



City of Longview

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

Agenda - Final

City Council

*Mayor Don Jensen
Council Member Ken Botero
Council Member Chet Makinster
Council Member Mary Jane Melink
Council Member Steve Moon
Council Member Scott Vydra
Mayor Pro Tem Michael Wallin*

Thursday, April 13, 2017

7:00 PM

2nd Floor, City Hall

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**

2. **INVOCATION*/FLAG SALUTE**

[17-4807](#)

INVOCATION

Invocation to be provided by Mark Schmutz, Northlake Church

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

[17-4810](#)

APPROVAL OF MINUTES, MARCH 23, 2017

Attachments: [03.23.2017 Minutes for Approval](#)

5. **CHANGES TO THE AGENDA**

6. **PRESENTATIONS & AWARDS**

[17-4788](#)

PRESENTATION OF CERTIFICATES OF APPRECIATION TO VOLUNTEERS SERVING ON BOARDS AND COMMISSIONS FOR TERMS THAT WERE COMPLETED IN 2016

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

We would like to recognize the following individuals who have served terms on various boards and commissions, and their terms expired at the end of 2016:

Don Harris, Civil Service

Ken Spring, Downtown Advisory Committee
Betsy DeSpain, Downtown Advisory Committee

Arne Lund, Golf Advisory Committee

Abe Ott, Historic Preservation Commission
Doris Disbrow, Historic Preservation Commission

Judith Fuller, Library Board

Mark Purcell, Loan Review Board
Dean Piotrowski, Loan Review Board

Louis LaPierre, Parks & Recreation Board

Marcel Goulet, Project Longview

Dean Piotrowski, Public Development Authority

Margit Brumbaugh, Sister City Commission

Kinsey Myers, Stormwater Advisory Committee
Allyson Myers, Stormwater Advisory Committee

Ramona Lauzon, Visual Arts Commission

STAFF CONTACT:

Tammi Edwards, Executive Office

[17-4720](#)

PROCLAMATION: EARTH DAY - APRIL 15, 2017

STAFF CONTACT:

Maureen Wingler, Administrative Assistant (Executive Office)

Attachments: [Earth Day - April 15th, 2017.pdf](#)

[17-4775](#)

PROCLAMATION: NATIONAL CRIME VICTIMS' RIGHTS WEEK, APRIL 2-8, 2017 & SEXUAL ASSAULT AWARENESS MONTH

STAFF CONTACT:

Maureen Wingler, Administrative Assistant (Executive Office)

Attachments: [National Crime Victims' Rights Week - April 2-8, 2017 & Sexual Assault Awareness Month.pdf](#)

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

7. A FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS

8. PUBLIC HEARINGS

9. BOARD & COMMISSION RECOMMENDATIONS**10. ORDINANCES & RESOLUTIONS**[17-4791](#)**ORDINANCE NO. 3344 AMENDING 11.60.050 AND 11.62.100 TO DESIGNATE LEASED LAND AS A TEMPORARY PARKING LOT****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Strengthen economic conditions and create new opportunities

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

Downtown streetscape improvements scheduled to begin this month will temporarily eliminate on-street parking (approximately 40 spaces) in the 1200 block of Commerce Avenue. These improvements include new lighting, sidewalks, crosswalks, furnishings, landscaping, raingardens, bulb-outs, street trees and artwork. During construction, on-street parking on Commerce Avenue will be blocked off and used for material staging and to re-route traffic to speed up the construction timeline.

The owner of property in this block has offered to allow his private lot located on the west side of Block 79 to be used for public parking during the downtown streetscape construction period which should begin in mid April and last approximately 3 months.

Ordinance No. 3344 would designate this private lot for public parking on a temporary basis until December 31, 2017. Due to the start of construction on April 10, this ordinance is proposed to be an emergency ordinance and take effect immediately upon adoption. Approval of emergency ordinances require an affirmative vote by five council members.

