



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, March 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**

[17-4780](#)

INVOCATION

Invocation to be provided by Dave Williamson, Construction Workers Christian Fellowship

3. **ROLL CALL**

4. **APPROVAL OF MINUTES**

[17-4782](#)

COUNCIL MINUTES, MARCH 9, 2017

Attachments: [3.9.2017 Council Minutes for Approval](#)

5. **CHANGES TO THE AGENDA**

6. **PRESENTATIONS & AWARDS**

[17-4770](#)

PROCLAMATION: ARBOR DAY - APRIL 12, 2017

STAFF CONTACT:

Maureen Wingler, Administrative Assistant (Executive Office)

Attachments: [Arbor Day - April 12, 2017.pdf](#)

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

7. A FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS**8. PUBLIC HEARINGS**

[PC 2015-8
3/23/17](#)

**PUBLIC HEARING: EMERGENCY SHELTER MORATORIUM
EXTENSION****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Preserve and enhance neighborhoods, address quality of place issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The City Council is considering Ordinance No. 3342 that will, if adopted, extend by six months a moratorium on the siting of emergency shelters within the City. This is the third extension of a moratorium that was first put in place by the adoption Ordinance No. 3302 in October 2015. Per RCW 35A.63.220, the City Council needs to hold a public hearing within sixty days of the adoption of the ordinance extending the moratorium. As part of the extension process findings of fact also need to be adopted. Resolution No. 2212 contains findings in support of the retention of the moratorium on the siting of emergency shelters.

RECOMMENDED ACTION:

Hold public hearing

STAFF CONTACT:

Jim McNamara, City Attorney
Steve Langdon, Planning Manager

[RES 17
2212](#)

**RESOLUTION NO. 2212 - ADOPTS FINDINGS OF FACT FOR
EMERGENCY SHELTER MORATORIUM EXTENSION****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Preserve and enhance neighborhoods, address quality of place issues

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

At their March 23, 2017 meeting, the City Council will consider adopting Ordinance No. 3342 that extends by six months a moratorium on the siting of emergency shelters within the City. This is the third six month extension of a moratorium originally put in place by the adoption of Ordinance No.

3302 in October 2015. Per RCW 35A.63.220, the City Council needs to hold a public hearing within sixty days of the adoption of the ordinance extending the moratorium. The public hearing is also scheduled for the March 23 meeting. As part of the extension process findings of fact also need to be adopted. Resolution No. 2212 contains findings in support of the retention of the moratorium on the siting of emergency shelters. A work plan and schedule for completing the zoning code amendment process is attached.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2212

STAFF CONTACT:

Jim McNamara, City Attorney

Attachments: [Resolution No. 2212](#)

[Work Plan & Schedule](#)

OR 17 3342**ORDINANCE NO. 3342 - EXTENDING AN EMERGENCY MORATORIUM UPON THE ACCEPTANCE OF APPLICATIONS FOR EMERGENCY SHELTERS****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Preserve and enhance neighborhoods, address quality of place issues

CITY ATTORNEY REVIEW: Required

SUMMARY STATEMENT:

Ordinance No. 3342 will extend the existing moratorium on siting emergency shelters for another six months, until October 14, 2017. The moratorium was originally put in place by Ordinance No. 3302 adopted on October 22, 2015. On April 14 the moratorium was extended for six months with the adoption of Ordinance No. 3318. On September 22, 2016, the City Council adopted Ordinance No. 3328 extending the moratorium for another six months.

During the time of the moratorium, an ad hoc committee was formed to develop recommended zoning code amendments. The committee released their recommendation on April 13. On July 6, the Planning Commission held a public hearing on the committee's proposed zoning code amendments. Following the public hearing, the Planning Commission passed a motion recommending approval of the proposal.

On September 15, the City Council considered and held a public hearing on the proposed ordinance, as developed by the *ad hoc* committee. Based upon the testimony offered at the public hearing, the Council decided to reconvene the *ad hoc* committee and invite further participation from the community.

