



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 Steve Moon
Council Member Scott Vydra
Mayor Pro Tem Michael Wallin
Council Member MaryAlice Wallis

Thursday, October 25, 2018

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**

[18-5647](#) COUNCIL MINUTES, OCTOBER 4, 2018 (WORKSHOP)
COUNCIL MINUTES, OCTOBER 11, 2018 (REGULAR MEETING)

Attachments: [10.4.2018 Workshop Minutes for Approval](#)
[10.11.2018 Regular Meeting Minutes for Approval](#)

5. **CHANGES TO THE AGENDA**
6. **PRESENTATIONS & AWARDS**

[18-5642](#) PROCLAMATION: KEEPING THE LIGHTS ON AFTER SCHOOL - OCT. 25, 2018

RECIPIENT: KARRY WILLIQUETTE, CITY OF LONGVIEW RECREATION COORDINATOR

STAFF CONTACT: Maureen Wingler, Executive Office

Attachments: [Lights on After School - Oct 25, 2018.pdf](#)

[18-5644](#)**MOVIES AT THE LAKE - SPONSOR APPRECIATION AWARDS**

- Fibre Federal
- Comcast
- Bicoastal Media
- Peak 98.3

7. CONSTITUENTS' COMMENTS (Thirty Minutes)**8. FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS****9. PUBLIC HEARINGS****10. BOARD & COMMISSION RECOMMENDATIONS****11. ORDINANCES & RESOLUTIONS**[18-5640](#)**ORDINANCE NO. 3389 AMENDING CHAPTER 11.50, "ON-STREET PARKING REGULATIONS" OF THE LONGVIEW MUNICIPAL CODE BY AMENDING LMC 11.50.040 TO PROVIDE FOR FIFTEEN MINUTE PARKING FOR BLOCK 138, SPACES 4 AND 5****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Council Initiative: Strengthen economic conditions and create new opportunities

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

Owners of the Monticello Pizzeria requested to change on-street parking for two (2) spaces near their business from un-timed parking to 15 minute parking to better accommodate supply delivery and to-go order pick-ups. In response to this request, the City of Longview Engineering Department has made a recommendation to change the parking time limit for Block 138, spaces 4 and 5 to fifteen (15) minute parking. The Downtown Advisory committee approved this recommendation at their September 18, 2018 Advisory meeting.

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3389, changing on-street parking regulations.

STAFF CONTACT:

Jim McNamara, City Attorney

Attachments: [Ordinance 3389 Block 138 Spaces 4 and 5 10.25.18 \(002\)](#)

12. **MAYOR'S REPORT**

13. **COUNCILMEMBERS' REPORTS**

[18-5641](#)

COUNCIL CONSIDERATION OF COUNCIL ACTION CONCERNING INITIATIVE MEASURE NO. 940, AN ACT RELATING TO LAW ENFORCEMENT; AMENDING RCW 9A.16.040; ADDING NEW SECTIONS TO CHAPTER 43.101 RCW; ADDING NEW SECTIONS TO CHAPTER 36.28A RCW; AND CREATING NEW SECTIONS

INTRODUCED BY: Council member Scott Vydra

SUPPORTED BY: Mayor pro tem Mike Wallin

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management

Enhance public safety & emergency response

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Enhancing public safety and emergency response is a top priority initiative of the City Council as is continuing effective financial management of the City.

This initiative has costly aspirational goals requiring law enforcement to receive violence de-escalation, mental-health, and first-aid training, and provide first-aid; and change standards for use of deadly force, adding a "good faith" standard and independent investigation.

Initiative 940 represents a real threat to effective law enforcement and more particularly to the careers of law enforcement officers. This initiative could increase costs to local governments and make hiring and retaining qualified law enforcement officers more difficult and more costly to local governments.

I-940 does nothing to make our communities safer. In fact, it could cause more violence as it ties the hands of police officers, troopers and deputies, and could cost lives in our community.

