



City of Longview

1525 Broadway
Longview, WA 98632
www.ci.longview.wa.us

Agenda City Council

*Mayor Kurt Anagnostou
Council Member Ken Botero
Mayor Pro Tem Don Jensen
Council Member Chet Makinster
Council Member Mary Jane Melink
Council Member Chuck Wallace
Council Member Dennis Weber*

Thursday, April 8, 2010

7:00 PM

2nd Floor, City Hall

6 P.M. EXECUTIVE SESSION: PERSONNEL MATTER; LITIGATION

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 forty-eight (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
5. CHANGES TO THE AGENDA
6. PRESENTATIONS & AWARDS

10-1078 PROCLAMATION: EARTH DAY [5min]
Attachments: [Earth Day 2010 Proclamation](#)

10-1100 PROCLAMATION: ARBOR DAY [5 min]
Attachments: [2010 Arbor Day Proclamation](#)

10-1111 PROCLAMATION: NATIONAL LIBRARY WEEK, APRIL 11-17, 2010
Attachments: [National Library Week 2010](#)

10-1112 TEEN COUNCIL REPORT - LUXIS LEE, PRESIDENT [5min]

7. CONSTITUENTS' COMMENTS (Thirty Minutes)

8. **PUBLIC HEARINGS**9. **BOARD & COMMISSION RECOMMENDATIONS****Planning Commission**

PC 2010-4
4/8/10

SPECIAL PROPERTY USE PERMIT APPLICATION TO LOCATE A DRIVING SCHOOL IN THE DOWNTOWN COMMERCE DISTRICT [5 min]**COUNCIL INITIATIVES ADDRESSED:**

Preserve Neighborhoods, Address Quality of Life Issues

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

Ivan A. Akesson wants to locate his business "Drivan's Traffic Safety School" at 1520B Commerce Avenue. The business is primarily oriented towards providing the training necessary to receive a driver's license. Mr. Akesson proposes to rent approximately 1,175 square feet in a one-story addition located in the back of the Rickels Building at 1514 Commerce Avenue. The addition is located next to the alley and has a separate entrance and address.

On March 8, 2010, the City's Downtown Advisory Committee reviewed the application and decided unanimously to recommend approval of the special use permit.

At their April 7, 2010 regular meeting, the Planning Commission will hold a public hearing on the application. Their recommendation will be given verbally to the City Council at the April 8 Council meeting. The staff report to the Planning Commission is attached.

RECOMMENDED ACTION:

Motion to approve a special property use permit (PC 2010-4) to Ivan Akesson to locate a driving school at 1520B Commerce Avenue.

Attachments: [100330 Staff Report 2010-4 Akesson SUP.doc](#)

10. **ORDINANCES & RESOLUTIONS**

OR 10 3130

ORDINANCE CREATING AUTOMATED TRAFFIC CAMERA SAFETY ENFORCEMENT PROGRAM [5 min]**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Enhance Public Safety and Emergency Response

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

As noted at the March 18, 2010 Red Light Camera workshop, Longview experiences an unacceptable amount of traffic collisions:

- 2002-2006 4,917 collisions in Longview
 - 11 fatal crashes (12 deaths)
 - 1,465 injury crashes (29.78%)
 - 1,689 people injured
 - 29.19% are right angle crashes (intersection collisions)

Exasperating this situation is the fact that the amount of vehicular traffic in Longview has been increasing for years and no doubt will continue into the future. LPD's labors to stem traffic collisions have not been effective because its efforts are limited by; the cost of personnel, staffing level ebbs and flows, and competing service priorities (high priority calls). In addition, dedicated red light enforcement by a traffic officer can pose risk as the officer must have an unobstructed view of the intersection and then must decide how or if he/she is to pursue the offender through the red light presenting a danger to the officer, other motorists, and pedestrians. The danger posed by traditional officer enforcement in school zone enforcement is less than red light enforcement but is not without risk. In addition to safely accelerating after and stopping a violator there is the visual distraction caused by the officer's flashing emergency lights which could divert people from driving cautiously around children or distract the children themselves as they attempt to enter cars or cross the street.

