



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, February 23, 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

[17-4726](#)

INVOCATION

Invocation to be provided by Eugene Curry, Calvary Community Church

3. ROLL CALL

4. APPROVAL OF MINUTES

[MN 17-0366](#)

COUNCIL MINUTES, FEBRUARY 9, 2017

Attachments: [2.9.2017 Minutes for Approval](#)

5. CHANGES TO THE AGENDA

6. PRESENTATIONS & AWARDS

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

7. A

FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS

8. PUBLIC HEARINGS

[PC 2015-5](#)
[2/23/17](#)

**PORT OF LONGVIEW APPLICATION FOR COMPREHENSIVE PLAN MAP
CHANGE FOR THE BARLOW POINT AREA**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Strengthen economic conditions & create new opportunities, preserve and enhance neighborhoods

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

The Port of Longview applied for a Comprehensive Plan Future Land Use Map amendment to change approximately 136 acres in the Barlow Point area from Mixed Use-Residential/Commercial (MU-R/C) to Heavy Industrial. Two properties not owned by the Port are included in the application. Prior to the adoption of the 2006 Comprehensive Plan this area had a Comprehensive Plan classification of Heavy Industrial and was zoned for heavy industrial uses. The property remains zoned for heavy industrial land uses and can be developed as such.

At their September 2, 2015 regular meeting, the Longview Planning Commission held a public hearing on the application. The Planning Commission received substantial testimony (at least 15 persons spoke and several written comments were submitted). Of those who questioned the application, the theme for much of the testimony was about the public desire to see land uses other than industrial along the Columbia River. At an October 14 special meeting, the Planning Commission voted to recommend denial of the application. The Planning Commission believes the issue will be best resolved in the overall update of the Comprehensive Plan. (The approved scope of work for the Comprehensive Plan update includes the Barlow Point area as an emphasis area in the update process.)

The City Council is charged with making the final decision on the Port's application. Since this is a legislative decision, more than one open record hearing can be held. At a November 19, 2015 special meeting the City Council decided to hold their own public hearing since the application has drawn more than the usual attention and the Council received an atypical recommendation for denial. A public hearing was scheduled for the Council's December 10, 2015 meeting. At that meeting, the City Council decided to cancel the public hearing. Instead a motion was passed "...that the public hearing be postponed until the Planning Commission completes the Comprehensive Plan Update."

At their January 26, 2017 meeting, the City Council considered a request from the Port of Longview to reconsider the above motion and hold a public hearing soon. The City Council unanimously passed a motion to schedule a public hearing for their February 23 regular meeting. The Port's request is attached.

The staff report that was presented to the Planning Commission is attached. The report includes a City staff recommendation for approval of the application.

RECOMMENDED ACTION:

Motion to accept the Planning Commission recommendation and deny the application

Alternative motion: Motion to approve the application and direct the City Attorney to prepare an ordinance for Council review and approval.

STAFF CONTACT:

Steve Langdon, Planning Manager

Attachments: [Port of Longview letter](#)

[Staff report](#)

[Exhibit A - Map](#)

[Exhibit B - Application](#)

[SEPA documents](#)

[SEPA comments](#)

9. **BOARD & COMMISSION RECOMMENDATIONS**

10. **ORDINANCES & RESOLUTIONS**

[RS 17 2208](#) **RESOLUTION NO. 2208 - SET PUBLIC HEARING AND DECLARE INTENT TO ASSUME LONGVIEW TRANSPORTATION BENEFIT DISTRICT**

COUNCIL INITIATIVE ADDRESSED:

Improve transportation systems
Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The Longview Transportation Benefit District (TBD) was formed on December 15, 2016, by the City Council pursuant to Ordinance No. 3334, effective January 19, 2017. On January 26, 2017, the TBD and the City authorized an interlocal agreement for the City to provide all administrative and technical support necessary for the TBD to function, with the TBD reimbursing the City for all costs incurred providing that support, except for certain overhead and higher level management support.

Revised Code of Washington (RCW) Chapter 36.74 authorizes a city that formed a transportation benefit district with the same boundaries as the city to abolish the governing board of the district and assume all rights, powers, immunities, functions, and obligations of the district. Approximately one-half of all transportation benefit districts formed by cities have been assumed by their city.

Because the TBD is a separate legal entity with support provided by City elected officials and staff, it would be more efficient and reduce costs for the City to assume the TBD. Some of the benefits and disadvantages are as follows:

Benefits

- Eliminate additional meetings for City elected officials and staff.
- Eliminate advertising and record keeping related to the separate meetings.
- Reduce staff time spent on separate TBD business.
- Eliminate need for separate insurance for the TBD.

Disadvantages

- City must assume and pay all debts of the district, including outstanding general obligation bonds and revenue bonds.
- District bonds and debt count against the City's overall debt capacity.

