



City of Longview

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

City Council

*Mayor MaryAlice Wallis
Mayor Pro Tem Michael Wallin
Council Member Ruth Kendall
Council Member Angie Wean
Council Member Spencer Boudreau
Council Member Hillary Strobel
Council Member Christopher Ortiz*

Tuesday, August 23, 2022

6:00 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.

<https://us02web.zoom.us/j/82144269625>

Telephone options (dial any of the following numbers):

1-253-215-8782
1-346-248-7799
1-408-638-0968
1-669-900-6833
1-301-715-8592
1-312-626-6799
1-646-876-9923

Webinar ID: 821 4426 9625

1. CALL TO ORDER
2. INVOCATION*/FLAG SALUTE
3. ROLL CALL
4. WORKSHOP

22-000526 CAPITAL PROJECTS FUND BUDGET REQUESTS (ESTIMATE 60 MINUTES)

5. APPROVAL OF MINUTES

22-000527 AUGUST 9, 2022 REGULAR MEETING MINUTES

6. CHANGES TO THE AGENDA**7. PRESENTATIONS & AWARDS****8. CONSTITUENTS' COMMENTS (Thirty Minutes)****9. PUBLIC HEARINGS**

**22-000511 PUBLIC HEARING – PAVEMENT PRESERVATION ON NEW STREETS
ORDINANCE 3463: AMENDING CHAPTER 12.08. “CONSTRUCTION, REPAIR AND
MAINTENANCE” TO ADD STREET CUTS – PROCEDURES, FEES AND EXCEPTIONS, TO
PRESERVE THE INTEGRITY OF NEW STREETS**

**RECOMMENDED ACTION:
CONDUCT THE PUBLIC HEARING**

**22-000514 ORDINANCE NO. 3463 – PAVEMENT PRESERVATION ON NEW STREETS AMENDING
CHAPTER 12.08. “CONSTRUCTION, REPAIR AND MAINTENANCE” TO ADD STREET
CUTS – PROCEDURES, FEES AND EXCEPTIONS, TO PRESERVE THE INTEGRITY OF
NEW STREETS**

**RECOMMENDED ACTION:
MOTION TO ADOPT ORDINANCE NO. 3463**

**22-000524 PUBLIC HEARING- ALLOCATION OF HOME AMERICAN RESCUE PLAN (HOME-
ARP) FUNDS TO PROJECTS**

**RECOMMENDED ACTION:
1) HOLD A PUBLIC HEARING ON 2022 LONGVIEW HOME-ARP PROGRAM
APPLICATIONS
2) MOTION TO ALLOCATE FUNDS**

10. BOARD & COMMISSION RECOMMENDATIONS

22-000520 SECOND ROUND - NEIGHBORHOOD PARK GRANT APPLICATIONS

**RECOMMENDED ACTION:
MOTION TO APPROVE THE PARK AND RECREATION ADVISORY BOARD'S FUNDING
RECOMMENDATION**

11. ORDINANCES & RESOLUTIONS

22-000521 RESOLUTION NO. 2418 - HONORING COWLITZ TRIBAL LEADERSHIP

**RECOMMENDED ACTION:
MOTION TO APPROVE RESOLUTION NO. 2418**

22-000510 RESOLUTION NO. 2409 – STORMWATER UTILITY RATE RESOLUTION UPDATE

**RECOMMENDED ACTION:
MOTION TO ADOPT RESOLUTION NO. 2409**

**22-000528 ORDINANCE NO. 3465 - TECHNICAL AMENDMENT TO LONGVIEW MUNICIPAL CODE
12.08 AND 12.10**

RECOMMENDED ACTION:
MOTION TO ADOPT ORDINANCE NO. 3465

22-000537 RESOLUTION NO. 2419 - RELATING TO PUBLIC HEALTH AND SAFETY

RECOMMENDED ACTION:
MOTION TO APPROVE RESOLUTION NO. 2419

12. **MAYOR'S REPORT**
13. **COUNCILMEMBERS' REPORTS**
14. **CONSENT CALENDAR**
22-000523 APPROVAL OF CLAIMS
15. **CITY MANAGER'S REPORT**
16. **MISCELLANEOUS**
17. **EXECUTIVE SESSION**
18. **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, SEPTEMBER 8, 2022 – 6:00 P.M

THURSDAY, SEPTEMBER 22, 2022 – 6:00 P.M.

NEXT COUNCIL WORKSHOPS:

THURSDAY, SEPTEMBER 8, 2022 - 6:00 P.M. - KELSO WATER RATES

THURSDAY, SEPTEMBER 22, 2022 - 6:00 P.M. - WASHINGTON WAY ROAD DIET

NEXT SPECIAL WORKSHOPS:

THURSDAY, OCTOBER 6, 2022 - 6:00 P.M. - UTILITY RATES



City of Longview Agenda Summary Sheet

1525 Broadway
Longview, WA 98632
www.mylongview.com

BUDGET WORKSHOP: 2023-2024 NON-UTILITY CAPITAL PROJECTS BUDGET

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The purpose of this workshop is to review, discuss and prioritize non-utility capital improvement project requests and recommendations for funding in the 2023-2024 Capital Projects Fund and Building Replacement Fund.

RECOMMENDED ACTION:

Consensus to proceed with selected 2023-2024 capital project improvements for inclusion in the 2023-2024 Capital Projects Fund and Building Depreciation Fund Budgets.

STAFF CONTACT: Kurt Sacha, City Manager

Expenditure Required:

Amount Budgeted

Appropriation Required

City of Longview

2023-2024 Capital Projects Budget Presentation

Council Workshop – August 23, 2022

Capital Projects Fund

Real Estate Excise Tax

(thousands)



Real Estate Excise Taxes

Comment: "2022 projected real estate excise taxes total \$519,000. Real estate excise taxes for 2023 and 2024 are estimated to be \$500,000 annually."

2021-22 Capital Projects Fund

	6/30/2022
Beginning Fund Balance	\$1,685,110
Revenue: (Jul – Dec 2022)	
Real Estate Excise Tax	\$200,000
2020 CDBG Allocation – Archie Anderson Park Satellite Office	150,260
2021 CDBG Allocation – Archie Anderson Park Satellite Office	221,500
State Capital Funds – Archie Anderson Park Satellite Office	250,000
State Capital Funds – Lake Sacajawea Restroom/Sidewalks	900,000
State Capital Funds – Senior Center Roof	265,000
Motor Vehicle Fuel Tax	1,500
Contributions – Park Benches	5,000
Miscellaneous/Contributions	4,000
Total Revenues:	\$1,997,260
Expenditures: (Jul – Dec 2022)	
Capital Projects Fund	2,874,170
Debt Service	<u>20,350</u>
Total Expenditures:	<u>\$2,894,520</u>
Ending Fund Balance (12/31/2022)	\$787,850

2021-22 Capital Projects Fund

Capital Projects:	2021-2022
Park Bench Donations	\$5,000
Lake Sacajawea Restroom/Sidewalk Improvements	917,970
Lake Sacajawea Irrigation	40,350
Neighborhood Parks Grant Programs	8,380
MV Golf Fuel Tank	40,940
MV Racquet Complex Roof Venting Project	43,150
Archie Anderson Park Satellite Office	924,000
Library Security Camera System	30,530
Library Exterior Restoration	503,850
ADA Improvements	50,000
Senior Center Roof Replacement	265,000
Park Playground Equipment Replacement Program	45,000
Debt Service: Street Maintenance Facility	20,350
Total 2021-22 Capital Projects....	<u>\$2,894,520</u>

2023-24 Capital Projects Summary

	2023	2024
Beginning Fund Balance	\$787,850	\$200,000
Revenue:		
Real Estate Excise Tax	\$500,000	\$500,000
ARPA Funds – MV Golf Irrigation Pump System	400,000	
Motor Vehicle Fuel Tax	3,000	3,000
Miscellaneous/Contributions	<u>16,000</u>	<u>16,000</u>
Total Revenues:	\$919,000	\$519,000
Expenditures:		
2023-24 Capital Projects	\$1,451,150	\$450,000
2023-24 Debt Service	<u>48,850</u>	<u>48,100</u>
Total Capital Project Expenditures:	<u>\$1,500,000</u>	<u>\$498,400</u>
Ending Fund Balance	\$200,000	\$220,600

2023-24 Capital Projects List

Capital Projects:	2023	2024
Neighborhood Parks Grant Program	\$25,000	\$25,000
ADA Improvements	50,000	50,000
Fire EKG Difibrillators EMS Equipment	30,000	30,000
Library Chair Replacements	40,000	0
City Hall Upstairs Flooring/Carpet Replacement	40,000	
Finance Security Improvements	51,000	0
Facility Maintenance Vehicles/Tools (2)	0	160,000
Bicycle Friendly City Hall (Racks + Shower)	16,000	0
Electric Assist Bicycles (Engineering/Inspectors)	0	6,000
Engineering Vertical File Systems (Blueprints/Mylars)	7,000	0
Fire Station #82 Emergency Generator	160,000	0
Fire Department Reserve Ambulance	300,000	0
Legal- Karpel Electronic Case Management Software	52,030	0
MV Golf Irrigation Pump System	400,000	0
MV Golf Poles/Netting	0	100,000
MV Golf Facility Needs Assessment	50,000	0

2023-24 Capital Projects List (cont)

Capital Projects:	2023	2024
Library Interior Restoration	0	175,000
Library Lighting Replacements	0	110,000
Park Maintenance Shop Siding	30,000	0
Park Maintenance Vehicle Depreciation Shortfall	75,000	0
Park Maintenance Vehicle Replacements	35,000	75,000
Parks Playground Equipment Replacements	45,000	45,000
Roy Morse Softball Field Lighting Replacements	275,000	0
John Null Park Tennis Court Lighting Replacements	23,170	0
Police Garage Gate Replacements	86,300	0
McClelland Arts Building HVAC System Replacement	70,000	0
Recreation Vehicle Depreciation Shortfall	10,050	10,050
Street Mtnce Dump Truck/Snow Plow Replacement	200,000	0
Street Mtnce Asphalt Zipper	220,000	0
Street Mtnce Road Grader	200,000	0
New Street Department Supervisor Pick-Up Truck	0	40,000

2023-24 Capital Projects List (cont)

Capital Projects:	2023	2024
New Traffic Maintenance Specialist Pick-Up Truck	0	40,000
Traffic Maintenance Bucket Truck Replacement	150,000	0
Debt Service: Street Maintenance Facility	<u>48,850</u>	<u>48,100</u>
Total 2023-24 Capital Projects....	<u>\$2,689,400</u>	<u>\$914,150</u>



Building Replacement Fund

2023-24 Building Replacement Fund Summary

	2023	2024
Beginning Fund Balance	\$1,050,000	\$510,000
Revenue:		
State Capital Funds – Vandercook Restroom	\$300,000	\$0
WA Library Capital Improvemt Program Grant	750,000	0
Miscellaneous Revenues	10,000	10,000
Transfer In – General Fund	<u>200,000</u>	<u>200,000</u>
Total Revenues:	\$1,260,000	\$210,000
Expenditures:		
2023-24 Capital Projects	\$1,800,000	\$0
Total 2023-24 Capital Projects:	<u>\$1,800,000</u>	<u>\$0</u>
Ending Fund Balance	\$510,000	\$710,000

2023-24 Building Replacement Fund

Recommended Building Replacement Fund Projects:	2023	2024
Vandercook Park Restroom Replacement	\$ 300,000	\$ 0
Library HVAC/Window Replacements	1,500,000	
Fire Station #83 Construction	0	13,943,060
Fire Station #82 Remodel	0	600,000
Fire Station #81 Remodel	0	5,138,700
Police Evidence Storage Pole Building	0	1,086,300
Total 2023-24 Building Replacement Fund	<u>\$1,800,000</u>	<u>\$20,768,060</u>

Capital Projects Budget Presentation

The end.



City of Longview

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Minutes

City Council

*Mayor MaryAlice Wallis
Mayor Pro Tem Michael Wallin
Council Member Ruth Kendall
Council Member Angie Wean
Council Member Spencer Boudreau
Council Member Hillary Strobel
Council Member Christopher Ortiz*

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Webinar ID: 882 5544 8243

1. **CALL TO ORDER**

Mayor Wallis called the meeting to order at 6:01 p.m.

2. **INVOCATION*/FLAG SALUTE**

The flag salute was recited.

3. **ROLL CALL**

Present: Mayor Wallis, Mayor Pro Tem Wallin, Councilmember Kendall, Councilmember Wean, Councilmember Strobel, Councilmember Boudreau, Councilmember Ortiz

Absent: None.

Staff Present: Assistant City Manager Kris Swanson; Acting City Attorney Steve Shuman; City Clerk

Tiffany Ostreim; Parks & Recreation Director Jen Wills; Community Development Director Ann Rivers; Police Chief Robert Huhta; Deputy City Clerk Elizabeth Halili

4. WORKSHOP

22-000484 ACCESSORY DWELLING UNIT CODE UPDATES WORKSHOP (TIME ESTIMATE 60 MINUTES)

The workshop began at 6:01 p.m.

Assistant City Manager, Kris Swanson, provided an introduction to the workshop.

City Planner Adam Trimble Presented.

The council discussed the presentation. Concensus on ADU size of 300 - 1,500 square feet in accordance with lot size and setbacks. Max number of bedrooms two. Max occupancy of four persons. Prohibit short-term rentals, less than 30 days. Family day care limited to the maximum occupancy allowed for ADU. Allow one parking for ADU with exceptions - no parking spaces are required for an ADU in areas with on-street parking available and the existing home has parking for two cars. One parking space is required for the ADU if on-street parking is not available. For detached ADU's strike height and massing from design criteria. For detached ADU's, remove reference to the character and style of homes in the surrounding four block area. Strong interest in giving direction to staff to research pre-approved ADU designs using Lacy as an example at a future meeting. For attached ADU's strike reference to roof pitch and windows. For attached ADU's, when a garage is converted to living space, a front driveway should be allowed to remain even if the garage door is removed. Building official may inspect all ADU's upon receipt of a complaint; strike "at least every two years and at least once biannually".

PUBLIC COMMENT

A citizen, name and city unstated provided public comment

A citizen, name and city unstated provided public comment

A citizen, name and city unstated provided public comment

A citizen, name and city unstated provided public comment

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A citizen, name and city unstated provided public comment.

City Planner Trimble will make changes to the draft document and bring it back before the council in September.

The council's workshop ended at 7:40 p.m. and the council resumed their regular meeting in the council chambers at 7:45 p.m.

5. APPROVAL OF MINUTES

22-000487 JULY 26, REGULAR MEETING MINUTES

A motion was made by Councilmember Strobel seconded by Councilmember Boudreau to approve the minutes. Mayor Wallis offered an amendment to the motion to reflect the correct ayes and nays for item #13. The amendment carried unanimously. The motion to approve the minutes carried unanimously.

6. CHANGES TO THE AGENDA

7. PRESENTATIONS & AWARDS

8. CONSTITUENTS' COMMENTS (Thirty Minutes)

Dennis Weber of Longview stated he was representing the Cowlitz County Commissioners. Commissioner Weber presented a service award and wall plaque to the City Clerk Tiffany Ostreim for her years of service with Cowlitz County.

PUBLIC COMMENT FROM SHEETS

David Borsek of Longview provided public comment

Clint Hash of Longview provided public comment

Shannon, last name unstated of Longview, provided public comment

Robert Furranti of Longview provided public comment

Mike Peterson of Longview provided public comment

Randy Knox, city unstated, provided public comment

Larry Crosby, city unstated, provided public comment

Codie Jennison, Executive Director of Northwest Enforcement, provided public comment

Christian Stauffer of Northwest Enforcement provided public comment

Ron Kosloski, city unstated, provided public comment

Jason Still, city unstated, provided public comment

PUBLIC COMMENT NOT NAMED ON SHEETS

A citizen, name and city unstated, provided public comment

A citizen, name and city unstated, provided public comment

Rayleen Aguirre, of Longview, provided public comment

9. PUBLIC HEARINGS**10. BOARD & COMMISSION RECOMMENDATIONS****11. ORDINANCES & RESOLUTIONS****12. MAYOR'S REPORT****13. COUNCILMEMBERS' REPORTS**

Councilmember Kendall provided a report. Seeking council concurrence to form a subcommittee with a plan to move forward to set up a hosted alternative to the current unhosted camp as well as a safe parking site by the end of September and input on the makeup of a sub-committee.

