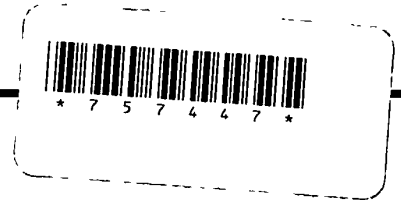


Schroader, Kathy



From: Orjiako, Oliver
Sent: Friday, January 22, 2016 11 09 AM
To: Schroader, Kathy
Subject: FW: Public Records Request

Follow Up Flag: Follow up
Flag Status: Flagged

FYI and for the record Thanks

From: McCauley, Mark
Sent: Friday, January 22, 2016 10:51 AM
To: Horne, Chris; Orjiako, Oliver; Euler, Gordon; Cook, Christine
Subject: Fwd: Public Records Request

Here is the public records request from Madore to RW Thorpe

Sent from my iPhone

Begin forwarded message:

From: "Lee A. Michaelis" <lmichaelis@rwta.com>
Date: January 22, 2016 at 10:44.52 AM PST
To: "'McCauley, Mark'" <Mark.McCauley@clark.wa.gov>
Subject: FW: Public Records Request
Reply-To: <lmichaelis@rwta.com>

Mr McCauley,

This email is a resend from yesterday. The previous email as shown below had an error in your email address. Please direct any correspondence to Mr Thorpe, the sender of the original email

Thank you,

Lee A. Michaelis, AICP
R W Thorpe & Associates, Inc
2737 78th Ave SE, Suite 100
Mercer Island, WA 98040
Phone 206 624 6239
Email lmichaelis@rwta.com | Web www.rwta.com

This email communication, including any attachments, may contain proprietary, confidential, or privileged information and is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient or their authorized agent, be advised that you have received this email in error and that any use, dissemination, forwarding, printing, or copying of this email is strictly prohibited. If you have received this email in error, please notify the sender immediately at lmichaelis@rwta.com, delete this email, and destroy all copies and any attachment.

From: Robert W. Thorpe, AICP [<mailto:rw@rwta.com>]
Sent: Thursday, January 21, 2016 4:31 PM
To: [Oliver Orjako@clark.wa.gov](mailto:Oliver.Orjako@clark.wa.gov), [mark mccauley@clark.kwa.gov](mailto:mark.mccauley@clark.kwa.gov)
Cc: 'Lee A. Michaelis, AICP' <lmichaelis@rwta.com>
Subject: FW: Public Records Request

From: Madore, David [<mailto:David.Madore@clark.wa.gov>]
Sent: Thursday, January 21, 2016 4:07 PM
To: rw@rwta.com, Madore, David <David.Madore@clark.wa.gov>
Subject: Public Records Request

Mr. Thorpe,

Please help us. Our community is now on a path that I believe will harm the rural citizens of Clark County for decades. I must pursue two potential remedies. One is a very thorough public records request that may help us to determine what went wrong and to potentially correct a broken process. That request is detailed below. The second remedy follows that request after my explanation of what happened. I do not expect that you knew the story that unfolded on our side. It is that tragic story that I hope can help you understand what has transpired here and the help and healing that you can contribute.

I start with the Public Records Request portion of my email, explain what you may not have known, then, ask you for help that would be far better.

In compliance with state law and the contract between Clark County and Thorpe, Thorpe is subject to the Public Records Act and required to deem all documents and communications pertaining to the Clark County Comp Plan work as public records that must be provided upon request.

This is a Public Records request for all such records between November 24, 2015 and January 22, 2016.

Please provide records in the original electronic form. If the records were emails, then the actual email record is to be provided in its original native format including any attachments as sent or received. The records are to remain intact and not converted, disassembled, translated, reorganized, or changed to a format. The records are to be preserved and provided in their original native electronic format and delivered electronically. Any records that only exist in non-electronic form are requested to be provided in Adobe Acrobat format as text-readable electronic files.

This request is to be construed so as to include any and all communications and documents created, sent, or received by Thorpe during that timeframe including:

* All emails, all recorded phone messages and logs, all notes, all drafts, and documents within the above specified dates.

