



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, August 10, 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

3. ROLL CALL

4. APPROVAL OF MINUTES

[17-5009](#) COUNCIL MINUTES, JULY 27, 2017

Attachments: [7.27.2017 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

9. BOARD & COMMISSION RECOMMENDATIONS

10. ORDINANCES & RESOLUTIONS

[RS 17 2230](#)**RESOLUTION NO. 2230 - GRANT EASEMENT TO CASCADE NATURAL GAS AT 7TH AVENUE PARK****COUNCIL INITIATIVE ADDRESSED:**

Continue effective financial management

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

Cascade Natural Gas is proposing to replace an existing aged 6-inch steel gas line between 7th Avenue and 3rd Avenue at about Florida Street, and crossing under the soccer fields at 7th Avenue Park.

Cascade Natural Gas is requesting a ten-foot wide easement across 7th Avenue Park to install, operate, maintain, and replace a new six-inch polyethylene plastic gas line aligned east to west as shown on Exhibit B of the proposed easement. The easement includes restoration, notification and coordination provisions to prohibit disruption of the City's use of the park.

FINANCIAL SUMMARY:

Cascade Natural Gas has agreed to purchase the easement at the current Cowlitz County Assessor determined per square foot assessed land value, which amounts to \$11,246.58.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2230

Attachments: [Res #2230 CNG Easement](#)
[CNG Easement - Facility Map](#)

11. MAYOR'S REPORT AND COUNCILMEMBERS' REPORTS**11. A MAYOR'S REPORT****11. B COUNCILMEMBERS' REPORTS****12. CONSENT CALENDAR**[17-5011](#)**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 AUGUST 2017 ACCOUNTS PAYABLE: \$1,691,814.88

SECOND HALF JULY 2017 PAYROLL: DATA NOT AVAILABLE AT TIME OF AGENDA POSTING

STAFF CONTACT:

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

[17-5010](#)**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:

First Service Realty, DOI: 5/27/2017. Claimant alleges costs incurred related to city sewer line.

Lawrence Carter, DOI: 07/10/2017. Claimant alleges costs incurred related to a pothole on Louisiana Street that damaged his vehicle tire.

James & Deanna Zdilar, DOI: 07/28/2017. Claimant alleges that a city owned tree was not properly maintained, resulting in a tree limb falling on their home, causing damage to the roof.

L&J Feed, DOI: 01/24/2017. Claimant alleges costs incurred related to city sewer line.

SETTLED:

Debbie Johnson, DOI: 06/19/2017. Claimant alleges costs incurred related to city sewer line.

John Trinwith, DOI: 06/27/2017. Claimant alleges costs incurred related to city sewer line.

STAFF CONTACT:

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

[17-4997](#)**BID REVIEW - PURCHASE OF ONE 12 YARD DUMP BOX****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

CITY ATTORNEY REVIEW: NA**SUMMARY STATEMENT:**

The 2017/2018 Budget includes funding to purchase One 12 Yard Dump Truck to purchase new council approved Stormwater equipment.

Bids were solicited for One 12 Yard Dump Box, examined and determined that the following did meet all aspects of the specifications and submitted the lowest bid.

On July 6, 2017, bids were received as follows:

Better Weigh MFG	\$35,322.85
Northend Truck Eq (WA State Contract)	\$51,526.95
<i>Taxes included</i>	

This item will be mounted on a 2017 Freightliner 108SD Cab Chassis to make up the Street 12 Yard Dump Truck.

The truck chassis was purchased thru Northwest Freightliner using the Washington State Contract 01513. Chassis delivery date estimated October 10, 2017.

Northwest Freightliner will deliver the chassis to the City's selected dump box vendor. Once the purchase order is issued, the vendor has 120 day to complete installation of the dump box.

RECOMMENDED ACTION:

Motion to accept the bid and award to: Better Weigh MFG for One (1) 12 Yard Dump Box in the total amount of \$35,322.85

STAFF CONTACT:

Dan Zenger

Attachments: [12 Yard Dump Box Tabulation.xlsx](#)

17-5012

BID REVIEW - PUBLIC WORKS FACILITY MAINTENANCE BUILDING

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve street and roads.

SUMMARY STATEMENT:

This project will construct a 4,600 square foot metal building at the City Shop to provide proper facilities for the expanded Street and Stormwater crews and equipment fleet. The new building provides 2,200 sq. ft. for supervisor offices, lunch/break room, locker room, restrooms, and ancillary facilities. The building also includes 4 drive-through vehicle and equipment storage bays totaling 2,400 sq. ft. The existing building will remain and continue to be used for vehicle and equipment storage, and the crew portion of the building will be converted to material and tool storage.

