

To: 'Jim Karlock' <jkarlock@gmail.com>
Subject: FW: Public Document request

Mr. Karlock--

I heard back from Paul Lewis. See below. I double checked with Lloyd Tyler, the Finance Director who confirmed that he did no analysis either.

From: Paul Lewis [mailto:lewispn@comcast.net]
Sent: Friday, October 14, 2011 4:01 PM
To: Boger, Brent
Subject: RE: Public Document request

Hi Brent-

No analysis was done. I thought we put that in the transmittal. You can check with Lloyd on any response he might want to make. My response is isolating the marginal cost of services to a specific development are difficult at best. Let me know if you want more from me.

-Paul

Paul Lewis
360.904.1352

From: Boger, Brent [mailto:Brent.Boger@cityofvancouver.us]
Sent: Friday, October 14, 2011 10:58 AM
To: 'Paul Lewis'
Subject: FW: Public Document request

From: Jim Karlock [mailto:jkarlock@gmail.com]
Sent: Friday, October 14, 2011 1:23 AM
To: Boger, Brent
Subject: Public Document request

You recently sent me documents relating to the property tax abatement. However, I was unable to find any analysis of the costs of government services to this property under the various scenarios analyzed?

Please supply a copy of any such analysis that was done.

Thanks
JK

At 03:25 PM 9/29/2011, you wrote:

Mr. Karlock:

Attached please find documents that respond to your public records request dated September 2, 2011. Earlier we had responded with a time estimate and a subsequent response indicating we would respond by tomorrow.

You requested that we respond by e-mail. Please let us know that you have received this and were able to access the attachments.

A description of the documents and how they relate to your request is provided below. Note that some of the detailed data in our files involves information the applicant has identified as proprietary. We are withholding these documents (approximately nine pages) based upon an exemption found at Revised Code of Washington 42.56.270(4)

The following financial, commercial, and proprietary information is exempt from disclosure under this chapter:

....

(4) Financial and commercial information and records supplied by businesses or individuals during application for loans or program services provided by chapters 43.325, 43.163, 43.160, 43.330, and 43.168 RCW, or during application for economic development loans or program services provided by any local agency;

The documents contain information concerning planned rents, costs, and other financial data for the applicant's development proposal. We believe that this information was supplied pursuant to an application for economic development program services provided by the City of Vancouver, a local agency. Accordingly, subsection 4 exempts these materials from disclosure. The applicant has informed the City that his competitors could use the information contained in these documents for pricing and unfair competition.

As a further basis to decline to release such documents, RCW 42.56.230(3)(b) exempts certain tax information offered for tax assessment purposes:

(3) Information required of any taxpayer in connection with the assessment or collection of any tax if the disclosure of the information to other persons would: (a) Be prohibited to such persons by RCW [84.08.210](#), [82.32.330](#), [84.40.020](#), [84.40.340](#), or any ordinance authorized under RCW [35.102.145](#); or (b) violate the taxpayer's right to privacy or result in unfair competitive disadvantage to the taxpayer;

Accordingly, the nine pages of documents are not included with this response based on RCW 42.56.270(4), RCW 42.56.230(3)(b), and because the documents contain trade secrets and are proprietary.

We are providing you with the remainder of the documents in the City's files responsive to your request. These documents responsive to your questions include:

- Q1a: Spreadsheets showing the estimated sales tax, property tax and utility tax revenues for the base case (existing development) and the proposed development with the multi-family property tax exemption. A summary worksheet and backup worksheets for each tax source are included for the proposed development with the exemption.
- Q1b: A spreadsheet showing the estimated tax revenue by jurisdiction for the scenario that included a development built in 2016 without the multi-family property tax exemption.
- Q1c: Presentations to the City Center Redevelopment Authority that include the assumptions and analysis related to the developer's cash flow, ability to get financing and estimated internal rate of return. The June 16, 2011 presentation identifies key assumptions on slides 17-20, the estimated developer return is shown on slide 27 and the results of the financing analysis is shown on slides 28 and 29. Slide 6 on the July 21, 2011 presentation presents additional information on the estimated developer return.
- Q2: The analysis did not include the cost of government services. It only looked at the revenues generated by the potential development.
- Q3: The presentations provided in response to 1c above, the staff report (cited in your information request) and the City Council's discussion (minutes available through the City's web site and video available through CVTV's web page) identify other factors considered in the assessment of the application for the multi-family property tax exemption. The July 18 and August 15 Council presentations are provided.
- Q4: See the bottom of page 2 in the spreadsheet provided in response to 1a above for the estimated total amount of tax exempted by year for the proposed development.

The documents are attached as PDF documents to this e-mail.

Please feel free to contact me if you have any questions.

Sincerely,

Brent D. Boger

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PLEASE NOTE: THE CITY ATTORNEY'S OFFICE IS MOVING AUGUST 9TH. OUR NEW ADDRESS WILL BE 415 W. 6TH. PHONE AND FAX REMAIN THE SAME.