430,000	$660,000	$660,000	$690,000	$890,000	$1,120,000	$1,230,000	$1,320,000	$1,420,000
TIF Debt Service	$0	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000
Annual Surplus/Deficit	$0	($630,000)	($530,000)	($430,000)	($200,000)	$30,000	$30,000	$60,000	$260,000	$490,000	$600,000	$690,000	$790,000
Cumalative Surplus/Deficit	$0	($630,000)	($1,160,000)	($1,590,000)	($1,790,000)	($1,760,000)	($1,730,000)	($1,670,000)	($1,410,000)	($920,000)	($320,000)	$370,000	$1,160,000

TIF Allocation Revenues													
	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$1,520,000	$1,590,000	$1,670,000	$1,840,000	$2,020,000	$2,040,000	$2,060,000	$2,080,000	$2,110,000	$2,130,000	$2,150,000	$2,170,000	$2,200,000
TIF Debt Service	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$0	$0	$0	$0	$0
Annual Surplus/Deficit	$890,000	$960,000	$1,040,000	$1,210,000	$1,390,000	$1,410,000	$1,430,000	$1,450,000	$2,110,000	$2,130,000	$2,150,000	$2,170,000	$2,200,000
Cumalative Surplus/Deficit	$2,050,000	$3,010,000	$4,050,000	$5,260,000	$6,650,000	$8,060,000	$9,490,000	$10,940,000	$13,050,000	$15,180,000	$17,330,000	$19,500,000	$21,700,000

TIF Allocation Revenues													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Alternative 1													
TIF Revenues	$0	$0	$110,000	$120,000	$230,000	$260,000	$430,000	$540,000	$760,000	$800,000	$880,000	$1,050,000	$1,150,000
TIF Debt Service	$0	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000
Annual Surplus/Deficit	$0	($630,000)	($520,000)	($510,000)	($400,000)	($370,000)	($200,000)	($90,000)	$130,000	$170,000	$250,000	$420,000	$520,000
Cumalative Surplus/Deficit	$0	($630,000)	($1,150,000)	($1,660,000)	($2,060,000)	($2,430,000)	($2,630,000)	($2,720,000)	($2,590,000)	($2,420,000)	($2,170,000)	($1,750,000)	($1,230,000)

TIF Allocation Revenues													
	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$1,220,000	$1,290,000	$1,370,000	$1,490,000	$1,620,000	$1,750,000	$1,880,000	$1,900,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
TIF Debt Service	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$0	$0	$0	$0	$0
Annual Surplus/Deficit	$590,000	$660,000	$740,000	$860,000	$990,000	$1,120,000	$1,250,000	$1,270,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
Cumalative Surplus/Deficit	($640,000)	$20,000	$760,000	$1,620,000	$2,610,000	$3,730,000	$4,980,000	$6,250,000	$8,170,000	$10,110,000	$12,070,000	$14,050,000	$16,050,000

TIF Allocation Revenues													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Alternative 2													
TIF Revenues	$0	$0	$50,000	$100,000	$140,000	$180,000	$240,000	$330,000	$460,000	$560,000	$600,000	$700,000	$830,000
TIF Debt Service	$0	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000
Annual Surplus/Deficit	$0	($630,000)	($580,000)	($530,000)	($490,000)	($450,000)	($390,000)	($300,000)	($170,000)	($70,000)	($30,000)	$70,000	$200,000
Cumalative Surplus/Deficit	$0	($630,000)	($1,210,000)	($1,740,000)	($2,230,000)	($2,680,000)	($3,070,000)	($3,370,000)	($3,540,000)	($3,610,000)	($3,640,000)	($3,570,000)	($3,370,000)

TIF Allocation Revenues													
	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$890,000	$940,000	$1,000,000	$1,100,000	$1,200,000	$1,300,000	$1,400,000	$1,420,000	$1,430,000	$1,450,000	$1,460,000	$1,480,000	$1,490,000
TIF Debt Service	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$0	$0	$0	$0	$0
Annual Surplus/Deficit	$260,000	$310,000	$370,000	$470,000	$570,000	$670,000	$770,000	$790,000	$1,430,000	$1,450,000	$1,460,000	$1,480,000	$1,490,000
Cumalative Surplus/Deficit	($3,110,000)	($2,800,000)	($2,430,000)	($1,960,000)	($1,390,000)	($720,000)	$50,000	$840,000	$2,270,000	$3,720,000	$5,180,000	$6,660,000	$8,150,000

Jobs Analysis

The job analysis considers two sources of employment tied to the TIA. First, the construction of private development will create jobs in the construction industry. These jobs will occur during the construction and are therefore "one-time" events. Once the buildings are constructed, commercial-oriented buildings will be used to for commercial purposes .These jobs are "ongoing", meaning they are permanent on the condition of occupation within the TIA. The following sections summarize these job estimates, and the methods used to derive them.

Construction Employment

Construction of the development over the anticipated build-out period would create temporary construction jobs within the region and state. The jobs estimated in Figure 14 are derived by using the 2023 value of construction investment for the Development Program Scenarios (Baseline, Alternative 1, and Alternative 2) and interpolating them into the Washington State Office of Financial Management's Input/Output model.

The model relates spending in an industry sector to the number of jobs directly supported by that same investment. While the model estimates the number of jobs generated in the state of Washington, it is likely that most of these workers would come from the immediate region. The region is rapidly growing in population, such that many of the jobs created would be additive to existing jobs within the region. Ultimately, the income earned by workers would bring additional spending to the City that would not have otherwise occurred.

ECONorthwest estimated the total number of construction jobs based on the spending by scenario. The number of jobs at any given time would vary depending on the timing and scale of development. As expected, the scale of the investment in the Baseline scenario produces the largest amount of construction jobs, in this case, 1,130 construction jobs.

Figure 14: Construction Jobs

	Baseline	Alt 1	Alt 2
Construction Jobs	1,130	1,030	770
Investment (millions)	$311	$282	$211

Source: ECONorthwest calculations and Office of Financial Management Input/Output Model, 2022.

Ongoing Employment

Based on the types of uses and square feet of building area, ECONorthwest estimated the potential number of jobs the development would support when built. These numbers are derived from ratio estimate building area to number of employees. The U.S. Energy Information Administration releases data from the 2018 Commercial Buildings Energy Consumption Survey (CBECS) that provides building characteristics information for commercial buildings in 2018 in the U.S. (the latest year of data). The data contain the average building square foot per worker by building use. Using the amount of planned development square footage by building use at full buildout of the scenarios, these ratios can be applied (less a vacancy rate of 5%) to estimate the number of ongoing

jobs. The Baseline scenario, by measure of having more commercial space than either of the other scenarios has the largest number of ongoing jobs at 270.

Figure 15: Ongoing Jobs

Employment Uses	Jobs: Baseline	Jobs: Alt 1	Jobs: Alt 2	Mean SqFt/Work
Retail and Food & Beverage	230	230	0	750-1,500
Hotel	40	40	40	2,200
Total Jobs	270	270	40	

Source: 2018 CBECS, Table B1. Summary table: total and means of floorspace, number of workers, and hours of operation, 2018 (Release date: September 2021)

Impact Assessment and Mitigation

Affordable Housing:

No residential housing will be displaced from the envisioned development. It is expected that as additional housing is built, demand is lowered and housing costs are reduced over the long-term and become more affordable. The increased number of housing units from this development will help house the growing population base, meeting the demand with supply. Without additional housing in College Place and Walla Walla County, affordability will only become increasingly challenging. Additionally, the City supports and is implementing (subject to available resources) a Regional Housing Assistance Plan prepared on behalf of a coalition of cities in Walla Walla County.