On August 3, 2017, four bids were received as follows:

\$1,024,743.68	- Berschauer Construction, Inc., Olympia, WA
\$1,046,406.92	- Five Rivers Construction, Inc., Longview, WA
\$1,053,514.89	- Christensen, Inc., General Contractor, Tumwater, WA
\$1,185,473.80	- Pacific Tech Construction, Inc., Kelso, WA

\$875,000 - Engineer's Estimate

All bids received were determined to be regular and responsive.

FINANCIAL SUMMARY:

This project will be funded 50% through the Stormwater Fund and 50% through the Capital Projects Fund.

RECOMMENDED ACTION:

Motion to accept the low bid and award a contract to Berschauer Construction, Inc., in the amount of \$1,024,743.68.

STAFF CONTACT:

Chris St.Onge, Project Engineer

Attachments: [PW Maint Bldg Floor Plan 08.03.17](#)

[17-5016](#)

RESOLUTION NO. 2228: NOTICES PRIOR TO SHUTOFF - MULTIPLE DWELLING METER (NONMETERED INDIVIDUAL DWELLINGS AND SPACES)**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Continue effective financial management

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

City of Longview Resolution No. 2192 (Section 7) currently states, "In accordance with Longview Municipal Code Section 15.56.010(2), if full payment on a utility account has not been received at the Finance Department by the fortieth (40th) day after the bill date, a penalty in the amount of twenty-five dollars (\$25.00) shall be assessed should it become necessary for the City to make a personal call upon a delinquent utility account debtor for the purpose of attempting to collect such a delinquent account, regardless of whether or not such an account is collected as a result of such personal demand for payment or otherwise.

With regard to a multiple dwelling meter where there are nonmetered individual dwellings (i.e. apartments) and spaces (i.e. mobile home parks) LMC

15.56.150 Notices prior to shutoff - Multiple dwelling meter (nonmetered individual dwellings and spaces) provides-

The city finance department will not take any action which encourages or permits, whether by regulation, informal policy or oral statement, the termination of water or other utility service to residential tenants occupying multiple-family dwelling units, mobile home spaces, trailer spaces or other occupancies that are not individually metered and which are billed to the owner, manager or agent thereof, because of delinquency in the payment of water or other utility bills unless the following procedures are carried out:

(a) If payment on a water or other utility account has not been received by the fortieth day after the bill date, a duly authorized employee of the city will physically deliver to the service address, to the address of the owner, manager, or agent thereof, and to each dwelling unit or space, a disconnection notice. Such notice shall advise that the account is past due and that service

will be terminated not less than 48 hours after such delivery or posting of the notice unless payment is made, or unless other arrangements satisfactory to the finance department have been made with such department. A statement describing "tenant's rights - nonmetered units" will be printed on or attached with the disconnection notice;

In essence, when a landlord elects not to pay the utility bill, state law requires that the City deliver a disconnection notice to every unit in a multi-family dwelling prior to disconnecting the service. Delivering such a notice to every unit in a multi-family dwelling is quite time consuming and a drain on the department's labor resources.

While a \$25.00 disconnect notice approximates the cost of processing and delivering a disconnect notice to a single family household consisting of one residential unit, the cost of processing and delivering these notices to larger multi-family dwellings far exceed the existing \$25.00 fee.

In an effort to recover the City's cost of processing and delivering disconnect notices to individual dwellings and spaces in multiple-family dwelling complexes, Resolution No. 2228 authorizes the City to levy a \$25.00 per unit charge for processing and delivering disconnect notices to multiple-family dwelling complexes. This \$25.00 per unit fee is to be levied against the delinquent utility account debtor which consists of an owner, manager, or agent thereof and not the tenant.

RECOMMENDED ACTION:

Motion to adopt Resolution No. 2228

STAFF CONTACT:

Kurt Sacha, Assistant City Manager/Finance Director

Attachments: [Resolution No. 2228 - Water Rates - Multiple Dwelling Meter \(2017 0810\)](#)

RS 17 2229

RESOLUTION NO. 2229 - MEMORIALS IN THE PUBLIC RIGHT OF WAY

COUNCIL INITIATIVE ADDRESSED:

Address quality of place issues

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

At the City Council meeting on July 27, 2017, Council directed staff to prepare a final policy allowing memorials in the public right of way. Resolution No. 2229 establishes a City policy allowing placement of temporary memorials for a period of up to 365 days after the date of death provided the memorial complies with the safety, content, and maintenance conditions of the policy. The policy also allows a family to sponsor a safety message sign and plaque to memorialize the death of their family member after memorial is removed at the end of the one-year period.

