



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 Tom Hutchinson
Council Member Chet Makinster
Mayor Pro Tem Mary Jane Melink
Council Member Steve Moon
Council Member Michael Wallin*

Thursday, July 9, 2015

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

3. ROLL CALL

4. APPROVAL OF MINUTES

[MN 15-0287](#) COUNCIL MINUTES, JUNE 11, 2015

Attachments: [CNCL MIN 6112015](#)

5. CHANGES TO THE AGENDA

6. PRESENTATIONS & AWARDS

[15-3906](#) PROCLAMATION: IN MEMORY OF TOM HUTCHINSON

Attachments: [In Memory of Tom Hutchinson](#)

[15-3910](#) AWC'S CERTIFICATE OF MUNICIPAL LEADERSHIP (CML) -
COUNCILMEMBER MIKE WALLIN

SUMMARY STATEMENT:

AWC's Certificate of Municipal Leadership program provides Council members training to effectively operate within the law, plan for the future, secure and manage funds and foster community and staff relationships. The courses help mayors and councilmembers learn the essentials of municipal service and improve their ability to work with council colleagues, city staff, and citizens.

This certification is awarded when an elected official achieves 30 or more credits through a variety of AWC sponsored workshops and completes community service.

Attachments: [M. Wallin-AWC Certificate of Municipal Leadership](#)

[15-38 Councilmember Wallin Awarded with Certificate of Municipal Leadership](#)

[15-3911](#)

AWC WELLCITY AWARD, SASHA HINNERS

COUNCIL STRATEGIC INITIATIVE ADDRESSED: Continue Effective Financial Management

SUMMARY STATEMENT:

With the continued efforts of Sasha Hinnners and the Wellness Committee, the City has received their 8th consecutive WellCity Award. Longview's active participation has provided for 2% reduction in health care insurance premiums since 2011.

RECOMMENDED ACTION:

No action required.

Attachments: [2015 AWC Employee Benefit Trust WellCity Award](#)

[15-3902](#)

ASSOCIATION OF WASHINGTON CITIES (AWC) AWARDS:

- * **ADVOCACY ALL-STAR AWARD - COUNCIL MEMBER BOTERO**
- * **CIVIC SERVICE AWARDS - ANN DAVIS & BOB GREGORY**

Attachments: [EXEC COPIER 20150701_155753](#)

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

[15-3904](#)

PATHWAYS 2020 REPORT CARD UPDATE PAUL YOUMANS

8. PUBLIC HEARINGS

9. BOARD & COMMISSION RECOMMENDATIONS

10. ORDINANCES & RESOLUTIONS

[15-3898](#)

ORDINANCE NO. 3296 AMENDING CHAPTER 11.50, "ON-STREET PARKING REGULATIONS"

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Enhance Public Safety and Emergency Response

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

A local business owner requested to change the parking time limits near their business in the 1100 block of Commerce Avenue. The Downtown Advisory

Committee (DAC) recommended implementation of this request at their June 2015 meeting. This ordinance revision changes on-street parking spaces 10 and 11 in Block 78 from 3 hour parking to 1 hour parking.

This revision also incorporates a correction to a 15 minute parking space in the 1500 block of Commerce which was identified after the completion of the downtown streetscape project in that block.

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3296

Attachments: [Parking Ordinance](#)

[IMG_0166](#)

[IMG_0167](#)

[15-3899](#)

JAG GRANT RESOLUTION NO. 2150

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Enhance Public Safety and Emergency Response

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

An Interlocal Agreement with Cowlitz County is required as part of the FY 2015 Justice Assistance Grant application. A resolution is required in order for the City Manager to sign the agreement. The Justice Assistance Grant funding (\$16,131) will be used towards the Longview School Officer Program.

RECOMMENDED ACTION:

Motion to authorize the City Manager to sign the Interlocal Agreement with Cowlitz County.

Attachments: [Resolution - JAG Grant](#)

[JAG Interlocal - 2015](#)

[RS 15 2151](#)

RESOLUTION NO. 2151 - INTERLOCAL AGREEMENT WITH COWLITZ COUNTY FOR 2015 RURAL PUBLIC FACILITIES GRANT FOR PHASE 2 OF DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Strengthen economic conditions & create new opportunities

CITY ATTORNEY REVIEW: YES

SUMMARY STATEMENT:

On April 14, 2015, the Cowlitz County Commissioners awarded a 2015 Rural Public Facilities Grant in the amount of \$140,000 toward construction of Phase 2 of Longview's Downtown Corridor Improvements project. The commissioners have previously awarded a total of \$570,000 toward the Downtown Corridor Improvements Project in 2011, 2013 and 2014.

