



# City of Longview

1525 Broadway  
Longview, WA 98632  
www.ci.longview.wa.us

## Minutes - Final City Council

*Mayor Dennis Weber  
Council Member Ken Botero  
Council Member Tom Hutchinson  
Council Member Don Jensen  
Council Member Chet Makinster  
Mayor Pro Tem Mary Jane Melink  
Council Member Michael Wallin*

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Thursday, February 9, 2012

7:00 PM

2nd Floor, City Hall

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**\*\* 6:00 P.M. EXECUTIVE SESSION: LABOR NEGOTIATIONS;  
POSSIBLE REAL ESTATE TRANSACTION \*\***

**The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.**

**1. CALL TO ORDER**

*Mayor Weber called the meeting to order at 7:00 p.m.*

**2. INVOCATION/ FLAG SALUTE**

*No invocation was given. The pledge of allegiance was recited.*

**3. ROLL CALL**

**Present:** 7 - Mayor Weber, Council Member Botero, Council Member Hutchinson, Council Member Jensen, Council Member Makinster, Mayor Pro Tem Melink and Council Member Wallin

**Staff present:**

*City Manager Bob Gregory; Interim City Attorney Stephen Shuman, and Deputy City Clerk Sarah Corral.*

*Also present: David Campbell, Assistant City Manager; Richard Bemm, Director of Parks & Recreation; John Brickey, Director of Community Development; Jeff Cameron, Public Works Director; Jim Duscha, Police Chief; Judy Jones, Information Technology Director; Keith Larson, Human Resources Director; Daryl McDaniel, Fire Chief; Kurt Sacha, Finance Director; and Chris Skaugset, Library Director.*

**4. APPROVAL OF MINUTES**

*Councilmember Hutchinson pointed out an error in the minutes: Mayor Anagnostou had been reported making changes to the agenda. On a motion duly made and passed, the reading of the minutes of the regular Council meeting held January 26, 2012, copies of which had been submitted to the Mayor and members of the City Council, was waived and the minutes were approved as amended.*

[MN 12-0139](#)**COUNCIL MINUTES - JANUARY 26, 2012**

Attachments: [CNCL MIN 01262012 AMD](#)  
[CNCL MIN 01262012rev](#)

**5. CHANGES TO THE AGENDA****6. PRESENTATIONS & AWARDS**[12-2039](#)**TEEN COUNCIL UPDATE**

*Teen Council members reported on several topics: Raine Folgeman talked about their fundraising events and meetings; Anastasia Fisher, told about teen council members volunteering at Community House on Saturday; Kalya Church introduced herself; Catilyn Park told about her church's upcoming community service event; Cameron Church reported on the public speaking presentation at their last Teen Council meeting; and Abbie White announced the Teen Council will now be having two meetings per month.*

[12-2055](#)**PRESIDENT'S VOLUNTEER SERVICE AWARDS**

*Recreation Superintendent Dick Mueller told about the President's Volunteer Service Awards. They are issued by the President's Council on Service and Civic Participation on behalf of the President of the United States to recognize the best in the American spirit, and to encourage all Americans to improve their communities through volunteer service, and civic participation.*

*The President's Volunteer Service Award is a prestigious national honor offered in recognition of sustained volunteer service.*

*Established in 2003, the President's Volunteer Service Award gives Presidential recognition to individuals and groups who have demonstrated a sustained commitment to volunteer service each year. The Award shares this achievement as a way to inspire others to contribute to their communities through volunteer service and to make volunteer service a central part of their lives.*

*Barbie Morrison read the names of the teens who have earned the President's Volunteer Service Awards. They came forward and received their Certificate, letter and pin from Mayor Dennis Weber.*

*Receiving individual Bronze awards: Cameron Church, Anthony Evans, Jimmy Fisher, Maria Fried, and Katy Jones; Silver Awards, Sam Chidester, Hannah Cochrane, Raine Folgeman, and Jaushua Jensen. Receiving the Gold Award was Ashley Hall.*

Recipients of group awards were the Teen Council Members: Cameron Church, Kayla Church, Anastasia Fisher, Rainee Folgeman, Katy Jones, Lacy Johnes, Ashley Hall, Megan Merherg, Caitlyn Park, Keesa Portwood, Jessica Sanchez, Azia Sandu, Haley Walker and Abbie White.