Local Business Community: In addition to the new residents, between 40 and 270 ongoing jobs will be introduced depending on which development scenario occurs. Likewise, between 770 and 1,130 construction jobs will be introduced based on private investment for development between $211 million to $311 million based on the specific Development Program growth scenario. These new jobs supported by significant private investment will benefit other businesses in the City as well as the surrounding jurisdictions.

Local School District: The College Place School District's property tax levies (enrichment, capital, and bond) are excluded from the TIF under the law. The increased assessed values generated in the TIA will operate to lower the rate per thousand of assessed value of levies imposed by the district. School district Enrichment and Capital Levies are excess levies, and the districts periodically ask voters to maintain existing levels of purchasing power via voted ballots. Bond levies ask voters to approve bonds to expand or improve their facilities and to approve excess property tax levies as necessary to pay debt service on the bonds. The effect of growth in the tax base coming from TIF will have two implications. First, it increases the tax base of the district, meaning that lower overall tax rates (per thousand of AV) are needed to fund a similar level of service. Second, it increases the proportion of the tax base that is commercial which leverages the relative voting power of residential households to support school expenditures backed by these excess levies (voter approved or otherwise).

Local Fire Service: State law requires a mitigation plan if the TIA will impact at least 20 percent of the assessed value of an impacted fire district. Local fire service is provided by the City of College Place and therefore there is no impact to another taxing district. Increased revenues from

the TIA are expected to be sufficient, to provide at a minimum, the City's existing levels of services to the area.

Early Outreach to Impacted Taxing Districts

While Washington State law requires formal notice to be provided to each impacted taxing districts upon approval of the Tax Increment Area (TIA), the City has engaged the Walla Walla County Commissioners, Treasurer and Assessor, and the Walla Walla Port District earlier in the process. This early outreach has allowed the City to collect feedback focused on the logistics of implementing TIF.

The taxing districts whose property tax levy would be directly impacted by TIF include:

- The City of College Place
- Walla Walla County
- The Port of Walla Walla
- Emergency Medical District (EMS)
- Library

The levy rate from each of these jurisdictions will be applied to the increased assessed valuation within the TIA and remitted to the City to pay the bonds associated with constructing the public infrastructure to support the anticipated private development. Alternatively, if TIF revenues exceed the amount necessary to pay the bonds then excess revenues will be distributed to these taxing districts.

The City intends to provide the formal notice once the City Council approves the ordinance establishing the TIA.

But-For-Requirement

Washington State's TIF law requires its local government sponsor to make the following findings:

(i) The public improvements proposed to be paid or financed with tax allocation revenues are expected to encourage private development within the increment area and to increase the assessed value of real property within the increment area;

(ii) Private development anticipated to occur within the increment area as a result of the proposed public improvements will be permitted consistent with the permitting jurisdiction's applicable zoning and development standards;

(iii) The private development would not reasonably be expected to occur solely through private investment within the reasonably foreseeable future without the proposed public improvements; and,

(iv) The increased assessed value within the increment area that could reasonably be expected to occur without the proposed public improvements would be less than the increase in the assessed value estimated to result from the proposed development with the proposed public improvements.

These findings (specifically sections i, ii, and iv) are commonly referred to as the "But-For-Requirement". The name comes from the assertion that private development would not occur but-for the use of TIF. This requirement is a foundational element of TIF, which directs public tax dollars generated by the development to only those public improvement projects necessary to support the proposed development. Although TIF is new to Washington state governments, the But-For-Requirement and associated analysis is not. Many local governments have examined its return on infrastructure investment from the generation of ongoing tax revenues associated with private development projects. Additionally, for most local governments, infrastructure demand exceeds revenue capacity, forcing local governments to make priority decisions regarding infrastructure projects that are funded with tax dollars and determining which projects can be paid for by developers. The But-For-Requirement for TIF formalizes the analysis and requires the local government sponsoring TIF to provide convincing evidence showing that tax dollars from the TIA are necessary to make the development possible.

If the proposed development would occur without TIF, public tax dollars should not be used because it will cost taxpayers more than it should for the resulting development or growth. However, if TIF is used to encourage a development that would not otherwise happen, the tax base can be increased. A larger tax base helps pay for needed services and can control the growth of new taxes. The But- For-Requirement is critical as a means to determining the proper use of public tax dollars.

The proposed TIA is an area of College Place has not seen new levels of development in the recent past. The City and its development partners have zeroed in on the cost inadequate infrastructure in the area necessary to support community expectations for land development. If the cost of the proposed TIF infrastructure below (estimated at $8.186 million) were required to be funded by private developers it would likely mean that only the most profitable single-family market rate housing could be built and the project may not be able to deliver on the same amount of public benefits such as proposed with the Stone Creek development. The levels of TIF infrastructure allow development to reach greater levels of intensity and economies of scale. The road projects improve the transportation access to public schools. Without the TIF investments in the transportation environment, it may be financially difficult to achieve the same level of investment by the private development and/or place an additional burden on the School District to accommodate access to students in the area. Finally, without the investment in parking, insufficient downtown parking would continue to be a drag on existing commercial performance and stunt the investment in new downtown commercial properties due to the lack of proximate or required parking.

Expected Development Without TIF Improvements

The City studied the expected development within the TIA. Without the proposed TIF funding, the area is expected to accommodate less development and take a longer time to develop. This includes about 75% fewer housing units and no commercial components. The figure below compares the amount of assessed valuation growth anticipated in the area with TIF and without TIF for each development scenario.

The figure below compares the amount of assessed valuation growth in both conditions.

Figure 16: Comparison of Assessed Value Growth Between TIF Scenarios and No TIF

Assessment Year	2023	2028	2033	2038	2043	2048
Baseline	$0	$184,174,000	$397,375,000	$602,661,000	$749,635,000	$858,537,000
Alternative 1	$0	$118,557,000	$316,867,000	$488,655,000	$682,738,000	$781,922,000
Alternative 2	$0	$66,052,000	$210,713,000	$358,625,000	$509,824,000	$583,887,000
No TiF	$0	$37,345,000	$79,037,000	$121,391,000	$146,974,000	$168,325,000

Source: ECONorthwest calculations, 2023

Summary of "But-For-Requirement"

Based on the above analysis the proposed private development could not occur without the identified TIF infrastructure improvements. Additionally, the assessed values from projected private development within the TIA would be less than the increase in assessed values from private development with the TIF improvements.

Additional Incremental Taxes

The City's LTGO bonds will be backed the City's full faith and credit, meaning bondholders can make a legal claim against the general revenue of the City if a default occurs. However, the City can use any unrestricted revenue sources it has available to satisfy its debt obligations. Washington state tax policy has conditions that allow governments that grow their tax bases to collect additional revenues. This relationship creates a mutually reinforcing benefit of housing and commercial development with additional tax revenues. New land development represents a direct financial investment in land preparation and building structures. Those structures, occupied by residential neighborhoods and businesses, increase the lands' productive economic capacity. That economic value generates taxable bases at the land, business operation, and transaction levels, represented in land value, retail sales, business income, etc. State tax policy allows government jurisdictions to tax these bases (subject to rate, annual increase and other limitations) to fund needed public services and infrastructure.

Outside of the TIF, allocations and the base value of property tax that would flow to TIF jurisdictions, the development, and occupation of buildings in the TIA will generate other incremental taxes to those jurisdictions. Tax revenues can be differentiated into three categories:

- **One-time Revenues**. These revenues are tied to construction. Specifically, they include the retail sales tax on construction (materials and labor), which is taxable under Washington state law.
- **Recurring Revenues.** These revenues are derived from the occupation of structures by residents and businesses. Specific revenues include retail sales tax, and utility taxes.
- **Capital Restricted Revenues**. These revenues are restricted to capital and include real estate excise taxes.