Current state law already requires officers to receive the de-escalation, mental health and first aid training. The initiative has no mechanism to fund the additional training and ties the officer's commission to the new training mandate. This initiative is an unfunded mandate and will add costs to local governments.

The initiative has a component that requires an officer to render medical assistance possibly while criminal activity may still be occurring. Initiative 940 would require officers to render aid to suspects before their victims, among other issues. If passed, the initiative forces an officer to act outside of not only

their safety, but the safety of the community. This initiative is dangerous.

In 1986, the Legislature decided that officers should not be prosecuted for killing a person in the line of duty as long as they acted in good faith and without what the law deems "evil intent". This is a nearly impossible standard for prosecutors to meet, requiring them to get inside the head of an officer who is in a tense situation requiring a split-second decision.

Initiative 940 proposed to require prosecutors to use a "subjective good faith test" in deciding whether to pursue criminal charges against an officer following a shooting. This, again, is an impossible standard. These additional standards could make hiring and retaining qualified law enforcement officers more difficult and more costly to local governments.

This costly and dangerous initiative threatens Council's strategic initiatives to continue effective financial management and to enhance public safety & emergency response for the residents of the City of Longview. Strong communities make a great state.

RECOMMENDED ACTION:

A City Council motion expressing to the Voters of the City of Longview the City Council's opinion concerning Initiative Measure No. 940, AN ACT Relating to law enforcement; amending RCW 9A.16.040; adding new sections to chapter 43.101 RCW; adding new sections to chapter 36.28A RCW; and creating new sections, should not be approved by the voters.

Consistent with RCW 42.17A.555(1), during the public meeting, members of the city council and members of the public will be afforded an approximately equal opportunity for the expression of an opposing view.

Attachments: [Council consideration of Initiative Measure No. 940 for agenda of 10-25-18](#)

14. CONSENT CALENDAR

[18-5648](#)

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 OCTOBER 2018 ACCOUNTS PAYABLE: \$1,399,540.99

FIRST HALF SEPTEMBER 2018 PAYROLL:

\$5,616.87, checks no. 45-54
\$728,910.75, direct deposits
\$495,149.24, wire transfers
\$1,229,676.86 Total

STAFF CONTACT:

Kaylee Cody, City Clerk

John Baldwin, Fiscal Analyst
Chresta Larson, Human Resources Specialist

[18-5652](#)

BID REVIEW - RIVERCITIES TRANSIT CENTER REPLACEMENT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve transportation systems

SUMMARY STATEMENT:

This project will replace the existing transit center building with a new larger building to accommodate service expansion and the increased number of drivers, and to relocate transit administrative staff from the City Shop. The project will also reconfigure the bus aisles and pedestrian plaza to improve safety. A temporary transit center will be constructed at a leased location offsite to maintain service to the public and staff during construction.

On October 3, 2018, five (5) bids were received as follows:

\$3,480,776.80 - J.H. Kelly, LLC, Longview, WA
\$3,926,886.00 - Skyward Construction, Inc. Ridgefield, WA
\$3,938,650.00 - Macros-Z-Technology Co., Tacoma, WA
\$4,296,987.30 - Petra, Incorporated, Redmond, WA
\$4,834,967.00 - Pacific Tech Construction, Inc., Kelso, WA

\$3,150,000 - Engineer's Estimate

All bids received were determined to be regular and responsive and the bidders are licensed to perform the work.

FINANCIAL SUMMARY:

This project is funded by Federal Transit Administration grants and Cowlitz Transit Authority matching funds.

RECOMMENDED ACTION:

Motion to accept the low bid and award a contract to J.H. Kelly, LLC in the amount of \$3,480,776.80.