Councilmembers concurred to move forward to set up a hosted alternative to the current unhosted camp as well as a safe parking site by the end of September and selected Councilmembers Kendall, Wean, Boudreau, and Strobel as alternate to serve on a sub-committee with regular meetings and updates from Councilmember Kendall at each council meeting.

Councilmember Ortiz provided a report.

Councilmember Boudreau provided a report.

Councilmember Wean provided a report.

Councilmember Wallin provided a report.

14. CONSENT CALENDAR**22-000486 APPROVAL OF CLAIMS**

A motion was made by Councilmember Strobel, seconded by Councilmember Kendall to approve the items on the Consent Calendar as though acted on individually. The motion carried unanimously.

15. CITY MANAGER'S REPORT

Assistant City Manager, Kris Swanson, provided clarification in response to comments from the July 26, 2022 meeting.

Longview Chief of Police, Robert Huhta, provided a report on a federal grant for two additional behavioral health specialists.

16. MISCELLANEOUS

17. EXECUTIVE SESSION

18. ADJOURNMENT

The meeting was adjourned at 8:59 p.m.

*Tiffany Ostreim
City Clerk*

*Approved: _____
Mayor*

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NEXT REGULAR COUNCIL MEETINGS:

Tuesday, August 23, 2022 - 6:00 P.M.

Tuesday, September 8, 2022 - 6:00 P.M.



City of Longview

Agenda Summary

PUBLIC HEARING – PAVEMENT PRESERVATION ON NEW STREETS

ORDINANCE 3463: AMENDING CHAPTER 12.08. “CONSTRUCTION, REPAIR AND MAINTENANCE” TO ADD STREET CUTS – PROCEDURES, FEES AND EXCEPTIONS, TO PRESERVE THE INTEGRITY OF NEW STREETS

RECOMMENDED ACTION:

CONDUCT THE PUBLIC HEARING

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve streets and roads

Improve transportation systems

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

A pavement preservation ordinance that governs openings in and use of streets and public rights-of-way in order to preserve street pavements. The Ordinance seeks to preserve pavements by restricting cuts and excavations in pavements that have been recently constructed, reconstructed, or resurfaced. This restriction is 5 years for streets that have been constructed, reconstructed, or resurfaced.

The Department of Public Works is responsible for maintaining the City’s street pavement infrastructure and ensuring compliance with the Ordinance.

Persons seeking to make excavations in public rights-of-way are required to obtain right of way permit. Enforcement of restrictions based on this proposed ordinance is administered through the right of way program.

In an effort to ensure street pavements are preserved, the department seeks to coordinate pavement maintenance work planned by the City with work planned by permittees.

STAFF CONTACT:

Ken Hash, Public Works Director

Attachments: None



City of Longview

Agenda Summary

ORDINANCE NO. 3463 – PAVEMENT PRESERVATION ON NEW STREETS AMENDING CHAPTER 12.08. “CONSTRUCTION, REPAIR AND MAINTENANCE” TO ADD STREET CUTS – PROCEDURES, FEES AND EXCEPTIONS, TO PRESERVE THE INTEGRITY OF NEW STREETS

RECOMMENDED ACTION:

MOTION TO ADOPT ORDINANCE NO. 3463

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve streets and roads

Improve transportation systems

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

A pavement preservation ordinance that governs openings in and use of streets and public rights-of-way in order to preserve street pavements. The Ordinance seeks to preserve pavements by restricting cuts and excavations in pavements that have been recently constructed, reconstructed, or resurfaced. This restriction is 5 years for streets that have been constructed, reconstructed, or resurfaced.

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In an effort to ensure street pavements are preserved, the department seeks to coordinate pavement maintenance work planned by the City with work planned by permittees.

STAFF CONTACT:

Ken Hash, Public Works Director

Attachments:

1. ORD 3463 Pavement Preservation 8_9_22 JMc edits

AN ORDINANCE AMENDING CHAPTER 12.08. “CONSTRUCTION, REPAIR AND MAINTENANCE” TO ADD A NEW SECTION: LMC 12.08.130 STREET CUTS – PROCEDURES, FEES AND EXCEPTIONS, TO PRESERVE THE INTEGRITY OF NEW STREETS

WHEREAS, streets with pavement cuts are known to degrade more rapidly than streets that did not receive pavement cuts, and

WHEREAS, studies performed in other jurisdictions conceded that this degradation occurs no matter how well the excavation is restored, and

WHEREAS, in order to protect the City’s investment in its infrastructure, and to address concerns following a recent paving project, staff has recommended that the City Council adopt a pavement cut moratorium for the City; and

WHEREAS, the new section, LMC 12.08.130, would address the indiscriminate and uncontrolled performance of work within the right-of-way of public streets, alleys, sidewalks and other public ways, by persons using unsafe material and/or improper methods, is hazardous to the health, safety and welfare of persons using such streets, alleys, sidewalks and other public ways, and is costly to the city in subsequent repairs and/or maintenance.

NOW THEREFORE, the City Council of the City of Longview do ordain as follows:

Section 1 That Chapter 12.08. of the Longview Municipal Code shall be, and is hereby amended to add a new Section 12.08.130 to read as follows; provided, manifest and numbering errors shall be corrected prior to publication:

Chapter 12.08

CONSTRUCTION, REPAIR AND MAINTENANCE*

Sections:

- 12.08.010 Purpose.**
- 12.08.020 Definitions.**
- 12.08.030 Permit required.**
- 12.08.040 Joint permits.**
- 12.08.045 Co-locations of underground communications wires, cables and television cables and other connective devices.**

- 12.08.050 Exemptions.**
- 12.08.060 Application – Fees.**
- 12.08.070 Minimum standards – Special conditions.**
- 12.08.080 Permit fee.**
- 12.08.090 Failure to comply with permit –Work stoppage – Revocation of permit – Damages.**
- 12.08.100 Revocation of permit – Appeal.**
- 12.08.110 Liability for defective work.**
- 12.08.120 Purpose for imposition of fees.**
- 12.08.130 Street Cuts – New Streets – Procedures, Fees, and Exceptions.**

*For the statutory provisions regarding the control of code cities over their streets, see Chapter [35A.47](#) RCW.

12.08.010 Purpose.

The indiscriminate and uncontrolled performance of work within the right-of-way of public streets, alleys, sidewalks and other public ways, by persons using unsafe material and/or improper methods, is hazardous to the health, safety and welfare of persons using such streets, alleys, sidewalks and other public ways, and is costly to the city in subsequent repairs and/or maintenance. In order to be assured that all work performed by persons within such streets, alleys, sidewalks and other public ways is in accordance with the minimum standards of the city, it is necessary that the city, in the exercise of its police power, establish regulations governing the same. (Ord. 2320 § 1, 1988; Ord. 791 § 1, 1955).

12.08.020 Definitions.

The following terms when used in this chapter shall be construed to mean as follows:

- (1) “Alley” means a duly dedicated public alley;
- (2) “Person” means the plural as well as the singular, and shall include any partnership, association, group or corporation;
- (3) “Right-of-way” means all real property owned or held by the city in fee, or by way of easement, or dedicated to the public and located within the city, and used or intended for use as a street, alley, sidewalk, public way or easement for public or private utilities, whether developed or undeveloped;
- (4) “Sidewalk” means a concrete walk for pedestrian use outside the building lot line of any property owner and constructed for use by the general public;
- (5) “Street” means a duly dedicated public street. (Ord. 2320 § 1, 1988; Ord. 791 § 2, 1955).

12.08.030 Permit required.

No public alley, sidewalk, street, public way or right-of-way within the city, whether the same is developed or undeveloped, shall hereafter be constructed, altered, maintained or repaired, nor shall any construction work, alteration, maintenance or repair work be performed within the area of any such public alley, sidewalk, street, public way or right-of-way, without a written permit therefor being first duly obtained from the office of the city engineer. The terms "constructed, altered, maintained or repaired," shall, for purposes of this chapter, be deemed to include the excavation of soils and the construction of embankments necessary or desirable to facilitate the installation, repair, replacement, maintenance or removal of any utility lines, driveways, curbs, drains or other structures, services or improvements. (Ord. 2320 § 1, 1988; Ord. 791 § 3, 1955).

12.08.040 Joint permits.

In those instances where such construction, alteration, maintenance or repair work is to be performed by two or more persons, only one permit shall be required. The cost for such permit shall be the obligation of the applicant, and the applicant shall be responsible for compliance with all of the terms of such permit, including any subsequent repairs deemed necessary to correct defective work as provided in LMC [12.08.090](#). (Ord. 2320 § 1, 1988; Ord. 791 § 4, 1955).

12.08.045 Co-locations of underground communications wires, cables and television cables and other connective devices.

(1) Any person, firm or corporation hereafter seeking to install underground cables, wires, or other connective devices within, across, along, under or through any right-of-way for communications purposes or for cable television purposes shall:

(a) Install conduit in such a diameter as shall be determined by the city engineer as being capable of accommodating cables or wires of additional other communications service providers and/or cable television; and/or

(b) Place their cables and/or wires into existing conduit that has been installed to accommodate cables and/or wires of multiple providers of communications service and/or cable television;

(c) Direct burial shall not be allowed. All underground cables or wires shall be placed in conduit of the material, size, and alignment prescribed by the city engineer.

(2) In the event that underground conduit installed to accommodate multiple providers of communications service and/or cable television is used for the installation of cables or wires of an additional provider or providers, the initial installer of such conduit shall be entitled to charge to and recover from such other users of such conduit prior to their installation of cables

or wires, a one-time charge of an amount which is equal to but not in excess of any additional cost incurred by such installer (not including any permit fees or inspection fees) of conduit of the actual installed size as compared with the cost of the size of conduit necessary to accommodate only the cables or wires of such installer; provided, however, that this subsection shall only be applicable to subsequent installations of cables or wires that occur within 36 calendar months after the initial installation of such conduit.

This section shall be inapplicable in instances where the placement of such wires or cables will interfere with other wires or cables as determined in writing by an independent electronic/communications engineer. (Ord. 2659 § 2, 1997).

12.08.050 Exemptions.

No permit shall be required for the following:

- (1) Construction or maintenance projects undertaken by a utility or the city pursuant to a contract between the city and its contractor; or construction or maintenance projects undertaken by city departments;
- (2) Work allowed and approved by other permits issued by the city;
- (3) The planting or maintenance of decorative vegetation within a right-of-way, including street trees as they may be regulated by law; provided, that vegetation in a right-of-way is subject to removal at any time by order of the city engineer, without liability for damages to the person owning the vegetation;
- (4) Those uses which the city engineer finds to be of a minor nature, for which a permit is not justified; and
- (5) Emergency repairs to existing facilities. (Ord. 2320 § 1, 1988; Ord. 791 § 5, 1955).

12.08.060 Application – Fees.

Permits pursuant to this chapter shall be issued by the office of the city engineer, upon receipt of a written application therefor, and upon the payment of the required permit fees. The application shall be on a form provided by the office of the city engineer, and shall require the following minimum information:

- (1) The name and address of the applicant, and, if the applicant is a corporation or similar entity, the name and address of its agent;
- (2) A description of the intended work to be performed, the anticipated commencement and ending construction dates;

(3) Plans for the proposed work, or, in the event of minor work as determined by the city engineer, a sketch in a format satisfactory to the city engineer's office. Whenever applicable, standard plans adopted by the city or included in the current edition of the APWA Standard Specifications shall be used; provided, however, that plans are not required in advance of the performance of emergency repairs to existing installations or for the replacement or substitution of cables or wires in existing underground or overhead installations; provided further, that such plans shall be submitted within 72 hours following the completion of such work. (Ord. 2659 § 3, 1997; Ord. 2320 § 1, 1988).

12.08.070 Minimum standards – Special conditions.

All work to be performed in accordance with this chapter shall conform to the minimum requirements of the Standard Specifications for Public Works, as adopted in Chapter [14.04](#) LMC. In addition, the city engineer, in order to maintain the integrity of existing improvements and to provide for public health, safety and welfare, may impose such additional terms upon such permits as he shall deem necessary. Such conditions may be modified, if conditions warrant, during the life of such permit. (Ord. 2320 § 1, 1988).

12.08.080 Permit fee.

Fees for permits issued pursuant to this chapter shall be as determined by resolution of the city council. (Ord. 2320 § 1, 1988).

12.08.090 Failure to comply with permit –Work stoppage – Revocation of permit – Damages.

In the event that a permit holder should, in the performance of work under such permit, fail to comply with the terms thereof, or perform the work in accordance with such terms, the city engineer may order that all work pursuant to such permit be halted until compliance with such permit; if, within 30 days after the stoppage of work, the permit holder has not complied with the permit terms, the city engineer may revoke the permit. In the event that it is necessary for the city to perform work to correct defective work or materials of any permit holder after revocation of such permit, the city shall have the right to recover from such permit holder the cost of the work performed by the city. (Ord. 2320 § 1, 1988).

12.08.100 Revocation of permit – Appeal.

Any action of the city engineer revoking a permit issued pursuant to this chapter shall be appealable to the city manager of the city within 10 days thereafter, which appeal shall be upon written notice to the city manager, and which appeal shall be considered within 10 days after receipt thereof by the city manager. In the absence of the city manager, such appeal procedure shall be directed to the assistant city manager/director of public works. (Ord. 2320 § 1, 1988).

12.08.110 Liability for defective work.

In the event that any work performed pursuant to this chapter should be improperly performed, or should become defective within one year after the termination of the permit or the conclusion of the work, the person to whom the permit was issued shall be responsible for correcting such defective work, or paying the cost of such correction. Defective work shall include, but not be limited to, settlement within the areas of excavation or embankment, or pavement failure. Upon notification of the existence of such defective work, the holder of such a permit shall take immediate steps to remedy such defective work. (Ord. 2320 § 1, 1988).

12.08.120 Purpose for imposition of fees.

The fees for permits under this chapter shall not be deemed to be fees for use of streets, alleys, sidewalks or other public ways. The fees imposed pursuant to this chapter are for the sole purpose of administration of this chapter and to pay the cost of inspections necessitated by work performed under the terms of this chapter. (Ord. 2320 § I, 1988).

12.08.130 Street Cuts – New Streets – Procedures, Fees, and Exceptions.

(1) Excavation in City Streets within Five (5) Years of Street Paving Prohibited. No permit shall be issued for any openings, cuts or excavations in any city street for a period of five (5) years following the date such street was paved or repaved, except as provided in this section.

(2) Notification of Intent to Pave.

- a. Whenever paving or repaving of any city street is authorized, the Director of Public Works shall promptly mail written notice thereof to the following:
 - i. Each person owning any sewer, water, conduit, or other utility in or under said street or any real property, whether improved or unimproved, abutting said street;
 - ii. The owner of record of real property abutting said street;

- iii. Any applicable state or local agencies;
- iv. Holders of franchise agreements with the city allowing utilities in any public right-of-way within the city;
- v. City departments that may need to perform work within the affected street;
and
- vi. All other persons who register with the City Clerk to receive such notice.
- b. The notice shall state that no excavation permit shall be issued for openings, cuts or excavations in said street for a period of five (5) years after the date of completion of paving or repaving. The notice shall also state that applications for permits to excavate prior to such paving or repaving shall be submitted promptly in order that the work covered by the permit may be completed by the deadline established for such work by the Director of Public Works.
- c. Notice shall be provided to those parties specified in subsection 2.a of this section upon:
 - i. Commencement of City designed paving or repaving project.
 - ii. City execution of a design contract for a specific paving or repaving project.
 - iii. City approval of the development permit or permits necessary to undertake all other paving or repaving projects.
- d. In addition to any notice required under this subsection 2, following adoption of the annual Transportation Improvement Program (TIP) by the City Council, the Director of Public Works shall promptly provide notice thereof to all city franchise holders.

