



City of Longview

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

Special Meeting Agenda

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*

Thursday, November 17, 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/82394132374>

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: 823 9413 2374

1. CALL TO ORDER
2. INVOCATION*/FLAG SALUTE
22-000721 LARRY RUSSEL, SHEKINAH CHRISTIAN CENTER
3. ROLL CALL
4. WORKSHOP
22-000725 2023 STATE LEGISLATIVE AGENDA DEVELOPMENT

RECOMMENDED ACTION

**CONSENSUS TO MOVE FORWARD IN DEVELOPING THE CITY'S 2023 STATE
LEGISLATIVE AGENDA**

5. APPROVAL OF MINUTES

22-000729 NOVEMBER 1, 2022 SPECIAL MEETING MINUTES
NOVEMBER 3, 2022 SPECIAL MEETING MINUTES

6. CHANGES TO THE AGENDA

7. PRESENTATIONS & AWARDS

8. CONSTITUENTS' COMMENTS (Thirty Minutes)

9. PUBLIC HEARINGS

22-000621 PROPOSED 2023-2024 BIENNIAL BUDGET & 2023-2027 CAPITAL IMPROVEMENT PLAN
(CIP) (2ND HEARING)

RECOMMENDED ACTION
CONDUCT THE PUBLIC HEARING

10. BOARD & COMMISSION RECOMMENDATIONS

11. ORDINANCES & RESOLUTIONS

22-000682 ORDINANCE NO. 3467 – AMEND ILLICIT DISCHARGE CODE FOR STORMWATER
SOURCE CONTROL

RECOMMENDED ACTION
MOTION TO ADOPT ORDINANCE NO. 3467

22-000685 RESOLUTION NO. 2423 – INTERLOCAL AGREEMENT WITH THE CITY OF KELSO FOR
STORMWATER INSPECTION SERVICES

RECOMMENDED ACTION
MOTION TO ADOPT RESOLUTION NO. 2423.

22-000631 RESOLUTION NO. 2425 - AUTHORIZING THE AD VALOREM TAX LEVY FOR 2023

RECOMMENDED ACTION
MOTION TO ADOPT RESOLUTION NO. 2425.

22-000632 ORDINANCE NO. 3469 – SETTING THE AD VALOREM TAX LEVY RATE FOR 2023

RECOMMENDED ACTION
MOTION TO ADOPT ORDINANCE NO. 3469.

22-000724 ORDINANCE NO. 3468 AMENDING THE 2021-2022 BIENNIAL BUDGET (2ND READING)

RECOMMENDED ACTION
MOTION TO ADOPT ORDINANCE NO. 3468

22-000736 RESOLUTION NO. 2426 - AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
INTERLOCAL AGREEMENT WITH COWLITZ COUNTY TO FUND THE ESTABLISHMENT
AND OPERATION OF A HOSTED EMERGENCY SHELTER SITE FOR UNHOUSED

INDIVIDUALS**RECOMMENDED ACTION:**

MOTION TO ADOPT RESOLUTION 2426 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH COWLITZ COUNTY TO FUND THE ESTABLISHMENT AND OPERATION OF A HOSTED EMERGENCY SHELTER SITE

12. MAYOR'S REPORT**13. COUNCILMEMBERS' REPORTS****14. CONSENT CALENDAR**

22-000722 APPROVAL OF CLAIMS

22-000723 RESOLUTION NO. 2424 SURPLUS PROPERTY

RECOMMENDED ACTION

MOTION TO ADOPT RESOLUTION NO. 2424.

22-000727 PROJECT COMPLETION – ARCHIE ANDERSON PARK WATER MAIN REPLACEMENT PROJECT

RECOMMENDED ACTION

MOTION TO ACCEPT AS COMPLETE THE ARCHIE ANDERSON PARK WATER MAIN REPLACEMENT PROJECT

15. CITY MANAGER'S REPORT

22-000730 CITY MANAGER RECRUITMENT/SELECTION PROCESS/APPOINTMENT

RECOMMENDED ACTION

MOTION TO MOVE FORWARD WITH A RECRUITMENT EFFORT LED BY THE HUMAN RESOURCES DIRECTOR

OR

MOTION TO PROCEED WITH A RECRUITMENT LED BY A THIRD PARTY EXECUTIVE SEARCH FIRM

OR

MOTION TO APPOINT A CITY MANAGER EFFECTIVE MARCH 1, 2023, SUBJECT TO FINAL COUNCIL APPROVAL OF CONTRACT TERMS

16. MISCELLANEOUS**17. EXECUTIVE SESSION**

22-000726 TOPIC: COLLECTIVE BARGAINING

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 SPECIAL COUNCIL MEETINGS:
THURSDAY, DECEMBER 1, 2022 - 6:00 P.M.**

**NEXT REGULAR COUNCIL MEETINGS:
THURSDAY, DECEMBER 8, 2022 - 6:00 P.M. (LAST MEETING OF 2022)**



City of Longview

Agenda Summary

2023 STATE LEGISLATIVE AGENDA DEVELOPMENT

RECOMMENDED ACTION

CONSENSUS TO MOVE FORWARD IN DEVELOPING THE CITY'S 2023 STATE LEGISLATIVE AGENDA

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: All

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

For this workshop, Josh Weiss and Annika Vaughn from Gordon Thomas Honeywell Governmental Affairs Consultants will be working with Council to identify the City's legislative priorities and assist in developing a draft of the City's legislative agenda and policy document for the 2023 State legislative agenda.

RECOMMENDED ACTION:

Consensus to move forward in developing the City's 2023 State Legislative Agenda.