FINANCIAL SUMMARY:

The sponsoring family is responsible for maintaining the memorial during the one-year period. If the family desires to have a memorial sign placed, they will be responsible for all material costs associated with installing the allowed safety message sign; the City will install the sign at no cost to the family, which cost is minimal.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2229.

STAFF CONTACT:

Manuel Abarca PE, Traffic Engineer

Attachments: [Res #2229 - Memorials in Public Right of Way](#)

13. CITY MANAGER'S REPORT[17-5013](#)**BID REVIEW - MINT FARM REGIONAL WATER TREATMENT PLANT
DISSOLVED OXYGEN INJECTION****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Provide sustainable water quality & environmental infrastructure

SUMMARY STATEMENT:

This project was authorized by the City Council and the Beacon Hill Water and Sewer District (BHWSO) Board of Commissioners to help control scale release in the distribution system and improve the taste and odor of our municipal water supply. The project will install an automated air injection system to increase the dissolved oxygen concentration in the treated water leaving the Mint Farm RWTP. The air injection system will allow air to be injected into the raw water and/or the final treated water to optimize the treatment process, the quality of the finished water delivered to the distribution system, and control scale release in the distribution system.

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

\$ 874,516.03 - Tapani Inc., Battleground WA
\$ 924,730.64 - Stettler Supply Company, Salem OR
\$ 999,925.00 - Stellar J Corporation, Woodland WA
\$ 1,038,570.75 - PCR Inc., Beaver Creek, OR

\$ 700,000.00 - Engineer's Estimate

All bids received were determined to be regular and responsive.

The total project cost is higher than budgeted for a variety of reasons, including the current bidding climate, the conceptual design was determined not feasible, and a second injection point was added to allow dissolved oxygen to be added to the raw water. Adding oxygen to the raw water will promote biological growth in the filters, which will reduce ammonia and hydrogen sulfide concentrations, and may reduce organic nitrogen concentrations, all of which will reduce taste and odor complaints from customers. A staff report is

included explaining the project, cost estimates, and funding situation, along with related reports and information.

On August 2, 2017, at a joint meeting of the Water Operating Board and the BHWSD Board of Commissioners, both boards reviewed the project with staff and voted to recommend award of the project.

FINANCIAL SUMMARY:

This project is funded through the Filter Construction Fund, with partial funding provided through a 2007 Drinking Water State Revolving Fund loan. The cost of the project will be shared by the City and BHWSD in accordance with the terms of the Participants' Agreement. The City's share is currently 85.29% and BHWSD's share is about 14.71%.

The remaining amount of \$530,891 in our 2007 Drinking Water State Revolving Fund loan has been suspended due to the lack of a state of Washington capital budget. Any project costs incurred during the suspension period may not be eligible for loan reimbursement if retroactive authorization is not provided when the capital budget is adopted.

RECOMMENDED ACTION:

Motion to accept the low bid and award a contract to Tapani in the amount of \$874,516.03.

STAFF CONTACT:

Amy Blain, Project Engineer

Attachments: [Dissolved Oxygen Staff Report 08.03.17](#)

[DO Construction Increases 08.03.17](#)

[DO Funding Spreadsheet 08.03.17](#)

[Dissolved Oxygen Project Layout](#)

[17-5015](#)

PROPOSED ORDINANCE REGARDING PUBLIC RECORDS TO REFLECT RECENT CHANGES IN THE WASHINGTON STATE PUBLIC RECORDS ACT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

On May 16, 2017, Governor Inslee signed ESHB 1594 and EHB 1595 amending the Washington State Public Records Act. The proposed Ordinance would amend the Longview Municipal Code to reflect the recent changes in the Washington State Public Records Act.

Agencies are now authorized to charge for copying and producing electronic copies. We have chosen to adopt the default charges rather than calculate the actual costs related to production, file transfer, storage and transmission.