Since then the *ad hoc* committee has held nine meetings. Their February 15 meeting had over 100 persons in attendance. The committee has developed a revised discussion draft but is still exploring options. The process is anticipated to extend beyond the current April 14, 2017 expiration date of the current moratorium. Thus, the moratorium needs to be extended.

RECOMMENDED ACTION:

Motion to adopt Ordinance Number 3342

STAFF CONTACT:

Jim McNamara, City Attorney
Steve Langdon, Planning Manager

Attachments: [Ordinance No. 3342](#)

[17-4742](#)

PUBLIC HEARING - ASSUME LONGVIEW TRANSPORTATION BENEFIT DISTRICT**COUNCIL INITIATIVE ADDRESSED:**

Improve transportation systems
Continue effective financial management

CITY ATTORNEY REVIEW: N/A**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.

On February 23, 2017, the City Council adopted Resolution No. 2208 declaring the City's intent to conduct a public hearing to consider assuming the TBD and setting the March 23, 2017 city council meeting as the date and time for the public hearing to obtain input on the matter. As required by RCW 36.74, the resolution was published in The Daily News twice during the two weeks preceding the public hearing.

After conducting the public hearing and considering public testimony, support, protests, and objections to assumption of the TBD, the City Council may determine the public interest and welfare would be satisfied by assuming the rights, powers, immunities, functions, and obligations of the TBD. Proposed Ordinance No. 3341 assumes the TBD and abolishes 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. Staff expects TBD administrative costs will be reduced and no additional costs will be incurred by the City after assuming the TBD.

RECOMMENDED ACTION:

Conduct the public hearing.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Ord No 3341 - Assume TBD](#)

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

**ORD 17
3341****ORDINANCE NO. 3341 - ASSUME LONGVIEW TRANSPORTATION
BENEFIT DISTRICT****COUNCIL INITIATIVE ADDRESSED:**

Improve transportation systems
Continue effective financial management

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

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RECOMMENDED ACTION:

Motion to approve Ordinance No. 3341.

STAFF CONTACT:

Jeff Cameron, Public Works Director

Attachments: [Ord No 3341 - Assume TBD](#)

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

9. BOARD & COMMISSION RECOMMENDATIONS**10. ORDINANCES & RESOLUTIONS**

[17-4774](#)

ORDINANCE NO. 3343 AMENDING THE URBAN FOREST MANAGEMENT PLAN**COUNCIL STRATEGIC INITIATIVES ADDRESSED:**

Preserve and enhance neighborhoods

Address quality of place issues

Provide sustainable water quality and environmental infrastructure

CITY ATTORNEY: Required

SUMMARY STATEMENT:

In 2012, City Council approved the Tree Board's (a.k.a. the Parks and Recreation Advisory Board's) recommendation to suspend chemical applications to control aphids in city birch trees and to pursue a birch tree removal and replacement plan. At the time of this recommendation there were 924 birch trees within the city limits and it would take 10 years or more if the city were to eliminate the birch monoculture that exists along city streets. The recommendation from the department was to reduce the number of birch trees to reach a "tolerable" level of infestation complaints rather than removing all of the trees without an evaluation period. The recommendation included focusing on areas that historically have had the greatest numbers of aphid complaints.

In 2013, City Council approved Ordinance Number 3248 amending the Urban Forest Maintenance Management Plan. After two years of local testing of the chemical application, the City Council concurred with the recommendation from the Tree Board to suspend the use of Imidacloprid (Merit®) as a means of aphid control in birch trees because of its questionable effectiveness. The ordinance amended the chemical application policies contained within the plan and adopted minor revisions to the city tree removal criteria.