STAFF CONTACT: Kurt Sacha, City Manager

Attachments:

1. Longview State Leg Agenda Development 11.17

CITY OF LONGVIEW

2023 LEGISLATIVE AGENDA DEVELOPMENT

Josh Weiss and Annika Vaughn
GORDON THOMAS HONEYWELL GOVERNMENTAL AFFAIRS

MEETING AGENDA

- What to Expect in 2023
- Approach to Legislative Agenda Development
- Overview of Agenda Setting Process
- Discussion

WHAT TO EXPECT IN THE 2023 LEGISLATIVE SESSION

- First year of the two-year legislative biennium – scheduled to last 105 days
- Legislature will adopt biennial budgets:
 - Some opportunities in the operating and capital budgets
 - Transportation budget more limited - programming Move Ahead WA investments
- Influx of new legislators from retirements, redistricting, and elections
 - Democratic majorities likely to be retained
- Returning topics:
 - Behavioral health, *Blake*, public safety, middle housing, Tax Structure Workgroup, property tax cap
- Format?
 - In person with hybrid participation options

APPROACH TO LEGISLATIVE AGENDA DEVELOPMENT

- Funding requests:
 - Legislature likes to be “last dollar in”
 - Most successful budget requests are a priority for the delegation
 - Require detailed information like pictures, maps and project budget
- Policy requests:
 - Does the City have a unique story to tell?
 - Are we adding to or differentiating from the efforts of partner organizations?
- Vet ideas well in advance of legislative session. Look for partners and identify opponents

2022 LEGISLATIVE AGENDA

- Implement Fixes to Police Reform Legislation
- Support the .09 Extension – HB 1333
- Capital Budget Requests:
 - Senior Center Roof
 - Vandercook Park Bathrooms
- Transportation Budget Requests:
 - Columbia Heights Road Improvements
 - IWOW
- Fund Law and Justice Responsibilities (Body Cameras)

2023 PRIORITY BRAINSTORM

- Public Safety:
 - WASPC – 0.1% sales tax for law enforcement
 - *Blake* Response
 - Funding for co-responders
- SW WA Regional Law Enforcement Training Facility
- Capital Requests:
 - Longview Public Library Renovation (\$750,000)
 - Docks at Lake Sacajawea
 - Inclusive Park
 - Fire Station

NEXT STEPS & KEY DATES

- Next Steps:
 - Generate ideas for 2023 Legislative Agenda
 - Run ideas by 19th District legislators
 - Incorporate legislators' feedback and finalize 2023 Legislative Agenda
 - Dinner with 19th and 20th LD to discuss
- Key Dates:
 - November 30 – December 2: Legislative committee assembly
 - December: Governor's proposed budgets
 - January 9: Legislative session begins

QUESTIONS?

Thank you!

Josh Weiss

Partner

jweiss@gth-gov.com

Annika Vaughn

State Lobbyist

avaughn@gth-gov.com



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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*

Tuesday, November 1, 2022

5:30 PM

2nd Floor, City Hall

NOTICE IS HEREBY GIVEN, in accordance with RCW Chapter 42.30, that the City Council of the City of Longview, Washington, will conduct a special meeting in the Longview City Hall Training Room, 1525 Broadway, Longview, on Tuesday, November 1, 2022 at 5:30 p.m. The topics of discussion follow. Final disposition shall be taken on no other matter.

<https://us02web.zoom.us/j/84215461379>

Telephone options (dial any of the following numbers):

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Webinar ID: 8420154601379

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1. **CALL TO ORDER**

Mayor Wallis called the meeting to order at 5:30 p.m.

2. **FLAG SALUTE**

The flag salute was recited.

3. **ROLL CALL**

Present: Mayor Wallis, Mayor Pro Tem Wallin, Councilmember Kendall, Councilmember Wean

Absent: Councilmember Strobel (Excused), Councilmember Boudreau (Excused), Councilmember Ortiz (Excused)

Staff Present: City Manager Kurt Sacha, City Attorney Jim McNamara, Assistant City Manager Kris Swanson, Deputy City Clerk Elizabeth Halili, Public Works Director Ken Hash, Parks & Recreation Director Jen Wills, Police Chief Robert Huhta, Utility Systems Manager Brian Steveson, Engineering Manager Karl Enyeart

4. **WORKSHOP**

22-000630 UTILITY RATES WORKSHOP

RECOMMENDED ACTION: DIRECTION TO STAFF

*City Manager Sacha provided a statement.
Public Works Director Hash presented.*

- *A citizen provided public comment.*
- *A citizen provided public comment.*

Senior Project Manager of FCS Group Chris Gonzalez presented the Kelso Water Rate Analysis.

- *A citizen provided public comment.*

A brief recess was taken at 7:28 p.m. the Special Meeting resumed at 7:38 p.m. with the same Councilmembers and staff present.

Public Works Director Hash continued his presentation.

- *A citizen provided public comment.*
- *Larry provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*
- *A citizen provided public comment.*

No final action was taken.

5. **CONSTITUENTS' COMMENTS**

None.

6. **ADJOURNMENT**

The special meeting was adjourned at 8:09 p.m.

Elizabeth Halili
Deputy City Clerk

Approved: _____
Mayor

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NEXT SPECIAL COUNCIL MEETINGS:

THURSDAY, NOVEMBER 3, 2022 – 6:00 P.M. (NOVEMBER 10 – VETERAN'S DAY HOLIDAY)

THURSDAY, NOVEMBER 17, 2022 – 6:00 P.M. (NOVEMBER 24 – THANKSGIVING HOLIDAY)



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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*

Thursday, November 3, 2022

6:00 PM

2nd Floor, City Hall

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Webinar ID: 823 9413 2374

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:

Staff Present: City Manager Kurt Sacha, City Attorney Jim McNamara, Assistant City Manager Kris

Swanson, Deputy City Clerk Elizabeth Halili, Public Works Director Ken Hash, Fire Chief Jim Kambeitz, Police Chief Robert Huhta, Human Resources Director Sabrina Fraidenburg, Fiscal Manager Lisa Wolff

4. **WORKSHOP**

5. **APPROVAL OF MINUTES**

22-000702 MINUTES OF THE OCTOBER 27, 2022 MEETING

A motion was made by Councilmember Strobel, seconded by Councilmember Wean, to approve the Minutes of the October 27, 2022, Regular City Council meeting. The motion carried unanimously.

6. **CHANGES TO THE AGENDA**

7. **PRESENTATIONS & AWARDS**

8. **CONSTITUENTS' COMMENTS (Thirty Minutes)**

*Mike, of Longview, provided public comment.
Alison Mattocks of Longview provided public comment.
Shawn Nyman of Longview provided public comment.
Theresa Purcell of Longview provided public comment
A citizen, name unstated, provided public comment.
A citizen, name unstated, provided public comment.
Marilyn Melville Irvine provided public comment.
Alan Legerwood of Longview provided public comment.
A citizen, name unstated, provided public comment.
Kersandra, city unstated, provided public comment.
A citizen, name unstated, provided public comment.
Jeff Wilson of Longview provided public comment.
Jennifer Westermann, CEO of the Housing Authority of SW WA, provided public comment
A citizen, name unstated, provided public comment.
A citizen, name unstated, provided public comment.*

9. **PUBLIC HEARINGS**

22-000622 PROPOSED REVENUE SOURCES FOR THE 2023 GENERAL FUND BUDGET

RECOMMENDED ACTION:
CONDUCT THE PUBLIC HEARING

Assistant City Manager Swanson provided a PowerPoint presentation.