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3344

STAFF CONTACT:

Mary Chennault, Police Administrative Manager
Jim McNamara, City Attorney

Attachments: [AttachPW - Ord No 3344 Temporary Public Parking on Lot 79W - final version](#)

[17-4790](#)**RESOLUTION NO. 2213 ACCEPTING THE LONGVIEW PUBLIC DEVELOPMENT AUTHORITY'S 2016 ANNUAL REPORT TO THE CITY****CITY ATTORNEY REVIEW: REQUIRED**

SUMMARY STATEMENT:

LMC 2.71.220 provides that the Public Development Authority (PDA) shall file an annual report with the City Clerk and the City Council detailing its assets and liabilities, and summarizing its significant accomplishments, and projects and activities to be undertaken during the current year. The PDA has drafted and approved the attached annual report.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2213.

STAFF CONTACT:

Tammi Edwards, Executive Assistant

Attachments: [Resolution No. 2213 Accepting the 2016 Annual Report from PDA to Council](#)

[RES 2214](#)**RESOLUTION NO. 2214 - AUTHORIZE CITY TO UTILIZE TAX-EXEMPT FINANCING FOR REIMBURSEMENT OF PRIOR EXPENDITURES****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

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

The City periodically issues tax exempt bonds to finance the purchase of equipment or construction of infrastructure. The Internal Revenue Service implemented regulations limiting the ability of public agencies to reimburse previous expenditures from the proceeds of tax-exempt bonds.

Resolution No. 2214 appoints the City Manager and Finance Director as responsible officials for the purpose of issuing statements of official intent to reimburse expenditures using bond proceeds in compliance with Treasury Regulation Section 1.150-2. If determined prudent and feasible by the City Manager or Finance Director, this resolution allows the costs of identified capital projects or purchases to be reimbursed using the proceeds of debt to be incurred in the future by the City (the "Reimbursement Bonds").

This resolution will provide the ability to reimburse expenses incurred prior to issuing bonds for the following purposes: purchase new street and stormwater equipment; design and construct the new Public Works Maintenance crew and equipment building; design and construct the Transit Center Expansion; replace the Beech Street storm drain; construct one or more of the Transportation Benefit District planned street rehabilitation projects; and other capital expenditures financed in the future using tax exempt bonds.

FINANCIAL SUMMARY

Staff has estimated the need to issue approximately \$7.5 million in bonds to complete the identified projects and purchases, but the exact amount, schedule, and type of bonds or financing has not yet been finalized. This resolution will allow staff to place equipment orders and begin design and construction work prior to the City issuing bonds, and provide for reimbursing those expenses from the bond proceeds.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2214.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Res #2214 - Reimburse Expenses Using Bond Financing.pdf](#)

[Res #2214 - EXHIBIT A - Certificate of Intent to Issue Reimbursement Bonds.pc](#)

[City Clerk Resolution Certificate.pdf](#)

[Summary of IRS Reimbursement Bond Guidelines.pdf](#)

[RES 2215](#)**RESOLUTION NO. 2215 - UPDATE RIGHT-OF-WAY ACQUISITION AND RELOCATION ASSISTANCE PROCEDURES FOR PUBLIC WORKS PROJECTS****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

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

The City periodically receives federal funds to improve its transportation infrastructure, and currently has a federal grant to mitigate the potential for a future landslide at one location along Columbia Heights Road. To complete this project, the City needs to obtain permission from an abutting property owner to perform work outside of the right of way.

The Washington State Department of Transportation reviewed our current right-of-way acquisition policy and procedures established in Resolution No. 1136 (adopted in 1979) and advised us our resolution must be updated to conform with current federal requirements.