Next Steps

Should the City Council decide to initiate the process to assume the TBD, the following actions must be taken:

1. Adopt a resolution declaring the City's intent to conduct a public hearing to consider assuming the TBD and setting the date and time for the hearing to obtain public input on the matter.
2. Publish the resolution at least two times during the two weeks preceding the public hearing.
3. Conduct the public hearing and consider testimony, protests, and objections to assumption of the TBD.
4. After considering testimony and comments, if the City Council determines the public interest and welfare would be satisfied by assuming the rights, powers, immunities, functions, and obligations of the TBD, adopt an ordinance assuming the TBD and abolishing the governing body of the TBD.

FINANCIAL SUMMARY:

An interlocal agreement between the TBD and the City provides for the City to be reimbursed most costs incurred providing administrative and technical support for the TBD. In consideration of the benefits received by the City for TBD-funded improvements to City infrastructure, the interlocal agreement specified that certain overhead and higher level management staff costs would be absorbed by the City. No additional costs would be incurred by the City after assuming the TBD.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2208.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Res No 2208 - Set Hearing to Assume TBD](#)

[17-4723](#)

RESOLUTION NO. 2209: APPROVING A NEW INTERLOCAL COOPERATION AGREEMENT CONCERNING THE SOUTHWEST WASHINGTON REGIONAL AIRPORT**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve transportation systems

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

Last November the city council adopted Resolution No. 2220 authorizing the city manager to execute an extension of the Southwest Washington Regional Airport Interlocal Cooperation Agreement through the end of 2018. Cowlitz County and the City of Kelso also approved the extension of that agreement with identical language last fall, but the Port of Longview did not. On February 8 the port adopted an amended version of the agreement. That amended version is now being brought back to the other participating entities for consideration; as this summary statement is being written it is anticipated it will be on meeting agendas for Kelso and the county on February 21.

The port's amended version adds a new clause on Page 9 at the end of the third sentence in Paragraph IX. B., Termination by PARTIES: " . . . ; provided, however, a PARTY who voted against a debt obligation after the date of this AGREEMENT shall have no liability or repayment obligation with respect to that debt obligation in the event the AGREEMENT is terminated."

City of Kelso officials have stated that they have no plans to propose that the airport take on any new debt during the next two years, therefore this new clause would have no impact on the other three entities. On the contrary, they have said that not having the port's annual financial contributions as a participating partner would significantly impair the efforts to improve airport operations, including maintenance activities.

The council was informed of the port's amended version of the interlocal agreement on February 9 and agreed to consider formally concurring with it on February 23.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2209.

STAFF CONTACT:

Chet Makinster, City Councilor and Member of the Airport Board
Dave Campbell, City Manager
Steve Taylor, Kelso City Manager
Chris Paolini, Southwest Washington Regional Airport Manager

Attachments: [Resolution No. 2209 Interlocal SW Washington Regional Airport 2017 Amended SWRA ILA signed 2-8-17 by the Port of Longview](#)

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

12. CONSENT CALENDAR[17-4728](#)**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 FEBRUARY 2016 ACCOUNTS PAYABLE: \$1,119,857.04

FIRST HALF FEBRUARY 2016 PAYROLL:

\$3,149.07, checks no. 206844-206846

\$711,092.74, direct deposits

\$471,712.65, wire transfers

\$1,185,954.46 Total

STAFF CONTACT:

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

[17-4727](#)**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:

Vickie Hight, DOI: 12/20/2016. Claimant alleges costs incurred related to sewer.

Dustin Olson, DOI: 2/2/2017. Claimant alleges that his vehicle was damaged by tow truck when it was impounded by police.

Andrew Rickard, DOI: 1/31/2017. Claimant alleges costs incurred related to sewer.

DENIED:

Vickie Hight, DOI: 12/20/2016. Claimant alleges costs incurred related to sewer.

SETTLED:

Alice Ferrarin-Laroy, DOI: 11/11/2016. Claimant alleges costs incurred related to sewer.

STAFF CONTACT:

Kaylee Cody, City Clerk

Brian Loos, Risk & Safety Manager

[PROJ #95](#)**PROJECT COMPLETION - 2016 SEWER MAIN REPLACEMENT****COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

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

The 2016 Sewer Main Replacement project has been completed in accordance with the plans and specifications under Contract No. 16-1928-S entered into between the City of Longview and Advanced Excavating Specialists LLC. The City Council must accept the project as complete before final contract closeout can be accomplished.

RECOMMENDED ACTION:

Motion to accept as complete the 2016 Sewer Main Replacement project.

STAFF CONTACT:

Sam Barham, Project Engineer

13. CITY MANAGER'S REPORT[17-4721](#)**POTENTIAL ADDITION TO THE CITY'S STATE LEGISLATIVE AGENDA -
SUPPORT FOR SHB 1086****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Strengthen economic conditions and create new opportunities

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

House Bill 1086 (and companion Senate Bill 5438) have been called to staff's attention as legislation that the city might want to support as part of our state legislative agenda. The bills include a legislative finding that "excessive delays in the environmental impact analysis process required under the state environmental policy act (SEPA) add uncertainty and burdensome costs to those seeking to do business in the state of Washington." The intent of the bills is to "promote timely completion of SEPA processes, and in doing so, restore balance between the need to carefully consider environmental impacts and the need to maintain the economic competitiveness of state businesses."