Mayor Wallis opened the Public Hearing for comment at 6:40 p.m.
The council discussed the presentation.

- *Larry provided public comment.*
- *A citizen, name unstated, provided public comment.*
- *Theresa Purcell of Longview provided public comment.*

- A citizen, name unstated, provided public comment.
- A citizen, name unstated, provided public comment.

Mayor Wallis closed the public hearing at 6:51 p.m.

22-000623 PROPOSED 2023-2024 BIENNIAL BUDGET & 2023-2027 CAPITAL IMPROVEMENT PLAN (CIP) (1ST HEARING)

RECOMMENDED ACTION:
CONDUCT THE PUBLIC HEARING

Assistant City Manager Swanson provided a PowerPoint presentation.

Mayor Wallis opened the Public Hearing for comment at 7:05 p.m.
The Council discussed the presentation.

- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- A citizen, name unstated, provided public comment
- Eric Halvorsen of Longview provided public comment

Mayor Wallis closed the Public Hearing at 7:23 p.m.

10. BOARD & COMMISSION RECOMMENDATIONS

11. ORDINANCES & RESOLUTIONS

22-000695 ORDINANCE NO. 3468 AMENDING THE 2021-2022 BIENNIAL BUDGET (1ST READING)

RECOMMENDED ACTION
NO ACTION REQUIRED. (1ST READING)

The title of the Ordinance was read aloud by the Clerk.

City Manager Sacha provided a statement and explained the purpose of Ordinance No. 3468.

The Council discussed the proposed Ordinance.

- A citizen, name unstated, provided public comment.
- A citizen, name unstated, provided public comment.
- A citizen, name unstated, provided public comment.
- Rob (attending online via Zoom) provided public comment.
- A citizen, name unstated, provided public comment.
- Mary Lyons of Longview provided public comment.
- A citizen, name unstated, provided public comment.
- A citizen, name unstated, provided public comment.
- Eric Halvorsen of Longview provided public comment.
- A citizen, name unstated, provided public comment.

12. MAYOR'S REPORT

Mayor Wallis provided a brief report.

13. COUNCILMEMBERS' REPORTS

22-000699 MAKING INVESTMENTS IN AFFORDABLE AND SUPPORTING HOUSING IN LONGVIEW

RECOMMENDED ACTION:

A motion directing the City Manager to direct the City Attorney to:

- 1. Prepare necessary ordinances and or resolutions for City Council approval to Authorize and Form a Public Development Authority for the Purpose of Encouraging Investments in Affordable and Supportive Housing and**
- 2. Prepare necessary ordinances and resolutions for City Council approval to Allocate the city's HB 1406 State "Affordable Housing Sales Tax Credit" receipts of .0073 percent to be utilized by the Public Development Authority, and**
- 3. Prepare necessary ordinances and resolutions for City Council approval to adopt and impose a "Housing and Related Services Sales Tax" of .1% to be utilized by the Public Development Authority.**

Councilmember Strobel and Councilmember Wallin provided statements.

The Council discussed the statements provided by Councilmembers Strobel and Wallin.

- *A citizen, name unstated, provided public comment.*
- *A citizen, name unstated, provided public comment.*
- *A citizen, name unstated, provided public comment.*
- *A citizen, name unstated, provided public comment.*
- *Jennifer Westermann from the Housing Authority of SW WA provided public comment.*

A motion was made by Councilmember Wallin, seconded by Councilmember Strobel, to schedule a workshop within 60 days. The motion carried unanimously.

A consensus was reached by the Council to set the workshop date for January 26, 2023.

Councilmember Wean provided a report

Councilmember Boudreau provided a report

14. CONSENT CALENDAR

22-000703 APPROVAL OF CLAIMS

A motion was made by Councilmember Ortiz, seconded by Councilmember Strobel, to approve the items on the Consent Calendar as though acted on individually. The motion carried with the following vote:

AYES: Mayor Wallis, Councilmember Strobel, Councilmember Wean, Councilmember Kendall, Councilmember Boudreau, Councilmember Ortiz

NAYS: Councilmember Wallin

15. CITY MANAGER'S REPORT

22-000696 RESOLUTION NO. 2422 ESTABLISHING SUPPORT FOR WSDOT AVIATION CARB LOAN

RECOMMENDED ACTION:
MOTION TO ADOPT RESOLUTION NO. 2422

City Manager Sacha provided a statement and introduced SW WA Regional Airport Manager Chris Paolini.

Chris Paolini provided a PowerPoint presentation.

The Council discussed the presentation.

The title of the Resolution was read aloud by the Clerk.

A motion was made by Councilmember Strobel, seconded by Councilmember Wallin, to adopt Resolution No. 2422.

The Council discussed the motion.

- *A citizen, name unstated, provided public comment*
- *A citizen, name unstated, provided public comment*

The motion carried unanimously.

Manager Sacha introduced HR Director Sabrina Fraidenburg

HR Director Sabrina provided a PowerPoint presentation of the City Manager Recruitment Process - Options & Timeline

The council discussed the presentation.

City Manager Sacha provided a statement.

Assistant City Manager Swanson provided a status report on Hope Village.

The Council discussed the report.

16. MISCELLANEOUS

17. EXECUTIVE SESSION

18. ADJOURNMENT

The meeting was adjourned at 9:12 p.m.

Elizabeth Halili
Deputy City Clerk

Approved: _____
Mayor

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and the Council does not endorse the religious beliefs or views of this, or any other speaker.

NEXT SPECIAL COUNCIL MEETINGS:

THURSDAY, NOVEMBER 17, 2022 - 6:00 P.M. (NOVEMBER 24 - THANKSGIVING HOLIDAY)

THURSDAY, DECEMBER 1, 2022 - 6:00 P.M.

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, DECEMBER 8, 2022 - 6:00 P.M. (LAST MEETING OF 2022)



City of Longview

Agenda Summary

PROPOSED 2023-2024 BIENNIAL BUDGET & 2023-2027 CAPITAL IMPROVEMENT PLAN (CIP) (2ND HEARING)

RECOMMENDED ACTION **CONDUCT THE PUBLIC HEARING**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:
Continue effective financial management of the City.