Resolution No. 2215 includes language updating terminology and procedures to meet current federal requirements, and identifies City positions responsible for administration, coordination, management, appraisal review, and compensation approval. Most of these responsibilities require the individual to have training and knowledge of federal right of way acquisition requirements. The right of way acquisition procedures established by this resolution apply to public works projects funded entirely or in part with federal funds.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2215.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Res #2215 - Right of Way Acquisition.pdf](#)

[RES 2216](#)**RESOLUTION NO. 2216 - EMERGENCY DECLARATION HEMLOCK & HUDSON STREETS SEWER REPAIRS**

COUNCIL INITIATIVE ADDRESSED:

Provide sustainable water quality & environmental infrastructure
Improve streets and roads

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

On March 28, 2017, a small section of Hemlock Street at 17th Avenue collapsed into a sinkhole. Further investigation revealed the sinkhole was caused by failure of the 24-inch sewer main below the intersection, and groundwater and sediment was entering the sewer pipe. Due to the risk of further roadway collapse, blockage of sewer flow in the pipe, and danger to the health and safety of the public, efforts began immediately to make the site safe and to retain contractors to perform emergency repairs.

Under RCW 39.04.280, the city manager may declare an emergency and direct staff to respond to the emergency situation, and may award all contracts necessary to address the emergency. The City Council must adopt findings and ratify the declaration of an emergency no later than two weeks after award of an emergency contract. Resolution No. 2216 will adopt findings and ratify the emergency declaration.

FINANCIAL SUMMARY:

The cost to repair the sewer cannot be determined at this time because staff is still working with contractors to determine a repair technique and schedule. This emergency work will be funded by the Sewer Construction Fund.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2216.

STAFF CONTACT:

Craig Bozarth, City Engineer

Attachments: [Res #2216 - Emergency Declaration Hemlock Hudson Sewer Main.pdf](#)
[Emergency Declaration-Sewer Repairs on Hemlock, Hudson & WA Way.pdf](#)

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS**11. A MAYOR'S REPORT****11. B COUNCILMEMBERS' REPORTS**

[17-4792](#) **ADDRESSING THE COSTS OF MULTIFAMILY HOUSING
CONSTRUCTION, INCREASING HOUSING SUPPLY AND INCREASING
MULTIFAMILY HOUSING OPPORTUNITIES IN LONGVIEW**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Preserve and Enhance Neighborhoods, Address Quality of Life Issues,
Strengthen Economic Conditions and Create New Opportunities.

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

There is a housing shortage in Longview and surrounding communities. Building new construction and redevelopment can be discouraged by existing, well-meaning but overly-restrictive and unnecessary regulations which increase the cost of construction and make poor use of the available land, with resulting higher rents. Rents have increased at a rapid rate. Vacancies are near historic lows. Increasing supply of affordable housing will affect rents, availability of housing, reduce homelessness and reduce the risk of homelessness. New, modern, and healthy living spaces will increase the quality of life for Longview residents. New construction will foster greater economic growth and vitality, existing neighborhoods will be revitalized and attract additional investment for their enhancement.

The City Council desires to encourage and foster greater multifamily development, redevelopment, and new housing opportunities, for all, in Longview. Council began expressing a desire to make modifications to unnecessarily restrictive measures in 2016, numerous community stakeholders have expressed a desire for council to take proactive action, and recently Council expressed similar interest in 2017 work plan planning work shop meetings.

The City Council desires to reconsider and possibly repeal Chapter 19.20.060 of the Longview Municipal Code, and more. The City Council desires to increase the maximum allowable multifamily density in R-3 and R-4 zones, reconsider restrictive parking space and parking lot requirements, increase the maximum allowable height of multifamily structures, and consider reducing development costs, including but not limited to: a 25% reduction of all multifamily utility connection and building and planning permit costs and a 10 year moratorium on increases to multifamily utility connection and permit cost increases, in addition, the council desires to find an appropriate and more suitable balance of permeable open spaces or green spaces and impermeable spaces, as well as ease unnecessarily restrictive architectural design standards.

RECOMMENDED ACTION:

A motion, directing the City Manager, to take immediate action, to direct the City Attorney to work with the Department of Community and Economic Development and Council, to prepare an ordinance or ordinances for consideration and possible enactment by City Council to encourage multifamily housing development within the City of Longview, including at least one joint City Council and Planning Commission workshop to include interested stakeholders by July 13th, 2017, and then Planning Commission review and recommendation back to Council within 90 days.