In 2013 and 2014, the department embarked on the birch tree removal program, removing approximately 100 birch trees in both years and reducing the number of birch trees from 924 to 701. After the first year of removals there was a reduced number of complaints regarding aphids. 2015 was determined to be an evaluation year to assess the impact of the removal program. There was a marked reduction in the number of calls received regarding aphids that year, but in 2016 there was an uptick in complaints. The calls taken in 2016

reported a wider variety of species that were being impacted, such as basswood and linden. Aphids are species specific, so a birch aphid would not be found on a basswood. Urban forestry research provides data which show the removal of a birch tree would not have an effect on the aphid infestation on a different species of tree. Additionally, once a specific aphid variety living in a certain species of tree is removed, they do not migrate to another type of tree nearby. In addition to being species specific, aphid infestations are affected by weather and precipitation, so they can fluctuate from year to year. Department staff presented to the Tree Board the option of once again introducing the use of Imidacloprid (Merit®) but on a far smaller scale. We would like to address each individual citizen's complaint with the use of the insecticide and take responsibility for the application, watering, and monitoring of the chemical.

Historically, the Parks Division scheduled the application process to broadly treat all of the birch trees with the hope that wet weather or homeowners would help water in the granular material. This broad spectrum approach was costly in product and labor time and not always as effective as the product has proven to be because of variables in application.

Our management of the application will accomplish two goals, the first goal being the successful application in a timely manner to ensure proper coverage and application of the product and ensure that all chemical safety rules, regulations, and procedures are followed. The second goal is to provide quality customer service to our citizens in addressing their complaints with action. The amount of trees to be treated could range from a handful to an estimated 50 trees per year depending on the amount of wet weather and aphid related complaint calls. The cost of labor, equipment usage, and chemical product would be minimal and not cause any undue burden in staff time or resources.

The Tree Board has recommended that Council reinstate Imidacloprid (Merit®) insecticide use on a case by case basis with an evaluation of the implementation and success at the end of the year.

MOTION:

Motion to approve Ordinance No. 3343 amending the Urban Forest Management Plan and reinstate the use of imidacloprid to treat aphid complaints.

STAFF CONTACT:

Jennifer Wills, Director Parks & Recreation
Curt Nedved, Urban Forest Manager

Attachments: [Ordinance No 3343 - Aphids 17](#)

[Exhibit A - Amended Urban Forest Management Plan](#)

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS

11. A MAYOR'S REPORT

11. B COUNCILMEMBERS' REPORTS

12. CONSENT CALENDAR[17-4781](#)**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 MARCH 2017 ACCOUNTS PAYABLE: \$1,497,343.27

FIRST HALF MARCH 2017 PAYROLL:

\$2,087.34, checks no. 206868-206871

\$684,300.30, direct deposits

\$454,398.13, wire transfers

\$1,140,785.77 Total

STAFF CONTACT:

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

[17-4779](#)**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:

Beatriz DelaRosa, DOI: 03/5/2017. Claimant alleges damage to vehicle due to pothole in street.

Kim Paschall, DOI: 11/29/2016. Claimant alleges costs incurred related to sewer.

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

DENIED:

Andrew Rickard, DOI: 01/31/2017. Claimant alleges costs incurred related to sewer.

STAFF CONTACT:

Kaylee Cody, City Clerk

Brian Loos, Risk & Safety Manager

[17-4778](#)**PROJECT COMPLETION - 2016 WATER LINE REPLACEMENT****COUNCIL INITIATIVES ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The 2016 Water Line Replacement project has been completed in accordance with the plans and specifications under Contract No. 16-0198-W 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 Water Line Replacement project.

STAFF CONTACT:

Sam Barham, Project Engineer

[17-4761](#)

RESOLUTION NO. 2211 AUTHORIZING CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE LONGVIEW SCHOOL DISTRICT #122 FOR PURCHASE OF FUEL.**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management.

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

The City owns and operates Mint Valley Golf, a public golf course that utilizes fuel-operated, turf equipment. However, the fuel island at the Mint Valley Gold fueling station is no longer in service. Currently the Longview School District #122 (the District) allows the Longview Fire Department to purchase fuel at its fueling station, and is willing to allow Mint Valley Golf to do the same. Chapters 39.34 and 39.33 of the revised Code of Washington authorizes local governments and school districts to enter into agreements for the purpose of providing services and facilities to meet the various needs of each party. Purchase of fuel from the District will result in a significant cost savings to the City.