- (3) Deadline for Work. All utility work that must be accomplished prior to a paving or repaving project shall be completed by the date of city authorization of the construction contract for the project, or, in the case of noncity projects, upon city issuance of a right-of-way permit for the paving or repaving. The Director of Public Works may set a later deadline if the Director determines that allowing more time will not interfere with the planned work.
- (4) Exceptions. No permit for excavation shall be issued within the five (5) year period after expiration of the deadline, unless the Director of Public Works determines that:
- a. Denying the permit would work an undue hardship on the person applying for the permit and the need for the excavation could not have been reasonably anticipated before expiration of the deadline;
 - b. An emergency exists that requires such an excavation to protect the public health, safety or welfare;
 - c. The excavation is required to provide new services to new buildings or new residences constructed subsequent to the completion or resurfacing of the public right-of-way that were not reasonably anticipated to be constructed and in need of the services at the time of the completion or resurfacing of the public right-of-way involved;
 - d. The applicant can install the utility under the street in a manner that shall not disturb the integrity or surface of the street; or
 - e. Work for which the city's denial of a permit would violate state, local, or federal law

(5) Fees for Street Cuts within the Five (5) Year Period. Any street use permit issued pursuant to subsection D of this section shall require an additional fee as follows:

- a. Ten thousand dollars (\$10,000) if the cut is made within one (1) year after the street has been overlaid;
- b. Eight thousand dollars (\$8,000) if the cut is made within two (2) years after the street has been overlaid;
- c. Six thousand dollars (\$6,000) if the cut is made within three (3) years after the street has been overlaid;
- d. Three thousand five hundred dollars (\$3,000.00) if the cut is made within four (4) years after the street has been overlaid; and
- e. One thousand five hundred dollars (\$1500.00) if the cut is made within five (5) years after the street has been overlaid.

Fees collected shall be deposited into the Arterial Street Fund (ASF.)

(6) Excavation by City Departments. Every city department or official responsible for any work that may require any opening, cut or excavation in a street is directed to take appropriate measures to perform such excavation work within the deadline set by the Director of Public Works.

(7) Appeals. In the event that the Director of Public Works denies an application, the applicant's remedy shall be to appeal to the City Hearing Examiner. The applicant shall file a written notice of appeal with the City Clerk within fifteen (15) days from the date of receipt of the denial of the excavation permit application. The appeal notice shall state the specific reasons for objection to the decision of the Director of Public Works. Additionally, the appeal notice shall include the specific exemption or exemptions from

Section 4 of this ordinance that applicant believes applies to their application. Appeal notices not containing this information shall be returned to the applicant, who will then have seven (7) days to address deficiencies in their appeal. The Hearing Examiner shall set a date to hear the applicant's appeal and conduct a hearing on the applicant's appeal within forty-five (45) days of the date the City Clerk received the complete notice of appeal.

Section 2. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 3. That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 4. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 5. This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this 23rd day of August, 2022.

Approved by the Mayor this 23rd day of August, 2022.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

James J. McNamara
City Attorney

Published: _____



City of Longview

Agenda Summary

PUBLIC HEARING- ALLOCATION OF HOME AMERICAN RESCUE PLAN (HOME-ARP) FUNDS TO PROJECTS

RECOMMENDED ACTION:

- 1) HOLD A PUBLIC HEARING ON 2022 LONGVIEW HOME-ARP PROGRAM APPLICATIONS**
- 2) MOTION TO ALLOCATE FUNDS**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Address quality of place issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The Longview-Kelso HOME Consortium received a special HOME award through HUD of \$1,326,277. This special one-time award is offered through the 2021 federal American Rescue Plan (ARP), which provides \$5 billion to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability across the country. These grant funds will be administered through HUD's HOME Investment Partnerships Program (HOME).

The portion of funds available for projects in Longview is \$746,030, and for Kelso is \$248,676. The balance is available for administration of the grants.

Longview	\$746,030
Kelso	\$248,676
Administration	\$198,941
CHDO	<u>\$132,627</u>
=	\$1,326,274

The purpose of this hearing is to go over applications for the Longview and CHDO portions of the HOME-ARP program.

2022 HOME-ARP Projects: Projects are available for review at: <https://mylongview.app.box.com/v/CDBG-HOME-DOCFees>

RECOMMENDED ACTION:

- 1) Hold a public hearing on 2022 Longview HOME-ARP program applications.**
- 2) Motion to allocate funds:**

STAFF CONTACT:

McAllister Kosar, Planner
Adam Trimble, Planning Manager

Attachments:

- 1. 2022 HOME-ARP Application Summaries Longview-Kelso programs**
- 2. HOME ARP Stakeholder letter 2022 overview attachment**
- 3. HOME-ARP Public Hearing Presentation**

City of Longview
2022 Longview and Kelso HOME-ARP Program
Application Summaries

HOME-ARP Program

The cities of Longview & Kelso have received a special allocation of the federal HOME Investment Partnership Program through the 2021 American Rescue Plan in the amount of \$1,326,274. The cities cooperate as the Longview-Kelso HOME Consortium to receive federal housing grants from the U.S. Department of Housing and Urban Development (HUD).

2022 HOME-ARP project applications:

- **Longview funding will be approximately \$746,030 Longview Funding Requested: \$1,104,680**
 - Housing Opportunities of Southwest Washington (HOSWWA) *Proposed development of 40 units affordable rental housing with permanent supportive services* \$746,030
 - Community House on Broadway (CHOB) *Proposed case management, substance use disorder services, outreach services* \$358,650
- **Community Housing Development Organization (CHDO) Development & Operating Expenses funding will be approximately \$132,627 CHDO Funding Requested: \$132,627**
 - *Lower Columbia CAP (LCCAP) new affordable rental housing* \$132,627 (CHDO) in combination with previous CHDO allocations
- **Kelso funding will be approximately \$248,676 Funding Requested: _____**
 - *Project* \$ _____

Kelso City Council HOME-ARP
Public Hearing/Project Selection
September 20, 2022 at 6:00 pm

Longview City Council HOME-ARP
Public Hearing/Project Selection –
August 23, 2022 at 6:00 PM

All 2022 applications online at: <https://mylongview.box.com/v/CDBG-HOME-DOCFees>
All project summaries will be available for public review one week prior to their public hearing. For more information, technical assistance, and Project Design Forms Contact McAllister Kosar, 360.442.5083, 7 AM – 6 PM, Monday through Thursday. E-mail: mcallister.kosar@ci.longview.wa.us
See the following link for more information: www.mylongview.com search ‘Home-arp program’



HOME-ARP Program:

Overview of Allocation Plan, Longview-Kelso HOME Consortium

About the Funding:

The Longview-Kelso HOME Consortium has received a federal allocation of \$1.3M through the HOME Investment Partnerships American Rescue Plan Program (HOME-ARP) from the U.S. Dept. of Housing and Urban Development (HUD). The purpose of this funding is to assist individuals or households who are homeless, at risk of homelessness, and other vulnerable populations, by providing housing, rental assistance, supportive services, and non-congregate shelter, to reduce homelessness and increase housing stability.

The LVK Consortium must engage in consultation and public participation processes and develop a HOME-ARP Allocation Plan to receive the funds. The Plan will describe how the Consortium intends to distribute HOME-ARP funds, including how it will use these funds to address the needs of HOME-ARP qualifying populations. The Consortium will submit the HOME-ARP Allocation Plan to HUD as a substantial amendment to the Fiscal Year 2022 Annual Action Plan for HUD review and acceptance.

HOME-ARP funds can be used for four eligible activities:

- Production or Preservation of Affordable Housing
- Tenant-Based Rental Assistance (TBRA)
- Supportive Services, Homeless Prevention Services, and Housing Counseling
- Purchase and/or Development of Non-Congregate Shelter

Qualifying Populations:

- Homeless (McKinney-Vento definition)
- At-risk of homelessness (McKinney-Vento definition)
- Fleeing/attempting to flee domestic violence, dating violence, sexual violence, trafficking
- Other populations for whom supportive services would prevent homelessness or serve those at greatest risk of housing instability
- Veterans and families with a veteran member that meet one of the above criteria

Stakeholder engagement:

- Agencies and service providers whose clientele include HOME-ARP qualifying populations must be consulted.
- Residents must have reasonable notice and an opportunity to comment on the Plan (at least 15 days).

What we need from YOU:

- Input on unmet needs and gaps in the current system
- Information on any projects in development that may benefit from HOME-ARP fund
- Support in identifying priority needs

HOME-ARP Allocation Plan Timeline:

Project Completion / Expenditure Deadline: June 2030

Date (subject to change.)	Activity / Deliverable	Details
July 14- August 8, 2022	Stakeholder outreach Stakeholder meeting July 27th, 10am City Hall Training Room/Zoom option	• Initial stakeholder outreach • Needs Assessment & Gap Analysis • Data collection • Summarize and draft feedback
July 25 - August 16	Request for Proposals	• Applications for funding sought
August 8-23 2022	Public Notice of Draft Allocation Plan	• 15-Day Public Notice of Allocation Plan • Revisions based on public participation and feedback
August 23,2022 September 20, 2022	Longview City Council Public Hearing on Allocation Plan Kelso City Council Public Hearing on Allocation Plan	• Proposed distribution across eligible activities • Not anticipated to be project specific
October 2022	Allocation Plan Certifications and Submission to HUD	

Link to RFP, DRAFT PLAN, etc : <https://mylongview.app.box.com/v/CDBG-HOME-DOCFees>

Questions?

Adam Trimble

360.442.5092

adam.trimble@ci.longview.wa.us

McAllister Kosar

360.442.5083

mcallister.kosar@ci.longview.wa.us



HOME-ARP Program

Public Hearing

Presented by: Planning Staff, City of Longview WA
McAllister Kosar, Planner; Adam Trimble, Planning Manager



August 2022

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ABOUT THE FUNDING 4

American Rescue Plan (ARP) provides \$5 billion for homelessness assistance and assistance to other vulnerable populations to:

- ▶ Provide **capital investment** for permanent rental housing;
- ▶ **Upgrade available stock of shelter** to include non-congregate shelter; and
- ▶ Provide **tenant-based rental assistance and supportive services**.

Consortium allocation:

\$1.3 Million

"This is an unprecedented investment in long-term housing for your homeless. Use it."

- Dept. of Housing and Urban Development (HUD)

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FUNDING FOR EACH CITY

▪ Longview	\$746,030
▪ Kelso	\$248,676
▪ Administration	\$198,941
▪ CHDO	<u>\$132,627</u>
▪ =	\$1,326,274

• * CHDO (Community Housing Development Organization)

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HOME-ARP ALLOCATION PLAN TIMELINE

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Date (subject to change.)	Activity / Deliverable	Details
July 14- August 8, 2022	Stakeholder outreach Stakeholder meeting July 27th, 10am City Hall Training Room/Zoom option	- Initial stakeholder outreach - Needs Assessment & Gap Analysis - Data collection - Summarize and draft feedback
July 25 - August 16	Request for Proposals	Applications for funding sought
August 8-23 2022	Public Notice of Draft Allocation Plan	15-Day Public Notice of Allocation Plan - Revisions based on public participation and feedback
August 23, 2022 September 20, 2022	Longview City Council Public Hearing on Allocation Plan Kelso City Council Public Hearing on Allocation Plan	- Proposed distribution across eligible activities - Not anticipated to be project specific
October 2022	Allocation Plan Certifications and Submission to HUD	

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SUMMARY OF CONSULTATION/OUTREACH

- Consultation outreach to roughly 60 specific individual Stakeholders and mailed to 20 addresses.
- Stakeholder Input Meeting held (July 27th) included 14 members of the Community, being primarily Housing Authorities, Non-profits, and Community Housing Development Organizations.
 - Comments were received from each attendee, mainly in verbal form
- Staff have received public comments through phone, mail, and email
- Comments were heard about the needs of many **Qualifying Populations** (Youth, Families, Elderly, Veterans, Homeless)
- Comments were heard about possible **Eligible Projects** (Rental Housing, Rehabilitation, Homeless Services, Rent Assistance)
- Gap/takeaway: Need for units of and for all populations, and possible eligible projects

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HOME-ARP FUNDS CAN BE USED FOR FOUR ELIGIBLE PROJECTS:

Production or Preservation of Affordable Housing

Tenant-Based Rental Assistance (TBRA)

- Housing Opportunities of Southwest Washington (HOSWWA) *Proposed development of 40 units affordable rental housing with permanent supportive services \$746,030*
- Lower Columbia CAP (LCCAP) *Proposed new affordable rental housing \$132,627 (CHDO) in combination with previous CHDO allocations*

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HOME-ARP FUNDS CAN BE USED FOR FOUR ELIGIBLE PROJECTS:

**Purchase and/or
Development of Non-
Congregate Shelter**

**Supportive Services,
Homeless Prevention
Services, and Housing
Counseling**

Community House on Broadway (CHOB)
*Proposed case management, substance use
disorder services, outreach services*
\$358,650

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QUALIFYING POPULATIONS

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Homeless
(McKinney-Vento
definition)

**At-risk of
homelessness**
(McKinney-Vento
definition)

Fleeing/attempting to flee:

- Domestic violence
- Dating violence
- Sexual violence
- Trafficking

Other populations
for whom supportive services
would prevent homelessness or
serve those at greatest risk of
housing instability.

**Veterans and families
with a veteran member**
that meet one of the other criteria.

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OVERVIEW OF APPLICATIONS

2022 HOME-ARP project applications:

- **Longview funding will be approximately \$746,030 Longview Funding Requested: \$1,104,680**
 - Housing Opportunities of Southwest Washington (HOSWWA) Proposed development of 40 units affordable rental housing with permanent supportive services \$746,030
 - Of the 40 units at the project, 20 units will be reserved for homeless households, 20 units will be reserved for families with children. Of the total unit mix, 3 units will be reserved for households fleeing domestic violence, and 10 units will be for elderly members.
 - Staff notes that local funding could contribute to between 6 and 8 of the units
 - Community House on Broadway (CHOB) Proposed case management, substance use disorder services, outreach services \$358,650
 - CHOB proposes to serve 260 residents with case management, 10 with substance use disorder services, and 300 with outreach services

All 2022 applications online at: <https://mylongview.box.com/v/CDBG-HOME-DOCFees>

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OVERVIEW OF APPLICATIONS

2022 HOME-ARP project applications:

- **Community Housing Development Organization (CHDO) Development & Operating Expenses funding will be approximately \$132,627 CHDO Funding Requested: \$132,627**
 - Lower Columbia CAP (LCCAP) new affordable rental housing \$132,627 (CHDO) in combination with previous CHDO allocations
 - Staff notes that LCCAP has completed two affordable triplexes in the last 6 years with CHDO funding

All 2022 applications online at: <https://mylongview.box.com/v/CDBG-HOME-DOCFees>

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STAFF RECOMMENDATION #1

- Fully fund as applied
 - \$746,030 to HOSWWA
 - \$132,627 to LCCAP
 - Both requests support the consolidated plan Goal 1: Increase Affordable Housing Supply
 - Housing for those without homes including chronically homeless, families, veterans, and those fleeing domestic violence
 - Rental housing affordable to extremely to very low-income households (<30% AMI to 60% AMI)

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STAFF RECOMMENDATION #2

- Mixed funding to applicants
 - \$557,896 to HOSWWA
 - \$188,134 to CHOB
 - \$132,627 to LCCAP
 - *HOSWWA referenced project feasibility with \$557,896, leaving \$188,134 to allocate to CHOB
 - CHOB application requests \$185,760 for case management to 260 residents, which is supported by the consolidated plan Goal 3 "provide services to improve housing and economic outcomes".
 - Motion to award funds to _____ for _____/Staff recommendation

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COMMENTS & QUESTIONS

All comments will be recorded and submitted to HUD.

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THANKYOU!



For More Information, Visit

<https://mylongview.box.com/v/CDBG-HOME-DOCFees>

As we have updates we will post on our website.