INTRODUCED BY:

Chet Makinster

SUPPORTED BY:

Steve Moon

12. CONSENT CALENDAR[17-4809](#)**APPROVAL OF CLAIMS**

Based upon the authentication and certification of claims and demands against the city, prepared and signed by the City's auditing officer, and in full reliance thereon, it is moved and seconded as shown in the minutes of this meeting that the following vouchers/warrants are approved for payment:

FIRST HALF APRIL 2017 ACCOUNTS PAYABLE: \$1,347,127.15

SECOND HALF MARCH 2017 PAYROLL:

\$74,655.88, checks no. 206872-206889
\$642,131.77, direct deposits
\$847,229.32, wire transfers
\$1,564,016.97 Total

STAFF CONTACT:

Kaylee Cody, City Clerk
John Baldwin, Fiscal Analyst
Jackie Rodgers, Human Resources Specialist

[17-4808](#)**LIABILITY CLAIMS/LAWSUITS**

The claim(s)/lawsuit(s) listed below was/were received by the City. Where applicable, the claim(s)/lawsuit(s) have been/are being researched and/or reviewed by Washington Cities Insurance Authority (WCIA). The claim(s)/lawsuit(s) status is/are as follows:

NEW:

James Hill, DOI: 02/06/2017. Claimant alleges costs incurred related to sewer block in city line that caused flooding in home.

Scott Allen, DOI: 03/04/2017. Claimant alleges damage to his water heater caused by silica in the city water supply.

DENIED:

Herbert Tompkins, DOI: 10/10/2016. Claimant alleges that a city owned tree was not properly maintained, resulting in the tree branch falling on his vehicle and causing damage.

Peardale Residential Association, DOI: 11/26/2016. Claimant alleges costs incurred related to sewer.

SETTLED:

Joshua Wenzek, DOI: 02/28/2017. Claimant alleges costs incurred related to sewer.

Leslie Auman, DOI: 01/21/2013. Claimant alleges that he suffered injuries and damages in a collision with a police vehicle.

STAFF CONTACT:

Kaylee Cody, City Clerk
Brian Loos, Risk & Safety Manager

[RES 2217](#)**RESOLUTION NO. 2217 - INTERLOCAL AGREEMENT WITH COWLITZ COUNTY FOR SERVICES AND MATERIALS****COUNCIL INITIATIVE ADDRESSED:**

Improve transportation systems
Continue effective financial management

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

The City of Longview historically has purchased bulk chip seal road oil and roadway de-icing material from Cowlitz County. The County has requested an interlocal agreement to reduce the administrative actions needed each year to accommodate those purchases. Additionally, the City and County may provide labor and equipment to each other to assist with emergency response or to accomplish unique tasks.

Attached is a proposed interlocal agreement providing for Longview and Cowlitz County to obtain unspecified services and material from each other. A request form will be completed and approved by authorized individuals for each specific service or acquisition requested.

FINANCIAL SUMMARY:

No additional costs will be incurred under this interlocal agreement. Each agency already pays for services or material obtained from the other agency.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2217.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Res #2217 - Interlocal Agreement with Cowlitz County.pdf](#)

[Res #2217 - EXHIBIT A - Interlocal Agreement with Cowlitz County.pdf](#)

[17-4812](#)**PROJECT COMPLETION - STORMWATER SHOP - SHOP HEATERS & ELECTRICAL UPGRADES****COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

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

The Stormwater Shop - Shop Heaters & Electrical Upgrades project has been completed in accordance with the plans and specifications under Contract No. 16-2358-D entered into between the City of Longview and L.P. & H. Mechanical Company. The City Council must accept the project as complete

before final contract closeout can be accomplished.

RECOMMENDED ACTION:

Motion to accept as complete the Stormwater Shop - Shop Heaters & Electrical Upgrades project.

STAFF CONTACT:

Chris St. Onge, Project Engineer

[17-4813](#)

TEMPORARY LEASE TO PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY FOR FISHERS LANE TREATMENT PLANT PROPERTY

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

Public Utility District No. 1 of Cowlitz County (PUD) has requested a temporary lease of City property located at the Fishers Lane water treatment plant. The PUD desires to use the City's property located adjacent to their electrical substation for the purpose of staging construction equipment and materials while they rebuild their substation. The term of the lease would be six months from May 1, 2017 to October 31, 2017, with a renewal clause providing for up to two additional months.