Camera traffic enforcement technology is the appropriate traffic safety tool for Longview's needs. Over time camera traffic enforcement will change driving behavior and make the streets of Longview safer. In addition to improving Longview's traffic safety conditions, an added benefit of camera traffic enforcement technology is the time freed up for officers not having to spend time on traditional traffic enforcement. Traditional traffic enforcement time includes not just the issuance of traffic citations but the time needed to investigate and write traffic collision reports. Time not spent on traffic enforcement can be spent on crime reduction efforts.

Longview's camera traffic enforcement program will provide ample public notification and education concerning the technology to include a grace period during the systems first month of operation during which time violators identified by the camera traffic enforcement systems will receive only warnings and not citations with a penalty attached. Streets protected by camera traffic enforcement cameras will have clearly marked signage noting the use of this technology.

RECOMMENDED ACTION:

Recommendation to approve:

1. Ordinance creating an automated traffic camera safety enforcement program to include 2-4 intersections for red light enforcement and two school zone speed camera systems.
2. Authorize staff to prepare a Request For Proposals to solicit and select

a qualified automated traffic enforcement technology vendor.

Expenditure Required: There is no start-up cost for the City to bear. The vendor will install and maintain the equipment at its own expense and will be reimbursed at a flat rate to be determined as part of the final contract.

Attachments: [Ordinance - Traffic Camera Safety Enforcement Program](#)

OR 10 3131

ORDINANCE NO. 3131, CREATING A NEW CHAPTER IN THE LMC AND ESTABLISHING A FUND TO BE KNOWN AS THE "PUBLIC SAFETY SPECIAL REVENUE FUND." [5 min]

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue Effective Financial Management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The attached ordinance amends the Longview Municipal Code "LMC" by the addition of a new chapter and creates a new special revenue fund to be entitled the "Public Safety Special Revenue Fund" in accordance with generally accepted accounting principles established under the Governmental Accounting Standards Board. The City of Longview, hereby, establishes a special revenue fund to account for all revenue and program expenditures associated with the traffic safety camera enforcement program.

RECOMMENDED ACTION:

Motion to approve Ordinance No. 3131 establishing the Public Safety Special Revenue Fund.

Attachments: [Ordinance 3131 - Creating a public safety fund](#)

**OR 10
3132/3133**

AN ORDINANCE (NO. 3132) OF THE CITY OF LONGVIEW, WASHINGTON, BY AMENDING LMC 19.20.070, "SUPPLEMENTAL STANDARDS", TO ALLOW FOR THE SALE OF AGRICULTURAL PRODUCT GROWN OFF-SITE SUBJECT TO CERTAIN CONDITIONS. OR ALTERNATIVELY, AN ORDINANCE (NO. 3133) OF THE CITY OF LONGVIEW, WASHINGTON, BY AMENDING LMC 19.20.070, "SUPPLEMENTAL STANDARDS", TO ALLOW FOR THE SALE OF AGRICULTURAL PRODUCTS TO BE GROWN OFF-SITE SUBJECT TO THE LANGUAGE OF THE NEW SECTION TO BE ADDED AS LMC 19.20.090, "SPECIAL USE PERMIT - PRODUCE GROWN OFF-SITE." [15 min]

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Address quality of life issues

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

Per the direction of the City Council at the March 25, 2010 meeting the City Attorney has drafted legislation to allow for the selling of produce grown off-site in a residential zone. As some background, when the City Council adopted the Residential Code Update, it expanded the area of agricultural use of property within the City to include all single-family residential districts, not just the areas that were zoned Suburban Residential, which approximately doubled the area in which people could sell produce grown on their own property.

There are two proposed ordinances to provide alternatives for consideration by the City Council. The two ordinances are essentially the same except that proposed **Ordinance No. 3132** provides for an outright allowed use as previously submitted to the City Council for consideration, whereas proposed **Ordinance No. 3133** provides for a permitting process.

The key difference between these two options is the enforcement process for violations. If there is a violation of proposed Ordinance No. 3132, the enforcement action, upon a showing of "just cause" that a violation exists, is to attempt to get the property owner into compliance - once the use is allowed outright, it is very difficult to revoke it without putting the City at risk of a "takings" claim. If there is a violation of the proposed Ordinance No. 3133, the enforcement action, again upon a showing of "just cause" that a violation exists, is again to attempt to get the property owner into compliance, but there is also the opportunity to revoke the permit per LMC 19.12.130 with a lesser risk of exposing the City to a "takings" claim.