STAFF CONTACT:

Ivona Kininmonth, Project Engineer

[18-5651](#)

**LONGVIEW POLICE SUPPORT GUILD (LPSG) COLLECTIVE
BARGAINING AGREEMENT, JAN 1, 2019- DEC31, 2021**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

On September 19, 2018, Longview Police Support Guild (LPSG) and the City reached a tentative agreement on the 2019-2021 Collective Bargaining Agreement (CBA). Multiple articles in the contract were opened for review and some language changes to clarify/improve the contract were made. LPSG notified the City of member (11) ratification on October 18, 2018. The contract provides for a 3.00% general wage Increase, effective January 1, 2019, a general wage increase of 2.5% effective January 1, 2020 and a 2% general wage increase effective January 1, 2021.

The CBA remains at 95% employer paid HDHP medical insurance plan and 80% employer paid dental plan

Employees opting out of City medical insurance coverage will receive a VEBA contribution of \$825/ month for 2019-2021.

RECOMMENDED ACTION:

Motion to approve the LPSG 2019-2021 Collective Bargaining Agreement.

Attachments: [LPSG 2019-21 CBA Final](#)

[18-5645](#)

SET PUBLIC HEARING (11/15/2018 & 12/6/2018): 2019-20 PRELIMINARY BIENNIAL BUDGET AND 2019-2023 CAPITAL IMPROVEMENT PLAN

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management of the City

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

RCW 35A.34.110 requires cities to conduct a formal public hearing on the proposed biennial budget. Copies of the 2019-2020 Biennial Budget and 2019-2023 Capital Improvement Plan will be made available to Council and to members of the public prior to the public hearing. This review shall be held at a public hearing that has been duly advertised to the public. Public hearing notices on the proposed 2019-2020 Biennial Budget and 2019-23 Capital Improvement Plan are scheduled for publication on November 1, 2018 and November 8, 2018.

RECOMMENDED ACTION:

Set public hearing on 2019-2020 Biennial Budget and 2019-2023 Capital Improvement Plan for the November 15th special Council meeting, at 7:00 p.m., and the December 6th special Council meeting at 7:00 p.m.

15. CITY MANAGER'S REPORT

[18-5643](#)

INSTALL DIAGONAL PARKING ON 18TH AVENUE FROM WASHINGTON WAY TO OLYMPIA WAY

COUNCIL INITIATIVE ADDRESSED:

Strengthen economic conditions & create new opportunities

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

The Monticello Hotel & Pizzeria submitted a request to change parking on the easterly side of 18th Avenue from unmarked parallel parking to diagonal parking between Washington Way and Olympia Way. No parking changes are proposed for the westerly side of 18th Avenue.

The applicant expects the increased availability of on-street parking resulting from diagonal parking will benefit the Monticello Hotel, nearby businesses, and students at Lower Columbia College. The diagonal parking will also provide additional parking for events at R.A. Long Park.

Staff prepared a conceptual layout using Commerce Avenue and 14th Avenue as examples since the streets are similar in width. Staff estimates that 48 general purpose parking spaces and 3 handicap spaces could be striped on the east side of 18th Ave. between Washington Way and Olympia Way. The existing unmarked parallel parking has space for approximately 31 vehicles. The change would result in an increase of 20 spaces. The actual number of spaces may vary because of field conditions once the proposed layout is measured for painting.

FINANCIAL SUMMARY:

The estimated cost for materials and labor to convert from parallel to diagonal parking is \$6,000.

RECOMMENDED ACTION:

Motion directing staff to install diagonal parking on the easterly side of 18th Avenue between Washington Way and Olympia Way.

STAFF CONTACT:

Manuel Abarca, P.E., Traffic Engineer

Attachments: [18th Avenue Diagonal Parking Concept](#)

16. MISCELLANEOUS

[18-5646](#)

EXECUTIVE SESSION - TO CONSIDER THE LEASE OF REAL ESTATE**17. 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, NOVEMBER 1, 2018 - 7:00 P.M. (SPECIAL MEETING)

THURSDAY, NOVEMBER 15, 2018 - 7:00 P.M. (SPECIAL MEETING)

NEXT COUNCIL WORKSHOPS:

**THURSDAY, NOVEMBER 1, 2018 - 7:00 P.M. COMPREHENSIVE PLAN UPDATE W/
PLANNING COMMISSION**