



# 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*

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Thursday, May 11, 2017

7:00 PM

2nd Floor, City Hall

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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

[17-4855](#) COUNCIL MINUTES, APRIL 27, 2017

Attachments: [4.27.2017 Minutes for Approval](#)

5. CHANGES TO THE AGENDA
6. PRESENTATIONS & AWARDS

[17-4852](#) PRESENTATION OF COMCAST SPONSORSHIP

**STRATEGIC INITIATIVE ADDRESSED:**  
Address quality of place issues

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**  
Comcast, with the help of Tim Goodman, will be partnering with the Longview Parks and Recreation Department by sponsoring this year's Movies at the Lake Series, Turkey Trot Fun Run, and Breakfast with Santa. This year Comcast has generously donated \$5,500.00 for these events. The department

would like to thank Comcast for their continued support in sponsoring these important family events that add to the quality of life and place for Longview citizens and families.

[17-4850](#)

**COMMUNITY ADVOCATE AWARD - PARKS & RECREATION  
DEPARTMENT**

**COUNCIL INITIATIVE ADDRESSED:**

Address Quality of Place Issues

**CITY ATTORNEY REVIEW:** N/A

**SUMMARY STATEMENT:**

Quarterly, the City of Longview Parks and Recreation Department has been recognizing an individual who enhances the quality of life for residents and inspires us every day with their passion and commitment to make Longview a better place to live, work and play. This quarter's recipient is Ian Thompson from the non-profit Lower Columbia School Gardens.

Together, Ian and his robust program volunteers have helped build thriving organic gardens in 17 Longview and Kelso schools. They provide weekly educational and interactive garden and cooking programs to thousands of kids at the different sites. Ian oversees the planning, development, volunteer coordination, and funding for the program. Ian knows that a successful school garden program can have a direct positive impact on the health and well-being of our community. School gardens directly counteract the obesity and disease trends that are on the rise by getting kids active and excited about growing, cooking, and eating fresh, healthy foods. Lower Columbia School Gardens not only has a positive impact on the students they serve, but as students bring this excitement home and involve their families and friends, our neighborhoods and communities are strengthened.

[17-4831](#)

**PROCLAMATION: NATIONAL SALVATION ARMY WEEK, MAY 14 - 20,  
2017**

**RECIPIENT:**

Longview Temple Corps Beverly Gilmore

**STAFF CONTACT:**

Maureen Wingler, Administrative Assistant (Executive Office)

**Attachments:** [National Salvation Army Week, May 14-20, 2017.pdf](#)

[17-4832](#)

**PROCLAMATION: NATIONAL LAW ENFORCEMENT OFFICERS DAY-  
MAY 15, 2017**

**RECIPIENT:**

Senior Chaplain Mario Gambaro

**STAFF CONTACT:**

Maureen Wingler, Administrative Assistant (Executive Office)

**Attachments:** [National Law Enforcement Officers Day - May 15.pdf](#)

[17-4858](#)**PRESENTATION OF CERTIFICATE OF APPRECIATION****SUMMARY STATEMENT:**

We would like to recognize Robert Stephenson for his many years of service on the Firefighters' Pension Board.

**7. CONSTITUENTS' COMMENTS (Thirty Minutes)****7. A FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS****8. PUBLIC HEARINGS****9. BOARD & COMMISSION RECOMMENDATIONS****10. ORDINANCES & RESOLUTIONS**[17-4849](#)**ORDINANCE NO. 3345 ACCEPTING DONATION OF THE SCULPTURES  
“MODERN BLOOM” AND “UNIVERSAL BEGINNINGS”****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Address Quality of Place Issues

**CITY ATTORNEY REVIEW:** Required

**SUMMARY STATEMENT:**

The Longview Outdoor Gallery (LOG) has had a successful third exhibit that launched in the fall of 2015 and will continue into 2017. LOG has been able to raise enough funds to purchase their 11th and 12th pieces to be able to gift to the City of Longview. The metal sculpture “Modern Bloom” was created by Jesse Swickard, stands nine feet tall, and weighs 250 pounds. The artwork will be placed on Commerce Avenue after the completion of the third phase of the downtown project. The artist lists the insurance value of this piece at \$9,000. The second metal sculpture to be donated is called “Universal Beginnings” created by Tim Foertsch, stands six feet tall, and weighs 300 pounds. The artist lists the insurance value of this piece at \$750. The artwork is placed on the corner of Commerce and Maple Street. The Visual Arts Commission has reviewed and recommends that Council accept the sculptures as gifts to the city.