City of College Place

The City of College Place is the local service provider for police, fire, public works, community development, parks, and other local services. To support these services, the City collects a range of general and restricted taxes, these include the following.

Sales & Use Taxes

Sales Tax. Of the 8.7% sales tax currently collected in the City on general retail purchases, a 1% "local" share of the tax accrues to local jurisdictions. The City receives 85% of the 1% local tax and King County gets 15%. This tax is levied on businesses in the area, and on construction activity and some transactions related to housing and business, such as certain online purchases and the delivery of personal and commercial goods. The current rate accruing to the City for the local option is 0.85%. Walla Walla County levies a 0.3% Public Safety sales tax which is shared with the cities in the county. The incremental growth of this revenue is based on pro-rata population growth in the TIF development. The City also receives a population pro rata share of 90% of the city allocation of Walla Walla County's 0.1% criminal justice sales tax. Increase in the criminal justice tax is modeled on net increases in population due to development.

The sales tax relies on estimates of new construction value and consumer taxable retail sales spending. These assumptions are driven by valuation and use assumptions in the development program detailed below.

Utility Taxes

The City imposes utility taxes on gross purchases of electricity, water, wastewater, solid waste, telephones, cable, and natural gas. Current tax rates are used for this analysis. A generalized utility expenditure productivity factor (on a per person and employee basis) was used to generate estimates of utility purchases with the follow utility tax rates.

- Water: 10%
- Wastewater: 10%
- Electric: 6%
- Natural Gas: 6%
- Solid Waste: 10%
- Cable/Internet: 10%
- Telephone/Mobile: 6%

State Shared Motor Vehicle Fuel Tax & Liquor Board/Taxes

Local governments receive a gas tax distribution unrestricted for street purposes from the State. The distribution is determined using a formula that is heavily weighted towards population. ECONorthwest used a proxy of this formula to derive these revenues to the City. Cities also receive pro rata payments from Liquor Excise Tax & Liquor Board Profits.

Real Estate Excise Tax (REET)

Real estate transactions are subject to a 0.5% on the value of the transaction. REET revenues are placed in the capital restricted funds to finance capital projects. REET revenues are uncertain given volatility in the real estate market. Since REET is based on the total value of real estate transactions in a given year, the amount of REET revenues the City receives can vary substantially from year to year based on the normal fluctuations in the real estate market. During years when the real estate market is active, revenues are higher, and during softer real estate markets, revenues are lower. For the purposes of this analysis, it is assumed that all new completed projects would be sold and then 0.4 percent of all property value would turn over (re-sold) in any given year (this ratio in the historical average of REET sales to total assessed value in the City in 2021).

Tax Base Productivity Assumptions

It is assumed that each housing unit will house on average 2.4 persons and that the development will be 90% occupied (to account for times when homes sit vacant). Construction costs represent the average per square foot cost for different building types based on recent construction comparable projects (note: these costs are different from what a project is assessed at for property tax purposes).

These below costs are subject to retail sales taxes on construction activity:

- Large Format: $115 per square foot
- Retail: $245 per square foot
- Hotel: $225 per square foot
- Multi-family Unit: $150,000 per unit
- Single Family and Townhouses: $330,000 to 400,000 per unit

On-ongoing taxable retail sales are based on assumed comparable businesses:

- Large Format: $400 per square foot
- Retail: $325 per square foot
- Hotel: $50 per square foot
- Multi-family Unit: $2,500 per unit
- Single Family and Townhouses: $3,500 to $5,000 per unit

Summary of Additional Tax Results

Based on the approximate timing of the new development the Baseline Scenario is estimated to generate approximately $21.7 million in additional tax revenues generated from the private development for the City (Figure 17). The Alternative 1 Scenario generates respectively less at $19.3 million and Alternative 3 at $6.9 million. These figures represent a 25-year cash flow (2023-2047) of tax revenues to the City in 2023 dollars (e.g., all future tax revenues have been discounted at 4.5% back to 2023 values).

Figure 17: Summary of additional tax benefits (present value, 2023$)

	Baseline	Alternative 1	Alternative 2
Sales Tax	$14,840,000	$13,170,000	$2,020,000
B&O Tax	$580,000	$550,000	$150,000
Utility Tax	$1,590,000	$1,430,000	$1,140,000
Criminal Justice and Public Safety	$1,210,000	$1,100,000	$1,010,000
State Shared	$1,400,000	$1,260,000	$1,160,000
REET	$1,480,000	$1,260,000	$920,000
Hotel Motel	$580,000	$500,000	$500,000
Total	$21,680,000	$19,270,000	$6,900,000

Source: ECONorthwest calculations, 2023

Risk Assessment and Mitigation Plan

As stated in the summary and introduction above, TIF is a powerful tool available to local governments for encouraging development. Using local property tax revenues to finance certain public improvements can encourage and generate the desired or envisioned private development; however, using TIF has risks. The largest risks are that: 1) the expected private development does not occur; occurs slower than expected; and/or, the type of private vertical (office, retail, housing) development and its magnitude is less than expected; and, 2) the cost projected for the infrastructure improvements is higher than projected. These risks impact the expected revenues to be generated within the TIA or the costs for the public infrastructure improvements. If revenue is not as expected, a local government must then use other sources of revenue to pay for the public improvements. The City will be obligated to pay for the TIF infrastructure even if little or no private development materializes. As stated previously in this report, the City anticipates issuing LTGO bonds which will be backed by the City's full faith and credit, meaning bondholders can make a legal claim against the general revenue of the City if a default occurs. The City should have a mitigation plan to address a shortfall in revenue or overrun of infrastructure improvement costs.

Other related risks include over-investment of infrastructure funding by TIF, which can waste limited tax dollars for other uses. Local governments can guard against and potentially avoid the over-investing and under-investing by carefully evaluating the local market conditions and performing the analysis associated with the But-For-Requirement identified in this report. When TIF is used correctly, the growth and development pay for the infrastructure investments that encouraged it.

For purposes of this Project Analysis, the City has identified the Alternative 1 as the likely development scenario. Based on this scenario the TIA is projected to generate approximately $13,850,000 (present value) in additional property tax revenues over a 25-year TIF period (2024-2048). This value exceeds the projected infrastructure cost of $8,186,000.

The City will need to fill the financial gap (e.g., the difference between TIF allocation revenues and debt payments) projected to occur in the first 7 years for a total gap of $2.7 million in the Alternative 1 Scenario with other sources of revenue that are identified below. This amount can then be repaid from increased TIF revenues after the proposed private development stabilizes in later years or from additional local taxes coming from the development. Notwithstanding these projections, the City has prepared the mitigation plan below to respond to possible development and financial risks.

Figure 18: Summary of Alternative 1 TIF Allocations and Level Debt Payments

TIF Allocation Revenues													
	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Alternative 1													
TIF Revenues	$0	$0	$110,000	$120,000	$230,000	$260,000	$430,000	$540,000	$760,000	$800,000	$880,000	$1,050,000	$1,150,000
TIF Debt Service	$0	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000
Annual Surplus/Deficit	$0	($630,000)	($520,000)	($510,000)	($400,000)	($370,000)	($200,000)	($90,000)	$130,000	$170,000	$250,000	$420,000	$520,000
Cumalative Surplus/Deficit	$0	($630,000)	($1,150,000)	($1,660,000)	($2,060,000)	($2,430,000)	($2,630,000)	($2,720,000)	($2,590,000)	($2,420,000)	($2,170,000)	($1,750,000)	($1,230,000)

TIF Allocation Revenues													
	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$1,220,000	$1,290,000	$1,370,000	$1,490,000	$1,620,000	$1,750,000	$1,880,000	$1,900,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
TIF Debt Service	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$0	$0	$0	$0	$0
Annual Surplus/Deficit	$590,000	$660,000	$740,000	$860,000	$990,000	$1,120,000	$1,250,000	$1,270,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
Cumalative Surplus/Deficit	($640,000)	$20,000	$760,000	$1,620,000	$2,610,000	$3,730,000	$4,980,000	$6,250,000	$8,170,000	$10,110,000	$12,070,000	$14,050,000	$16,050,000

Source: ECONorthwest, 2023

Development Mitigation

Development Program Sensitivity Analysis: Three different private development program scenarios (Baseline, Alternative 1 and Alternative 2) have been developed and evaluated to identify potential TIF revenues and sufficient mitigation measures should development not occur (worst case) or occur at a different speed and magnitude.