Junior Leader Team Members received the group Gold Award: David Adams, Sam Chidester, Hannah Cochrane, Jisela Alba-Estrada, Anthony Evans, Tyler Evans, Mariah Fried, Anastasia Fisher, Jimmy Fisher, Rainee Folgeman, Drew Grimes, Ashley Hall, Ciera Hering, Jaushua Jensen, Katy Jones, Morgan Olsen, Brandon Patroni, Haley Walker, Karla Wheeler, and Randi Wynn.

Presentation of the awards was followed by a round of applause in appreciation of the many hours spent volunteering.

## 7. **CONSTITUENTS' COMMENTS (Thirty Minutes)**

Josh Chatterton and Rebecca Fisher from the Cowlitz Americorp Network Team in Longview spoke about the Wake Robin cleanup project, being held on Saturday, March 10th, 2012. Wake Robin is an 82-acre piece of land located on Carlon Loop off of Coal Creek Road, which was donated to the Longview School District in 1996 to encourage students to enjoy a natural outdoor setting and serve as a learning opportunity. Americorp needs volunteers and donations to help with trail maintenance, reconstruction, repair of the footbridge, removal of English ivy, clean roofs of building, replacing rails on porches, ect. Pre-registration is available through February 29th, 2012.

Lenny Fisher, a member of Occupy Longview, expressed his concern about the suppression of free speech here in the United States of those citizens who are discontent and wish for change. Occupy Longview is not what mainstream media or some politicians would portray, but rather hard-working individuals seeking a better and more tolerant America.

Glenna Peoples, a member of Occupy Longview, shared her concerns about the foreclosures of homes, and those who now find themselves homeless; for the waiting period of those in the Emergency Room at PeaceHealth; and for the soldiers returning home to Longview from overseas. She posed the question, how can Occupy Longview and the city council members help those in these situations?

Solice Carlo, a member of Occupy Longview, is relieved that the EGT issue is being resolved. She expressed that Occupy Longview does not condone actions of violence or destruction during their protests, like those occurring in Portland.

Paul Nipper, member of Occupy Longview, reiterated that they are not what the media portrays. Occupy is always very public with actions, and are committed to changing things and engaging the system in non-threatening, non-violent manners.

## 8. **PUBLIC HEARINGS**

[12-2054](#)

### **PUBLIC HEARING - AMEND SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (T.I.P.) FOR 2012-2017**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**  
Improve Transportation Systems

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**

Each year, the City adopts a Six-Year Transportation Improvement Program (T.I.P.) identifying transportation projects to be addressed during the subsequent six-year period. Any project receiving federal or state funds must be identified on the T.I.P., but the T.I.P. also identifies projects we intend to submit for grant funding. Throughout the year, priorities may change, additional projects may be identified, and project funding sources may change. Following a public hearing, the T.I.P. may be amended to account for such changes.

The current 2012 - 2017 T.I.P was adopted by the City Council on June 9, 2011 (Res. No. 1993). Staff recommends amending the 2012 - 2017 T.I.P. to include new pedestrian improvement projects, and to include new transit grants and grants not complete from prior years. In order to receive this funding, the T.I.P. must be amended to identify these grant funds.

**RECOMMENDED ACTION:**

Conduct the public hearing.

**Attachments:**     [Exh A.1st Amend 2012-17 TIP.pdf](#)  
                                 [Memo to 1st Amend 2012-17 TIP.pdf](#)  
                                 [TIP Instructions - Legend.pdf](#)

*Jeff Cameron, Public Works Director, gave a presentation outlining the Six Year Transportation Improvement Plan (TIP) for 2012-2017. The hearing was open to the public at 7:36pm. There being no comments, either written or oral, the public hearing was closed.*

**RS 12 2015****RESOLUTION 2015 - AMEND SIX YEAR TRANSPORTATION IMPROVEMENT PROGRAM (T.I.P.) FOR 2012-2017****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve Transportation Systems

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**

Each year, the City adopts a Six-Year Transportation Improvement Program (T.I.P.) identifying transportation projects to be addressed during the subsequent six-year period. Any project receiving federal or state funds must be identified on the T.I.P., but the T.I.P. also identifies projects we intend to submit for grant funding. Throughout the year, priorities may change, additional projects may be identified, and project funding sources may change. Following a public hearing, the T.I.P. may be amended to account for such changes.