* All records regarding the Clark County Comp Plan work, whether they be stored on Thorpe computers or elsewhere such as the Cloud, remote offices, home computers, cell phones (personal and business), thumb drives, portable hard drives, or other locations or mediums,

* All related communications and documents between Clark County staff, Clark County attorneys, Consultants engaged by Thorpe, other jurisdictions contacted for this work,

* All related communications and documents relating to the topics of scope, contract, planning assumptions, FSEIS addendum, instructions from Clark County, and any discussions regarding column A assumptions,

* All related communications and documents relating to topic of instructions relating to limiting communications with Clark County Council Members or excluding Column A assumptions from being considered or analyzed.

In response to multiple calls from Clark County Councilor members, Thorpe stated that they have been instructed not to allow any communications with Clark County Councilor members regarding this work. This records request includes any and all communications and documents relating to topic.

It is the understanding of the Board that all of the planning assumptions were to be analyzed. It had not occurred that Clark County Councilors staff could or would instruct Thorpe to scrutinize column B planning assumptions only and to exclude column A planning assumptions from the same scrutiny.

In addition to the supporting documents, it is the understanding of the Clark County Councilors that Thorpe received the master document that was to be analyzed. That document, titled "Exhibit A – Planning Assumption Choices, Rev 1.09", on the cover page, clearly defines the planning assumptions not as column B only, but as columns A and B. It was inconceivable to the Clark County Councilors that staff could or would strip out column A from the analysis and, in effect, presume them to all automatically valid without any basis, scrutiny, or analysis. The idea of pulling column B out of the paired context with column A, isolating and alienating column B from column A, and ignoring the link and comparison to column A, and not continuing to consider the reasonableness and basis for once column compared to the other, was not imagined as a logical tactic. All Clark County planning documents contrast the two columns in context and in comparison to each other. In addition to the actual content of that document, the title page states that link and comparison explicitly as quoted here:

"The proposal contrasts existing choice A with the proposed choice B and provides the factual basis for each."

https://www.clark.wa.gov/sites/all/files/the-grid/112415_rev109_ExhibitA.pdf

There are many other meetings, communications, work sessions, and documents that reinforce this truth.

The net result of the tactic that excluded the most relevant comparison in any professional analysis is to rubber stamp column A as automatically the only valid planning assumptions with no evidence, scrutiny, or rational basis for doing so. Such an assertion makes a mockery of what should have been an objective logical and reasonable process.

Due to the failure for the work to analyze all of the planning assumptions in context, weighing one against the other, the Clark County Councilors are left with so much nonsense and confusion that the a split Board of Councilors is now on the path to abort the entire Comp Plan Preferred Alternative and throw out the rural component on February 16.

Such an uninformed and misinformed action, based on the nonsensical tactic, will have scrapped nearly a year's worth of work involving thousands of hours, and rural community support. The tragedy is due to an unreasonable illogical process that will have devastating consequences for the vast majority of Clark County rural citizens.

This record requests includes all communications and documents relating to that topic.

With the February 16 hearing to abort Alternative 4 based on the incomplete Thorpe report, please understand the sense of urgency and timeliness of providing the requested records.

One further request, that appeals to the integrity and reputation of Thorpe – Your firm may claim that you have done what was required, you have fulfilled the letter of the contract as directed by staff, and nothing more is legally required of your firm.

Yet, please understand the consequences of doing so. I appeal to your integrity and reputation to finish the work that the Council expected your firm to do. Please help us by analyzing the column A assumptions compared the column B assumptions. Doing so would redeem and correct a great wrong to the citizens of Clark County.

If you would be willing to go that second mile and help us, I will gladly withdraw my record request, not as a deal or an enticement, but out of a genuine gratitude for a reputable firm who goes above and beyond what is legally required in order to faithfully serve communities.

Please help us,

David Madore
Representative of the citizens of Clark County

This e-mail and related attachments and any response may be subject to public disclosure under state law.