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City of Longview

Agenda Summary

SECOND ROUND - NEIGHBORHOOD PARK GRANT APPLICATIONS

RECOMMENDED ACTION:

MOTION TO APPROVE THE PARK AND RECREATION ADVISORY BOARD'S FUNDING RECOMMENDATION

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Preserve and enhance neighborhoods

Address quality of place issues

CITY ATTORNEY REVIEW: REQUIRED or N/A

SUMMARY STATEMENT:

The Neighborhood Park Grant Program is a capital program (budgeted in the capital projects fund) initiated by the City Council as a means of giving community groups the opportunity to improve and invest in their parks, and the city the ability to stretch its capital funds. Annually since 1997, the Parks and Recreation Advisory Board has evaluated applications from neighborhood and community groups, sports organizations, service clubs, schools, and individuals wishing to invest in a project within the park system.

The board's recommendations are then presented to the council for final approval. Over the past 25 years, the annual allocation of \$25,000 has been used to fund a wide variety of projects. Along with whatever city funds are approved, project applicants are required to contribute a matching amount in cash and/or the value of paid labor and materials; in other words, they contribute out of pocket expenses for projects on at least a 1:1 ratio, and sometimes much more.

Applicants must complete their projects in entirety and then submit for reimbursement for out of pocket expenses up to 50% of the total cost of the project. Project applications are evaluated on the basis of community need, community impact (who will benefit from a project), extent of facility usage or availability during the year, project life span and cost-benefit, future maintenance requirements, readiness to proceed, partnering, enhancement of safety and security, and other factors. The parks board met in June to review applications for funding and are now submitting the recommendations. Copies of all of the applications received are also attached for the Council's information.

All the funds for the grant were not expended in April, leaving \$8,382 remaining, and the department opened up a second round of applications. This round there were two applications submitted for the Neighborhood Park Grant Program:

Longview Public Library | Archie Anderson Story Walk | Project Total \$6,865 | \$620

Mint Valley Racquet Complex | Court Resurfacing | Project Total \$34,916 | Requested \$8,400

The Longview Parks and Recreation Advisory Board is recommending the following for funding:
Longview Public Library - \$620

RECOMMENDED ACTION:

Motion to approve the Park and Recreation Advisory Board's funding recommendation for round two Neighborhood Park Grant Applicant

STAFF CONTACT:

Jennifer Wills, Parks and Recreation

Attachments:

1. 2022 NEIGHBORHOOD PARK GRANT PRESENTATION 2nd Round

2. Longview Public Library NPG 22
3. MVRC NPG #2
4. NPG Policy



NEIGHBORHOOD PARK GRANT PROGRAM

Overview of History,
Current Applications, and
Project Scopes

2022

Presented by **City of Longview Parks & Recreation Department**



History

02



ANNUALLY SINCE 1997



112 PROJECTS



\$606 IN MATCHING FUNDS



NPG POLICY & PROCESS

1ST ROUND APPROVED FUNDING REQUESTS

LONGVIEW SOCCER

\$3,285

LONGVIEW 23' CLUB

\$5,000

LONGVIEW GIRLS SOFTBALL

\$8,333



\$8,382 Remaining in Grant Fund Balance

2ND ROUND FUNDING REQUESTS

LONGVIEW PUBLIC LIBRARY

\$620

MINT VALLEY RACQUET COMPLEX

\$8,400



\$8,382 Remaining in Grant Fund Balance



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PROJECT 1



APPLICANT:

LONGVIEW PUBLIC LIBRARY

PROJECT NAME:

STORY WALK - ARCHIE ANDERSON

PROJECT COST/FUNDING REQUESTED:

\$6,865/\$620

FUNDING RECOMMENDED:

\$620

installation of a permanent story walk at Archie Anderson Park - 20 posts and sign holder spaced around the park where participants can walk and read the picture book page by page.



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PROJECT 2



APPLICANT:

MINT VALLEY RACQUET COMPLEX

PROJECT NAME:

COURT RESURFACING

PROJECT COST/FUNDING REQUESTED:

\$35,000/\$8,400

FUNDING RECOMMENDED:

NOT RECOMMENDED AT THIS TIME

This project would resurface all four indoor tennis/pickleball courts at the Mint Valley Racquet Complex.



RECOMMENDED ACTION

Motion to approve the Park and Recreation Advisory Board's funding recommendation for round two Neighborhood Park Grant Applicant



Longview Parks and Recreation Department Neighborhood Park Grant Application

Application deadline: June 14, 2022

PLEASE SUBMIT EIGHT (8) COPIES OF THIS APPLICATION AND
EIGHT (8) COPIES OF ANY SUPPLEMENTAL MATERIALS

Date	Project Name	Project Location
6/13/22	StoryWalk	Archie Anderson
Applicant (organization)	Contact Person and Title	
Longview Public Library	Becky Standal, Youth Services Librarian	
Are you a non-profit organization?		If yes, what is your IRS Tax ID#?
☐ Yes ☒ No government		
Address		City/State/Zip
11600 Louisiana St.		Longview, WA 98632
Daytime Phone	Evening Phone	Email Address
360.442.5323		becky.standal@ci.longview.wa.us

Project Description.

(Applicants are encouraged to attach additional pages including schematic drawings, site location drawings, maps, pictures, and photographs.)

Installation of a permanent StoryWalk - 20 posts and sign holders spaced about 40 steps apart. Participants can walk the StoryWalk to read a picture book page spread by page spread.

Project Relationship to Grant Rating and Instruction Criteria

(On a separate sheet of paper please explain how this project responds to the eight rating criteria listed in the application process. Addressing the eight criteria will enable the Parks and Recreation Advisory Board to evaluate the importance of the project against others that request funding. *Failure to address the criteria will result in an incomplete application and request denial.*)

- ☐ **Need:** Does the community have a need for this project? (Consider whether there are similar or complementary facilities in the area/community)
- ☐ **Community Impact:** Who will benefit from the project? Provide approximate number, range, and diversity of those likely to be served by or benefit from the project? Do they represent a significant underserved population?
- ☐ **Access:** Upon completion, what will the availability of the project be to the public during the year?
- ☐ **Financial Responsibility:** What is the potential life span of the project? What will the maintenance and replacement requirements of the project be, both immediate and long-term?
- ☐ **Cost Benefit:** Do the benefits outweigh the cost of the project? (Benefits include economic impact and community development, additional opportunities for play in the community, and reduction in youth related social problems.)
- ☐ **Compliance:** Does the project comply with the City of Longview's historic preservation plan, park and recreation comprehensive plan, and other city policy initiatives?
- ☐ **Readiness to Proceed:** How soon after the grant is approved can the project begin? (Discuss how quickly the applicant can complete the project by demonstrating availability of the required financial match; permits being secured; and availability of needed labor.)
- ☐ **Funding:** What are the applicant's potential sources of funding? (Please list all cash and in-kind goods and services) Are they already secured? Does the applicant identify partnership arrangements and what value does the partnership(s) bring to the project?

Project Budget and Funding

ESTIMATED BREAKDOWN OF THE PROJECT

Provide Quotes and List of Supplies	COST OF PAID SUPPLIES	\$ 6,865.00	%
Provide Quotes and Business Information	COST OF PAID SERVICES	\$	%
Provide Estimated Number and Hours	HOURS OF VOLUNTEER LABOR	\$	%
Provide Quotes and List of Supplies	COST OF DONATED SUPPLIES	\$	%
Provide Quotes and Business Information	COST OF DONATED SERVICES	\$	%

TOTAL COST OF THE PROJECT: \$ 6,865.00

TOTAL CASH/DONATIONS AT TIME OF APPLICATION - READINESS TO PROCEED

SECURED APPLICANT CASH:	\$ 6,245.00	%
*(Monetary value of all donations) SECURED APPLICANT DONATIONS:	\$	%
*(Monetary value: 1 Hour = \$15.00) VOLUNTEER LABOR DONATION COMMITMENT: *	\$	%

_____ # of Volunteers X _____ # of Hours Donated = _____ Total Hours of Volunteer Labor Donations

TOTAL OF SECURED FUNDING/DONATION FOR THE PROJECT: \$ 6,245.00

*** If the total of secured funding, including donations, does not equal the total cost of the project please provide below the timeline and steps that will be taken to ensure readiness to proceed.**

The grant funds requested would cover concrete and bark chips for installation of the posts in the fall.

APPLICANT REQUEST: 50% REIMBURSEMENT OF EXPENDED FUNDS

Applicants may use cash, in-kind donations and services, and volunteer labor hours to account for the total cost of the project. Matching grant funds are only available for reimbursement on actual expenditures spent on supplies and services and not on donated items or labor.

GRANT FUNDS REQUESTED FROM CITY OF LONGVIEW: \$ 620.00

ADDITIONAL PROJECT QUESTIONS

Will fees be charged in connection with using this project?

☐ Yes ☒ No

If yes, please describe:

Multi-year project?

☒ Yes ☐ No

(If yes, please describe)

Books changed out monthly, indefinitely

Anticipated Start Date:

Sept. 2022

Anticipated Date of Completion:

Application completed by (print and sign name)

Becky Standal

Title

Youth Services Librarian

Date

6/13/22

Please return this application by February 14, 2020 to:

**City of Longview
Parks and Recreation Department
2920 Douglas St.
Longview, WA 98632**

**PARKS &
RECREATION**
CITY OF LONGVIEW

This worksheet is to help you fill out the “Estimated Break Down” portion on the Project and Funding Page. Once all totals have been applied on the estimate worksheet, they can then be transcribed in the totals.

EXPENSES TO BE PURCHASED BY APPLICANT		
VENDOR	DESCRIPTION	COST
Pannier Graphics	20 StoryWalks Posts + shipping	\$5,660.00
Paperbacks Galore	Picture Books	\$585.00
Lowes	Concrete	\$120.00
Swansons	Bark Chips	\$500.00
	TOTAL	\$6,865.00

IN-KIND CONTRIBUTIONS - SUPPLIES AND/OR LABOR			
VENDOR	DESCRIPTION	VALUE	SECURED Y/N
WA State Library	ARPA Grant	\$6,245.00	Y
TOTAL		\$6,245.00	

Neighborhood Park Grant – StoryWalk

Early in 2022, library staff Jakob Collins and Joanne Dallas, on their own time as part of their graduate school capstone project, piloted a StoryWalk program in Longview. Before working at the library, Joanne worked 15 years as a Head Start preschool teacher and had become concerned about the limited outdoor experiences children in the area have. Many children did not regularly go on walks or play outside with their families. Jakob had worked four years in the youth services department at the library on literacy programs such as story time and summer reading. They combined their experience and expertise on StoryWalks, which both encourages outdoor experiences and promotes literature to young people.

StoryWalk deconstructs a picture book and reconstructs it on signs, spaced about 40 paces apart, along a path so that people can read a story as they take a walk. The concept was created by Anne Ferguson in Montpelier, Vermont in 2007 as a way to “promote physical activity, early literacy, and family time together in nature.”

Jakob and Joanne’s first StoryWalk was held at Lake Sacajawea Park between 2/21/22 and 3/7/22; the book was Fatima’s Great Outdoors by Ambreen Tariq. Their second StoryWalk was held on the library grounds and featured the book *Oi Frog!* by Kes Gray. Both StoryWalks included a survey component so they could collect data from participants. Between the two StoryWalks, they received 82 responses representing 186 participants. Of those that indicated their age, 40 were adults (aged 18-61), 16 kids (aged 3-12), 6 babies (aged 0-2), 6 seniors (over 62), and 2 teens (13-17). 100% of those asked said they would like a permanent StoryWalk in Longview.

The Library received ARPA grant funding from the Washington State Library, and the cost of materials for a permanent StoryWalk installation fit perfectly in with the parameters of the grant and what we had remaining after taking care of other funding needs. The grant cannot cover the costs of installation, however, which is why we are seeking a Neighborhood Park Grant. We are also hoping the process will formalize the project as a Parks/Library collaboration, knowing that this has been a priority of our City Council.

When looking at which park we would like to install a permanent StoryWalk in, library staff took a tour of various neighborhood parks with a few things in mind. We wanted the StoryWalk installed in a non-historic park, so compliance to historic preservation would not be an obstacle. We wanted the StoryWalk to be an extension of the library in an area that was difficult for us to reach because of geography or other barriers. We needed the StoryWalk to be along a path that was accessible to strollers and wheelchairs, and for the path to be about a half mile long. We wanted the StoryWalk to be in a walkable neighborhood that also had parking and/or a bus line available for people to visit who could not walk there. Lastly, we wanted the input of Parks staff and Parks Board members on their priorities on park amenities and growth. With all of this in mind, we decided on Archie Anderson Park.

The StoryWalk will be 20 posts and sign holders that each hold a spread of a picture book. Pannier Graphics, the vendor we are ordering the posts from, offers a ten-year guaranteed warranty. The picture books will be selected by library staff and changed out about once a month, also by library staff. We plan to select a diversity of picture books, in terms of age range, topic, tone, and representation that will reflect the children and families in our community. A portion of the ARPA grant funding will be to purchase a selection of picture books for the next year. We will seek funding from our Friends of the

Library group or the Longview Library Foundation for future picture books. To comply with copyright law, we will purchase multiple copies of the picture books and deconstruct them to lay them out in page spreads inside the sign holders along the path, rather than make copies. The sign holders are weather resistant and will be available and updated year-round.

The Library is ready to order the StoryWalk posts and sign holders immediately. We have spoken with Jennifer Wills on a timeline that would have them installed in the park in the fall, which works great for our schedule as well.

Longview Public Library
 1600 Louisiana St.
 Longview WA 98632

Contact: Jakob Collins
 Phone: (360) 442-5308
 Email: jakob.collins@ci.longview.wa.us
 Project: StoryWalk

Quantity	Description	Unit Price	Extended Price
20	Aluminum Single Pedestal StoryWalk Base for 24"w x 18"h Acrylic. Visual area will be 23"w x 17"h. Includes (1) 3" x 3" x 57" post. Pannier will include (2) pieces of clear acrylic. Customer will supply the insert. Removable extrusion to be attached with Machine Screws and Nuts. Frame will be bottom load. Frame will be on a 45-degree angle. Powder coated black or a standard NPS color - brown, dark brown or medium gray with a textured finish.	\$261.00	\$5,220.00

This product is weather resistant, but as it is not an embedded product, it is not weatherproof. For best results, Pannier recommends printing the story pages on synthetic paper and laminating the pages, leaving at least 1/8" of laminate surrounding all four sides of the page, before inserting between the acrylic sheets. Frequently changing the story will keep the pages looking fresh and visitors coming back for more!

Sale Amount:	\$5,220.00
Estimated Freight to 98632:	\$440.00
Total Amount:	\$5,660.00

TERMS AND CONDITIONS

- Bulk packed and one shipment.
- Prices effective for 90 days.
- Estimated freight does not include any special services such as a liftgate or delivery to a residential address. Freight will be delivered via an 18-wheeler truck.
- FOB: Gibsonia
- Delivery: 15-20 Business days after frame drawing approval.
- Net 30 Days



Pickup at Longview Lowe's

20 Items



Sakrete

80-lb High Strength Concrete Mix

Item #132022 Model #102809

[Save For Later](#) | [Remove](#)

20

\$109.40



Store Pickup

Available

FREE



Ship to Home

Unavailable



Truck Delivery

Available

Schedule your delivery during checkout



Start Secure Checkout



Longview Parks and Recreation Department Neighborhood Park Grant Application

Application deadline: February 11, 2022

**PLEASE SUBMIT EIGHT (8) COPIES OF THIS APPLICATION AND
EIGHT (8) COPIES OF ANY SUPPLEMENTAL MATERIALS**

Date	Project Name	Project Location
6/13/2022	MV Court Resurfacing	Mint Valley Racquet & Fitness
Applicant (organization)		Contact Person and Title
Mint Valley Capital Improvement Committee		Donnie Harlan / Committee Member
Are you a non-profit organization?		If yes, what is your IRS Tax ID#?
☐ Yes ☒ No		
Address		City/State/Zip
4004 Pennsylvanaia St		Longview, WA 98632
Daytime Phone	Evening Phone	Email Address
360-636-4770	360-430-5998	donnie@mintvalley.net

Project Description.

(Applicants are encouraged to attach additional pages including schematic drawings, site location drawings, maps, pictures, and photographs.)