RECOMMENDED ACTION:

Motion to authorize the City Manager to execute the agreement with Longview School District #122 for purchase of fuel.

STAFF CONTACT: Phil Jurmu, Fire Chief

Attachments: [16-17 Interlocal Purchasing Agreement- City of Longview Fire Dept.pdf](#)
[Resolution Re Interlocal with school dist 122.pdf](#)

13. CITY MANAGER'S REPORT

[17-4764](#)

LONGVIEW POLICE DEPARTMENT 2016 ANNUAL REPORT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve Public Safety

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Longview Police Chief Jim Duscha will present the 2016 Annual Report for the Longview Police Department. It will include the following:

- Notable Changes
- Street Crimes Stats
- Crime Rates
- Domestic Violence Rates
- Clearance Rates
- Calls for Service 5 Year Trend
- Calls vs Population Comparison
- Traffic Statistics

STAFF CONTACT:

Jim Duscha, Chief of Police

Attachments: [Annual Report 2016](#)

[17-4777](#)

REVISED: BID REVIEW - DOWNTOWN CORRIDOR IMPROVEMENTS - PHASE 3**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Strengthen economic conditions and create new opportunities
Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

This project is Phase 3 of the revitalization plan to strengthen the downtown business district on Commerce Avenue. This phase will continue efforts to create an accessible and pedestrian friendly corridor which invites sidewalk business use, events and public gatherings, and improves stormwater management.

This project will replace street trees, lighting, landscaping, furnishings, sidewalks, crosswalks, bulb-outs and ADA ramps on Commerce Avenue from Hudson Street to and including the Hemlock Street intersection. Improvements also incorporate raingardens, permeable pavers and pervious concrete to reduce runoff and stormwater impacts.

On March 21, 2017, one bid was received as follows:

\$1,227,296.28 - Advanced Excavating Specialists, LLC

\$950,000.00 - Engineer's Estimate

The bid received was determined to be regular and responsive.

FINANCIAL SUMMARY:

Based on the bid received, total project costs are now estimated at \$1,430,000. Total project funding of \$1,183,729 is provided from the following funding sources:

\$ 202,290 Department of Ecology Stormwater Assistance grant
\$ 201,597 Community Development Block Grant (2015)
\$ 184,842 Community Development Block Grant (2016)
\$ 320,000 Stormwater Fund
\$ 200,000 Arterial Street Fund
\$ 75,000 Water Construction Fund
\$1,183,729 Total Funding

In order to award the bid and construct the project, additional funds in the amount of \$246,000 will be provided by the Arterial Street Fund. Postponing the project will result in the loss of a notable portion of the outside funding.

RECOMMENDED ACTION:

Motion to accept the bid and award a contract to Advanced Excavating, LLC, in the amount of \$1,227,296.28.

14. MISCELLANEOUS

[17-4768](#)

WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

Attachments: [LL Renewals 3-17.pdf](#)

[Spec Occ LL- Kelso Longview Chamber of Commerce.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 13, 2017 - 7:00 P.M.

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

NEXT COUNCIL WORKSHOPS:

THURSDAY, APRIL 13, 2017 - 6:00 P.M. DEVELOPMENT OF 2017 WORK PLAN

THURSDAY, APRIL 13, 2017 - 8:00 P.M. (FOLLOWING REGULAR MEETING)

CONTINUATION OF DEVELOPMENT OF 2017 WORK PLAN

NEXT COUNCIL EXECUTIVE SESSIONS

**THURSDAY, MARCH 30, 2017 - 6:00 P.M. ANNUAL CITY MANAGER EVALUATION
(PER RCW 42.30.110(1)(g) - EXECUTIVE SESSION NOT OPEN TO THE PUBLIC)**