Development Agreement: The City of College Place will seek development agreements with developers of key development sites in order to provide predictable timeframes and possible assurances that private development will occur.

Financial Mitigation

The following mitigation plan is proposed to provide multiple levels of financial protection to fill any financial gaps that occur in the early years of the TIA until private development and TIF revenues stabilize or should the expected private development occur slower than planned.

Level 1:

Debt Issuance Timing & Structure. The City may reduce its financial exposure related to the timing and scope of private development by strategically timing the issuance of LTGO bond debt to coincide with the public infrastructure and private development timelines. The City may issue $4,300,000 in debt (funding the Mojonnier Road improvements) in 2023/2024 and the remaining $3,886,000 (funding the remaining TIF improvements) no later than 2028, subject to private development advancement providing for greater development and TIA revenue certainty.

The City may also make additional adjustments in the timing of the initial debt issuance based on development activity, the nexus between the identified infrastructure improvements and the proposed private development providing for greater development and tax revenue certainty to help pay the debt service associated with TIF infrastructure improvements. Figure 20 below shows the City will need to fill the financial gap (e.g., the difference between TIF allocation revenues and debt payments) that is projected to remain the same at 7 years but the annual deficits are reduced from $2.7 million to $1.5 over that time.

Figure 19: Net Surplus Deficit with Split Debt Issue

TIF Allocation Revenues	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
TIF Revenues	$0	$0	$110,000	$120,000	$230,000	$260,000	$430,000	$540,000	$760,000	$800,000	$880,000	$1,050,000	$1,150,000
TIF Debt Service	$0	$330,000	$330,000	$330,000	$330,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000
Annual Surplus/Deficit	$0	($330,000)	($220,000)	($210,000)	($100,000)	($370,000)	($200,000)	($90,000)	$130,000	$170,000	$250,000	$420,000	$520,000
Cumalative Surplus/Deficit	$0	($330,000)	($550,000)	($760,000)	($860,000)	($1,230,000)	($1,430,000)	($1,520,000)	($1,390,000)	($1,220,000)	($970,000)	($550,000)	($30,000)

TIF Allocation Revenues	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$1,220,000	$1,290,000	$1,370,000	$1,490,000	$1,620,000	$1,750,000	$1,880,000	$1,900,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
TIF Debt Service	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$630,000	$300,000	$300,000	$300,000	$300,000	$0
Annual Surplus/Deficit	$590,000	$660,000	$740,000	$860,000	$990,000	$1,120,000	$1,250,000	$1,270,000	$1,620,000	$1,640,000	$1,660,000	$1,680,000	$2,000,000
Cumalative Surplus/Deficit	$560,000	$1,220,000	$1,960,000	$2,820,000	$3,810,000	$4,930,000	$6,180,000	$7,450,000	$9,070,000	$10,710,000	$12,370,000	$14,050,000	$16,050,000

Source: ECONorthwest, 2023

Figure 20 below is a modified debt service structure (interest only for first 5 years) designed to limit the City's need to borrow from other sources to pay the projected debt service under the Alternative 1 Development Scenario. In this situation, the interest only shows the City will need

to fill the financial gap (e.g., the difference between TIF allocation revenues and debt payments) projected to remain the same at 7 years but the annual deficits are reduced from $2.7 million to $1.7 over that time.

Figure 20: Net Surplus Deficit with Interest Only Debt Service (first five years)

TIF Allocation Revenues	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
TIF Revenues	$0	$0	$110,000	$120,000	$230,000	$260,000	$430,000	$540,000	$760,000	$800,000	$880,000	$1,050,000	$1,150,000
TIF Debt Service	$0	$370,000	$370,000	$370,000	$370,000	$370,000	$760,000	$760,000	$760,000	$760,000	$760,000	$760,000	$760,000
Annual Surplus/Deficit	$0	($370,000)	($260,000)	($250,000)	($140,000)	($110,000)	($330,000)	($220,000)	$0	$40,000	$120,000	$290,000	$390,000
Cumalative Surplus/Deficit	$0	($370,000)	($630,000)	($880,000)	($1,020,000)	($1,130,000)	($1,460,000)	($1,680,000)	($1,680,000)	($1,640,000)	($1,520,000)	($1,230,000)	($840,000)

TIF Allocation Revenues	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Revenues	$1,220,000	$1,290,000	$1,370,000	$1,490,000	$1,620,000	$1,750,000	$1,880,000	$1,900,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
TIF Debt Service	$760,000	$760,000	$760,000	$760,000	$760,000	$760,000	$760,000	$730,000	$0	$0	$0	$0	$0
Annual Surplus/Deficit	$460,000	$530,000	$610,000	$730,000	$860,000	$990,000	$1,120,000	$1,170,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
Cumalative Surplus/Deficit	($380,000)	$150,000	$760,000	$1,490,000	$2,350,000	$3,340,000	$4,460,000	$5,630,000	$7,550,000	$9,490,000	$11,450,000	$13,430,000	$15,430,000

Source: ECONorthwest, 2023

Alternatively, debt could be structured to proportionally match the expected tax allocation revenues with a longer interest only payment or more back loaded payments by capitalizing the interest. The tradeoff with both of these measures is more interest paid on the bond proceeds.

Level 2:

Additional Taxes from Alternative Development Scenario:

Based on the Alternative 1, it is projected the City will receive a present value of $19.3 million in additional tax revenues generated by the proposed development. A portion of these incremental additional taxes can be used to support any infrastructure debt service gap in TIF revenues. Netting out tax revenues restricted to specific uses (and not available to service debt such as criminal justice sales taxes and hotel-motel taxes) and holding 30% to cover potential increases in public service operating costs, additional revenues that may service debt is shown below. Applying these additional tax revenues (assumed to be 70% of the total) and interest only for the first 5-years to this Alternative 1 Scenario, the number of years of deficit drops from 7 to 4 years and the amount of deficit decreases from $1.7 million to $1.5 million (as compared to the interest only example).