This proposed project will be for the resurfacing of all indoor tennis/pickleball courts at the Mint Valley Racquet & Fitness Club (a city owned facility). In addition, there will be four permanent sets of pickleball lines installed (one per court). These courts have not been resurfaced for at least 30 years. The industry standard is between 8-10 years. This facility is used by the entire community. We recently hosted the Girls Sub District Tennis Tournament. We had nearly 300 people at the

Project Relationship to Grant Rating and Instruction Criteria

(On a separate sheet of paper please explain how this project responds to the eight rating criteria listed in the application process. Addressing the eight criteria will enable the Parks and Recreation Advisory Board to evaluate the importance of the project against others that request funding. *Failure to address the criteria will result in an incomplete application and request denial.*)

- ☐ **Need:** Does the community have a need for this project? (Consider whether there are similar or complementary facilities in the area/community)
- ☐ **Community Impact:** Who will benefit from the project? Provide approximate number, range, and diversity of those likely to be served by or benefit from the project? Do they represent a significant underserved population?
- ☐ **Access:** Upon completion, what will the availability of the project be to the public during the year?
- ☐ **Financial Responsibility:** What is the potential life span of the project? What will the maintenance and replacement requirements of the project be, both immediate and long-term?
- ☐ **Cost Benefit:** Do the benefits outweigh the cost of the project? (Benefits include economic impact and community development, additional opportunities for play in the community, and reduction in youth related social problems.)
- ☐ **Compliance:** Does the project comply with the City of Longview's historic preservation plan, park and recreation comprehensive plan, and other city policy initiatives?
- ☐ **Readiness to Proceed:** How soon after the grant is approved can the project begin? (Discuss how quickly the applicant can complete the project by demonstrating availability of the required financial match; permits being secured; and availability of needed labor.)
- ☐ **Funding:** What are the applicant's potential sources of funding? (Please list all cash and in-kind goods and services) Are they already secured? Does the applicant identify partnership arrangements and what value does the partnership(s) bring to the project?

Project Budget and Funding

ESTIMATED BREAKDOWN OF THE PROJECT

Provide Quotes and List of Supplies	COST OF PAID SUPPLIES	\$	%
Provide Quotes and Business Information	COST OF PAID SERVICES	\$34,916.30	%
Provide Estimated Number and Hours	HOURS OF VOLUNTEER LABOR	\$	%
Provide Quotes and List of Supplies	COST OF DONATED SUPPLIES	\$	%
Provide Quotes and Business Information	COST OF DONATED SERVICES	\$	%
TOTAL COST OF THE PROJECT:		\$34,916.30	

TOTAL CASH/DONATIONS AT TIME OF APPLICATION - READINESS TO PROCEED

SECURED APPLICANT CASH:	\$34,916.30	% 100
*(Monetary value of all donations) SECURED APPLICANT DONATIONS:	\$	%
*(Monetary value: 1 Hour = \$15.00) VOLUNTEER LABOR DONATION COMMITMENT: *	\$	%
_____ # of Volunteers X _____ # of Hours Donated = _____ Total Hours of Volunteer Labor Donations		

TOTAL OF SECURED FUNDING/DONATION FOR THE PROJECT: \$

* If the total of secured funding, including donations, does not equal the total cost of the project please provide below the timeline and steps that will be taken to ensure readiness to proceed.

APPLICANT REQUEST: **50%** REIMBURSEMENT OF EXPENDED FUNDS

Applicants may use cash, in-kind donations and services, and volunteer labor hours to account for the total cost of the project. **Matching grant funds are only available for reimbursement on actual expenditures spent on supplies and services and not on donated items or labor.**

GRANT FUNDS REQUESTED FROM CITY OF LONGVIEW: \$ 8,400

ADDITIONAL PROJECT QUESTIONS

Will fees be charged in connection with using this project?

☐ Yes ☒ No

If yes, please describe:

Multi-year project?

☐ Yes ☒ No

(If yes, please describe)

Anticipated Start Date:

8/15/2022

Anticipated Date of Completion:

8/30/2022

Application completed by (print and sign name)

Donald D Harlan

Donald D Harlan

Title

Committee Member

Date

6/13/2022

Please return this application by February 11, 2022 to:

City of Longview
Parks and Recreation Department
2920 Douglas St.
Longview, WA 98632

NEIGHBORHOOD PARK GRANT PROGRAM ESTIMATE WORKSHEET



ORGANIZATION: Mint Valley Capital Improvement Committee

PROJECT NAME: Mint Valley Tennis Court Resurfacing

This worksheet is to help you fill out the "Estimated Break Down" portion on the Project and Funding Page. Once all totals have been applied on the estimate worksheet, they can then be transcribed in the totals.

Please summarize all of your **estimated project expenses** in the table below. (Out of Pocket Expenses)
Attach all quotes/invoices that coincide with each line item.

EXPENSES TO BE PURCHASED BY APPLICANT		
VENDOR	DESCRIPTION	COST
Pacific Ace	Resurfacing 4 Tennis Courts	\$34,916.30 Including Tax
TOTAL		

Please summarize **all donations of goods and services estimated** for the project.
Please indicate if they have been secured or if you will be seeking out the donation.

IN-KIND CONTRIBUTIONS - SUPPLIES AND/OR LABOR			
VENDOR	DESCRIPTION	VALUE	SECURED Y/N
TOTAL			

DATE	PRINTED NAME	WORK DESCRIPTION	HOURS COMMITTED	SIGNATURE
				TOTAL NUMBER x \$15.00

TOTAL PROJECT SUMMARY	
A.	TOTAL EXPENDITURES \$
B.	TOTAL IN-KIND DONATIONS \$
C.	TOTAL VOLUNTEER LABOR \$
TOTAL PROJECT COST: \$34916.30	

TOTAL REQUEST FOR REIMBURSEMENT	
REQUEST:	\$8,400

ORGANIZATION NAME	PRINTED NAME:	SIGNATURE:	DATE:
Mint Valley Capital Improvement Committee	Donald D Harlan		6/13/2022

Grant Application

Mint Valley Racquet and Fitness Club

Court resurfacing project for the four indoor tennis/pickleball courts

Need: The Mint Valley Racquet and Fitness Club (herein after called MVR&F) houses the ONLY indoor tennis/pickleball courts in Cowlitz county. The next closest facility is located in Vancouver (Clark County) more than 40 miles away. The MVR&F facility was built in 1978 and needs major updates to the bathrooms, locker rooms and resurfacing of the courts. While these improvements are much needed, our next step in renovations and most important need is the resurfacing and repair of the four indoor tennis/pickleball courts. It has been 30 years or more since the MVR&F have been resurfaced. The industry standard for resurfacing courts is approximately 8-10 years. The courts at Mint Valley are 20+ years overdue. The photo page that is included in this packet, show in photo #1 (top photo) what the new proposed surface would look like. In photos 2 & 3, they show the current status of the facility. The middle photo shows the wear that the surface has taken over the last 30 years. It is so worn that the original brown color surface that was installed when the facility was built in 1978 is showing through the very faded red perimeter.

First and foremost, given the age of the surface on the four indoor courts, they have become extremely fast. The ball skids and slides on the surface making it difficult to play and react to. This is very difficult for our aging seniors and consequently makes tennis rallies shorter and the game much more difficult to play. In addition to difficult play, our aging court surfaces have become so worn that traction is minimal and may allow for slipping or falling when playing tennis or pickleball. Furthermore, the aging court surface has begun to wear through to the prior surface color which was brown. The courts at Mint Valley are currently red and green. The aging courts are stained from prior roof leaks and bird poop which was problematic before the exterior siding was replaced. Prior to the siding repair, various animals infiltrated the building.

The membership and other tennis/pickleball enthusiasts at Mint Valley have generously donated several thousands of dollars to assist in seeing the projects listed above come to fruition. We are seeking matching funds to allow these donated dollars to go as far as possible and bring Mint Valley back to the gem it once was.

Community Impact: The four indoor courts at MVR&F support tennis and pickleball for members and non-members alike. In addition, there are courts for racquetball and wallyball and a full collection of exercise and fitness equipment. The MVR&F club is surrounded by residential areas and is within walking distance to Mint Valley Elementary School. The indoor tennis facility is home to all three local high schools' tennis programs and provides courts for both boy's and girl's practices, matches and district tournaments. In addition, MVR&F hosts 4-6 U.S. Tennis Association Jr. Tennis Tournaments which bring players and families from Washington, Oregon, Idaho and as far away as Canada to the Longview area. MVR&F provides yearly USTA league play for adults ages 18 and over, children's and junior tennis lessons, pickleball tournaments, fund raising events for local and regional charities, and a variety of much needed fun and fitness activities for the Longview community.

Access: MVR&F remains open to the public year-round. The facility is open to members and non-members alike. All are welcome.

Financial Responsibility: The new court surfacing will last approximately 8-10 years per industry standards. Of course, it can be in place as long as the prior surface 30+ years. This resurfacing will encompass a four-coat system and should be much more durable than the prior resurfacing done 30 years ago.

Cost Benefit: The health and safety of the public using MVR&F is paramount, and creating safe tennis court surfaces for our members and nonmembers is important. In addition, with the tennis court resurfacing, we will be creating 2 additional permanent pickleball court lines. This will create 4 pickleball courts in total. Having safe tennis and pickleball court surfaces is imperative for all court users, particularly our seniors.

Compliance: The health, safety and fitness of all people using Longview Park facilities is the prime goal and objective of all City Parks Plans. It is the responsibility of the city to maintain these facilities in a proper, safe and updated fashion. The most recent Parks and Recreation Comprehensive Plan of 2016 actually failed to mention the needs and community contributions of the MVR&F facility. The first mention of the facility wrapped it together with the Mint Valley Golf Course, but all subsequent community questionnaires and surveys just referenced the "Golf Course" itself. The specific and unique needs of the MVR&F were neither identified nor planned for. The Plan has goals and objectives for the Golf Course (Section 2.7), but nothing with regards to MVR&F. Furthermore, the MV Golf Course has an Advisory Committee to represent its needs, but MVR&F does not have such a voice. This may help explain the lack of attention and backlog of maintenance needed at the MVR&F facility.

Readiness to Proceed: We will be able to proceed with this project as contractor's schedule allows. The summer months are the best times for resurfacing as the hot summer days add to the drying and curing of the new surface. Our goal is to have this project scheduled and completed by the end of August.

Funding: Cash on hand and donations: \$34,916.30 (friends, businesses, tennis/pickle aficionados)

Thank you for your time in considering the tennis facility for this grant.



LONGVIEW PARKS AND RECREATION DEPARTMENT

NEIGHBORHOOD PARK GRANT POLICY & PROCEDURE

INTRODUCTION

The Neighborhood Park Grant Program is a capital program (budgeted in the capital projects fund) initiated by the City Council as a means of giving community groups the opportunity to improve and invest in their parks, while giving the city the opportunity to stretch its capital funds. Annually since 1997, the Parks and Recreation Advisory Board has evaluated applications and made recommendations to the council for final approval.

PURPOSE

To establish policies and procedures for considering applications for the Neighborhood Park Grant Program.

DEFINITIONS

For the purposes of this policy, the following definitions will apply:

- **City:** Municipal Government of the City of Longview, Washington
- **Department:** Longview Parks and Recreation Department
- **Director:** Director of Longview Parks and Recreation
- **Advisory Board:** The Parks and Recreation Advisory Board is a Council appointed committee whose functions include, but are not limited to, review and recommendation to the Director on parks and recreation related matters.
- **Applicant:** Private, for-profit company, non-profit organization, or public agency wishing to apply to the grant program.
- **Capital Improvement Project:** projects as those which include new or expanded physical facilities/assets, major renovation or replacement of existing facilities, the acquisition of real property (land), or the purchase of major pieces of equipment. Capital improvement projects involve the expenditure of \$5,000 or more for design, construction, and equipment; have a useful life of one year or more; and are for an item classified as a fixed asset.
- **Match:** (Matching Share) shall mean the portion of the total cost of a project which the applicant must provide.

POLICY FOR APPLICATIONS

It is the policy of the Longview Parks and Recreation Department to accept Neighborhood Park Grant Program applications for:

1. Projects that enhance, beautify, improve, supplement, support, or otherwise benefit the parks and recreation system.

2. Projects that are consistent with department mission, policies, park property restrictions, park master plans, and the most current comprehensive parks and recreation plan approved by the department staff and the Advisory Board.
3. Projects with no contingencies placed on the department and the full understanding that they become the property of the City and are subject to the laws, ordinances, resolutions, policies and procedures that govern the department.
4. Projects which the applicants acknowledge the department is in no way obligated to replace the park improvement if it is stolen, vandalized, deteriorated, irreparably damaged, or destroyed.
5. Park improvements which are of high quality to ensure a long life and are resistant to the elements, deterioration, and to acts of vandalism.
6. Projects that meet the City of Longview's definition of a Capital Improvement Project.
7. Park improvements that include an estimate and evaluation of the expected life cycle, repair and replacement costs, future employee labor and all types of maintenance costs as well as only accept improvements that do not cause undue financial burden on department staff and/or resources.
8. Projects located within a City of Longview Park, Facility, Trail, or designated play area such as at a school district facility that allows for public access which are identified in the Comprehensive Plan.
9. Projects that completely address the eight rating criteria that includes: need, community impact, access, financial responsibility, cost benefits, compliance, readiness to proceed, and funding.
10. Projects that include a comprehensive financial breakdown of the park improvement which includes: the estimated total cost of the project, applicant cash, applicant donations, estimated volunteer hours, and other supplemental information to validate anticipated expenses.
11. Projects that do not include routine maintenance on existing or proposed new facilities as that is not an eligible expense under this program.

POLICY FOR EXPENDING GRANT FUNDS

It is the policy of the Longview Parks and Recreation Department to expend Neighborhood Park Grant Program funds for:

1. Applications that were submitted by the publicized deadline.

2. Applications that were recommended by the Advisory Board and approved for funding by City Council.
3. Projects that are completed by the project deadline. Applicants who are unable to meet the deadline must submit a "Letter of Need" to the Parks and Recreation Advisory Board 30 days prior to the deadline to ask for an extension.
4. Projects that are fully complete and accompanied by a Project Completion Summary Form with attached detailed documentation of all financial obligations related to the project and attached before and after photos.
5. Finished projects that include pictures and a 50% reimbursement request comprised of tangible supplies and paid service expenditures and do not include donated items or labor as reimbursable items. Applicants cannot financially benefit from the Neighborhood Park Grant Program.

PROCEDURE FOR NEIGHBORHOOD PARK GRANTS

The City of Longview and the Parks and Recreation Department welcome interested applicants to apply for the Neighborhood Park Grant Program as an opportunity to improve and invest in their parks and recreation system.

Annual Neighborhood Park Grant Procedure

1. **(January - February)**

The Neighborhood Park Grant Program will open applications for outside organizations, groups, and individuals to apply for funding.

2. **(June - July)**

If all grant funding has not been expended during the first round of applications, a mid-year solicitation for applications will be again held for outside applicants

3. **(September - October)**

If all grant funding has not been expended during the second round of applications, the City of Longview Parks and Recreation Department may apply for funding.

- a. Funding provided to the department may only be used for Capital Improvements within the park system.
- b. Neighborhood Park Grant Funds may only be used to purchase tangible items and not to offset labor or maintenance costs of the department.
- c. The department is required to fill out an application for the Neighborhood Park Grant Program. The Advisory Board will weigh the request against the criteria and make recommendation to City Council for funding.
- d. City Council makes the final approval for project funding for all applicants.
- e. The department is not required to provide a 50% match for grant funds.

- f. If the remaining funds to be allocated are below the Capital Improvement monetary threshold, the department may choose to supplement the shortfall using money from the operating budget.
- g. The department is required to fill out a Project Completion Form with accompanying supplemental information and photos for records.

Application Submittal

Those wishing to apply must submit a complete Neighborhood Park Grant Application and provide eight (8) copies of the application as well as any accompanying supplemental materials by the application deadline. The application must explain how the project meets the eight rating criteria and the financial breakdown of project funding.

Application Review

After the deadline is complete and all proposals have been submitted, the Advisory Board will set a meeting to discuss all of the proposals together. All applicants will be invited to make presentations regarding their projects to the board. Applicants will be notified of the date and time, and during that meeting may bring additional information or hand outs and answer questions pertaining to the proposed projects.