There has also been a question raised about how much property would qualify under the terms of the newly proposed legislation. **Map 1** attached hereto shows the area in the City, as outlined in black, that would qualify to carry out the activities of the proposed legislation. There are approximately 150 residential parcels greater than 2 acres in size within city limits and another 150 within the planning area boundary.

Additionally, there is a proposal by Councilmember Weber to create a historic district based upon the information distributed by Mayor Anagnostou about the "Subsistence Homesteads." **Map 2** attached hereto shows the historical area of the "Subsistence Homesteads"; this historical area does not include the area that has been discussed by the Council for consideration of the new legislation and thus probably would not meet the initial goals of such legislation.

Based upon suggested changes to the previously provided proposed legislation, a **matrix** has been attached hereto for purposes of assisting the City Council in considering these additional requests for amendments.

RECOMMENDED ACTION

Option 1: Motion to approve Ordinance No. 3132.

OR

Option 2: Motion to approve Ordinance No. 3133.

Attachments: [Agriculture Legislation Ordinance No. 3132 Version w.o Permit Process 3.10](#)
[Agriculture Legislation Ordinance No. 3133 Version with Permit Process 3.10](#)
[Map 1 Property re Selling of Produce 3.10](#)
[Map 2 re Subsistence Homesteads 3.10](#)
[Matrix for Selling of Produce in Residential Districts 3.10](#)

11. MAYOR'S REPORT AND COUNCILMEMBER'S REPORTS**12. CONSENT CALENDAR**

[10-1114](#)

APPROVAL OF CLAIMS

[10-1107](#)

INTERLOCAL AGREEMENT WITH COWLITZ TRANSIT AUTHORITY FOR GOVERNMENT AFFAIRS SERVICES**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management.
Improve transportation systems.

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

On December 22, 2010, the City Council approved a contract with Conkling, Fiskum and McCormick (CFM) to assist the City with applying for and pursuing funding for various projects - the government affairs services. For 2010, CFM is assisting the City with seven funding requests, including two that would provide additional buses for the Community Urban Bus Service operated by the City under contract with the Cowlitz Transit Authority (CTA).

On March 31, 2010, the CTA approved the attached interlocal agreement for government affairs services, which provides for the CTA to share in the costs of CFM's services as they pertain to buses funding applications.

FINANCIAL SUMMARY:

The interlocal agreement provides for the CTA to reimburse the City for ten percent (10%) of the cost of the City's contract with CFM, up to a maximum amount of \$6,100.

RECOMMENDED ACTION:

Motion authorizing the city manager to execute the interlocal agreement with the CTA.

Attachments: [Interlocal re Govt Affairs and CTA 2 10 FINAL](#)

10-1101**BID REVIEW - SECURE OUR SCHOOLS GRANT, VIDEO CONSULTING
BID****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Priority #13 - Promote a successful learning community

SUMMARY STATEMENT:

The Secure Our Schools grant provides \$57,000 to pay for a consultant to design a video security system for the Longview School District. The focus of the grant is to improve school safety through a variety of different measures, the video security system being just one of those measures. This grant is a partnership between the Longview Police Department and the Longview School District with Longview Police Department acting as the lead applicant as required by the granting agency.

Bids were opened on March 22, 2010 from two bidders as follows:

\$34,800 - WatchPoint Video, Portland, OR

\$11,520 - Cascade Networks, Longview, WA

\$57,000 - Grant funds

Two bids were received and were determined to be regular and responsive and the bidders are both licensed to perform the work. A selection committee comprised of the City of Longview IT Director Judy Jones, the Longview Police Business Manager Mary Chennault, the Longview Police Crime Analyst Anita Hyatt, the Longview School District Communications Manager Sandy Catt and the Longview School District Technology Coordinator Jim Ward. The bidders were evaluated based on criteria that was defined in the Request for Proposal document. Based on the critical elements of video camera equipment specifications, multi-server/multi-site solution, camera placement and quantity, network integration and the ability to integrate with the police rapid responder system, WatchPoint Video scored the highest and is recommended for selection.