Figure 21: Comparison of Debt Payment Surplus/Deficits; Other Additional Taxes; Interest Only Example

TIF Allocation Revenues	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Alternative 1													
TIF Surplus/Deficit	$0	($630,000)	($520,000)	($510,000)	($400,000)	($370,000)	($200,000)	($90,000)	$130,000	$170,000	$250,000	$420,000	$520,000
Additional Taxes	$0	$130,000	$110,000	$150,000	$210,000	$370,000	$490,000	$650,000	$610,000	$610,000	$870,000	$970,000	$990,000
Surplus/Deficit	$0	($500,000)	($410,000)	($360,000)	($190,000)	$0	$290,000	$560,000	$740,000	$780,000	$1,120,000	$1,390,000	$1,510,000

Assessment Year	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048
TIF Surplus/Deficit	$590,000	$660,000	$740,000	$860,000	$990,000	$1,120,000	$1,250,000	$1,270,000	$1,920,000	$1,940,000	$1,960,000	$1,980,000	$2,000,000
Additional Taxes	$1,090,000	$1,220,000	$1,440,000	$1,550,000	$1,630,000	$1,710,000	$1,580,000	$1,550,000	$1,590,000	$1,630,000	$1,670,000	$1,720,000	$1,770,000
Surplus/Deficit	$1,680,000	$1,880,000	$2,180,000	$2,410,000	$2,620,000	$2,830,000	$2,830,000	$2,820,000	$3,510,000	$3,570,000	$3,630,000	$3,700,000	$3,770,000

Source: ECONorthwest Calculations, 2023

Level 3:

General Fund Reserves & Re-Prioritization of Existing Capital Projects. Over the last 6 years (2018 to 2023), the City has averaged approximately $9 million in available General Fund reserves not allocated to any specific operating or capital expense. These unallocated funds can pay the debt service for infrastructure improvements if property tax revenue from the TIA is insufficient.

Additionally, the City may reprioritize some capital project expenditures to respond to any gaps between TIF revenues and debt payments.

Financial Mitigation Summary:

Depending on the actual revenue-debt gap, the City will likely be required to use multiple levels of mitigation identified above to satisfy its debt obligations if development does not occur as expected in accordance with the Alternative 1 scenario.

Additional Mitigation Measures

Public Infrastructure Cost Containment. Municipal agencies have vast experience with building horizontal infrastructure (streets, water, sewer, etc.). The City is no exception and takes pride in its ability to provide conservative construction estimates, create clear construction bid documents, and effectively manage the construction delivery process. The cost estimates for the TIF public infrastructure improvements are currently planning level estimates and include a 30% contingency to buffer any volatility in the construction industry. Construction costs will be further refined prior to the issuance of any debt.

There are other risks that a municipal government faces regularly such as: construction delays, which increase costs for public infrastructure improvements; economic slowdown or recession; higher borrowing costs then even accounted for in the Project Analysis; and lower levy rates within the TIA than anticipated. The City has been successful in addressing these secondary type risks by using conservative estimates and adherence to prudent fiscal and construction management policies. The City will continue these same practices as it implements the proposed TIA and the associated infrastructure improvements.

College Place TIF Team

City of College Place

- Mike Rizzitiello, City Administrator
- Brian Carleton, Finance Director
- Jon Rickard, Community Development Director
- Robert McAndrews, Public Works Director

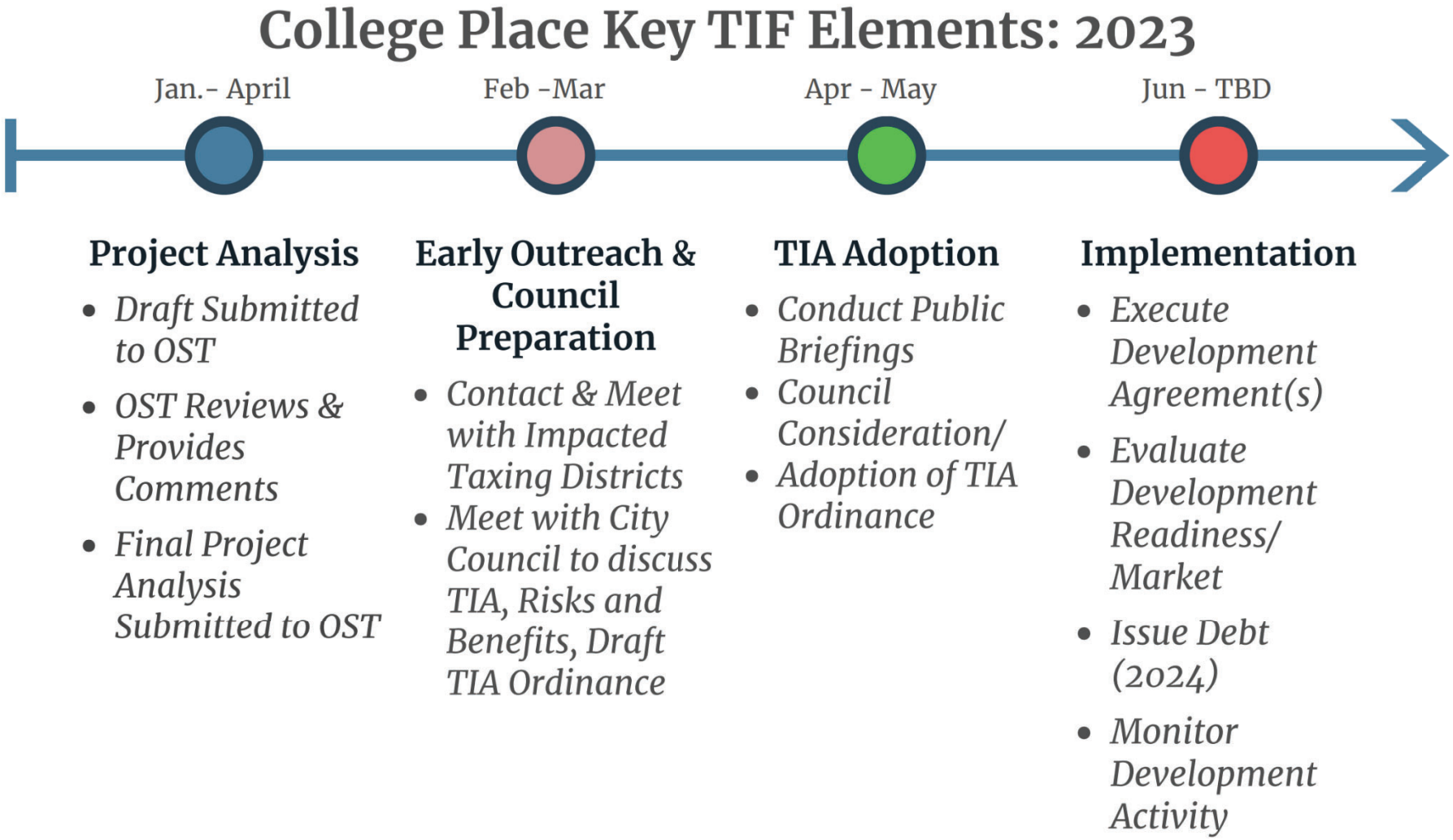
Tax Increment Financing Consultants

- Bob Stowe, Stowe Development & Strategies (TIF Project Manager)
- Morgan Shook, ECONorthwest

Future TIF Actions

There are a number of actions that will occur before the College Place City Council formally considers the formation of a TIA for Stone Creek and Downtown Area. First, is to receive and review feedback offered by the Office of the State Treasurer related to this Project Analysis. Second, based on any feedback, the TIF team will evaluate and make appropriate adjustments to its proposed TIF program. Third, is to conduct two separate public briefings on the proposed TIA and provide formal notice in the local newspaper. The City will continue to engage its local partners and taxing districts as discussions continue. There are also a number of planning, engineering, finance, and legal activities that will occur to advance the proposed public infrastructure and private development for the Stone Creek and Downtown Area. Below is an expected schedule for the future TIF actions.