The current 2012 - 2017 T.I.P was adopted by the City Council on June 9, 2011 (Res. No. 1993). Staff recommends amending the 2012 - 2017 T.I.P. to include new pedestrian improvement projects, and to include new transit grants and grants not complete from prior years. In order to receive this funding, the T.I.P. must be amended to identify these grant funds.

**RECOMMENDED ACTION:**

Motion to adopt Resolution 2015.

**Attachments:** [Res #2015 1st Amend 2012-2017 TIP.pdf](#)  
[Exh A.1st Amend 2012-17 TIP.pdf](#)  
[AttachPW Memo to 1st Amend 2012-17 TIP.pdf](#)  
[TIP Instructions - Legend.pdf](#)

A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this matter be adopted. The motion passed unanimously.

**9. BOARD & COMMISSION RECOMMENDATIONS****10. ORDINANCES & RESOLUTIONS****OR 12 3198****ORDINANCE NO. 3198 - ACQUISITION BY CONDEMNATION OF REAL PROPERTY LOCATED AT 721 32ND AVENUE FOR CONSTRUCTION OF A SEWER PUMP STATION****COUNCIL INITIATIVE ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The City of Longview Sewer System Capacity Report prepared by the engineering firm Gibbs and Olson in February 2010 in conjunction with the General Sewer Plan and West Longview Sewer Diversion Facilities Plan, identified capacity issues in the sewer collection system and recommended several capital improvement projects to upgrade these facilities. In addition to the report, the City has received claims for damages and citizen complaints from sewer capacity issues near 32nd Ave. and Garfield Street.

On May 12, 2011, the city council authorized hiring Gibbs & Olson to design replacement of four sewer pump stations and installation of a new forcemain to relieve sewer capacity issues along 32nd Ave. One of the pump stations to be replaced is the Douglas pump station (Station S27) on 32nd Ave. near Douglas Street.

During preliminary design, Gibbs and Olson determined the existing pump station site is too small to accommodate construction of a new pump station. Gibbs and Olson evaluated alternatives to constructing the new pump station on the existing site and determined the best option is to acquire abutting property as the location for the new pump station. This option provides for the existing pump station to remain in service while the new pump station is constructed, eliminates the need for long term bypass pumping and its associated risks, significant costs, and impact to the public, and reduces the overall cost of the project.

The property recommended for acquisition is located at 721 32nd Avenue, located immediately north of the existing pump station. The subject property is a 7,582 square foot parcel with a single-family residential structure on the site. The residence is in a very poor condition and is not inhabitable at this time. After an appraisal of the property was completed and fair market value established, several offers were extended to the property owner, but the negotiations were unsuccessful.

In order to continue with the project, staff recommends the City Council authorize condemnation of the property. Legal notice requirements for consideration of this ordinance were published and mailed to the property owner, and the property owner was contacted in person and advised of this meeting. This action is recommended in accordance with RCW 8.12.

**FINANCIAL SUMMARY:**

The proposed acquisition costs will be paid by the Sewer Construction Fund.

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3198.