FINANCIAL SUMMARY:

This contract will be funded by the U.S. Department of Justice, Office of Community Oriented Policing Services

RECOMMENDED ACTION:

Motion to accept the bid and award the video consulting contract to WatchPoint, in the amount of \$34,800.

Attachments: [Video RFP matrix](#)

10-1106**BID REVIEW - FIRE STATION NO. 81 GENERATOR****COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Enhance public safety and emergency response.

SUMMARY STATEMENT:

This project calls for supplying, installing, startup, testing and training for a standby electrical power generator at Fire Station No. 81 on Commerce Avenue.

Bids were opened on March 17, 2010, from seven bidders as follows:

\$164,493.23 - Award Construction Inc., Ferndale, WA
\$173,719.00 - Ebenal General, Inc., Bellingham, WA
\$186,777.06 - Castle-Rose Inc., Longview, WA
\$195,297.87 - Pacific Northern Environmental, Longview, WA
\$198,751.80 - Stouder General Construction LLC, Ferndale, WA
Non Responsive - ADK Electric Inc., Vancouver, WA
Non Responsive - J.H. Kelly LLC, Longview, WA

\$150,000.00 - Engineer's Estimate

Five bids received were determined to be regular and responsive and the bidders are licensed to perform the work. The bids received from ADK Electric Inc. and J.H. Kelly LLC were determined to be non-responsive. The bid submitted by ADK Electric included a list of inclusions, exclusions, and clarifications that represented changes to the plans and specifications, rendering their bid non-responsive. In the bid submitted by J.H. Kelly, they modified the quantity for one of the bid items, rendering their bid non-responsive.

FINANCIAL SUMMARY:

This contract will be funded through the Capital Projects Fund.

RECOMMENDED ACTION:

Motion to declare the bids submitted by ADK Electric and J.H. Kelly non-responsive, and accept the bid and award the construction contract to Award Construction, in the amount of \$164,493.23.

13. CITY MANAGER'S REPORT**10-1113****2010 WASHINGTON LEGISLATIVE SESSION PRESENTATION BY MARK BROWN [20 min]**

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Mark Brown, Connections Public Affairs, will present a summary of the 2010 Washington legislative session.

RECOMMENDED ACTION:

No action necessary.

10-1105**ALLOCATE THE 2010 COMMUNITY DEVELOPMENT BLOCK GRANT (WITH OPTIONAL 2011 PRE-AWARD ALLOCATION) [10 min]**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Enhance City housing goals for Community Development Block Grant/HOME Program

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

The City of Longview Community Development Block Grant (CDBG) is funded by the Federal Department of Housing and Urban Development (HUD) with the purpose of developing viable urban communities, principally for low/moderate income persons through decent housing, a suitable living environment, and expanded economic opportunity.

A public hearing was held on March 25th in order to allocate the 2010 Community Development Block Grant. Four (4) Main Entitlement projects were submitted, including Comrade Quarters which requested funding for \$200,000. As a housing project, Comrade Quarters was also submitted for HOME funding, should it not be funded under CDBG. Council requested to review HOME projects submitted for the pending HOME Public Hearing (scheduled for April 22nd) in order to consider whether Comrade Quarters should be funded under either CDBG or HOME. The 2010 HOME Project Summaries are an attachment to this Agenda item.

The purpose of this agenda item is to make allocations for the 2010 Community Development Block Grant Program. An option for allocating pre-award 2011 CDBG Main Entitlement funding is also available.

Since the last meeting on March 25th, the official amount of 2010 CDBG City of Longview Entitlement award has been posted on the HUD website. CDBG funding for 2010 was increased \$29,072 over the 2009 award and is \$395,713. Available funding for the Main Entitlement category is \$296,793, with a pre-award option of 2011 Main Entitlement funding revised to \$226,348, for a total of \$523,141 available for allocation. 2010 Public Service funding is at \$59,356. 2010 Planning funding is \$19,785. Additional funding has been made available through Program Income and deobligated funding from prior program years.