**RECOMMENDED ACTION:**

Motion to accept ownership of, and for permanent display, “Modern Bloom” and “Universal Beginnings” into the City of Longview’s permanent art collection by passing Ordinance No. 3345 and authorizing the City Manager to sign the applicable donation of art and transfer of ownership forms on behalf of the City of Longview.

**STAFF CONTACT:** Jennifer Wills, Parks & Recreation Director

**Attachments:** [Ordinance - Modern Bloom & Universal Beginnings](#)

[Acceptance of Art and Transfer of Ownership- Modern Bloom 5.11.17](#)

[Acceptance of Art and Transfer of Ownership- Universal Beginnings 5.11.17](#)**11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS****11. A MAYOR'S REPORT****11. B COUNCILMEMBERS' REPORTS****12. CONSENT CALENDAR**[17-4854](#)**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 MAY 2017 ACCOUNTS PAYABLE: \$2,198,808.69**

**SECOND HALF APRIL 2017 PAYROLL:**

\$77,013.33, checks no. 206907-206923

\$655,180.07, direct deposits

\$862,018.07, wire transfers

\$1,594,211.47 Total

**STAFF CONTACT:**

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst

Jackie Rodgers, Human Resources Specialist

[17-4853](#)**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:**

Sidney Morton, DOI: 03/02/2017. Claimant alleges trip-and-fall on steps in front of City Hall.

Jean O'Dell, DOI: 03/01/2017. Claimant alleges costs incurred related to sewer blockage.

Orba Nasvall, DOI: 03/28/2017. Claimant alleges costs incurred related to sewer blockage.

**DENIED:**

Beatriz DelaRosa, DOI: 03/05/2017. Claimant alleges damage to vehicle due to pothole in the street.

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

Sidney Morton, DOI: Claimant alleges trip-and-fall on steps in front of City Hall.

**SETTLED:**

James Hill, DOI: 02/06/2017. Claimant alleges costs incurred related to sewer blockage.

Orba Nasvall, DOI: 03/28/2017. Claimant alleges costs incurred related to sewer blockage.

Jean O'Dell, DOI: 03/01/2017. Claimant alleges costs incurred related to sewer blockage.

**STAFF CONTACT:**

Kaylee Cody, City Clerk

Brian Loos, Risk & Safety Manager

[17-4857](#)

**RESOLUTION NO. 2221 UTILITY RATE REDUCTION PROGRAM**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

The Council has established a utility rate reduction program for low-income senior citizens and low-income disabled citizens of the City. Annually, low income senior and low-income disabled citizens on the City's rate reduction program are asked to re-apply so that staff can ascertain whether or not they still qualify. In years past, a number of program participants have received modest annual increases in income that, in many instances may have caused them to exceed the limit in effect, and therefore could have resulted in some of the participants losing the rate reduction benefit. These increases in income are largely the result of inflationary increases granted by the Social Security Administration.

In most instances, the modest cost-of-living increases granted by Social Security are not sufficient to offset the utility rate increases that these citizens would now experience if they lost their participation in the City's rate reduction program. Staff is recommending that the 2017 income eligibility limits for the City's rate reduction program be increased in order to keep eligible those with the greatest need of this rate reduction. The 2017 proposed utility rate relief income limit for a single person household is \$21,750, and is up \$400 from the present income limit of \$21,350. For a household with two persons the proposed income limit is \$24,850. Last year's income limit for a two person household was \$24,400. The proposed income limit for a household with five or more persons is \$33,550. Presently there are about 400 households receiving reductions totaling approximately \$170,000/yr. Preliminary estimates indicate that program costs will increase approximately \$5,000 and total \$175,000 annually under this proposed resolution.

**RECOMMENDED ACTION:**

Motion to adopt Resolution No. 2221

**STAFF CONTACT:**

Kurt Sacha, Assistant City Manager/Finance Director

**Attachments:** [2017 Utility Rate Reduction Program Memo](#)

[Resolution 2221-2017 Utility Rate Reduction Program \(2\)](#)

**[RS 17 2222](#)****RESOLUTION NO. 2222 - ACCEPT WARRANTY DEED FROM COWLITZ TRANSIT AUTHORITY FOR TRANSIT CENTER PROPERTY****COUNCIL INITIATIVE ADDRESSED:**

Continue effective financial management

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

In 2015, the City received a state audit finding for failing to comply with the Federal Funding Accountability and Transparency Act (FFATA) requirement to report grant sub-awards. The City is the designated recipient for Federal Transit Administration (FTA) grant funds used to acquire buses, and the state auditor determined that placing the title of new buses in the name of the Cowlitz Transit Authority (CTA) represented a sub-award which the City had not reported. Previous interlocal agreements with the CTA specified that transit assets would be owned by the CTA provided the City had been reimbursed by the CTA for the non-grant covered costs of acquiring the assets, including any required grant local match.