Funding Recommendations & Approval

The Advisory Board will weigh the proposals against the rating criteria. The board will determine which projects best meet the criteria. If there are more proposals than funding available, the board will determine whether or not to fund full or partial projects depending on applicant ability and readiness to proceed. The board will make a priority list of projects for the Director to bring forward for funding recommendations to City Council. City Council has the final approval for funding. Applicants will be notified by letter, at the address provided on their proposal, of the funding decision/approval by the Council. Once notified, applicants may begin their projects.

Completion

Once the project is complete, applicants provide the department a fully finalized "Project Completion Summary Form" with the attached detailed documentation to validate each line item. Along with the summary form, before and after photos of the finished project are required. Department staff will work with applicants to ensure that all paperwork is comprehensive and meets requirements for reimbursement.

Project Extension

The City understands that there can be unforeseen circumstances that may not allow completion of the project by the December 30 deadline. Applicants may submit a "Letter of Need" to the Advisory Board for consideration of an extension on the project deadline. The letter must be received prior to the December 30 deadline to be granted.

Resolution No. 2418

A RESOLUTION OF THE CITY OF LONGVIEW, WASHINGTON TO COMMEMORATE DAVE BARNETT AND WELCOME PATTY KINSWA- GAISER AS EXECUTIVE GENERAL COUNCIL CHAIRWOMAN AT COWLITZ INDIAN TRIBE

WHEREAS, It was with great sadness that the Cowlitz Indian Tribe announced that David Barnett, the Tribes General Council Chairman passed away unexpectedly on May 28th, 2022; and

WHEREAS, At this difficult time, the Tribe has pulled together to honor Dave's legacy and continue his vision; and

WHEREAS, In accordance with the Cowlitz Indian Tribe's succession plan, Chairman Barnett has been succeeded by Patty Kinswa-Gaiser, The prior General Council Vice-Chair; and

WHEREAS, The City of Longview values it's long-standing relationship with the Cowlitz Indian Tribe and its leadership and maintains a strong desire to continue our robust partnership, further memorialized in this resolution; and

Now, therefore, be it resolved by the City Council of the City of Longview as follows:

Section 1. The City Council of the City of Longview acknowledges and honors the late Chairman Barnett who served as leader of the Cowlitz Indian Tribe. Born October 9, 1960, in Aberdeen, Barnett was elected chairman in June 2021. He had a long career serving his people, particularly as a spokesperson for his Tribe and advocate for the Tribe's federal recognition. He fully dedicated his life to serving the Cowlitz Indian Tribe. We offer our condolences to Dave's fellow tribal members, family, and friends. In addition to his wife, Barnett is survived by a son, Jake of Bellevue, a daughter Anabelle of Charleston, South Carolina, his mother Edythe Hulet of Olympia, and sister, Elizabeth Pearson of Kirkland. He was preceded in death by his father, John and brother Mike.

Section 2. In accordance with the Tribe's succession plan, we welcome Patty Kinswa-Gaiser, former General Council Vice-Chairwoman, as the Tribe's Executive General Council Chairwoman and look forward to

further strengthening the government-to-government relationship that exists between the Cowlitz Indian Tribe and City of Longview. We wish her well in this noble work.

Section 3. The provisions of Section 2 of this resolution shall become effective beginning July 26th, 2022, The City Council of the City of Longview will continue to work in conjunction with the Cowlitz Indian Tribe, the Forever People, to provide a thriving economic, environmental and cultural foundation for the well-being of the Tribe, community, and members of Cowlitz County.

PASSED by the City Council of Longview, Washington, and approved by its Mayor this _____ day of _____, 2022.

Mayor

ATTEST:

City of Longview Clerk



City of Longview

Agenda Summary

RESOLUTION NO. 2409 – STORMWATER UTILITY RATE RESOLUTION UPDATE

RECOMMENDED ACTION:

MOTION TO ADOPT RESOLUTION NO. 2409

COUNCIL INITIATIVE ADDRESSED:

Continue effective financial management

Provide Sustainable Water Quality & Environmental Infrastructure

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Resolution No. 2409 updates the rate structure for the City's stormwater utility to implement recommendations made under the rate study and evaluation of the utility performed by FCS Group in 2020.

The Resolution increases the Equivalent Residential Unit (ERU) from 2,500 to 3,000 square feet of impervious cover, which is the basis for establishing stormwater utility charges. The Resolution also changes billing for multi-family residential dwellings with four or more units from a per-dwelling unit basis to one based on the amount of impervious cover (ERU's) on the property.

The stormwater utility rate is not being changed with this Resolution and is held constant at \$14.50 per ERU.

Staff Contact:

Steve Haubner, Stormwater Manager

Attachments:

1. Resolution 2409
2. 2022 Stormwater Utility Rate Resolution - redline

RESOLUTION NO. 2409

A RESOLUTION RELATING TO AND SETTING RATES AND MINIMUM CHARGES FOR STORMWATER UTILITY SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE, AND REPEALING RESOLUTION NO. 2318.

WHEREAS, Pursuant to Chapter 15.80 of the Longview Municipal Code of Longview, Washington, the City Council of the City of Longview, Washington hereby enacts this Resolution to increase the rates and charges for providing stormwater utility service to cover the projected operating and capital costs of the stormwater utility.

BE IT RESOLVED by the City Council of said City that the following rates for stormwater utility service furnished by said City shall be, and are hereby established, as follows:

Section 1. Definitions:

- (1) “Equivalent Residential Unit” (ERU) means 3,000 square feet of impervious surface area, or a major fraction thereof.
- (2) “Major fraction thereof” means 1,501 square feet or more.
- (3) “Base Rate” means the monthly stormwater utility charge per ERU, which shall be \$14.50.

Section 2. Rates for Single-Family Residential, Duplexes, Triplexes and Mobile Home Parks:

- (1) Single Family Parcels or Single Family Dwellings:
The monthly stormwater utility charge for a single-family parcel or single-family dwelling shall be the Base Rate for one ERU.
- (2) Residential Duplexes and Triplexes:
The monthly stormwater utility charge for duplexes, triplexes and other multiple-family parcels with up to three dwelling units shall be the Base Rate multiplied by the number of dwelling units.
- (3) Mobile Home Parks and Trailer Parks:
The monthly stormwater utility charge for mobile home parks and trailer parks shall be the Base Rate multiplied by the number of pads or spaces designed for temporary or permanent placement of mobile homes, trailers, recreational vehicles, campers, vans or other vehicles designed or used for human occupancy.

Section 3. Rates for Other Properties:

The monthly stormwater utility charge for all developed parcels not included in Section 2, including multiple-family dwellings of four or more dwelling units and mixed-use residential/commercial parcels, shall be determined by dividing the total measured impervious surface area by 3,000 square feet to determine the number of ERUs, and multiplying the resulting number of ERUs by the Base Rate.

Section 4. Streets, Roads and Alleys:

Streets, Roads and Alleys, open to public travel, shall not be subject to stormwater utility fees and charges.

Section 5. Undeveloped Parcels:

Undeveloped parcels shall not be subject to stormwater utility fees and charges; provided, however, that such charges shall be applicable to undeveloped parcels at such a time as an application for water or sanitary sewer service to such parcel is approved, or as provided in LMC 15.80.060.

Section 6. Rate Adjustments:

A reduction in the Stormwater Utility rates described herein may be granted for the following reasons and purposes:

- (1) Non-residential customers in full compliance with a Washington State NPDES Industrial Stormwater General Permit may receive a twenty-five percent (25%) rate reduction. In order to be eligible for such reduction, the customer must submit an application along with the following documentation to the Stormwater Division of the Public Works Department:
 - (a) A copy of the approved Washington State NPDES Industrial Stormwater General Permit applicable to such parcel.
 - (b) Additional permit-related materials such as the facility's stormwater pollution prevent plan, discharge monitoring reports, spill response reports, or other similar documentation as requested to demonstrate full compliance with the permit.
- (2) Public and Private Schools serving any combination of grades from kindergarten through 12th grade, may receive a twenty-five percent (25%) reduction for developing and administering a water quality education curriculum program. The program must include, but is not limited to, environmental educational instruction on water quality related issues, such as safe drinking water, water use reduction, stormwater pollution and general water cycle. To qualify for the rate reduction, the education program is subject to approval by the Stormwater Division of the Public Works Department as being sufficient

to meet the requirements and intents of the Federal Clean Water Act and the City's National Pollutant Discharge Elimination System stormwater discharge permit. The program must be administered annually to all students at the grade levels specified in the approved program to remain eligible for a rate adjustment.

- (3) Non-residential customers may receive a ninety percent (90%) rate reduction for discharging stormwater from the urban watershed.
- (4) The City may periodically request updated documentation to ascertain continued full compliance with the above rate reduction eligibility requirements. Lack of full compliance shall result in restoration of the full stormwater utility charge.

Section 7. Adjustment of Charges and Appeals:

Any customer who believes the charges established for their parcel are in error or is eligible for stormwater rate reductions identified in Section 6 above, may apply in writing using an application form provided by the Stormwater Division of the Public Works Department. Said form shall be completed by the customer and submitted to the Stormwater Division, which shall review said form, shall determine if adjustments are justified or applicable, and shall respond to the customer in writing, setting forth its findings and decision.

Section 8. Exemptions for low income senior citizens and low income disabled citizens:

Low-income senior citizens and low-income disabled citizens, as defined by Resolution of the City Council, shall be exempt from stormwater utility charges.

Section 9. Stormwater-Only Accounts – Delinquent Payments:

For customers with only a stormwater utility account, all money due the City for stormwater utility services shall be due and payable within fifteen (15) days of the billing date shown on each bill, and if not paid within fifteen days thereafter, shall be deemed delinquent. In the event that the account remains delinquent beyond the thirtieth (30th) day after the bill date, a penalty charge shall be assessed in accordance with the following table of delinquent amounts. Thereafter, an additional penalty charge in accordance with the following table of delinquent amounts plus any previous penalty charges assessed, shall be assessed for each successive 30-day period during which such bill, or any portion thereof, remains unpaid.

Delinquent Amount	Penalty Charge
\$1.00 to \$100.00	\$10.00
\$100.01 to \$500.00	\$25.00
\$500.01 and greater	\$50.00

Section 10. Severability:

If any provision of this Resolution or its application to any person or circumstance is found to be invalid, the remainder of this Resolution or the application of the provision to other persons or circumstances is not affected. If Section 10 of this Resolution is found invalid, the effective date of this Resolution and the rates established herein and all the provisions hereof shall be the date of adoption of this Resolution by the City Council of the City of Longview.

BE IT FURTHER RESOLVED that Resolution No. 2318 passed by the City Council on January 23rd, 2020, is hereby repealed in its entirety on the date this Resolution becomes effective.

PASSED by the City Council of the City of Longview, Washington, and approved by its Mayor at a meeting of said City Council held on the 23th day of August 2022.

M A Y O R

ATTEST:

City Clerk

RESOLUTION NO. ~~2318~~ 2409

A RESOLUTION RELATING TO AND SETTING RATES AND MINIMUM CHARGES FOR STORMWATER UTILITY SERVICES, AND PROVIDING FOR AN EFFECTIVE DATE, AND REPEALING RESOLUTION NO. ~~2281~~ 2318.

WHEREAS, Pursuant to Chapter 15.80 of the Longview Municipal Code of Longview, Washington, the City Council of the City of Longview, Washington hereby enacts this Resolution to increase the rates and charges for providing stormwater utility service to cover the projected operating and capital costs of the stormwater utility.

BE IT RESOLVED by the City Council of said City that the following rates for stormwater utility service furnished by said City shall be, and are hereby established, as follows:

Section 1. Definitions:

- (1) “Equivalent Residential ~~Dwelling~~-Unit” (ER~~D~~U) means ~~an impervious surface of a non-residential parcel of land consisting of 2,500~~ 3,000 square feet of impervious surface area, or a major fraction thereof.
- (2) “Major fraction thereof” means ~~1,251~~ 1,501 square feet or more.
- (3) “Base Rate” means the monthly stormwater utility charge ~~for a single-family parcel or single-family dwelling~~ per ERU, which shall be \$14.50.

Section 2. ~~Residential Rates~~ for Single-Family Residential, Duplexes, Triplexes and Mobile Home Parks:

- (1) Single Family Parcels or Single Family Dwellings:
The monthly stormwater utility charge for ~~each a~~ single-family parcel or single-family dwelling shall be ~~the sum of \$14.50, which sum is described as~~ the “Base Rate for one ERU.”
- (2) ~~Multiple Family Parcels or Multiple Family Dwellings~~ Residential Duplexes and Triplexes:
The monthly stormwater utility charge for duplexes, triplexes and other multiple-family parcels ~~or multiple-family dwellings with up to three dwelling units~~ shall be ~~the sum of \$ 14.50 (the Base Rate) times~~ multiplied by the number of dwelling units ~~within a structure~~.
- (3) Mobile Home Parks and Trailer Parks:
The monthly stormwater utility charge for mobile home parks and trailer parks shall be ~~the sum of \$ 14.50 (the Base Rate) times~~ multiplied by the number of pads or spaces

designed for temporary or permanent placement of mobile homes, trailers, recreational vehicles, campers, vans or other vehicles designed or used for human occupancy.

Section 3. ~~Non-Residential Rates~~Rates for Other Properties:

- (1) The monthly stormwater utility charge for all ~~Non-Residential~~ developed parcels not included in Section 2, including multiple-family dwellings of four or more dwelling units and Mixed-Use-Occupancy-developed-mixed-use residential/commercial parcels, shall be determined by ~~calculating~~ dividing the total measured impervious surface area ~~divided by 3,000 square feet to determine the number of ERDU's, and multiplied~~ resulting number of ERUs by the Base Rate.
- ~~(2) Notwithstanding the number of ERDU's applicable to any parcel, the minimum stormwater utility charge applicable shall be the Base Rate.~~

Section 4. Streets, Roads and Alleys:

Streets, Roads and Alleys, open to public travel, shall not be subject to stormwater utility fees and charges.

Section 5. Undeveloped Parcels:

Undeveloped parcels shall not be subject to stormwater utility fees and charges; provided, however, that such charges shall be applicable to undeveloped parcels at such a time as an application for water or sanitary sewer service to such parcel is approved, or as provided in LMC 15.80.060.

Section 6. Rate Adjustments:

A reduction in the Stormwater Utility rates described herein may be granted for the following reasons and purposes:

- (1) Non-residential customers in full compliance with a Washington State NPDES Industrial Stormwater General Permit may receive a twenty-five percent (25%) rate reduction. In order to be eligible for such reduction, the customer must submit an application along with the following documentation to the Stormwater Division of the Public Works Department:
 - (a) A copy of the approved Washington State NPDES Industrial Stormwater General Permit applicable to such parcel.
 - (b) Additional permit-related materials such as the facility's stormwater pollution prevent plan, discharge monitoring reports, spill response reports, or other similar documentation as requested to demonstrate full compliance with the permit.

- (2) Public and Private Schools serving any combination of grades from kindergarten through 12th grade, may receive a twenty-five percent (25%) reduction for developing and administering a water quality education curriculum program. The program must include, but is not limited to, environmental educational instruction on water quality related issues, such as safe drinking water, water use reduction, stormwater pollution and general water cycle. To qualify for the rate reduction, the education program is subject to approval by the Stormwater Division [of the Public Works Department](#) as being sufficient to meet the requirements and intents of the Federal Clean Water Act and the City's National Pollutant Discharge Elimination System stormwater discharge permit. The program must be administered annually to all students at the grade levels specified in the approved program to remain eligible for a rate adjustment.
- (3) Non-residential customers may receive a ninety percent (90%) rate reduction for discharging stormwater from the urban watershed.
- (4) The City may periodically request updated documentation to ascertain continued full compliance with the above rate reduction eligibility requirements. Lack of full compliance shall result in restoration of the full stormwater utility charge.