Using the 2011 option for pre-award Main Entitlement funding has several positive considerations:

It provides the ability to fund larger projects; the City can plan ahead to use CDBG funding effectively e.g. to implement projects within the Highlands Neighborhood Revitalization Strategy; it improves CDBG HUD timeliness which is a maximum of 1.5 years of funding allowed in our line of credit; it is responsive to the up and down community application cycles; it is a trial period for new methods of "program delivery"; public service and planning projects will continue to be awarded in 2011; and the City Council is not obligated to use 2011 pre-award funding. On the negative side, the final 2011 allocation will not be known until approximately March 2011, and the

City may need to use its own funding for reimbursements until 2011 CDBG funding is received. However, staff will minimize any outlay of City funding by coordinating project timing with CDBG recipients.

2010 CDBG Project Summaries

The following nine project requests have been received:

Main Entitlement

Available: \$296,793 - \$523,141

Amount Requested: \$842,465

Comrades Quarters - Rehabilitate the Stratford Apartments located at 1312 Hemlock St. This will include ADA accessibility and life/safety improvements for homeless veterans housing.

Longview Housing Authority \$200,000

Highlands Neighborhood Trail Phase 3, Segment 1 - Provide illumination, landscaping and pedestrian amenities to the 10-foot wide paved recreational trail funded through the 2009 CDBG Program. This section of trail is 5,250 lineal feet long and is located along the north side of Consolidated Diking Improvement District Ditch No.3, from Oregon Way to Beech Street.

City of Longview Public Works Department \$350,000

Micro-Business Development and Support - Provide education, training, coaching and micro-loan opportunities to Longview residents who are considering starting or who have started a micro-enterprise.

Lower Columbia Community Action Program \$74,240

Progress Center Expansion - Construct a detached building for The Progress Center on land acquired with 2005 CDBG funding. The addition will contain three multi-purpose rooms to serve children for motor, sensory and speech therapy, and rest/changing rooms. The addition will be designed for future expansion of the building. **Progress Center \$218,225**

Public Service

Available: \$59,356

Amount Requested: \$112,996

Foreclosure Prevention Counseling - Provide counseling to mitigate and prevent foreclosures for Longview residents through working with their mortgage lenders to create long-term affordability.

Family Finance Resource Center \$30,000

HELP Warehouse - Provide support to food bank services and distribution of USDA Surplus commodities to Longview residents.

Lower Columbia Community Action Program \$54,495

Mentoring Low Income Children in Longview - Provide approximately 6 hours of one-on-one mentoring per month for 10 children for 12 months. Mentoring will be Community-based and/or School-based.

Big Brothers Big Sisters Columbia Northwest \$10,000

Vet Works - Provide funding for two part-time positions (Work Crew Foreman and Job Search & Employment Referral Coordinator) for Vet Works supporting temporary work for Veterans.

Longview Housing Authority \$18,000

Planning

Available: \$19,785

Requested Amount: \$12,500

Analysis of Impediments to Fair Housing Choice - Create a plan to assess housing discrimination, identify impediments and recommendations for the Longview-Kelso HOME Consortium. This plan is required by the HOME Program. The current plan was adopted in 1999 followed by annual updates.

Fair Housing Center of Washington \$12,500

RECOMMENDED ACTION:

A motion to allocate funding to 2010 Community Development Block Grant Projects and 2011 Main Entitlement Funding as identified on the complete agenda summary sheet.

Staff recommends that all projects be funded as follows:

Main Entitlement Projects	2010 CDBG est.	2011 est	Total Funding
Comrades' Quarters	\$0		\$0
Highlands Neighborhood Trail Phase 3, Segment 1	\$123,652	\$226,348	\$350,000
Micro-Business Development	\$73,141		\$73,141
Progress Center Expansion	\$100,000		\$100,000
Public Services			
Foreclosure Prevention	\$0		\$0
HELP Warehouse	\$45,000		\$45,000
Mentoring Children	\$10,000		\$10,000
Vet Works	\$4,356		\$0
Planning			
Analysis of Impediments	\$12,500		\$12,500

Attachments: [CDBG Entitlement Funding.xls](#)
[CDBG Executive Summary.xls](#)
[2010 HOME Project Summaries.doc](#)

14. MISCELLANEOUS

15. ADJOURNMENT

NEXT MEETING:

THURSDAY, APRIL 22, 2010 AT 7 P.M.

NEXT WORKSHOP:

**TUESDAY, APRIL 15, 2010 AT 6 P.M. - JOINT WITH LONGVIEW SCHOOL BOARD @ SCHOOL
DISTRICT ADMIN. OFFICE**