These new fees are as follows:

- 10 cents/page for records scanned into electronic format
- 5 cents for every four electronic files or attachments uploaded to an email, cloud storage service, or other electronic delivery system
- 10 cents/gigabyte for transmitting records electronically
- Option to charge a flat fee of \$2.00 for providing any records (not just electronic) if we can reasonably estimate that the cost for producing the records is equal to or more than \$2.00

Additionally, all agencies must now track and log:

- Identity of requestor (if provided)
- Date & text of request
- Description of records produced in response to request
- Description of records redacted or withheld and the reasons for redaction/withholding
- Date of final disposition of the request

Other changes affecting the City of Longview include:

- Agencies may deny requests for “all records” of an agency not relating to a particular topic
- Agencies may deny automatically generated bot requests received from the same requestor within a 24-hour period if the requests cause excessive interference with the other essential functions of the agency
- Definition of public records modified to exclude records not required to be retained by the agency that are held by certain volunteers
- Public Records Act and records retention training currently required for Public Records Officers must now include training on retention, production, and disclosure of electronic documents, including updating and improving technology information systems
- Several new PRA-related assistance programs will be available to local governments
- New five day response option: agencies can request clarification of a request and must provide an estimated response time
- Agencies may charge a customized service charge for requests that require the use of information technology expertise to prepare data compilations, or provide customized electronic services when such compilations and customized access services are not used by the city of other city purposes

These are the most significant changes to the Public Records Act - the full text of ESHB 1594 and EHB 1595 are attached for informational purposes.

RECOMMENDED ACTION:

Motion to direct the City Attorney to prepare an ordinance to amend LMC 2.210 regarding public records to reflect recent changes in the Washington State Public Records Act.

STAFF CONTACT:

Jim McNamara, City Attorney
Kaylee Cody, City Clerk/Public Records Officer

Attachments: [EHB 1595](#)

[ESHB 1594](#)

[Ord revising 2 10 in response to 2017 PRA changes](#)

[17-5008](#)

**ENTER INTO AN INTERLOCAL AGREEMENT WITH THE NATIONAL
PURCHASING PARTNERS, INCLUDING MEMBERS OF FIRERESCUE GPO
AND PULBIC SAFETY GPO FOR COOPERATIVE PURCHASING**

COUNCIL INITIATIVE ADDRESSED:

Continue effective financial management
Enhance public safety and emergency response

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

The City of Longview desires to enter into an interlocal joint purchase agreement with National Purchasing Partners, including members of Firerescue GPO and Public Safety GPO for cooperative purchasing of an Aerial Platform Apparatus.

The agreement follows the city's purchasing manual and the RCW Interlocal Cooperation Act Chapter 39.34.030 which "authorizes cooperative action, including joint purchases, by different governmental entities. An indispensable element in such interlocal contracts is compliance with the purchasing statutes, including the bid law applicable to each public entity that is an ultimate "purchaser" under the agreement. A city must enter into an interlocal agreement with the other government entity in advance of the government entity's advertisement for a vendor, and the agreement must be obligated that the government entity to follow all bidding requirements that apply to the city."

RECOMMENDED ACTION:

Motion to authorize the City Manager to enter into an interlocal joint purchase agreement with The National Purchasing Partners, including members of Firerescue GPO and Public Safety GPO for cooperative purchasing and sign all necessary documents to purchase the stated Aerial Platform Apparatus.

STAFF CONTACT: PHIL JURMU, FIRE CHIEF

Attachments: [Resolution for Interlocal Adoption Coop Purchasing.pdf](#)

[IGA PPA.pdf](#)

14. MISCELLANEOUS

[17-5007](#)

WASHINGTON STATE LIQUOR AND CANNABIS BOARD REQUESTS

Attachments: [LL chg location.pdf](#)
[LL Spec Occ 7-17.pdf](#)
[LL-new Red Kitchen.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, AUGUST 24, 2017 - 7:00 P.M.

THURSDAY, SEPTEMBER 14, 2017 - 7:00 P.M.

NEXT COUNCIL WORKSHOPS:

**TUESDAY, AUGUST 15, 2017 - 5:00 P.M. R.A. LONG PARK PLAZA AREA
IMPROVEMENTS PROJECT UPDATE/SPORTS LEAGUES' FIELD MAINTENANCE
USE AGREEMENTS/OUTSIDE USER' USE OF PARKS**

**TUESDAY, AUGUST 15, 2017 - 7:00 P.M. APPRENTICESHIP UTILIZATION
POLICY/E-VERIFY AND/OR TWIC EMPLOYMENT ELIGIBILITY PROCESS
THURSDAY, SEPTEMBER 7, 2017 - 6:00 P.M. 2017 WORKPLAN REVIEW**