Section 7. Adjustment of Charges and Appeals:

~~Any customer who believes the charges established for his, her or its parcel are in error may request an "Adjustment/Monthly Fee Estimate" form from the Stormwater Division of the Public Works Department. Said form shall be completed by the customer and submitted to the Stormwater Division, which division shall review said form and respond to the customer in writing, setting forth its findings and decision.~~

Any customer who believes [the charges established for](#) their parcel [are in error or is](#) eligible for stormwater rate reductions identified in Section 6 above, may apply in writing using an application form provided by the Stormwater Division of the Public Works Department. Said form shall be completed by the customer and submitted to the Stormwater Division, which ~~division~~ shall review said form, shall determine if ~~the applicable rate reduction conditions have been satisfied~~ [adjustments are justified or applicable](#), and shall respond to the customer in writing, setting forth its findings and decision.

Section 8. Exemptions for low income senior citizens and low income disabled citizens:

Low-income senior citizens and low-income disabled citizens, as defined by Resolution of the City Council, shall be exempt from stormwater utility charges.

Section 9. Stormwater--Only Accounts – Delinquent Payments:

For customers with only a stormwater utility account, all money due the City for stormwater utility services shall be due and payable within fifteen (15) days of the billing date shown on each bill, and if not paid within fifteen days thereafter, shall be deemed delinquent. In

the event that the account remains delinquent beyond the thirtieth (30th) day after the bill date, a penalty charge shall be assessed in accordance with the following table of delinquent amounts. Thereafter, an additional penalty charge in accordance with the following table of delinquent amounts plus any previous penalty charges assessed, shall be assessed for each successive 30-day period during which such bill, or any portion thereof, remains unpaid.

Delinquent Amount	Penalty Charge
\$1.00 to \$100.00	\$10.00
\$100.01 to \$500.00	\$25.00
\$500.01 and greater	\$50.00

Section 10. Severability:

If any provision of this Resolution or its application to any person or circumstance is found to be invalid, the remainder of this Resolution or the application of the provision to other persons or circumstances is not affected. If Section 10 of this Resolution is found invalid, the effective date of this Resolution and the rates established herein and all the provisions hereof shall be the date of adoption of this Resolution by the City Council of the City of Longview.

BE IT FURTHER RESOLVED that Resolution No. ~~2281~~2318 passed by the City Council on ~~November 15, 2018~~January 23rd, 2020, is hereby repealed in its entirety on the date this Resolution becomes effective.

PASSED by the City Council of the City of Longview, Washington, and approved by its Mayor at a ~~special~~ meeting of said City Council held on the ~~5th day of December 2019~~23rd day of August 2022.

M A Y O R

ATTEST:

City Clerk



City of Longview

Agenda Summary

ORDINANCE NO. 3465 - TECHNICAL AMENDMENT TO LONGVIEW MUNICIPAL CODE 12.08 AND 12.10

RECOMMENDED ACTION:

MOTION TO ADOPT ORDINANCE NO. 3465

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Improve streets and roads

Improve transportation systems

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

Currently, the City's permit language is written such that permits are a right and not a privilege. The language lacks adequate provision for the denial or revocation of said permit. Lastly, the appeal process was directed to the City Manager.

This code amendment changes the language such that permits will be a privilege and not a right. As such, privileges can be denied and revoked as reflected in the new code language. Lastly, denied or revoked privileges should have a clear appeal process, which we are now defining and directing through the City's hearing examiner.

STAFF CONTACT:

Ken Hash, Public Works Director

Attachments:

1. Ord 3465 amend LMC 12.08 and 12.10
2. 3465 LMC 12.08 and 12.10 clean
3. 3465 LMC 12.08 and 12.10 red lined

AN ORDINANCE OF THE CITY OF LONGVIEW, WASHINGTON AMENDING LMC 12.08 AND 12.10 TO AMEND PROVISIONS FOR REVIEW AND ISSUANCE OF RIGHT OF WAY AND PUBLIC IMPROVEMENT PERMITS

WHEREAS, when the city engineer has determined in accordance with federal, state, and local regulations, or the city engineer and a developer or property owner, hereinafter "developer," jointly determine it is in the parties' mutual interest, that certain public improvements or betterments to be owned, operated, and maintained by the city be constructed upon public/private property, hereinafter referred to as public improvements, and

WHEREAS, as a condition to undertaking the public improvements, the developer shall make application to the engineering division for a public improvements permit or a right of way permit, and

WHEREAS, a permit confers no rights upon the holder, but rather is a privilege, and

WHEREAS, a privilege should be deniable and revokable, and

WHEREAS, a revokable privilege should be appealable.

NOW THEREFORE, The City Council of the City of Longview do ordain as follows:

Section 1 That Chapter 12.08.060 of the Longview Municipal Code shall be, and is hereby amended to read as follows; provided, manifest and numbering errors shall be corrected prior to publication:

12.08.060 – Application – Fees

Permits pursuant to this chapter shall may be issued by the office of the city engineer, upon receipt of a written application therefor, and upon the payment of the required permit fees. The application shall be on a form provided by the office of the city engineer, and shall require the following minimum information:

(1) The name and address of the applicant, and, if the applicant is a corporation or similar entity, the name and address of its agent;

(2) A description of the intended work to be performed, the anticipated commencement and ending construction dates;

(3) Plans for the proposed work, or, in the event of minor work as determined by the city engineer, a sketch in a format satisfactory to the city engineer's office. Whenever applicable, standard plans adopted by the city or included in the current edition of the APWA Standard Specifications shall be used; provided, however, that plans are not required in advance of the performance of emergency repairs to existing installations or for the replacement or substitution of cables or wires in existing underground or overhead installations; provided further, that such plans shall be submitted within 72 hours following the completion of such work.

Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

(Ord. 2659 § 3, 1997; Ord. 2320 § 1, 1988).

Section 2 That Chapter 12.08.100 of the Longview Municipal Code shall be, and is hereby amended to read as follows; provided, manifest and numbering errors shall be corrected prior to publication:

12.08.100 Revocation or denial of permit - Appeal

Any action of the city engineer revoking a permit issued pursuant to this chapter or denying an application for said permit, shall be appealable to the city manager hearing examiner of the city within 10 days thereafter, which appeal shall be upon written notice to the city manager hearing examiner, and which appeal shall be considered within 10 days after receipt thereof by the city manager. In the absence of the city manager, such appeal procedure shall be directed to the assistant city manager/director of public works. The appeal shall include a complete statement of the reason or reasons that the form the basis of the appeal. The decision of the hearing examiner shall be final, binding and conclusive. (Ord. 2320 § 1, 1988).

Section 3 That Chapter 12.10.010 of the Longview Municipal Code shall be, and is hereby amended to read as follows; provided, manifest and numbering errors shall be corrected prior to publication:

12.10.010 Public improvements on public/private property – Construction Procedure.

In the event the city engineer determines in accordance with federal, state, and local regulations, or the city engineer and a developer or property owner, hereinafter "developer," jointly determine it is in the parties' mutual interest, that certain public improvements or betterments to be owned, operated, and maintained by the city be constructed upon public/private property, the following procedures shall be followed. The process set forth herein may be used in conjunction with the construction of streets, alleys, driveways, sidewalks, water systems, sanitary sewer systems, storm sewer systems, traffic and street lighting systems, and other public improvements and infrastructure, hereinafter referred to as "public improvements."

(1) As a condition to undertaking the procedures set forth herein, the developer shall make application to the engineering division for a public improvements permit. Such permit application shall be made on a form prescribed by the engineering division and the fees paid connected therewith as referenced in LMC [12.10.030](#). Permits pursuant to this chapter may be issued by the office of the city engineer, upon receipt of a written application, required supporting documents, and upon the payment of the required permit fees.

(2) Prior to the issuance of a public improvements permit, the developer proposing to construct the public improvements shall provide the engineering division with copies of all surveys, grades, engineering design data, and construction plans and specifications deemed necessary by the city engineer or his delegate for construction of the proposed public improvements. Such documents shall not be approved unless they are in conformance with all codes, the city public works standard plans and specifications in effect at the time of developer plan submittal, and contain such detail as the city engineer shall deem sufficient to properly construct the public improvements.

(3) Following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall provide:

- (a) Payment of fees;
- (b) Tabulation of bids received to construct the public improvements (optional);
- (c) Required permits;
- (d) Copy of contractor's city business license;
- (e) Any other documentation as shall be required.

(4) For all public improvements to be constructed on public property or public easements, following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall also provide:

(a) Contractor's public liability and property damage insurance certificate;

(b) Indemnity agreement;

(c) Performance bond/letter of credit/cashier's check (required for improvements with cumulative costs exceeding \$10,000).

(5) To coordinate the work, the developer shall schedule a preconstruction conference at a time and place acceptable to the city engineer and representatives of other affected local utilities. This conference shall be held prior to commencement of work and following issuance of all required permits.

(6) The developer shall be responsible for all necessary construction staking, which shall be certified by a professional engineer or land surveyor registered in the state of Washington.

(7) The developer or his agent shall notify the city engineer in writing at least four working days prior to the proposed date and time of commencement of the construction phase. The developer shall make arrangements for a city inspector to be at the job site at the time work is initially commenced. Thereafter through the construction phase of the project, a representative of the engineering division shall inspect from time to time the progress of work and shall have authority to direct changes or to stop work as deemed necessary.

(8) After completion of all construction, but prior to acceptance of the completed work by the city engineer, the developer shall furnish the city engineer with a reproducible set of plans, plus an electronic version of the plans showing the "as-built" condition of the work. The electronic version shall be AutoCAD compatible and drafted to city of Longview standards for conversion into GIS. "As-built" plans shall show all construction changes, alignment and grade changes, all added and deleted items, and other engineering data, all of which shall be certified by an engineer registered in the state of Washington and responsible for the work.

(9) Acceptance of the public improvements by the city shall take the form of a certificate of acceptance and shall not occur until the improvements have been certified as in compliance with all inspections and the provisions set forth herein. Acceptance shall also be conditioned upon submittal of a warranty bond in an amount determined by the city engineer for pump stations and all associated equipment, water reservoirs and traffic signals and other specialty equipment to insure, guarantee and warrant the proper functioning of the system or facility. Such warranty bond shall be issued by a surety company licensed to engage in business in the

state of Washington having a current A.M. Best rating of not less than A:VII and shall be subject to approval by the city attorney.

(10) In the event the public improvements are built on property not owned by or dedicated to the city, acceptance of the improvements shall not occur until the property is conveyed or otherwise dedicated to the city using a method and form approved by the city attorney. Acceptance of the public improvements shall occur simultaneous with the dedication or conveyance of the real property in question, unless such dedication or conveyance occurs prior to completion of the public improvements and compliance certification by the city engineer.

(11) Public improvements that have a design approval over two years old shall be redesigned to meet the most current standards and specifications. Plans and specifications for such public improvements shall be resubmitted for approval prior to starting construction.

(12) The developer shall execute a document acknowledging that he has reviewed all the terms and conditions of this chapter and agrees to fully comply therewith.

(13) Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

(Ord. 2910 § 1, 2004; Ord. 1945 § 1, 1979).

Section 4. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance and the same shall remain in full force and effect. The City of Longview hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 6. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 7. This Ordinance shall be in full force and effect from and after thirty (30) days from the date of its passage and publication as provided by law.

Passed by the City Council this ____ day of _____, 2022.

Approved by the Mayor this ____ day of _____, 2022.

MAYOR

ATTEST:

City Clerk

APPROVED AS TO FORM:

James McNamara
City Attorney

Published: _____

12.08.060 Application – Fees.

Permits pursuant to this chapter may be issued by the office of the city engineer, upon receipt of a written application therefor, and upon the payment of the required permit fees. The application shall be on a form provided by the office of the city engineer, and shall require the following minimum information:

- (1) The name and address of the applicant, and, if the applicant is a corporation or similar entity, the name and address of its agent;
- (2) A description of the intended work to be performed, the anticipated commencement and ending construction dates;
- (3) Plans for the proposed work, or, in the event of minor work as determined by the city engineer, a sketch in a format satisfactory to the city engineer's office. Whenever applicable, standard plans adopted by the city or included in the current edition of the APWA Standard Specifications shall be used; provided, however, that plans are not required in advance of the performance of emergency repairs to existing installations or for the replacement or substitution of cables or wires in existing underground or overhead installations; provided further, that such plans shall be submitted within 72 hours following the completion of such work.

Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

12.08.100 Revocation of permit – Appeal

Any action of the city engineer revoking a permit issued pursuant to this chapter or denying an application for said permit, shall be appealable to the hearing examiner of the city within 10 days thereafter, which appeal shall be upon written notice to the hearing examiner, and which appeal shall be considered within 10 days after receipt thereof by the city. The appeal shall include a complete statement of the reason or reasons that the form the basis of the appeal. The decision of the hearing examiner shall be final, binding and conclusive. (Ord. 2320 § 1, 1988).

12.10.010 Public Improvements on public/private property – Construction procedure.

In the event the city engineer determines in accordance with federal, state, and local regulations, or the city engineer and a developer or property owner, hereinafter "developer," jointly determine it is in the parties' mutual interest, that certain public improvements or betterments to be owned, operated, and maintained by the city be constructed upon

public/private property, the following procedures shall be followed. The process set forth herein may be used in conjunction with the construction of streets, alleys, driveways, sidewalks, water systems, sanitary sewer systems, storm sewer systems, traffic and street lighting systems, and other public improvements and infrastructure, hereinafter referred to as “public improvements.”

(1) As a condition to undertaking the procedures set forth herein, the developer shall make application to the engineering division for a public improvements permit. Such permit application shall be made on a form prescribed by the engineering division and the fees paid connected therewith as referenced in LMC [12.10.030](#). Permits pursuant to this chapter may be issued by the office of the city engineer, upon receipt of a written application, required supporting documents, and upon the payment of the required permit fees.

(2) Prior to the issuance of a public improvements permit, the developer proposing to construct the public improvements shall provide the engineering division with copies of all surveys, grades, engineering design data, and construction plans and specifications deemed necessary by the city engineer or his delegate for construction of the proposed public improvements. Such documents shall not be approved unless they are in conformance with all codes, the city public works standard plans and specifications in effect at the time of developer plan submittal, and contain such detail as the city engineer shall deem sufficient to properly construct the public improvements.

(3) Following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall provide:

- (a) Payment of fees;
- (b) Tabulation of bids received to construct the public improvements (optional);
- (c) Required permits;
- (d) Copy of contractor’s city business license;
- (e) Any other documentation as shall be required.

(4) For all public improvements to be constructed on public property or public easements, following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall also provide:

- (a) Contractor’s public liability and property damage insurance certificate;
- (b) Indemnity agreement;

(c) Performance bond/letter of credit/cashier's check (required for improvements with cumulative costs exceeding \$10,000).

(5) To coordinate the work, the developer shall schedule a preconstruction conference at a time and place acceptable to the city engineer and representatives of other affected local utilities. This conference shall be held prior to commencement of work and following issuance of all required permits.

(6) The developer shall be responsible for all necessary construction staking, which shall be certified by a professional engineer or land surveyor registered in the state of Washington.

(7) The developer or his agent shall notify the city engineer in writing at least four working days prior to the proposed date and time of commencement of the construction phase. The developer shall make arrangements for a city inspector to be at the job site at the time work is initially commenced. Thereafter through the construction phase of the project, a representative of the engineering division shall inspect from time to time the progress of work and shall have authority to direct changes or to stop work as deemed necessary.

(8) After completion of all construction, but prior to acceptance of the completed work by the city engineer, the developer shall furnish the city engineer with a reproducible set of plans, plus an electronic version of the plans showing the "as-built" condition of the work. The electronic version shall be AutoCAD compatible and drafted to city of Longview standards for conversion into GIS. "As-built" plans shall show all construction changes, alignment and grade changes, all added and deleted items, and other engineering data, all of which shall be certified by an engineer registered in the state of Washington and responsible for the work.

(9) Acceptance of the public improvements by the city shall take the form of a certificate of acceptance and shall not occur until the improvements have been certified as in compliance with all inspections and the provisions set forth herein. Acceptance shall also be conditioned upon submittal of a warranty bond in an amount determined by the city engineer for pump stations and all associated equipment, water reservoirs and traffic signals and other specialty equipment to insure, guarantee and warrant the proper functioning of the system or facility. Such warranty bond shall be issued by a surety company licensed to engage in business in the state of Washington having a current A.M. Best rating of not less than A:VII and shall be subject to approval by the city attorney.