Timeline


College Place Key TIF Elements: 2023
Jan.- April
Feb -Mar
Apr - May
Jun - TBD
Project Analysis
Draft Submitted to OST
OST Reviews & Provides Comments
Final Project Analysis Submitted to OST
Early Outreach & Council Preparation
Contact & Meet with Impacted Taxing Districts
Meet with City Council to discuss TIA, Risks and Benefits, Draft TIA Ordinance
TIA Adoption
Conduct Public Briefings
Council Consideration/
Adoption of TIA Ordinance
Implementation
Execute Development Agreement(s)
Evaluate Development Readiness/ Market
Issue Debt (2024)
Monitor Development Activity

Findings | Bottom Line

The envisioned Stone Creek and Downtown Development would not be viable without the City's intervention to provide the identified infrastructure via the establishment of a TIA. The City has demonstrated a strong nexus between the proposed development and the proposed infrastructure. The City is conservatively estimating the potential revenues generated by the formation of a TIA and has available resources to pay for infrastructure debt service should the expected TIA revenues not materialize.

There are no negative impacts to affordable housing, the local business community and the local school district, and there are no local fire districts. The Stone Creek and Downtown Development will provide for jobs and investment into the local and regional economy.

Based on all of the above findings and information contained in this Project Analysis, the Stone Creek and Downtown Development and its proposed TIA meets both the spirit and the letter of Washington's State's new law.

APPENDICES

- State Audit Report Summary
- Consultant Team Bios

State Audit Report Summary

City of College Place - Debt Service Balances

	Actual 2018	Actual 2019	Actual 2020	Actual 2021	Actual 2022	Budget 2023
Beginning Cash Available for Debt Service	9,719,694	14,120,270	13,210,627	14,396,114	17,519,503	18,493,082
Operating Revenue Available for Debt Service						
Operating Revenue	21,684,262	24,737,700	24,840,150	35,873,201	31,017,700	61,658,208
Operating Expenditures	17,283,685	25,647,342	23,654,663	32,749,812	29,955,735	62,739,740
Operating Income (Loss)	4,400,577	(909,642)	1,185,487	3,123,389	1,061,965	(1,081,532)
Total Revenue Available for Debt Service	14,120,271	13,210,628	14,396,114	17,519,503	18,581,468	17,411,550
Debt Service (General Obligation)	630,234	729,062	953,566	676,235	677,235	537,451
Debt Service - Other	1,490,077	1,163,926	1,198,625	1,169,505	1,049,974	1,638,218
TIF GO Debt Obligation						
Total Debt Service	2,120,311	1,892,988	2,152,191	1,845,740	1,727,209	2,175,669
Reserve Restictions	3,224,994	4,685,106	4,383,286	4,776,701	4,896,509	5,553,475
Ending Cash Availble for Debt Service	8,774,966	6,632,534	7,860,637	10,897,062	11,957,750	9,682,406

Consultant Team Bios

Bob Stowe - Principal

Bob Stowe is the principal and founder of Stowe Development & Strategies — a company he formed in 2016 to help public sector clients succeed with their economic and community development interests. With 34 years of experience in progressive community transformations, Bob is one of the Northwest's most innovative and entrepreneurial real estate and community developers. He uses sound long- range fiscal planning skills and has achieved enviable results in leading redevelopment efforts from the dream stage to construction. This is true for projects large and small, straightforward and complex.

Bob's understanding and experience with tax increment financing, master plan development, transit oriented development, placemaking, negotiation of purchase and sale agreements, development agreements, public benefit agreements, and his ability to create public private partnerships make him an ideal public sector development partner.

Bob has been responsible for leading, managing, coordinating, and implementing a wide variety of complex and multi-faceted projects including, downtown revitalization plans, civic center plans and development, master plans, public-private partnerships, and transit-oriented developments to name a few.

Bob was the City Manager for the City of Bothell, Washington from 2005 to 2016 where he was the architect and leader of Washington's largest and most successful publicly-led downtown revitalization. Under Bob's leadership, this project utilized a Local Infrastructure Financing Tool award (AKA TIF light) as part of the funding package that stimulated private investment of over $300 million; a very big step in achieving the City's 25-year goal of $650 million. The fact that nearly half that goal was reached in just a few years, during the Great Recession, and with leverage from public/private collaboration, made it all the more remarkable.

Bob guided the development of approximately $150 million in public sector improvements (relocation of a state highway, creation of new streets, storm water system, parks, environmental clean-up, etc.) identified as necessary to achieve the revitalization vision. The massive public development plan and schedule also needed to align with private sector purchase of surplus land from the City, environmental remediation, public streets to be developed by the private sector, and on-site mixed-use development. Precise scheduling, communication and the ability to respond to changing conditions were skills that Bob successfully delivered on this project.

Before arriving in Bothell, Bob was the City Manager for the City of Mill Creek for nine years and helped lead development of the award-winning Mill Creek Town Center in the early 2000s. His first downtown transformation project began with the revitalization of Downtown Dayton, Washington in the late 1980s.

The hallmark of Bob's effort is his commitment to create well designed and environmentally sustainable places where people want to live, work, and come together to celebrate. Bob has tackled the most difficult and complex projects, achieving the redevelopment and economic dreams of several communities with his failure is not an option approach.

EDUCATION

- MBA, Albers School of Business & Economics, Seattle University (with honors).
- BA, Urban and Regional Planning, Eastern Washington University.

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Morgan Shook - Director/Partner

Morgan Shook is a Senior Policy and Economic Analyst working in real estate, land use, and transportation economics, and finance. He has deep expertise in economic, market and financial analytics that he brought to bear in business, enterprise, and policy settings.

Morgan has worked for a range of government, business, and non-profit clients to advance their missions that in diverse set areas and topics.

Morgan has worked on every form of tax increment financing in Washington including Community Revitalization Financing, Local Infrastructure Financing Tool, Local Revitalization Financing LRF, Landscape Conservation and Local Infrastructure Program, as well as the recently passed Tax Increment Financing bill in the 2021 legislative session.

Before joining ECONorthwest, Morgan worked in biotechnology development at the Institute for Systems Biology, and health disparities research at the University of Chicago. Morgan recently served on the Seattle Planning Commission.

EDUCATION

- M.U.R.P., Portland State University
- B.S. Molecular Biology, University of Puget Sound
- Certificate in Commercial Real Estate Development, University of Washington Extension

Areas of Expertise

- Economic Development
- Affordable Housing
- Land Use Planning
- Market & Feasibility Analysis
- Infrastructure & Finance Funding
- Transit-Oriented Development

Prepared by:

STOWE
DEVELOPMENT & STRATEGIES
A Real Estate and Community Development
Strategy and Execution Company

In association with:

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AGREEMENT TO LEASE PARKING LOT by and between the CITY OF COLLEGE PLACE AND WALLA WALLA UNIVERSITY.

This AGREEMENT is entered into by and between CITY OF COLLEGE PLACE, a non-charter code city governed by Revised Code of Washington Title 35A, (CITY) AND WALLA WALLA UNIVERSITY, private, nonprofit corporation formed under the laws of Washington State, (WWU).

Whereas, the CITY has the authority pursuant to Title 35A of the Revised Code of Washington (RCW) and RCW §§ 35.42.200, 35.86.010 and 35.86A.120 to own or lease, and to operate off-street parking facilities; and

Whereas, the lack of public parking in the CITY's downtown area has and is reasonably likely to continue to thwart private development in downtown area due to legally required parking spaces associated with private development and due to the deterrent of members of the public not being able to find a parking to patronize downtown businesses;

Whereas, the CITY passed Ordinance No. 23-007, codified in Chapter 3.20 College Place Municipal Code (CPMC), establishing the Downtown College Place Tax Increment Area, (TIA), identifying the public improvements to be financed by the allocation of property tax revenues generated from the increased assessed valuation of properties improved by development within the TIA; and

Whereas, the CITY has identified "Downtown Parking Lot(s)" as public improvements to be financed by the allocation of property tax revenues generated within the TIA; and

Whereas, the CITY has identified real property within the CITY's downtown area which may be utilized to provide for public parking improvement; and

Whereas, the CITY has identified real property owned by WWU and currently used as WWU student, professor, staff, and visitor parking as a cost-effective option for developing CITY provided public parking;

Whereas, WWU has a surplus of parking space considering the WWU's use of its parking facilities and desires to partner with the CITY to improve WWU parking facilities and to allow members of the public to use the parking facilities;

Now Therefore, the Parties agree as follows:

1. Parking Lot. WWU owns, operates, and maintains real property and structures, more particularly described in Exhibit A hereto, which is incorporated herein, (Parking Lot), which is adequate and available for parking of vehicles **[bikes/scooters/ebikes???]**.