FINANCIAL SUMMARY:

The lease rate would be \$200.00 per month.

RECOMMENDED ACTION:

Motion to approve the temporary lease with the PUD.

STAFF CONTACT:

Craig Bozarth, City Engineer

Attachments: [AttachPW - PUD Temporary Lease.pdf](#)

[17-4789](#)

TERMINATION OF INTERLOCAL AGREEMENTS WITH COWLITZ COUNTY FOR INFORMATION TECHNOLOGY SERVICES

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The recommendation to the City Manager from the Information Technology Director is to dissolve the interlocal agreements between the City of Longview and Cowlitz County for Information Technology services. Over the two years I have managed the agreements I have been unable to see where the City enjoys any benefit or added value in providing the County with IT services. The

County has a fully qualified IT department capable of providing services to their own departments.

The cost to the City to provide IT services is not well understood or fully accountable for all activities related to the servicing of the agreements. There are too many undefined costs and or uncaptured true costs that accurately reflect the General Fund obligation the City bears. The upfront General Fund obligation is borne by the City, and is reimbursed on a quarterly basis, based solely on the reporting of staff hours in the course of providing IT services to the beneficiaries of the agreements.

The risk and liability to the City for servicing County agencies that involves Criminal Justice Information is not adequately recognized and considered as an ancillary result of agreeing to provide IT services to the County. The City is required to perform Technology Security audits administered by the Washington State Patrol as defined by the FBI Criminal Justice Information Systems policies. Compliance with the FBI CJIS policy is an additional burden and overhead cost that is not accounted for in the agreements. A breach or loss of Criminal History data is an undefined risk and or reporting obligation the City should have considered when entering into the agreements.

The timing for terminating the agreements is at the most opportune moment. The primary City IT support staff member is resigning employment and will need to be filled. The County will have the opportunity to re-hire the staff person of their own choosing.

The recommendation to the City Manager is to terminate the interlocal agreement with Cowlitz County in support of the County Records and 911 Communications departments and the memorandum agreement with the Cowlitz Wahkiakum Narcotics Task Force, for Information Technology services. Each agreement stipulates the process to be put in place to properly disentangle the services without adverse impact to the organizations.

STAFF CONTACT:

Todd Dodgin, Information Technology Director

Attachments: [Longview IT agreement 070114](#)

[MEMORANDUM OF AGREEMENT FOR TECHNICAL SERVICES 01.2016](#)

13. CITY MANAGER'S REPORT

[17-4787](#)

LONGVIEW FIRE DEPARTMENT ANNUAL REPORT 2016

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Enhance Public Safety and Emergency Response

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Longview Fire Chief Phil Jurmu will present the 2016 Annual Report for The Longview Fire Department.

**RECOMMENDED ACTION:
PRESENTATION**

STAFF CONTACT: PHIL JURMU, FIRE CHIEF

Attachments: [2016 Annual Report](#)

14. MISCELLANEOUS

[17-4814](#)

WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

Attachments: [Chamber Spec Occ LL 4-17 Amada.pdf](#)

[Chamber Spec Occas LL- LCC 4-17.pdf](#)

15. ADJOURNMENT

*** Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.**

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, APRIL 27, 2017 - 7:00 P.M.

THURSDAY, MAY 11, 2017 - 7:00 P.M.

NEXT COUNCIL WORKSHOPS:

THURSDAY, APRIL 20, 2017 - 6:00 P.M. SEWER PUMP STATION CONTROL STRUCTURES DESIGN; INDIAN CREEK DRIVE LID; SCHOOL ZONE SAFETY UPGRADES STATUS REPORT; AND ROADSIDE MEMORIAL POLICY

THURSDAY, APRIL 27, 2017 - 6:00 P.M. CRITICAL AREAS ORDINANCE

THURSDAY, APRIL 27, 2017 - 8:00 P.M. ADA TRANSITION PLAN