**Attachments:** [Ord No 3198 - Condemnation 721 32nd Ave.pdf](#)  
[Douglas PS Aerial.pdf](#)

*Councilmember Jensen noted that this property is not being taken away from any tenants, and has been run down for several years. Councilmember Hutchinson also noted that attempts were made to purchase the property from the homeowner by the city, with no resolution to that offer.*

**A motion was made by Council Member Makinster, seconded by Council Member Hutchinson, that this Ordinance be adopted. The motion carried by the following vote:**

**Ayes:** 6 - Mayor Weber, Council Member Botero, Council Member Hutchinson, Council Member Jensen, Council Member Makinster and Mayor Pro Tem Melink

**Nayes:** 1 - Council Member Wallin

**OR 12 3200**

**ORDINANCE NO. 3200 - AMENDING FOR A ONE-YEAR PERIOD THE TAX IMPOSED UNDER CHAPTER 5.84.020 OF THE LONGVIEW MUNICIPAL CODE ON GAMBLING REVENUE FROM SOCIAL AND PUBLIC CARDROOMS**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative:

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

On January 26, 2012, owners of the Cadillac Island Casino appeared before the City Council and gave an extensive presentation requesting and outlining the need for relief from one of the City taxes imposed on them, to wit, the tax imposed by Section 5.84.020 of the Longview Municipal Code on gambling revenues from social and public cardroom gambling activities. The City

Council tentatively agreed to consider their request. The attached ordinance amends for a one year period said tax on gambling revenues from social and public cardroom gambling activities.

**RECOMMENDED ACTION:**

Motion to adopt Ordinance No. 3200.

**Attachments:**    [Ord 3200 Amended](#)  
                          [Ord 3200](#)  
                          [WSGC House-Banked Card Room Financials](#)  
                          [Cadillac Island Casino Employee Count](#)

*It was moved by Councilmember Wallin and seconded by by Councilmember Botero to approve Ordinance No. 3200. Councilmember Wallin interjected with a proposed amendment titled Wallin #3- which would strike the line reading "tax equal to 1% or gross revenue", and inserts the following- creates stable and progressive tax structure, and immediate tax relief, and preserves the 11.25% tax rate. The one year timeline would remain intact.*

*Councilmember Botero felt that the lack of competition for this type of business in Longview creates undue financial tax hardship on the casino, and wished to keep the original ordinance that provides more relief to the taxpayers. Councilmember Wallin shared his reasoning behind the amendment- other local business owners have voiced they are also struggling to pay taxes in difficult financial times, so fairness to other businesses should be a consideration, while offering immediate relief to the casino.*

*Chuck Wallace, Longview resident, shared that he had submitted a public records request regarding the amount of public safety resources dedicated to businesses such as the Cadillac Island; and to keep that as a consideration when making a decision.*

*Councilmember Wallin proposed another amendment titled Wallin #6, and moved for approval; it was seconded by Councilmember Jensen for discussion.*

*Councilmember Wallin explained the amendment would repeal a monopoly provision in the current code. Mayor Weber ruled it was not germane to the discussion, and recommended Councilmember Wallin bring the issue back with the 2-signature proposal and have the discussion at a different time. Attorney Shuman noted he was concerned about not having the issue publically announced on the agenda prior to the council meeting, which allows for community comment and input.*

**A motion was made by Council Member Wallin, seconded by Council Member Botero, that this Ordinance be adopted as amended by Council Member Wallin. The motion carried by the following vote:**

**Ayes:** 6 - Mayor Weber, Council Member Hutchinson, Council Member Jensen, Council Member Makinster, Mayor Pro Tem Melink and Council Member Wallin

**Nayes:** 1 - Council Member Botero

**RS 12 2016**

**RESOLUTION NO. 2016, AUTHORIZING INTERFUND LOANS FROM THE GENERAL FUND TO THE ARTERIAL STREET AND PUBLIC TRANSIT FUNDS**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management.

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

Resolution No. 2016 has been prepared to provide for interfund loans from the General Fund to the Arterial Street and Public Transit Funds. These interfund loans are for the purpose of providing the necessary funds to cover the respective 2011 year-end cash deficits for the Arterial Street and Public Transit Funds. The repayment of the \$130,000.00 loan to the Arterial Street Fund shall come from grant funds to be provided from the Federal Highway Administration. The interfund loan in the amount of \$620,000.00 to the Public Transit Fund shall come from grant funds to be provided by the Federal Transportation Administration. This Resolution authorizes the General Fund to provide interfund loans to the Arterial Street and Public Transit Fund in the amounts as shown above. All three interfund loans listed herein shall be repaid on or before June 30, 2012.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2016.