The proposed interlocal agreement between the City of Longview and Cowlitz

County authorizes transferring the 2015 grant funds to the City and establishes the terms and conditions for use of those funds. Resolution No. 2151 authorizes the city manager to execute the interlocal agreement.

FINANCIAL SUMMARY:

The amount of the 2015 Rural Economic Development Fund Grant is \$140,000; there is no local match required.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2151.

Attachments: [Res No. 2151 Cowlitz County Interlocal RDF](#)
[Interlocal for County Rural Pub Facilities Funds](#)

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS

[15-3905](#) **PROCESS FOR FILLING COUNCIL VACANCY AND POSSIBLE
DISCUSSION OF QUALIFICATIONS AND POSSIBLE APPOINTMENT**

12. CONSENT CALENDAR

[15-3891](#) **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:

Second Half June 2015 Accounts Payable: \$1,712,777.43
Checks issued: 336617 - 336993

First Half June 2015 Payroll:
 \$6,817.19, Checks No. 206356 - 206367
 \$672,876.90, direct deposits
 \$413,048.36, wire transfers
 \$1,092,742.45 Total

First Half July 2015 Accounts Payable: \$1,131,074.23

Second Half June 2015 Payroll:

[15-3892](#) **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:

Vernon Dillman, DOI: 3/1/2013. Claimant alleges out-of-pocket expenses to replace window damaged by white spots left by water. \$19.22 claimed

Janet Bailey, DOI: 4/26/2015. Claimant alleges property damage and out-of-pocket expenses incurred to clean up after water main burst at corner of OBH and 44th Avenue. \$2,590 claimed

Kara Cope, DOI: 3/14/2015. Claimant alleges property damage as a result of tree limb falling on vehicle. \$1,100 claimed

State Farm Insurance, DOI: 12/31/2013. Subrogation claim on behalf of homeowner Jarrett Toftemark. Claim alleges City turned off water to residence during owner's deployment; somehow the water got turned back on, the pipes froze and burst causing much damage to residence. \$83,693.80 claimed

Richard Roberts, DOI: 12/1/2014. Claimant alleges City somehow responsible for break in his water line from meter to house. \$2,597.42 claimed

Perry Hanchey, DOI: 4/26/2015. Claimant alleges property damage and out-of-pocket expenses incurred to clean up after water main burst at corner of OBH and 44th Avenue. \$2,947 claimed

Jerry Bayless, DOI: 2/1/2015. Claimant alleges out-of-pocket expenses incurred to clean up after sewer back up when problem was on City side. \$447.04 claimed

Stephen J. Danchok, DOI: 2014. Claimant alleges dishwasher not working possible due to silica in water. Amount unspecified.

Tim & Cathy Todd, DOI: 4/26/2015. Claimant alleges property damage and out-of-pocket expenses incurred to clean up after water main burst at corner of OBH and 44th Avenue. \$7,049.09 claimed

Sanders Woodard, DOI: 5/22/2015. Claimant alleges he popped a tire when backing over rebar sticking up in street. \$236 claimed

Eldora Franklin, DOI: 2013. Claimant alleges a sinkhole in alley caused her to have to replace water and sewer lines on property. \$2,257.30 claimed

Sunset Village Apartments, DOI: 2/31/2013. Claimant alleges numerous water main breaks at facility due to increased water pressure from Mint Farm facility. Claimant had to install pressure reducing valves and incurred repair costs. \$13,171.78 claimed. (Claimant also is seeking a \$12,818.16 credit for excess water consumed.)

Patrice McNeiece, DOI: 7/6/2012. Claimant alleges personal injuries and

medical costs associated with a trip-and-fall injury over uneven portion of sidewalk. \$150,000 claimed

DENIED:

Vernon Dillman, DOI: 3/1/2013. Claimant alleged out-of-pocket expenses to replace window damaged by white spots left by water. \$19.22 claimed

Marcella Lopez, DOI: 1/31/2013. Claimant alleged damage to appliances and need to purchase bottled water due to quality of Mint Farm water. \$4,000 claimed

Richard Roberts, DOI: 12/1/2014. Claimant alleged City somehow responsible for break in his water line from meter to house. \$2,597.42 claimed

[PROJ #79](#)

PROJECT COMPLETE CERTIFICATION - DOWNTOWN CORRIDOR IMPROVEMENTS PROJECT

COUNCIL INITIATIVES ADDRESSED:

Strengthen economic conditions and create new opportunities
Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

This action is to certify that the Downtown Corridor Improvements project has been completed in accordance with the plans and specifications under Contract No. 14-2642-D entered into between the City of Longview and R.C. Northwest, Inc., and the same is hereby accepted and approved.