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

RCW 35A.34.110 requires cities to conduct a formal public hearing on the proposed biennial budget. Preliminary copies of the Biennial Budget and 2023 - 2027 Capital Improvement Plan have been made available to Council and are available for the public. A staff presentation on the proposed 2023 - 2024 Biennial Budget and 2023 - 2027 Capital Improvement Plan was presented at the public hearing on November 3 and November 17, 2022. Public Hearing Notices on the 2023 - 2024 Preliminary Biennial Budget and 2023 - 2027 Capital Improvement Plan were published on November 2, 2022 and November 9, 2022.

Workshop presentations and Public Hearings on the 2023- 2024 Biennial Budget can be accessed at: <http://www.mylongview.com>

STAFF CONTACT:
Kurt Sacha, City Manager

Attachments: None



City of Longview

Agenda Summary

ORDINANCE NO. 3467 – AMEND ILLICIT DISCHARGE CODE FOR STORMWATER SOURCE CONTROL

RECOMMENDED ACTION

MOTION TO ADOPT ORDINANCE NO. 3467

COUNCIL INITIATIVE ADDRESSED:

Provide sustainable water quality & environmental infrastructure

CITY ATTORNEY REVIEW: Yes

SUMMARY STATEMENT:

Ordinance No. 3467 amends code section LMC Chapter 17.90, *Stormwater Illicit Discharge Prevention*, in Title 17 (Environment) to require the implementation of stormwater source control best management practices for existing developments to prevent and reduce the discharge of pollutants to the municipal separate storm sewer system and surface waters.

The regulations have been updated to in order to satisfy the requirements of the City's NPDES Phase II Municipal Stormwater Permit.

Staff Contact:

Steve Haubner, Stormwater Manager

Attachments:

1. Ordinance 3467
2. Proposed LMC 17.90 (Clean Version)

ORDINANCE NO. 3467

AN ORDINANCE OF THE CITY OF LONGVIEW AMENDING CHAPTER 17.90 OF THE LONGVIEW MUNICIPAL CODE, TO BE ENTITLED “STORMWATER ILLICIT DISCHARGE PREVENTION AND POLLUTION SOURCE CONTROL”, TO ADD STORMWATER SOURCE CONTROL REQUIREMENTS TO PREVENT AND REDUCE POLLUTION TO THE MUNICIPAL STORMWATER SYSTEM AND SURFACE WATER BODIES.

WHEREAS, the City desires to provide for the health, safety, and general welfare of its citizens; and

WHEREAS, discharges to the City’s municipal separate storm sewer system that are not composed entirely of stormwater runoff contribute to increased surface and ground water pollution and degradation of receiving waters; and

WHEREAS, these non-stormwater discharges occur due to discharging, dumping, spills, and improper connections to the municipal separate storm sewer system; and

WHEREAS, the U.S. Environmental Protection Agency initiated NPDES Phase II requirements under the Federal Clean Water Act for small municipal separate storm sewer systems in 2003; and

WHEREAS, the Washington Department of Ecology issued NPDES Phase II stormwater permits for Western Washington municipalities in 2007 with the most recent permit issuance in 2019; and

WHEREAS, the Western Washington Municipal Phase II Stormwater Permit requires the City to implement an ordinance or other enforceable mechanism to effectively prohibit non-stormwater illicit discharges into the municipal separate storm sewer system to the maximum extent allowable under state and federal law; and

WHEREAS, the Permit requires said regulations to further address any category of discharges if identified as significant sources of pollutants to waters of the State; and

WHEREAS, the Permit requires the City to implement a program to prevent and reduce pollutants in runoff from areas that discharge to the MS4 and to require the application of pollution source control best management practices; and

WHEREAS, the Permit requires said regulations to include escalating enforcement procedures and actions.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LONGVIEW DO
ORDAIN AS FOLLOWS:

Section 1. Chapter 17.90 of the Longview Municipal Code is adopted to read as follows;
provided, manifest and numbering errors shall be corrected prior to publication:

Chapter 17.90
STORMWATER ILLICIT DISCHARGE PREVENTION
AND POLLUTION SOURCE CONTROL

Sections:

- 17.90.010 Citation of chapter.
- 17.90.020 Purpose.
- 17.90.030 Applicability.
- 17.90.040 Definitions.
- 17.90.050 Administration.
- 17.90.060 Prohibition of illicit discharges.
- 17.90.070 Prohibition of illicit connections.
- 17.90.080 Notification of illicit discharges and spills.
- 19.90.085 Pollution source control requirements.
- 17.90.090 Access and inspection of private property.
- 17.90.100 Violations, enforcement and penalties.
- 17.90.110 General provisions.

17.90.010 Citation of chapter.

This chapter shall be known and may hereafter be cited as the “Longview stormwater illicit discharge prevention and pollution source control ordinance.”

17.90.020 Purpose.

(1) The purpose of this chapter is to protect, maintain and enhance the health, safety, and general welfare of the citizens of the city of Longview through the regulation of non-stormwater discharges to the municipal separate storm sewer system in order to:

(a) Protect surface water and groundwater from water quality degradation, and to protect established beneficial uses of receiving waterbodies;

(b) To meet the requirements of state and federal law and the city's Western Washington Phase II Municipal Stormwater Permit (NPDES) permit.

(2) The objectives of this chapter are to:

(a) Prohibit illicit discharges and connections to the municipal separate storm sewer system;

(b) Require notification of illicit discharges and spills to the municipal separate storm sewer system;

(c) Require application of pollutant source control best management practices to prevent and reduce the discharge of pollutants to the municipal separate storm sewer system and surface waters;

(~~e~~d) Establish legal authority and the necessary provisions to ensure compliance with this chapter; and

(~~d~~e) Comply with all relevant provisions established under Chapter 173-218 WAC and the Western Washington Phase II Municipal Stormwater Permit.

17.90.030 Applicability.

The provisions of this chapter shall apply throughout the corporate area of the city of Longview and to all discharges to the municipal separate storm sewer system, Lake Sacajawea, waters of the CDID No.1, and other surface waters.

17.90.040 Definitions.

For the purposes of this chapter, the following definitions shall mean:

(1) “Authorized enforcement agency” means an agency authorized by federal, state, or local statutes or regulations to review, permit, and inspect development, commercial, or industrial activities, or to enforce environmental regulations.

(2) “CFR” means the Code of Federal Regulations.