Attachments:     [RESOLUTION NO 2016](#)

A motion was made by Mayor Pro Tem Mary Jane Melink, seconded by Council Member Tom Hutchinson, that this matter be adopted. The motion passed unanimously.

**[RS 12 2017](#)****RESOLUTION NO. 2017 - AMENDING THE 2009-2013 CONSOLIDATED PLAN FOR THE LONGVIEW COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND THE 2011 ANNUAL PLAN TO ALLOW FOR FLOAT LOANS FOR CDBG ACTIVITIES****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue Effective Financial Management

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

This Resolution substantially amends the 2009-2013 Consolidated Plan to allow for the provision of CDBG float loans and the 2011 Annual Plan to provide a float loan for a CDBG activity (Comrade Quarters.)

The Float Loan will allow the City to remain timely by drawing down CDBG funding within our HUD-CDBG line of credit below 1.5 program years of funding on hand. The City of Longview currently has excessive CDBG funding due to a delay of construction of Phases 1, 2, and 3 Highlands Trail, Segment 1 using 2009, 2010, and 2011 program year

funding.

The Float loan provides the City with a small return on CDBG funding and gives the City the opportunity to maintain its CDBG timeliness in distributing funds per HUD regulations rather than lose a substantial and estimated equal amount of 2012 funding for its citizens.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2017.

**Attachments:** [Res 2017 Revised](#)

A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this matter be adopted. The motion passed unanimously.

11. **MAYOR'S REPORT AND COUNCILMEMBER'S REPORTS**

[12-2048](#)

**REQUEST FOR REPRESENTATIVE FOR PORT'S COMMUNITY ADVISORY COMMITTEE**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Strengthen economic conditions & create new opportunities

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

The Port of Longview is planning for its strategic planning process and establishing a short-term Community Advisory Committee committed to the long-term success of the Port. This "sounding board" will join staff and commissioners in developing a plan that will guide future projects and decisions at the Port.

The Port is seeking an at-large community representative from each of the three port districts to serve on the committee alongside representatives from local government, labor and economic development organizations. Time commitment is minimal, with no more than eight meetings over the next four months. The first meeting of the committee is scheduled for March 8, 2012, from 11:30-1:30 pm.

The City Manager is willing to participate on the committee.

**RECOMMENDED ACTION:**

Motion to appoint a representative to the Port's Community Advisory Committee.

**Attachments:** [Port Request for City representation.pdf](#)

A motion was made by Council Member Ken Botero, seconded by Council

Member Chet Makinster, that the appointment of Bob Gregory to the committee be approved. The motion passed unanimously.

12-2049

**ALCOA/NORTHWEST ALLOYS COMMUNITY ADVISORY BOARD**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Address Quality of Place Issues

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Alcoa is assembling a group of interested and engaged community leaders to meet once per quarter for an hour. There is no significant commitment other than attending the meeting where Alcoa representative Josh Wilund will inform the group of what's going on and gather input from the membership. In the coming year Alcoa will beginning clean-up of the Longview site, so Longview's input will be beneficial.

**RECOMMENDED ACTION:**

Motion to appoint Jeff Cameron and City Council member to the Alcoa/Northwest Alloys Community Advisory Board.

**A motion was made by Council Member Chet Makinster, seconded by Council Member Tom Hutchinson, that the appointment of Jeff Cameron and Councilmember Melink to this committee be approved. The motion passed unaimously.**

12. **CONSENT CALENDAR**

*There being no items the Council wished removed from the Consent Calendar, a motion was duly made and passed approving the items on the Consent Calendar as though acted on individually.*

12-2040

**APPROVAL OF CLAIMS**

*Final audited claims amount: \$1,148,331.42. Checks issued: 310585 - 310842.*

12-2041

**LIABILITY CLAIMS/LAWSUITS**

PROJ #47

**PROJECT COMPLETE CERTIFICATION - CDID #1 SEWER LATERAL REPLACEMENT**

**COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure.

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

This action is to certify that the CDID #1 Sewer Lateral Replacement project has been completed in accordance with the plans and specifications under Contract No. 11-1910-s entered into between the City of Longview and Halme

Excavating, Inc., and the same is hereby accepted and approved.