(10) In the event the public improvements are built on property not owned by or dedicated to the city, acceptance of the improvements shall not occur until the property is conveyed or otherwise dedicated to the city using a method and form approved by the city attorney. Acceptance of the public improvements shall occur simultaneous with the dedication or conveyance of the real property in question, unless such dedication or conveyance occurs prior to completion of the public improvements and compliance certification by the city engineer.

(11) Public improvements that have a design approval over two years old shall be redesigned to meet the most current standards and specifications. Plans and specifications for such public improvements shall be resubmitted for approval prior to starting construction.

(12) The developer shall execute a document acknowledging that he has reviewed all the terms and conditions of this chapter and agrees to fully comply therewith.

(13) Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

(Ord. 2910 § 1, 2004; Ord. 1945 § 1, 1979).

12.08.060 Application – Fees.

Permits pursuant to this chapter ~~shall~~may be issued by the office of the city engineer, upon receipt of a written application therefor, and upon the payment of the required permit fees. The application shall be on a form provided by the office of the city engineer, and shall require the following minimum information:

- (1) The name and address of the applicant, and, if the applicant is a corporation or similar entity, the name and address of its agent;
- (2) A description of the intended work to be performed, the anticipated commencement and ending construction dates;
- (3) Plans for the proposed work, or, in the event of minor work as determined by the city engineer, a sketch in a format satisfactory to the city engineer's office. Whenever applicable, standard plans adopted by the city or included in the current edition of the APWA Standard Specifications shall be used; provided, however, that plans are not required in advance of the performance of emergency repairs to existing installations or for the replacement or substitution of cables or wires in existing underground or overhead installations; provided further, that such plans shall be submitted within 72 hours following the completion of such work.

Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

12.08.100 Revocation of permit – Appeal

Any action of the city engineer revoking a permit issued pursuant to this chapter or denying an application for said permit, shall be appealable to the ~~city manager~~hearing examiner of the city within 10 days thereafter, which appeal shall be upon written notice to the ~~city manager~~hearing examiner, and which appeal shall be considered within 10 days after receipt thereof by the city ~~manager.~~ The appeal shall include a complete statement of the reason or reasons that the form the basis of the appeal. The decision of the hearing examiner shall be final, binding and conclusive. In the absence of the city manager, such appeal procedure shall be directed to the assistant city manager/director of public works. (Ord. 2320 § 1, 1988).

12.10.010 Public Improvements on public/private property – Construction procedure.

In the event the city engineer determines in accordance with federal, state, and local regulations, or the city engineer and a developer or property owner, hereinafter “developer,” jointly determine it is in the parties’ mutual interest, that certain public improvements or

betterments to be owned, operated, and maintained by the city be constructed upon public/private property, the following procedures shall be followed. The process set forth herein may be used in conjunction with the construction of streets, alleys, driveways, sidewalks, water systems, sanitary sewer systems, storm sewer systems, traffic and street lighting systems, and other public improvements and infrastructure, hereinafter referred to as “public improvements.”

(1) As a condition to undertaking the procedures set forth herein, the developer shall make application to the engineering division for a public improvements permit. Such permit application shall be made on a form prescribed by the engineering division and the fees paid connected therewith as referenced in LMC [12.10.030. Permits pursuant to this chapter may be issued by the office of the city engineer, upon receipt of a written application, required supporting documents, and upon the payment of the required permit fees.](#)

(2) Prior to the issuance of a public improvements permit, the developer proposing to construct the public improvements shall provide the engineering division with copies of all surveys, grades, engineering design data, and construction plans and specifications deemed necessary by the city engineer or his delegate for construction of the proposed public improvements. Such documents shall not be approved unless they are in conformance with all codes, the city public works standard plans and specifications in effect at the time of developer plan submittal, and contain such detail as the city engineer shall deem sufficient to properly construct the public improvements.

(3) Following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall provide:

- (a) Payment of fees;
- (b) Tabulation of bids received to construct the public improvements (optional);
- (c) Required permits;
- (d) Copy of contractor’s city business license;
- (e) Any other documentation as shall be required.

(4) For all public improvements to be constructed on public property or public easements, following approval of the construction plans and specifications, but prior to the issuance of a public improvements permit, the developer shall also provide:

- (a) Contractor’s public liability and property damage insurance certificate;
- (b) Indemnity agreement;

(c) Performance bond/letter of credit/cashier's check (required for improvements with cumulative costs exceeding \$10,000).

(5) To coordinate the work, the developer shall schedule a preconstruction conference at a time and place acceptable to the city engineer and representatives of other affected local utilities. This conference shall be held prior to commencement of work and following issuance of all required permits.

(6) The developer shall be responsible for all necessary construction staking, which shall be certified by a professional engineer or land surveyor registered in the state of Washington.

(7) The developer or his agent shall notify the city engineer in writing at least four working days prior to the proposed date and time of commencement of the construction phase. The developer shall make arrangements for a city inspector to be at the job site at the time work is initially commenced. Thereafter through the construction phase of the project, a representative of the engineering division shall inspect from time to time the progress of work and shall have authority to direct changes or to stop work as deemed necessary.

(8) After completion of all construction, but prior to acceptance of the completed work by the city engineer, the developer shall furnish the city engineer with a reproducible set of plans, plus an electronic version of the plans showing the "as-built" condition of the work. The electronic version shall be AutoCAD compatible and drafted to city of Longview standards for conversion into GIS. "As-built" plans shall show all construction changes, alignment and grade changes, all added and deleted items, and other engineering data, all of which shall be certified by an engineer registered in the state of Washington and responsible for the work.

(9) Acceptance of the public improvements by the city shall take the form of a certificate of acceptance and shall not occur until the improvements have been certified as in compliance with all inspections and the provisions set forth herein. Acceptance shall also be conditioned upon submittal of a warranty bond in an amount determined by the city engineer for pump stations and all associated equipment, water reservoirs and traffic signals and other specialty equipment to insure, guarantee and warrant the proper functioning of the system or facility. Such warranty bond shall be issued by a surety company licensed to engage in business in the state of Washington having a current A.M. Best rating of not less than A:VII and shall be subject to approval by the city attorney.

(10) In the event the public improvements are built on property not owned by or dedicated to the city, acceptance of the improvements shall not occur until the property is conveyed or otherwise dedicated to the city using a method and form approved by the city attorney. Acceptance of the public improvements shall occur simultaneous with the dedication or conveyance of the real property in question, unless such dedication or conveyance occurs prior to completion of the public improvements and compliance certification by the city engineer.

(11) Public improvements that have a design approval over two years old shall be redesigned to meet the most current standards and specifications. Plans and specifications for such public improvements shall be resubmitted for approval prior to starting construction.

(12) The developer shall execute a document acknowledging that he has reviewed all the terms and conditions of this chapter and agrees to fully comply therewith.

(13) Subject to the appeal provisions of LMC 12.08.100, the city engineer may deny the issuance of a permit to any person or entity that has failed within the past three years to comply, or is presently not in compliance with the provisions of this chapter, or has demonstrated a past history of performing work in the City of Longview that has caused damage to public infrastructure, or which was performed in violation of the law.

(Ord. 2910 § 1, 2004; Ord. 1945 § 1, 1979).



City of Longview

Agenda Summary

RESOLUTION NO. 2419 - RELATING TO PUBLIC HEALTH AND SAFETY

RECOMMENDED ACTION:

MOTION TO APPROVE RESOLUTION NO. 2419

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Address quality of place issues

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Consistent with LMC 10.60.010 and RCW 39.04.280, Resolution No. 2419 provides for a declaration of public health emergency relating to human health and environmental conditions caused by homelessness. Deteriorating conditions at the Alabama Street encampment resulting from the ongoing proliferation of waste has created growing health and safety concerns for encampment residents and the surrounding neighborhood. The accumulation of waste, lack of proper sanitation facilities, and on-site aggregation of combustible materials has prompted the City to declare an emergency to protect its citizens and the surrounding community.

Ratification of Resolution No. 2419 enables the City Manager to immediately embark upon clean-up efforts and mitigate the conditions at the Alabama Street encampment, giving rise to this public health emergency.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2419.

STAFF CONTACT: Kurt Sacha, City Manager

Attachments:

1. Resolution 2419 Regarding Public Health Emergency at Homeless Camp - August 23 2022
2. Proclamation of Public Health Emergency (2022 0822)

RESOLUTION NO. 2419

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW, RELATING TO PUBLIC HEALTH AND SAFETY, DECLARING A STATE OF PUBLIC HEALTH EMERGENCY RELATING TO HUMAN HEALTH AND ENVIRONMENTAL CONDITIONS CAUSED BY HOMELESSNESS; AUTHORIZING SUCH ACTIONS AS ARE REASONABLE AND NECESSARY IN LIGHT OF SUCH EMERGENCY TO MITIGATE THE CONDITIONS GIVING RISE TO SUCH PUBLIC HEALTH EMERGENCY; RATIFYING AND CONFIRMING THE DECLARATION OF EMERGENCY PROCLAMATION – STATE OF CIVIL EMERGENCY, AS SIGNED BY THE CITY MANAGER ON AUGUST 24, 2021, PURSUANT TO CHAPTER 10.60 LMC AND RCW 39.04.280

WHEREAS, the City Manager, Kurt Sacha, of the City of Longview (“City”) determined that there was, and still is, the imminent threat to the public health caused by unsanitary conditions at an unhosted homeless encampment on Alabama Street in the City of Longview; and

WHEREAS, LMC 10.60.010 authorizes the City Manager to declare a civil emergency under such conditions; and

WHEREAS, RCW 39.04.280 authorizes exemptions from competitive bidding requirements in the event of an emergency; and

WHEREAS, persistent and increasing homelessness is a public health and safety issue that greatly impacts people experiencing homelessness, as well the entire community, all citizens, neighborhoods, and businesses; and

WHEREAS, in Longview and Cowlitz County and throughout the nation, large numbers of individuals, families and unaccompanied youth are experiencing homelessness due to such factors as job loss, rising housing costs, stagnant and declining wages, family crisis, domestic violence, trauma, substance abuse, and mental health issues; and

WHEREAS, communities such as Seattle, Washington; Tacoma, Washington; Portland, Oregon; and Los Angeles, California, have declared states of emergency in order to provide expedited emergency services and shelters for unsheltered individuals, families and unaccompanied youth; and

WHEREAS, conditions in unhosted homeless encampments expose occupants to harmful weather conditions, communicable diseases such as hepatitis, tuberculosis, respiratory illnesses, malnutrition, and violence; and exacerbate medical conditions

such as high blood pressure, diabetes and asthma because there is no safe place to properly store medications or syringes; and

WHEREAS, conditions in homeless encampments present serious health and sanitation issues which are dangerous to human health, including accumulation of uncontained garbage that becomes a food source for vermin, vectors (organisms that transmit diseases or parasites), and related pathogens; lack of proper food storage and clean dishes that can facilitate the spread of food-borne disease; lack of sanitary facilities to dispose of human and animal fecal waste; improper disposal of discarded medical and sharps waste; accumulation of combustible materials that can ignite; lack of access to handwashing and personal hygiene; lack of clean water; lack of access to healthy food; and

WHEREAS, the above circumstances present significant public health and safety issues for the entire community and necessitate urgent further actions to mitigate the conditions giving rise to this threat to public health and safety; and

WHEREAS, the City is confronted with exigent financial circumstances related to this public health and safety emergency to protect its citizens and residents, and to protect the community; and

WHEREAS, the above man-made circumstances warrant the exercise of the City's power to declare a public health emergency under authority of Article XI, Section 11, of the Washington State Constitution; 35A.11.020 RCW; 35A.11.030 RCW; 35A.13.190 RCW; 35A.38.010 RCW; 35.33.081 RCW; Chapter 38.52 RCW; Chapter 39.04 RCW; WAC 197-11-880; and other applicable laws and regulations, and pursuant to Chapter of the LMC 10.60.010 Longview Municipal Code, and pursuant thereto, and the authorization of such extraordinary measures as are reasonable and necessary in light of such of public health emergency to mitigate the conditions giving rise to the public emergency; and

WHEREAS, it was, and still is, in the judgment of the City Manager, that extraordinary measures are required to protect the public peace, safety and welfare of the citizens; and

WHEREAS, the City Manager in proclaiming a state of civil emergency signed the Declaration of Emergency Proclamation – State of Civil Emergency, on August 22, 2022 (hereafter “Declaration of Emergency” and as attached hereto as “Attachment A”, incorporated herein by this reference); and

WHEREAS, the City Manager did contact the Mayor, MaryAlice Wallis, immediately after the declaration of a civil emergency, to which the Mayor concurred with the actions; and

WHEREAS, a regular meeting of the City Council during which the ratification of the Declaration of Emergency could be considered had already been scheduled for 6:00 p.m. on August 23, 2022, at the City Hall, Longview, Washington; and

WHEREAS, the City Council supports the Declaration of Emergency; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LONGVIEW, WASHINGTON, as follows:

1. There is an imminent threat to the public health and safety caused by unsanitary conditions at the unhosted homeless encampment on Alabama Street, in Longview;
2. The City Manager, had the authority under LMC 10.60.010, to declare a civil emergency under these conditions; and
3. The City Council hereby confirms and ratifies the Declaration of Emergency.
4. The City Council entrusts the City Manager to take such action as he deems fit, in the exercise of his judgment, after consulting with his department heads, and within the bounds of the law.

BE IT FURTHER RESOLVED THAT that this Resolution shall take effect immediately.

ADOPTED by the City Council of the City of Longview and approved by its Mayor this 23rd day of August, 2022.

MAYOR

ATTEST:

City Clerk

ATTACHMENT A
Declaration of Emergency



P.O. Box 128
Longview, WA 98632-7080
www.mylongview.com

August 22, 2022

Mayor MaryAlice Wallis
Mayor Pro-Tem Wallin
Council members Wean, Boudreau, Kendall, Ortiz and Strobel

RE: Proclamation of Public Health and Safety Emergency

Dear Mayor Wallis and Council:

In response to the ongoing issue of accumulating waste in the Alabama Street encampment and its impact on the unhoused residents in the encampment area and the surrounding community, the City of Longview has developed a clean-up plan to respond to this emerging issue.

Those of you on Council in August of last year will recall that Council and I took similar action at that time. My declaration of an emergency was ratified by Council via Resolution 2374. While it may be argued that the authority granted at that time is ongoing, in light of some change in Council members in the interim, it would be prudent to renew that declaration of emergency and give the present Council the opportunity to review this action.

The deteriorating conditions at the unhosted homeless encampment on Alabama Street have again risen to a level whereby, I have determined that the stockpile of garbage presents an imminent threat to the public health of encampment residents. As such, City staff and I have developed a course of action to remediate the existing encampment area in an effort to protect and enhance the health and safety of all area residents.

Sadly, homelessness is a complex issue facing communities throughout the United States. While being sensitive to the needs and rights of the homeless, we in local government must simultaneously preserve the quality of services, including our quality of place that all citizens value. Unfortunately, the recent proliferation of waste has created growing safety concerns and unhealthy environmental conditions whereby, it is now necessary to declare an emergency to address this issue.

Consistent with LMC 10.60.010, I am declaring a public emergency exists. In my judgment, immediate action is necessary to protect the public health, safety and welfare of the City's residents. Consequently, I am requesting that the City Council consider the ratification and confirmation of this proclamation at their regular meeting on Tuesday, August 23, 2022.

Regards,

A handwritten signature in blue ink that reads "Kurt Sacha". The signature is fluid and cursive, with the first name "Kurt" and last name "Sacha" clearly distinguishable.

Kurt Sacha
City Manager



City of Longview

Agenda Summary

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 2022 ACCOUNTS PAYABLE: \$2,087,933.97

Checks numbered 37851 - 38103

FIRST HALF AUGUST 2022 PAYROLL:

\$19,552.46, checks no. 1405 - 1424,

\$894,098.81, direct deposits

\$592,946.80, wire transfers

\$1,506,598.07 Total

STAFF CONTACT:

John Baldwin, Accountant

Dana Beck, Payroll Specialist

Attachments: None