(3) “City” means the city of Longview.

(4) “Clean Water Act (CWA)” means the federal Water Pollution Control Act (33 USC Section 1251 et seq.), and any subsequent amendments thereto.

(5) “Consolidated Diking Improvement District No. 1 (CDID No. 1)” means the diking district that operates in and around the city of Longview.

(6) “Director” means the city of Longview public works director or his/her designee.

(7) “Hazardous materials” means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

(8) “Hyperchlorinated water” means the water that contains more than 10 milligrams/liter chlorine.

(9) “Illicit connection” means either of the following:

(a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the municipal separate storm sewer system,

regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or

(b) Any pipe, open channel, drain or conveyance connected to the municipal separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

(10) “Illicit discharge” means any direct or indirect non-stormwater discharge to the municipal separate storm sewer system, except as expressly exempted in LMC 17.90.060.

(11) “LMC” means the Longview Municipal Code.

(12) “Municipal Separate Storm Sewer System” means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, municipal streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

(a) Owned or maintained by the city;

(b) Not a combined sewer; and

(c) Not part of a publicly owned treatment works as defined at 40 CFR 122.2.

(13) “National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in the state, are administered by Ecology under authority delegated pursuant to 33 USC Section 1342(b).

(14) “Non-Stormwater Discharge” means any discharge to the storm drain system that is not composed entirely of stormwater.

(15) “Person” means any owner, individual, association, organization, partnership, firm, corporation or other entity recognized by law.

(16) “Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking greases and oils; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

(17) “Pollution” means the contamination or other alteration of any water’s physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any

liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(18) “Premises” means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent public rights-of-way to the edge of roadway pavement.

(19) “Public works” means the city of Longview department of public works, their authorized representatives, or such other department as may be designated by the city manager.

(20) “RCW” means the Revised Code of Washington.

(21) “Soil” means the unconsolidated mineral and organic material on the immediate surface of the earth that serves as a natural medium for the growth of land plants.

(22) “Stormwater” means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(23) “Source Control” means actions, activities, and/or the implementation of Source Control BMPs to prevent or reduce the introduction of pollutants and contaminants to the municipal separate storm sewer system and surface waters.

(24) “Source control BMP” means a structure or operation intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. Structural source control BMPs are physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. Operation source control BMPs are non-structural practices, policies and operations that prevent or reduce pollutants from entering stormwater.

(25) “SWMMWW” means the latest edition of the Stormwater Management Manual for Western Washington.

(26~~3~~) “USC” means the United States Code.

(27~~4~~) “WAC” means the Washington Administrative Code.

(28~~5~~) “Waters of the CDID No.1” means the system of open ditches and drains, sloughs, culvert and drainageways and appurtenances that are owned, operated or maintained by CDID No. 1.

(29~~6~~) “Western Washington Phase II Municipal Stormwater Permit” means the National Pollutant Discharge Elimination System (NPDES) permit issued by the Washington Department of Ecology under the Clean Water Act that authorizes the discharge of pollutants to surface waters of the state from a municipal separate storm sewer system.

17.90.050 Administration.

The director shall administer, implement, and enforce the provisions of this chapter.

17.90.060 Prohibition of illicit discharges.

(1) Non-stormwater discharges into the municipal separate storm sewer system are prohibited with the exceptions noted in (2), (3), and (4) of this section. No person shall throw, drain, or otherwise discharge, cause or allow others under its control to throw, drain, or discharge into the municipal separate storm sewer system, Lake Sacajawea, waters of the CDID No.1, or other surface waters, any material other than stormwater or allowable non-stormwater discharges.

(2) Allowable Discharges. The following categories of non-stormwater discharges are exempt from LMC 17.90.060(1), unless they are identified by an authorized enforcement agency as a significant source of pollution:

- (a) Diverted stream flows.
- (b) Rising ground waters.
- (c) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(b)(20)).
- (d) Uncontaminated pumped ground water.
- (e) Foundation drains.
- (f) Air conditioning condensation.
- (g) Irrigation water from agricultural sources that is commingled with urban stormwater.
- (h) Springs.
- (i) Uncontaminated water from crawl space pumps.
- (j) Footing drains.
- (k) Flows from riparian habitats and wetlands.
- (l) Discharges from emergency fire fighting activities.

(3) Conditionally-Allowed Discharges. The following categories of non-stormwater discharges are exempt from LMC 17.90.060(1) only if the stated conditions are met, unless they are identified by an authorized enforcement agency as a significant source of pollution:

- (a) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 parts per million or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the municipal separate storm sewer system.
- (b) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 parts per million or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the municipal separate storm sewer system. Discharge shall be thermally controlled to prevent an increase in temperature of the

receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the municipal separate storm sewer system.

(c) Nonstormwater discharges covered by another NPDES or state waste discharge permit; provided, that the discharger is in compliance with that permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted by the city for the discharge to the municipal separate storm sewer system.

(d) Other non-stormwater discharges, which are in compliance with the requirements of a pollution prevention plan reviewed by the city which addresses control of such discharges.

(e) Dye testing for tracing purposes, provided, that written approval has been granted by the city prior to the testing.

(f) Other non-stormwater discharges specified in writing by the director as being necessary to protect public health and safety.

(4) Other Conditional Discharges. The following shall be addressed through public education and water conservation efforts to prevent illicit discharges:

(a) Discharges from lawn and garden watering and other irrigation runoff are permitted but shall be minimized.

(b) Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents are permitted if the amount of water used is minimized. Sediment and debris shall be controlled in a manner as to not discharge or otherwise convey into the municipal separate storm sewer system. At active construction sites, street sweeping must be performed prior to washing the street.

17.90.070 Prohibition of illicit connections.

(1) The construction, connection, use, maintenance or continued existence of any illicit connections to the municipal separate storm sewer system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(3) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the municipal sanitary sewer system upon approval of the director.

(4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the city requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm

sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the city.

17.90.080 Notification of illicit discharges and spills.

(1) Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation, has information regarding any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, or receiving waterbodies, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

(2) Said person shall notify the authorized enforcement agency in person or by phone, facsimile or in person of the nature, quantity and time of occurrence of the discharge no later than 24 hours after becoming aware of the known or suspected discharges. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain on-site written records of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least five years.

(3) In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

(4) Failure to provide notification of a release as provided above is a violation of this chapter.