**RECOMMENDED ACTION:**

Motion to accept and approve as complete the CDID #1 Sewer Lateral Replacement project.

13. **CITY MANAGER'S REPORT**

12-2057

**APPROVE WELLHEAD PROTECTION PROGRAM**

**COUNCIL INITIATIVE ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

**SUMMARY STATEMENT:**

The Mint Farm Regional Water Treatment Plant (MFRWTP) is under construction and scheduled to be commissioned in October, 2012. To protect the new groundwater source and comply with Washington Administrative Code (WAC) 246-290-135 (3), the City has developed a Wellhead Protection Program (WHPP) to include in its Water System Plan. The elements of the WHPP include:

- Susceptibility assessment for each well.
- Wellhead Protection Area (WHPA) delineating the 6-month, 1-year, 5-year and 10-year time of travel zones.
- Inventory of known and potential groundwater contaminant sources within the WHPA.
- Notification of the WHPP to owners/operators of the potential contaminant sources identified within the WHPA.
- Notification to regulatory agencies and local governments of the WHPP and potential contaminant source inventory.
- Notification and coordination with local emergency responders regarding the WHPP.
- Contingency plan to ensure an adequate drinking water supply in the event of temporary or permanent loss of water due to contamination.

The Department of Health approved the draft Wellhead Protection Plan in March 2010 with approval of the final Preliminary Design Report for the MFRWTP. The final WHPP will be incorporated into the City's updated Water System Plan, currently scheduled to be submitted to the DOH for approval in February, 2012. Following approval of the Water System Plan and WHPP, staff will propose a water supply protection ordinance to further protect the water supply aquifer resource.

**RECOMMENDED ACTION:**

Motion to approve the Wellhead Protection Program.

**Attachments:** [Longview Wellhead Protection Program 02.02.12 FINAL FINALnav.pdf](#)  
[Wellhead Protection Program Presentation 2-9-2012.pdf](#)  
[Water Supply Protection Draft Ordinance 02.02.12.pdf](#)  
[Letter 1 - Property and Businesses in WHPA - JCnav.pdf](#)  
[Letter 2 - First Responders - JCnav.pdf](#)  
[Letter 3 - Class 1 and 2 Operations in WHPAnav.pdf](#)  
[Letter 4 - Government Agencies - JCnav.pdf](#)

*Jeff Cameron, Public Works Director, gave a presentation on the Wellhead Protection Program.*

**A motion was made by Council Member Don Jensen, seconded by Council Member Chet Makinster, that this matter be approved. The motion passed unanimously.**

**12-2047**

**SOUTHWEST WASHINGTON REGIONAL AIRPORT INTERLOCAL COOPERATION AGREEMENT**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Strengthen economic conditions & create new opportunities

Improve transportation systems

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

The attached redlined agreement sets out all the changes addressing the issues presented from the previous draft that was last presented to City Council at your December 8, 2011 regular council meeting. This draft reflects the final changes requested by the Federal Aviation Administration and includes a change to the term of the agreement in Section IX.A. In particular, the length of term provision has been changed to a five year term. Within the last year of the initial term, the Board shall review the agreement to assure compliance and to determine if there is a need for any amendments. Following this review, the agreement shall be submitted to each entity at least ninety days prior to the expiration of the initial term of the agreement. All other language in Section IX remains as is from the previous draft.

The agreement continues to require a several level at an annual expenditure of \$40,000 per jurisdiction to be paid for the Airport for the 2012 fiscal year. If Council is supportive of increasing the annual contribution, staff is recommending that the appropriation be made from the general fund to reflect the general benefits of the airport to the community and to maintain the Economic Development Fund for continued economic development interests.

**RECOMMENDED ACTION:**

Motion to approve SW Washington Regional Airport Interlocal Cooperation Agreement subject to approval by the Federal Aviation Administration and authorize signature by the City Manager. It is further recommended that the Council authorize the annual contribution to the

SW Washington Regional Airport to be allocated from the general fund.