Specifically, a lead agency preparing an environmental impact statement (EIS) under SEPA would be called upon to complete it "in as expeditious a manner as possible while not compromising the integrity of the analysis." If not completed within 24 months of making a threshold determination of a probable significant adverse environmental impact (the aspirational time limit), the agency would be directed to submit a brief report to the legislature explaining the circumstances that caused it to fail to meet that time limit, an estimate of when the EIS *would* be completed, and a plan of action to ensure that *future* EISs it undertakes would be completed within 24 months.

The original House bill has been amended (to eliminate the aspirational time limit if agreed by the project proponent and the lead agency) and passed out of the Environment Committee and referred to the Rules Committee as SHB 1086. Refer to the links below for further information.

This bill would apply to cities and other local agencies as well as state agencies preparing EISs under SEPA. It would *not* apply to EISs being prepared under the national environmental policy act (NEPA). Based on recent experience, it would rarely apply directly to the city; we have not made a finding of probable significant adverse environmental impact as a lead agency during the past 12 years. If and when that *might* happen, our community development staff believe an aspirational goal of completing an EIS within 24 months is a realistic goal.

RECOMMENDED ACTION:

Motion to add support for SHB 1086 and SB 5438 to the city's state legislative agenda.

STAFF CONTACT:

Dave Campbell, City Manager

Attachments: [Substitute House Bill 1086](#)

[House Bill Report HB 1086](#)

[Bill Analysis HB 1086](#)

[Multiple Agency Fiscal Note Summary](#)

[17-4722](#)

CITY-COUNTY HOTEL MEMORANDUM OF UNDERSTANDING AND COST SHARING AGREEMENT

COUNCIL INITIATIVE ADDRESSED:

Strengthen economic conditions and create new opportunities

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The County and the City of Longview jointly financed a long-range Event Center Master Plan and a hotel feasibility study. The recommendations of both studies declare that there is a need for additional conference space at the Event Center as well as a hotel for the use of conference attendees. To facilitate implementation of the Event Center Master Plan, the County and City propose an exchange of lands to allow for development of a commercial hotel. Construction of a hotel would facilitate local events and gatherings at the County Events Center and the Fairgrounds.

In consideration for exchange of parcels, City shall cause to be performed a valuation and surveys of all concerned parcels. The County will apply for subdivision or boundary line adjustment for the creation of the parcels. The

City or its PDA will facilitate funding for all fees and costs necessary for such division of land.

The City will work cooperatively with the County and the City of Kelso to address access issues for the hotel as well as a new entrance to the fairgrounds from Washington Street.

FINANCIAL SUMMARY:

The City will pay approximately \$12,500 for valuation, surveying and subdivision costs. The PDA will reimburse the City for those costs upon the sale of the property to a hotel developer.

RECOMMENDED ACTION:

Motion to authorize the City Manager to sign the MOU and Cost Sharing Agreement.

Attachments: [Survey- Cost Share Agreement Final 2-15-2017](#)
[1680_001](#)

[17-4725](#)

AMENDMENT TO LMC 10.40.060 - POSTING SIGNS

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Address Quality of Place Issues

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The Parks and Recreation Department is requesting to add an exception to the LMC 10.40.060 to read:

10.40.060 Posting signs.

No person, firm or corporation shall post or attach any handbill, circular, advertising matter or other papers or signs of any kind for advertising or other purposes, except as provided in Chapter 16.40 LMC and Chapter 13.04, on any post, pole, tree, building or other structure. (Ord. 2772 § 2, 2000; Ord. 2122 § 1, 1983).

The exception would allow, with a permit from the director or the city manager, the ability to exercise those exceptions within the municipal code. The Urban Forestry Division of the Parks and Recreation Department would like to place educational signs within the park system around trees during the month of April to celebrate both Arbor Day and Earth Day to promote the urban forest program and the benefits of trees.

RECOMMENDED ACTION:

Motion to direct the City Attorney to prepare an ordinance to add the exemption language to LMC 10.40.060 - Posting Signs

STAFF CONTACT:

Jennifer Wills, Parks and Recreation Director
John Brickey, Community Development Director

Attachments: [Longview Tree Tags](#)

14. **MISCELLANEOUS**

[17-4718](#) **WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS**

Attachments: [LL Spec Occ-Lions-Expo.pdf](#)
[LL Spec Occ-Lions.pdf](#)
[MJ Processor app 2-17.pdf](#)
[LL Renewals 2-17.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, MARCH 9, 2017 - 7:00 P.M.

THURSDAY, MARCH 23, 2017 - 7:00 P.M.

NEXT COUNCIL WORKSHOPS:

**THURSDAY, MARCH 16, 2017 - 6:00 P.M. CITY MANAGER PERFORMANCE
EVALUATION**

THURSDAY, MARCH 23, 2017 - 6:00 P.M. WAYFINDING SYSTEM PROPOSAL