17.90.085 Pollution source control requirements.

(1) Stormwater pollutant source control is required for all property owners, residents, businesses, and public entities engaged in pollutant-generating activities.

(2) Stormwater Best Management Practices (BMPs) for source control from Volume IV of the SWMMWW or other guidance shall be implemented and applied to prevent and reduce pollutants and contaminants from coming into contact with stormwater and creating an illicit discharge to the municipal separate storm sewer system or surface waters.

(3) Activity-specific BMPs that are applicable to a site, business or operation shall be implemented as needed and appropriate.

(4) Structural stormwater BMPs shall be required for pollutant generating sources for which operational source control BMPs cannot adequately prevent illicit discharges to the municipal separate stormwater system or surface waters.

(5) Property owners, businesses and public entities that have been identified by the City as having the potential to pollute, shall participate in the City's Stormwater Source Control program. Participation in the program consists of:

(a) Completing a pre-inspection stormwater source control information survey.

(b) Providing access to the site/business for stormwater source control inspections.

(c) Implementing operation and structural source control BMPs that apply to the site/business.

(d) Documenting and submitting to the City, applicable source control policies and procedures.

17.90.090 Access and inspection of private property.

(1) Access and Inspections.

(a) Request for Access. If the director has cause to believe that a violation of this chapter has been, is being, or is likely to be committed, the director shall obtain permission from the owner to enter the premises to inspect for compliance.

(b) Permit-related Inspections. By submitting an application or receiving a permit from the city for any building or development activity, the owner shall be considered to have granted permission to the director to enter any premises for which such permit has been granted, and the director shall be allowed ready access to all parts of the premises for the purposes of inspection, water quality sampling, examination and copying of records that must be kept under the conditions of a city or NPDES permit to discharge stormwater, and the performance of any additional duties as defined by local, state, or federal law.

(c) Presentation of Credentials. When entering a property, the director shall present identification credentials, state the reason for the inspection, and then enter the property to carry out the inspection.

(d) Premises Safety and Security. If an owner has safety and security measures in force which require proper clearance before entry into the premises, the owner shall make the necessary arrangements to allow access to representatives of the city.

(e) Access Obstructions. Any temporary or permanent obstruction to safe and easy access to the place or facility to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the city and shall not be replaced. The costs of clearing such access shall be borne by the owner.

(f) Search Warrant. If the director does not have permission as provided in subsection (1)(a) or (b) of this section, or is unable to locate the owner, or is refused access to any part of the premises for which an inspection is to be performed, the director may obtain a search warrant from any court of competent jurisdiction to perform the inspection or sampling, by showing probable cause that he/she believes there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall health, safety, and welfare of the community or the environment.

(g) Imminent Hazard. If the director does not have permission as provided in subsection (1)(a) or (b) of this section or is unable to locate the owner or is refused access to any part of the premises from which an inspection is to be performed and he/she has good cause to believe the condition of the premises or of the private stormwater drainage system creates an imminent hazard to persons, property, or the environment, the director may enter solely to abate the danger and must then obtain permission or a search warrant as provided in subsection (1)(f) of this section for any further action.

(h) Delays. Any unreasonable delay in allowing the city access as provided under this section is a violation of this chapter.

17.90.100 Violations, enforcement and penalties.

(1) It shall be unlawful for any person to violate the provisions or fail to comply with any of the requirements of this chapter. Enforcement of this chapter shall be in accordance with Chapter 1.33 LMC or other means available through applicable local, state and/or federal law.

(2) Notice of Violation. Whenever the city finds that a violation of this chapter has occurred, the director may order compliance by written notice of violation. The notice of violation shall contain:

- (a) The name and address of the person to whom the notice of violation is directed;
- (b) The address when available or a description of the location where the violation is occurring, or has occurred;
- (c) A statement specifying the nature of the violation;
- (d) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;
- (e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,

(3) Remedies. In order to obtain compliance with this chapter, a notice of violation may require remedies, including any one or more of the following, without limitation:

- (a) That violating discharges, practices, or operations shall cease and desist;
- (b) The elimination of illicit connections;
- (c) The performance of monitoring, analyses, and reporting to the city;
- (d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (e) The implementation of pollution prevention and/or source control best management practices; and
- (f) Civil or criminal penalties pursuant to LMC 1.33 and applicable state or federal laws.

(4) Abatement. If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the city or party authorized by the city may undertake remediation or restoration with the expenses thereof charged to and payable by the violator.

(5) Penalty Fee Recovery. Proceeds recovered from civil penalties for violations of this chapter shall be paid to the stormwater utility or provided as direct reimbursement for the costs and expenses incurred by other city programs or departments.

(6) Residential and Charity Car Washing. The city will take a public education approach to compliance for individual residential and charity car washing. These discharges shall be

minimized through, at a minimum, water conservation efforts and public education activities that encourage use of commercial car washes, redirection of washwaters to a sanitary sewer or to pervious surfaces such as grass or gravel, and the use of phosphate-free soap.

17.90.110 General provisions.

(1) Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate, or impair any existing regulations, easements, covenants, or deed restrictions. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

(2) Interpretation. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application and shall be liberally construed to serve the purposes of this chapter.

(3) Severability. The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

(4) Liability. The requirements of this chapter are minimum standards and a person's compliance with the same shall not relieve such person from the duty of enacting all measures necessary to minimize the hydrologic impact of development and the pollution of receiving waters.

(5) Intent. The intent of this chapter is to place the obligation of complying with its requirements upon the owner. Neither the city nor any officer, agent, or employee thereof shall incur or be held as assuming any liability by reason or in consequence of any permission, inspection or approval authorized herein, or issued as provided herein, or by reason or consequence of any thing done or act performed pursuant to the provisions of this chapter.

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 nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

Section 4. That the City of Longview City Clerk is hereby ordered and directed to cause this Ordinance to be published.

Section 5. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 6. 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: _____

Chapter 17.90
STORMWATER ILLICIT DISCHARGE PREVENTION
AND POLLUTION SOURCE CONTROL

Sections:

- 17.90.010 Citation of chapter.
- 17.90.020 Purpose.
- 17.90.030 Applicability.
- 17.90.040 Definitions.
- 17.90.050 Administration.
- 17.90.060 Prohibition of illicit discharges.
- 17.90.070 Prohibition of illicit connections.
- 17.90.080 Notification of illicit discharges and spills.
- 17.90.085 Pollution source control requirements.
- 17.90.090 Access and inspection of private property.
- 17.90.100 Violations, enforcement and penalties.
- 17.90.110 General provisions.