**Attachments:** [Airport Interlocal Agreement-2-2-12 final REDLINED](#)  
[Airport Interlocal Agreement](#)

A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this agreement be approved. The motion passed unanimously.

12-2050

**INTERLOCAL AGREEMENT FOR COMMUNITY DEVELOPMENT  
BLOCK GRANT (CDBG) FLOAT LOAN TO THE LONGVIEW HOUSING  
AUTHORITY**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue Effective Financial Management

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

This Interlocal Agreement with the Longview Housing Authority allows the City to provide a CDBG Float Loan for \$300,000 for the Comrade Quarters rehabilitation activity for the Stratford Arms Apartments, 1312 Hemlock St., Longview. The agreement provides for a 1% interest rate on the loan. The Longview Housing Authority has agreed to repay the loan with interest on or before July 23, 2012.

A public hearing was held on January 26, 2012 to add a Float Loan provision to its 2009-2013 Consolidated Plan and a Float Loan activity for Comrade Quarters during the 2011 CDBG Program year. Council directed the Acting City Attorney to prepare the Inter-Local Agreement at that meeting. A companion Resolution has also been prepared for adoption under a separate agenda item.

The City has found it necessary to provide a float loan in order to reduce its CDBG line of credit and remain timely regarding drawdowns per HUD regulations which will be measured on June 1st., 60 days prior to the end of our CDBG 2011 Program Year.

**RECOMMENDED ACTION:**

Motion to adopt the Interlocal Agreement for the CDBG Float Loan with the Longview Housing Authority.

**Attachments:** [Float loan Interlocal Agreement w Attach.pdf](#)

A motion was made by Mayor Pro Tem Mary Jane Melink, seconded by Council Member Ken Botero, that this matter be approved. The motion passed unanimously.

12-2051

**CONSULTANT AGREEMENT WITH ECOLOGICAL LAND SERVICES FOR  
THE SHORELINES MANAGEMENT PROGRAM UPDATE**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Address quality of place issues; Improve infrastructure, water & environment

**CITY ATTORNEY REVIEW: REQUIRED****SUMMARY STATEMENT:**

The project involves the update of the City's Shorelines Management Program as required by State law. This includes the review and revision of the City's shoreline regulations and policies. The due date for the City to complete this project is June 30, 2014. Fortunately, this is a funded mandate. The State is providing \$125,000 in funding for Longview to produce a new shorelines master program. The scope of work is attached. In accordance with state law, staff selected the environmental/planning firm Ecological Land Services, Incorporated (ELS) to assist in the update. The Shorelines Management Act requires that an extensive public outreach program be part of the update process.

**FINANCIAL SUMMARY:**

The contract amount for this project is \$100,000, which will be paid by the State grant funds. The remaining \$25,000 of the grant funds will be used for staff time and expenses.

**RECOMMENDED ACTION:**

Motion authorizing the city manager to execute a contract with Ecological Land Services, Incorporated to assist the City in producing an update to the Shorelines Management Program.

**Attachments:** [ELS - Scope of Work.doc](#)

**A motion was made by Council Member Ken Botero, seconded by Council Member Chet Makinster, that this matter be approved. The motion passed unanimously.**

**12-2053****EBA COLLECTIVE BARGAINING AGREEMENT MARCH 1, 2012 - DECEMBER 31, 2014****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

**CITY ATTORNEY REVIEW: N/A****SUMMARY STATEMENT:**

On January 24, 2012 the Employees' Bargaining Association (EBA) and the City reached a tentative agreement on the 2012-2014 Collective Bargaining Agreement (CBA). Multiple articles in the contract were opened for review and some language changes were made to clarify/improve the contract. The EBA notified the City of membership (97) ratification on February 1, 2012. The contract provides for a March 1, 2012 increase of \$0.69 per hour, a January 1, 2013 COLA of 90% of Portland CPI-W with a minimum of 2.00% to a maximum of 3.50% and a January 1, 2014 COLA of 90% of

Portland CPI-W with a minimum of 2.00% to a maximum of 3.50%. The new CBA also increases the 2012 employee medical premium cost share from 10% to 12%. In 2013 and 2014 the employee medical premium shared cost will increase from 12% to 15%. Beginning in 2013, the current, high cost AWC and Kaiser insurance plans will be eliminated to be replaced by other less costly plans. Employees opting out of City medical insurance coverage will receive a VEBA contribution of \$684/ month for the balance of 2012, \$750/month in 2013 and \$825/month in 2014.