However, the FTA has certain requirements for recipients of federal grant sub-awards, and there is uncertainty the CTA qualifies as a sub-recipient to receive a sub-award. The FTA is required to intervene to resolve audit findings regarding FTA grants, and after City discussions with the FTA on this matter, the FTA recommended the interlocal agreement be revised to specify assets acquired with FTA funds remain owned by the City (the grant recipient), and that assets previously purchased with FTA funds and transferred to the CTA, be transferred back to City ownership.

On November 3, 2016, the City Council approved a new interlocal agreement with the CTA containing language requiring ownership of assets acquired with FTA funds be owned by the City. As the FTA grant recipient, the City has the obligation to use the transit assets to provide public transit service unless a qualified grant recipient is found to assume that obligation and all assets acquired with FTA funds are transferred to the new designated grant recipient. The Transit Center property and improvements were funded by FTA grants to the City and therefore must be owned by the City.

Additionally, the City recently received an FTA grant to expand the Transit Center to accommodate expanded transit service and the resulting additional staff. In order to construct the expanded Transit Center, the two underlying properties - one owned by the CTA and one by the City - must be combined into one parcel so the building is not constructed across property lines.

The attached warranty deed transfers ownership of the Transit Center from the CTA back to the City to fulfill one of the obligations to resolve the audit finding. Transferring ownership will also allow the underlying properties to be combined as required for the Transit Center expansion project.

**FINANCIAL SUMMARY:**

There is no cost to the City to complete this property transfer.

**RECOMMENDED ACTION:**

Motion to approve Resolution No. 2222

**STAFF CONTACT:**

Jeff Cameron, Public Works Director

**Attachments:** [Res No 2222 - Accept Warranty Deed from CTA](#)

[Exhibit A to Res #2222 - Transit Center Warranty Deed](#)

[Transit Center properties map](#)

[17-4856](#)

**SERVICE CONTRACT WITH PENSER NORTH AMERICA, INC. FOR ADMINISTRATION OF WORKERS COMPENSATION CLAIMS HANDLING****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

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

The City of Longview is a Washington State Labor and Industries, self-insured employer and uses the professional services of a Third Party Administrator (TPA) for the handling and processing of all workers compensation claims. The Safety & Risk Manager solicited a request for proposal for vendors that could provide this service to the city. The City of Longview was slated to conduct its due diligence of this professional services contract, as it was previously reviewed in the fall of 2012.

Using the self-insured employers list from the Washington State Labor and Industries website, a request for proposal was extended to nine (9) candidate vendors that provide similar services to self-insured municipalities and corporations within the State of Washington in September 2016. Five (5) requests for proposals were received and subsequently evaluated by a selection committee. These requests for proposal were initially evaluated and score was compiled by each committee member. The top three (3) scoring proposals were brought in for a formal interview with their proposed claim handling team and the city selection committee. After the formal interview process, the selection committee identified the top vendor candidate and brought them back for a second interview. The selection committee verified their top vendor candidate, and extended an opportunity

for the finalist to enter into an agreement with the City of Longview.

Abbreviated cost analysis by proposal - Figures are based on City of Longview, 10 year average of 33 claims per year.  
(Approximately 16.5 indemnity and 16.5 medical only)

Penser North America, Inc. (Rates are guaranteed up to 45 claims per year)  
2017 - \$21,600  
2018 - \$21,600  
2019 - \$22,248 (With up to a max. 3% CPI-W Portland/Salem).

TriStar Risk Management (Charge on a per claim basis, figures based on 10 year average)  
2017 - \$22,796  
2018 - \$22,796  
2019 - \$22,796

Eberle Vivian (Flat annual rate, unlimited claim number)  
2017 - \$25,000  
2018 - \$26,100 (2% + CPI Seattle 2.4%, 20 year average)  
2019 - \$27,248 (2% + CPI Seattle 2.4%, 20 year average)

After this in depth process, a contract offer was extended to Penser North America, Inc. to provide this professional service to the City of Longview. Penser North America, Inc. is a new service provider to the City of Longview and will be replacing the current vendor, TriStar Risk Management. Penser North America, Inc. is based out of Lacey, WA and provides services to numerous municipalities and corporations throughout the State of Washington.

**RECOMMENDED ACTION:**

Authorize the city manager to enter into a professional services contract with Penser North America, Inc. for the handling and processing of worker compensation claims.