RECOMMENDED ACTION:

Motion to accept and approve as complete the Downtown Corridor Improvements project.

[15-3907](#)

BID REVIEW - FIRE STATION #82 UPGRADES AND REPAIRS

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Enhance public safety and emergency response.

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

This project involves improvements to Fire Station #82 by repairing and remodeling the restroom, reconfiguring interior space, and replacing deteriorated exterior siding.

On June 11, 2015, two bids were received as follows:

\$66,443.07 - Mountain View Commercial Contracting, Inc., Vancouver, WA
\$76,950.00 - Christensen, Inc., Tumwater, WA

\$59,000.00 - Engineer's Estimate

All bids received were determined to be regular and responsive.

FINANCIAL SUMMARY:

This project is funded by the Capital Projects Fund. This bid will cause the budgeted amount for this project to be exceeded by approximately \$10,000. The shortage will be covered by funds left over from the Archie Anderson Park Lighting Project

RECOMMENDED ACTION:

Motion to accept the bid and award a contract to Mountain View Commercial Contracting Inc., in the amount of \$66,443.07.

13. CITY MANAGER'S REPORT[15-3900](#)**AMENDMENT TO INDIGENT DEFENSE CONTRACT****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management

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

The City contracts with the four attorneys of Longview Municipal Defense for indigent public defense service. The standards for indigent defense adopted by the Washington State Supreme Court imposes a limit of 400 cases per attorney per year. Longview Municipal Defense has notified the City that as of mid June of this year it has already been assigned 864 cases. At this rate, the firm will exceed the 400 case/ attorney limit prior to the end of 2015. In addition, there is some evidence that crime rates increase with the longer days of summer. Finally, as the City gets closer to authorized police officer staffing levels, the second half of 2015 may well see more arrests and more public defender appointments than the first half of the year. Consequently, the contractor has proposed hiring an additional public defender and necessary support staff at a cost of \$135,000 per year. The City continues to utilize its pre-filing diversion program to control the number of cases filed, and an analysis prior to the issuance of the public defense RFP showed it to be more economical to contract for public defense than create the City's own office of public defense. In addition, the City considered the option of hiring a separate additional attorney by separate contract. However, considering the City's obligation to not only provide for the cost of the attorney, but necessary overhead, and also in consideration of the efficiency in having all indigent cases handled by the same firm, the City elected not to pursue that option.

RECOMMENDED ACTION:

Authorize the City Manager to amend the contract for indigent defense services with Longview Municipal Defense, to add an additional public defender and consequently raise the total compensation from \$38,333.33/mo. to \$49,583.33 per month.

Attachments: [Indigent Defense Contract 2015 - July Amemndment](#)

[15-3903](#)

**REPORT FROM THE CITY ATTORNEY ON THE PRE-FILING
DIVERSION PROGRAM**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue Effective Financial Management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

In response to increasing public defense costs, the City began a pre-filing diversion program designed to provide an alternative to criminal prosecution for non-violent criminal misdemeanors. In a pre-filing diversion program, participants are given the opportunity to complete the diversion program in lieu of criminal prosecution. The City Attorney will summarize the program's outcomes for the first 6 months of 2015.

RECOMMENDED ACTION:

No action required.

14. MISCELLANEOUS

[15-3897](#)

WASHINGTON STATE LIQUOR CONTROL BOARD REQUESTS

Attachments: [Chamber LL 001](#)

[Honu Enterprises Renewal 001](#)

[LL Sept 2015 001](#)

[\(2\) Spec Occas LL 001](#)

[HPC min
5-27-15](#)

**MAY 27, 2015 MINUTES OF THE HISTORIC PRESERVATION
COMMISSION**

Attachments: [MAY 27, 2015 MINUTES OF THE HISTORIC PRESERVATION COMMISSION](#)

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, JULY 23, 2015

THURSDAY, AUGUST 13, 2015