**RECOMMENDED ACTION:**

Approval of the EBA Collective Bargaining Agreement for 2012-2014.

**Attachments:** [2012 - 2014 EBA CBA - FINAL with TRACKING 020112.doc](#)

*Councilmember Wallin expressed concern about the rising employee costs in healthcare and the risks to benefit coverage. Councilmember Hutchinson stated he feels the opting-out contribution funds paid to employees is too high.*

**A motion was made by Council Member Jensen, seconded by Mayor Pro Tem Melink, that this Agreement be approved . The motion carried by the following vote:**

**Ayes:** 6 - Mayor Weber, Council Member Botero, Council Member Hutchinson, Council Member Jensen, Council Member Makinster and Mayor Pro Tem Melink

**Nayes:** 1 - Council Member Wallin

**12-2056**

**APPOINTMENTS TO THE APPEAL BOARD OF ADJUSTMENT AND GOLF ADVISORY COMMITTEE**

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Year-end term expirations occurred on many City boards and commissions at the end of 2011. On the Appeal Board of Adjustment, Ray Caldwell indicated he was interested in continuing his service for another five-year term, and staff recommended reappointment.

On the Mint Valley Golf Advisory Committee, three positions needed filling after terms expired at year end in 2011. Glenn Dills wanted to continue serving as the men's club representative for a one-year term, and staff recommended reappointment. Two new appointments were required, one each for the women's club representative and the at-large representative. Based on review of applications on file, staff recommended appointing Beth Boyd as the women's club representative for a one-year term and Chansarit Phromnopavong to the at-large position for a three-year term.

Council concurrence is requested for the City Manager's reappointment of Ray Caldwell to the Appeal Board of Adjustment for another five-year term which will expire 12/31/2016; also, for the reappointment of Glenn Dills as the men's club representative for a one-year term to expire

12/31/2012, the appointment of Beth Boyd as the women's club representative for a one-year term to expire on 12/31/2012, and the appointment of Chansarit Phromnopavong as the at-large representative for a three-year term to expire 12/31/2014 to the Golf Advisory Committee.

**RECOMMENDED ACTION:**

Motion to concur with the City Manager's appointments as detailed above.

**A motion was made by Council Member Ken Botero, seconded by Mayor Pro Tem Mary Jane Melink, that this matter be approved. The motion passed unanimously.**

**14. MISCELLANEOUS**

*The following item(s) were presented for Council's information. No Council action was taken or required.*

[12-2045](#)

**LIQUOR LICENSE REQUESTS**

**Attachments:**     [LL-F Meyer-add spirits](#)

**15. ADJOURNMENT**

*The meeting was adjourned at 9:05 p.m. The next scheduled meeting of the Council is February 23, 2012.*

Sarah E. Corral  
Deputy City Clerk

Approved: \_\_\_\_\_  
Mayor

**NEXT REGULAR COUNCIL MEETING:**

**THURSDAY, FEBRUARY 23, 2012, AT 7 P.M.**

**THURSDAY, MARCH 8, 2012, AT 7 P.M.**

**NEXT COUNCIL WORKSHOPS:**

**WEDNESDAY, FEBRUARY 15, 2012, AT 6 P.M., ELECTED  
OFFICIALS EMERGENCY PREPAREDNESS TRAINING, AT  
COWLITZ PUD COMMUNITY MEETING ROOM**

**THURSDAY, MARCH 1, 2012, AT 6 P.M., SEWER  
PRETREATMENT ORDINANCE; SEWER LAGOON  
RECLAMATION**

**THURSDAY, MARCH 15, 2012, AT 6 P.M., PHOTO  
ENFORCEMENT**