2. Lease. WWU will make available and lease to the CITY the Parking Lot for the general public to use for parking of vehicles and access to downtown and nearby locations.

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3. Term. This Lease will commence upon the execution by both Parties and shall remain in effect unless terminated pursuant to this Agreement, for 50 years.

4. Renewal. This Lease will automatically renew for an additional 10 years unless terminated pursuant to this Agreement.

5. Improvements.

    a. The CITY intends to make the following improvements to the Parking Lot and adjacent CITY right of ways:

    b. WWU agrees and consents to the CITY making these improvements to the Parking Lot.

    c. Ownership:

        i. The CITY shall, throughout the term of this Agreement, own any and all improvements made and upon termination of this Agreement, the CITY shall retain ownership of the following improvements:

        ii. Upon termination of this Agreement, WWU shall own the following improvements:

    d. Additional Improvements. For improvements not identified herein, the Parties agree to amend this Agreement to allow for additional improvements and to designate ownership thereof. No Party shall unreasonably withhold consent and agreement to additional improvements. If the Parties cannot agree on ownership of additional improvements, the Party which makes the improvements shall own said improvements throughout the term of the Agreement and upon termination of the Agreement.

    e. WWU specifically agrees to allowing the CITY to develop the Parking Lot for use other than parking of vehicles so long as at least 75% of the vehicle parking space is retained for parking.

    f. include said improvements. All improvements made in addition to those identified herein shall be All improvements, to include shall be the property of the CITY, regardless of whether they are fixtures

6. Maintenance. The CITY shall maintain the Parking Lot in good and usable order. The CITY shall be sole determiner of appropriate maintenance of the Parking Lot.

7. Operation.

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a. The CITY shall have the sole right to regulate and use the Parking Lot.

b. The CITY shall call for bids and negotiate as required pursuant to RCW 35.86A.120. If the CITY fails to receive a satisfactory bid and is unable to satisfactorily negotiate with a private operator within a reasonable time, the CITY may operate the Parking Lot for a period not to exceed 3 years, at which time, it shall readvertise for bids to operate the Parking Lot.

c. Should the applicable Washington state code be repealed, revised, amended, or recodified, the Parties agree to implement any mandatory requirements applicable to the operation of the Parking Lot.

8. Rate. The CITY agrees to pay WWU the following for the use of the Parking Lot pursuant to this Agreement:

   [dollar amount by month, year, additional 10 year renewal period]

9. Rules. WWU agrees to comply with any and all policies and rules established by the CITY directly or through a third-party operator regarding use of the Parking Facility, and WWU shall require all students, faculty, staff, and visitors of WWU to comply with all applicable policies and rules. The CITY shall provide prompt written notice of establishment or modification of policies and rules. WWU agrees to work with the CITY to ensure use of the Parking Facility by WWU students, faculty, staff, and visitors abide by the Parking Facility policies and rules.

10. WWU representation. WWU, by execution of this Agreement represents and warrants that, as of the date of signature below:

    a. The Parking Facility is owned solely by WWU, and no other person or entity has any interest whatsoever in the Parking Facility;

    b. The Parking Facility is in compliance with all applicable federal, state , and local laws, regulations and ordinances, including zoning, land use, building codes and environmental regulations and any permits or license required;

    c. The Parking Facility is free from any material defects;

    d. The Parking Facility is not affected by any pending legal proceedings or administrative actions of any kind or character adversely affecting the Parking Facility or WWU's interest therein, including any condemnation or eminent domain proceedings or any reassessments or special assessments or penalties or

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interest with respect to the Parking Facility or any other assessment applicable to the Property;

e. The Parking Facility has not been the subject of any written notice from any city, county, state or other government authority of any violation of any statute, ordinance, regulation, or administrative or judicial order or holding, whether or not appearing in public records;

f. The Parking Facility has not been the subject of any notice that the Property is in violation of any federal, state and/or local laws, ordinances and regulations with respect to hazardous or toxic substances or industrial hygiene;

g. The Parking Facility is not encumbered by any lease, license, or other occupancy or use agreements granting any party rights to possess or use the Property in part or in whole;

h. The Parking Facility is not the subject of any maintenance or service agreements;

i. The Parking Facility is not an asset or property the subject of any filing under the Federal Bankruptcy Law or any federal or state insolvency laws or laws for composition of indebtedness or for the reorganization of WWU;WU received any other assessment applicable to the

j. The Parking Facility is appropriate for the intended use described in this Agreement;

k. The Parking Facility is free from any material defects;

l. The Parking Facility is free from natural and man-made hazards, including but not limited to underground tanks, lead pipes, lead paint, asbestos, radon gas and the like.

11. Termination. In addition to other termination provisions in this Agreement:

a. Either Party may terminate this Agreement by providing the other Party with 180 days written notice.

b. The CITY may immediately terminate this Agreement if, in the sole determination of the CITY, there exists an imminent or substantial threat to public welfare, health or safety. In such case, the CITY shall be responsible for payment of its use up to the date of termination.

12. Breach.

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a. By WWU. Should WWU breach any term or condition of this Agreement, the CITY shall notify, in writing, WWU of the breach and request compliance with this Agreement. If WWU fails to remedy the breach within 30 days, or longer if agreed to in writing by the CITY, the CITY shall not be required to pay the applicable rate to WWU for as long as the breach remains. In addition, the CITY may, when possible, remedy the breach on behalf of WWU and in such case, the cost of remedying the breach shall be borne by WWU and the CITY may elect to deducted from the amount(s) due to WWU to satisfy the cost of remedying the breach, or the CITY can elect to demand immediate reimbursement for the cost to remedy the breach and WWU shall remit payment to the CITY within 30 days of notice of demand for payment. The calculation of the cost to remedy any breach shall be actual costs, plus any allowable fees as governed by the CITY's adopted fees schedule in effect at the time of the remedy and shall include administrative and third-party fees. Should the Agreement terminate prior to WWU satisfying any amounts owed to the CITY for the breach, the total amount shall become due and owing immediately.

b. By the CITY. Should the CITY breach any term or condition of this Agreement, WWU shall notify, in writing, the CITY of the breach and request compliance with this Agreement. If the CITY fails to remedy the breach within 30 days of written notice of the breach, WWU shall have the right to immediately terminate this Agreement, except that, should the CITY determine that remedying the breach will take longer than 30 days, the CITY shall request a reasonable extension of the time to remedy along with a detailed explanation of the remedy to support the stated time frame for completion. WWU shall grant the CITY the reasonably necessary time to remedy any breach. Should the CITY fail to remedy the breach within the timeframe allowed by this Agreement, WWU may immediately terminate this Agreement.