**STAFF CONTACT:**

Chris Smith, Human Resources Director  
Brian Loos, Safety & Risk Manager

Attachments: [11May17 - Penser NA CoL Contract FINAL](#)

**13. CITY MANAGER'S REPORT**

[17-4848](#)

**BID REVIEW - 2017 WATERMAIN REPLACEMENT**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

**SUMMARY STATEMENT:**

This project will replace existing deteriorated 6-inch cast iron water main with approximately 1,740 feet of 8-inch and 160 feet of 6-inch ductile iron pipe,



reconnect 75 water services, and install 2 fire hydrants. The work will occur in the 400, 500 and 600 blocks of the alley between 18th and 19th Ave, from Beech Street to Nichols Blvd.

On April 19, 2017, four bids were received as follows:

\$575,610.88 - Nova Contracting, Inc., Olympia, WA - **Non-Responsive**  
\$603,786.06 - Tapani Underground, Battle Ground, WA  
\$685,067.54 - Advanced Excavating Specialists LLC, Longview, WA  
\$857,774.22 - Nutter Corporation, Vancouver, WA

**\$725,000.00 - Engineer's Estimate**

Three bids received were determined to be regular and responsive. The bid received from Nova Contracting, Inc., was determined to be non-responsive under the City of Longview's Apprenticeship policy (Resolution No. 1938) because their bid did not include documentation verifying enrollment as a training agent in an apprenticeship program and staff has confirmed they are not enrolled as a training agent.

**FINANCIAL SUMMARY:**

This project is funded by the Water Construction Fund.

**RECOMMENDED ACTION:**

Motion to reject the bid from Nova Contracting as non-responsive and accept the low bid and award a contract to Tapani Underground in the amount of \$603,786.06.

**STAFF CONTACT:**

Sam Barham, Project Engineer

Attachments: [2017 Wtr Map](#)

[17-4847](#)

**APPROVAL OF 2017 WORK PLAN**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

All

**CITY ATTORNEY REVIEW: N/A**

**SUMMARY STATEMENT:**

Attached is the latest version of the 2017 work plan. The work plan process started with a workshop on March 16, 2017 and continued with a second workshop on April 13. The top priorities for 2017 are identified by red font. Changes have been identified with green font. Once approved, a clean version will be created.

**RECOMMENDED ACTION:**

Approval of 2017 work plan.

**STAFF CONTACT:**

Dave Campbell, City Manager

**Attachments:** [2017 Work Plan V5 05-03-17](#)

[17-4830](#)

**SALE OF LOTS 8, 9, 10, AND 11 IN THE MINT FARM INDUSTRIAL PARK**

**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Strengthen economic conditions and create new opportunities

**CITY ATTORNEY REVIEW: REQUIRED**

**SUMMARY STATEMENT:**

The City has negotiated a potential sale of lots 8, 9, 10, and 11 and associated stormwater conveyance parcels in the Mint Farm Industrial Park, totaling approximately 18.59 acres, to Pacific Coast Fertilizer, LP (PCF). The proposed sale price is \$1,782,693 with escalating non-refundable quarterly option payments of \$17,827 in year one, \$23,175 in year two, and \$29,200.50 in year three. The sale of this property would facilitate a major investment in the community. PCF plans to manufacture and distribute nitrogen-based anhydrous ammonia fertilizer for agricultural use from Longview. PCF is a joint venture partnership involving North American industrial project developers and international technology and engineering firms.

**RECOMMENDED ACTION:**

Motion to direct the City Manager to execute a Purchase and Sale Agreement and closing documents for the sale of lots 8, 9, 10, and 11 and stormwater conveyance area in the Mint Farm Industrial Park to Pacific Coast Fertilizer, on terms as explained in the staff report.

**STAFF CONTACT:**

Joe Phillips, Economic Development Coordinator  
Jim McNamara, City Attorney

**Attachments:** [City of Longview PSA - May 10 clean FINAL](#)

**14. MISCELLANEOUS**

[17-4846](#)

**WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS**

**Attachments:** [MJ Change of Ofcrs 4-17.pdf](#)  
[LL Assumption Fuji Teriyaki.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, MAY 25, 2017 - 7:00 P.M.**

**THURSDAY, JUNE 8, 2017 - 7:00 P.M.**

**NEXT COUNCIL WORKSHOPS:**

**THURSDAY, MAY 18, 2017 - 6:00 P.M. WAYFINDING SYSTEM PROPOSAL/UNFIT  
DWELLINGS/ABATEMENT CODE REVISIONS/PTA SALARY REVIEW**

**THURSDAY, MAY 25, 2017 - 6:00 P.M. COMPREHENSIVE PLAN  
UPDATE/COMPLETE STREETS/SAFE STREETS**