17.90.010 Citation of chapter.

This chapter shall be known and may hereafter be cited as the “Longview stormwater illicit discharge prevention and pollution source control ordinance.”

17.90.020 Purpose.

(1) The purpose of this chapter is to protect, maintain and enhance the health, safety, and general welfare of the citizens of the city of Longview through the regulation of non-stormwater discharges to the municipal separate storm sewer system in order to:

- (a) Protect surface water and groundwater from water quality degradation, and to protect established beneficial uses of receiving waterbodies;
- (b) To meet the requirements of state and federal law and the city's Western Washington Phase II Municipal Stormwater Permit (NPDES) permit.

(2) The objectives of this chapter are to:

- (a) Prohibit illicit discharges and connections to the municipal separate storm sewer system;
- (b) Require notification of illicit discharges and spills to the municipal separate storm sewer system;
- (c) Require application of pollutant source control best management practices to prevent and reduce the discharge of pollutants to the municipal separate storm sewer system and surface waters;
- (d) Establish legal authority and the necessary provisions to ensure compliance with this chapter; and

(e) Comply with all relevant provisions established under Chapter 173-218 WAC and the Western Washington Phase II Municipal Stormwater Permit.

17.90.030 Applicability.

The provisions of this chapter shall apply throughout the corporate area of the city of Longview and to all discharges to the municipal separate storm sewer system, Lake Sacajawea, waters of the CDID No.1, and other surface waters.

17.90.040 Definitions.

For the purposes of this chapter, the following definitions shall mean:

- (1) “Authorized enforcement agency” means an agency authorized by federal, state, or local statutes or regulations to review, permit, and inspect development, commercial, or industrial activities, or to enforce environmental regulations.
- (2) “CFR” means the Code of Federal Regulations.
- (3) “City” means the city of Longview.
- (4) “Clean Water Act (CWA)” means the federal Water Pollution Control Act (33 USC Section 1251 et seq.), and any subsequent amendments thereto.
- (5) “Consolidated Diking Improvement District No. 1 (CDID No. 1)” means the diking district that operates in and around the city of Longview.
- (6) “Director” means the city of Longview public works director or his/her designee.
- (7) “Hazardous materials” means any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- (8) “Hyperchlorinated water” means the water that contains more than 10 milligrams/liter chlorine.
- (9) “Illicit connection” means either of the following:
 - (a) Any pipe, open channel, drain or conveyance, whether on the surface or subsurface, which allows an illicit discharge to enter the municipal separate storm sewer system, regardless of whether such pipe, open channel, drain or conveyance has been previously allowed, permitted, or approved by an authorized enforcement agency; or
 - (b) Any pipe, open channel, drain or conveyance connected to the municipal separate storm sewer system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.
- (10) “Illicit discharge” means any direct or indirect non-stormwater discharge to the municipal separate storm sewer system, except as expressly exempted in LMC 17.90.060.
- (11) “LMC” means the Longview Municipal Code.

(12) “Municipal Separate Storm Sewer System” means any facility designed or used for collecting and/or conveying stormwater, including but not limited to any roads with drainage systems, highways, municipal streets, curbs, gutters, inlets, catch basins, piped storm drains, pumping facilities, structural stormwater controls, ditches, swales, natural and man-made or altered drainage channels, reservoirs, and other drainage structures, and which is:

(a) Owned or maintained by the city;

(b) Not a combined sewer; and

(c) Not part of a publicly owned treatment works as defined at 40 CFR 122.2.

(13) “National Pollutant Discharge Elimination System (NPDES)” means the national program for issuing, modifying, revoking, and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under Sections 307, 318, 402, and 405 of the Federal Clean Water Act, for the discharge of pollutants to surface waters of the state from point sources. These permits are referred to as NPDES permits and, in the state, are administered by Ecology under authority delegated pursuant to 33 USC Section 1342(b).

(14) “Non-Stormwater Discharge” means any discharge to the storm drain system that is not composed entirely of stormwater.

(15) “Person” means any owner, individual, association, organization, partnership, firm, corporation or other entity recognized by law.

(16) “Pollutant” means anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; petroleum hydrocarbons; automotive fluids; cooking greases and oils; detergents (biodegradable or otherwise); degreasers; cleaning chemicals; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; liquid and solid wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; concrete and cement; and noxious or offensive matter of any kind.

(17) “Pollution” means the contamination or other alteration of any water’s physical, chemical or biological properties by the addition of any constituent and includes but is not limited to, a change in temperature, taste, color, turbidity, or odor of such waters, or the discharge of any liquid, gaseous, solid, radioactive, or other substance into any such waters as will or is likely to create a nuisance or render such waters harmful, detrimental or injurious to the public health, safety, welfare, or environment, or to domestic, commercial, industrial, agricultural, recreational, or other legitimate beneficial uses, or to livestock, wild animals, birds, fish or other aquatic life.

(18) “Premises” means any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent public rights-of-way to the edge of roadway pavement.

(19) “Public works” means the city of Longview department of public works, their authorized representatives, or such other department as may be designated by the city manager.

(20) “RCW” means the Revised Code of Washington.

(21) “Soil” means the unconsolidated mineral and organic material on the immediate surface of the earth that serves as a natural medium for the growth of land plants.

(22) “Stormwater” means any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

(23) “Source Control” means actions, activities, and/or the implementation of Source Control BMPs to prevent or reduce the introduction of pollutants and contaminants to the municipal separate storm sewer system and surface waters.

(24) “Source control BMP” means a structure or operation intended to prevent pollutants from coming into contact with stormwater through physical separation of areas or careful management of activities that are sources of pollutants. Structural source control BMPs are physical, structural or mechanical devices or facilities that are intended to prevent pollutants from entering stormwater. Operation source control BMPs are non-structural practices, policies and operations that prevent or reduce pollutants from entering stormwater.

(25) “SWMMWW” means the latest edition of the Stormwater Management Manual for Western Washington.

(26) “USC” means the United States Code.

(27) “WAC” means the Washington Administrative Code.

(28) “Waters of the CDID No.1” means the system of open ditches and drains, sloughs, culvert and drainageways and appurtenances that are owned, operated or maintained by CDID No. 1.

(29) “Western Washington Phase II Municipal Stormwater Permit” means the National Pollutant Discharge Elimination System (NPDES) permit issued by the Washington Department of Ecology under the Clean Water Act that authorizes the discharge of pollutants to surface waters of the state from a municipal separate storm sewer system.