13. Interruption in Use.

a. Routine/expected. The Parties understand that, from time to time, for various reasons, the Parking Facility may not be operable in whole or in part. For example, during routine maintenance. Such reasonable times shall not be cause for terminating this Agreement and shall not result in any reduction in rate or payment to WWU.

b. CITY or CITY sponsored events. The CITY may use the Parking Facility for purposes other than parking of vehicles and access to downtown.

c. Caused by WWU. Should WWU cause the Parking Facility to be inoperable, in whole or in part, for a period of 24-hours or more, the CITY shall reduce the rate

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paid to WWU in a pro rata share for each day the Parking Facility is inoperable. To calculate the reduction, any inoperable time after the first 24-hour period shall result in a one day reduction in rate and any time after each subsequent 24-hour period shall result in corresponding day(s) reduction in rate.

d. Caused by CITY. Should the CITY cause the Parking Facility to be inoperable, in whole or in part, for a period of 24-hours or more, the CITY shall continue to pay to WWU the regular rate.

e. Cause by Third-Party. Should the Parking Facility become inoperable in whole or in part, not caused by either Party, the CITY can either continue to pay WWU pursuant to section 8 herein, may request WWU renegotiate this Agreement, or may terminate this Agreement. Any termination shall be effective 30 days after notice of intent to terminate pursuant to this section.

f. Latent

g. Notice. Should either Party have knowledge that the Parking Facility will or may become inoperable in whole or in part, said Party shall notify the other as soon as reasonable possible. Should either Party become aware that the Parking Facility is inoperable in whole or in part, said Party shall notify the other as soon as reasonable possible.

14. Compliance with Law. Both Parties shall comply with all applicable laws, rules and regulations.

15. Funding. Nothing in this Agreement requires the CITY to appropriate future funding and should any funds appropriated at the time of execution of this Agreement be, at the sole discretion of the CITY not expended pursuant to this Agreement, the CITY is not required to expend said funds and the CITY shall only be responsible to compensate WWU for actual use of the Parking Facility up to the date of notice by CITY to WWU of reduction or elimination of funding.

16. Insurance.

a. WWU. WWU shall maintain premise liability insurance for the Parking Facility as follows:

b. CITY. CITY, as of the date of signature, has liability insurance with Washington Cities Insurance Authority, a municipal risk pool authorized under Chapters 48.62 and 39.34 RCW and Washington Administrative Code 200.100.010 with limits of the insurance are $20,000,000 per occurrence, with WCIA self-insuring for the first $4,000,000 of each loss. WCIA can and will provide WWU with an evidence

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of coverage letter upon request. The CITY's participation in WCIA, a self-insured, governmental risk pool shall satisfy the insurance conditions of this Agreement.

17. Indemnification.

    a. LFN shall defend, indemnify, and hold the CITY, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement except for injuries and damages caused by the sole negligence of the CITY.

    b. The CITY shall defend, indemnify, and hold LFN, its officers, officials, employees and volunteers harmless from any and all claims, injuries, damages, losses or suits including attorney fees, arising out of or in connection with the performance of this Agreement, except for injuries and damages caused by the sole negligence of LFN.

    c. Should a court of competent jurisdiction determine that this Agreement is subject to RCW 4.24.115, then, in the event of liability for damages arising out of bodily injury to persons or damages to property caused by or resulting from the concurrent negligence of WWU and CITY, its officers, officials, employees, and volunteers, WWU's liability hereunder shall be only to the extent of WWU's negligence. It is further specifically and expressly understood that the indemnification provided herein constitutes WWU's waiver of immunity under Industrial Insurance, Title 51 RCW, solely for the purposes of this indemnification. This waiver has been mutually negotiated by the parties. The provisions of this section shall survive the expiration or termination of this Agreement.

18. Entire Agreement. This Agreement contains the entire agreement among the Parties related to the subject matter described in this Agreement and supersedes any prior contracts or agreements between the Parties.

19. Waiver. No officer, employee, agent or other individual acting on behalf of either Party has the power, right or authority to waive any of the conditions or provisions of this Agreement. A waiver in one instance shall not be held to be a waiver of any other subsequent breach or nonperformance. All remedies afforded in this Agreement or by law, shall be taken and construed as cumulative, and in addition to every other remedy provided herein or by law. Failure of either Party to enforce at any time any of the provisions of this Agreement or to require at any time performance by the other Party of any provision hereof shall in no way be construed to be a waiver of such provisions nor shall it affect the validity of this Agreement or any part thereof.

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20. Notices. Whenever this Agreement requires that a notice be given by one Party to another Party, each such notice shall be given in writing. All notices shall be addressed to such Party at the address of such Party as the Party has provided to the other Party.

    All notices, requests, demands, approvals and other communications which are required to be given, or may be given, from one Party to the other Party under this Agreement shall be deemed to have been duly given, received and effective: (i) if personally delivered, on the date of delivery; (ii) in the case of a notice sent by mail, when actually received by the addressee; and (iii) the business day immediately following the day it is sent, if sent for next day delivery to a domestic address by a nationally- recognized overnight courier or delivery service.

21. Governing Law and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington, without regard to its conflicts of law principles and venue of any action shall be in the Walla Walla Superior Court for the State of Washington.

22. Successors and Assigns. This Agreement shall be binding upon the Parties and their respective successors and permitted assigns and shall inure to the benefit of the Parties and, except as otherwise provided in this Agreement, their respective successors and permitted assigns. Any assignment by either Party is void.

23. Severability. In case any one or more of the provisions contained in this Agreement or any application thereof shall be invalid, illegal or unenforceable in any respect, the validity, legality and enforceability of the remaining provisions contained in this Agreement and other application thereof shall not in any way be affected or impaired thereby.

24. No Third Party Benefit. No provision of this Agreement is intended to, nor will it be construed to, create any benefit to any third-party or provide any rights or benefits to any person or entity other than the CITY and WWU. No duty is created to any third-party.

25. Cost and Attorney Fees. The prevailing party in any litigation or arbitration arising out of this Agreement shall be entitled to its attorney's fees and costs of such litigation (including expert witness fees).

26. Anti-kickback. No officer or employee of CITY, having the power or duty to perform an official act or action related to this Agreement shall have or acquire any interest in this Agreement, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from any person with an interest in this Agreement.

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27. Relationship of the Parties. It is understood, agreed and declared WWU, including its employees, interns, representatives, contractors, and volunteers, are not employees, volunteers, interns, representatives, or agents of CITY, that WWU performs no service for or on behalf of the CITY. The CITY has no right to control the particular manner, method, and means in which WWU acts of fails to act and any acts or inactions are solely within the discretion of WWU. Any and all employees, volunteers, and interns and contractors who provide equipment, product, supplies, and the like or provide services in connection or associated with this Agreement shall be deemed employees solely of WWU. WWU shall be solely responsible for the conduct and actions of all employees, interns, contractors, and volunteers of WWU under this Agreement and any liability that may attach thereto.

28. Delays/Force Majeure. Neither Party is liable or responsible to the other Party and neither Party shall be deemed to have breached this Agreement for failure or delay in performing any obligation under this Agreement when such failure or delay is caused by or results from causes beyond the reasonable control of the affected Party, including but not limited to fire, floods, embargoes, war, acts of war, insurrections, riots, strikes, lockouts or other significant labor disturbances, pandemics, declared emergencies, or acts of God; provided, however, that the Party so affected shall use reasonable efforts to avoid or remove such causes of nonperformance, and shall continue to perform whenever such causes are removed. Either Party shall provide the other Party with prompt written notice of any delay or failure to perform that occurs by reason of force majeure.

29. Memorandum of Lease/Recording. The CITY shall cause a Memorandum of Lease in substantially the same form as attached Exhibit B to be filed with the Walla Walla County Auditor to record on the real property records. CITY shall bear the cost for the recording. Upon termination of this Agreement, the CITY shall cause the Memorandum of Lease to be removed from encumbering the real property of the Parking Facility.

CITY OF COLLEGE PLACE

_____

Norma Hernandez, Mayor

WALLA WALLA UNIVERSITY

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