17.90.050 Administration.

The director shall administer, implement, and enforce the provisions of this chapter.

17.90.060 Prohibition of illicit discharges.

(1) Non-stormwater discharges into the municipal separate storm sewer system are prohibited with the exceptions noted in (2), (3), and (4) of this section. No person shall throw, drain, or otherwise discharge, cause or allow others under its control to throw, drain, or discharge into the municipal separate storm sewer system, Lake Sacajawea, waters of the CDID No.1, or other surface waters, any material other than stormwater or allowable non-stormwater discharges.

(2) Allowable Discharges. The following categories of non-stormwater discharges are exempt from LMC 17.90.060(1), unless they are identified by an authorized enforcement agency as a significant source of pollution:

(a) Diverted stream flows.

- (b) Rising ground waters.
- (c) Uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(b)(20)).
- (d) Uncontaminated pumped ground water.
- (e) Foundation drains.
- (f) Air conditioning condensation.
- (g) Irrigation water from agricultural sources that is commingled with urban stormwater.
- (h) Springs.
- (i) Uncontaminated water from crawl space pumps.
- (j) Footing drains.
- (k) Flows from riparian habitats and wetlands.
- (l) Discharges from emergency fire fighting activities.

(3) Conditionally-Allowed Discharges. The following categories of non-stormwater discharges are exempt from LMC 17.90.060(1) only if the stated conditions are met, unless they are identified by an authorized enforcement agency as a significant source of pollution:

- (a) Discharges from potable water sources, including but not limited to water line flushing, hyperchlorinated water line flushing, fire hydrant system flushing, and pipeline hydrostatic test water. Planned discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 parts per million or less, pH-adjusted, if necessary, and volumetrically and velocity controlled to prevent re-suspension of sediments in the municipal separate storm sewer system.
- (b) Dechlorinated swimming pool, spa and hot tub discharges. The discharges shall be dechlorinated to a total residual chlorine concentration of 0.1 parts per million or less, pH-adjusted and reoxygenized if necessary, volumetrically and velocity controlled to prevent resuspension of sediments in the municipal separate storm sewer system. Discharge shall be thermally controlled to prevent an increase in temperature of the receiving water. Swimming pool cleaning wastewater and filter backwash shall not be discharged to the municipal separate storm sewer system.
- (c) Nonstormwater discharges covered by another NPDES or state waste discharge permit; provided, that the discharger is in compliance with that permit, waiver, or order and other applicable laws and regulations; and provided, that written approval has been granted by the city for the discharge to the municipal separate storm sewer system.
- (d) Other non-stormwater discharges, which are in compliance with the requirements of a pollution prevention plan reviewed by the city which addresses control of such discharges.

(e) Dye testing for tracing purposes, provided, that written approval has been granted by the city prior to the testing.

(f) Other non-stormwater discharges specified in writing by the director as being necessary to protect public health and safety.

(4) Other Conditional Discharges. The following shall be addressed through public education and water conservation efforts to prevent illicit discharges:

(a) Discharges from lawn and garden watering and other irrigation runoff are permitted but shall be minimized.

(b) Street and sidewalk wash water, water used to control dust, and routine external building wash down that does not use detergents are permitted if the amount of water used is minimized. Sediment and debris shall be controlled in a manner as to not discharge or otherwise convey into the municipal separate storm sewer system. At active construction sites, street sweeping must be performed prior to washing the street.

17.90.070 Prohibition of illicit connections.

(1) The construction, connection, use, maintenance or continued existence of any illicit connections to the municipal separate storm sewer system is prohibited.

(2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.

(3) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the municipal sanitary sewer system upon approval of the director.

(4) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to the storm sewer system, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the city requiring that such locating be completed. Such notice will specify a reasonable time period within which the location of the drain or conveyance is to be completed, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the city.

17.90.080 Notification of illicit discharges and spills.

(1) Notwithstanding other requirements of law, as soon as any person responsible for a facility, activity or operation, or responsible for emergency response for a facility, activity or operation, has information regarding any known or suspected release of pollutants or non-stormwater discharges from that facility or operation which are resulting or may result in illicit discharges or pollutants discharging into stormwater, the municipal separate storm sewer system, or receiving waterbodies, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release so as to minimize the effects of the discharge. Said person shall also take immediate steps to ensure no recurrence of the discharge or spill.

(2) Said person shall notify the authorized enforcement agency in person or by phone, facsimile or in person of the nature, quantity and time of occurrence of the discharge no later than 24 hours after becoming aware of the known or suspected discharges. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the city within three business days of the phone or in person notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain on-site written records of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least five years.

(3) In the event of such a release of hazardous materials, emergency response agencies and/or other appropriate agencies shall be immediately notified.

(4) Failure to provide notification of a release as provided above is a violation of this chapter.

17.90.085 Pollution source control requirements.

(1) Stormwater pollutant source control is required for all property owners, residents, businesses, and public entities engaged in pollutant-generating activities.

(2) Stormwater Best Management Practices (BMPs) for source control from Volume IV of the SWMMWW or other guidance shall be implemented and applied to prevent and reduce pollutants and contaminants from coming into contact with stormwater and creating an illicit discharge to the municipal separate storm sewer system or surface waters.

(3) Activity-specific BMPs that are applicable to a site, business or operation shall be implemented as needed and appropriate.

(4) Structural stormwater BMPs shall be required for pollutant generating sources for which operational source control BMPs cannot adequately prevent illicit discharges to the municipal separate stormwater system or surface waters.

(5) Property owners, businesses and public entities that have been identified by the City as having the potential to pollute, shall participate in the City's Stormwater Source Control program. Participation in the program consists of:

(a) Completing a pre-inspection stormwater source control information survey.

(b) Providing access to the site/business for stormwater source control inspections.

(c) Implementing operation and structural source control BMPs that apply to the site/business.

(d) Documenting and submitting to the City, applicable source control policies and procedures.

17.90.090 Access and inspection of private property.

(1) Access and Inspections.

(a) Request for Access. If the director has cause to believe that a violation of this chapter has been, is being, or is likely to be committed, the director shall obtain permission from the owner to enter the premises to inspect for compliance.

(b) Permit-related Inspections. By submitting an application or receiving a permit from the city for any building or development activity, the owner shall be considered to have granted permission to the director to enter any premises for which such permit has been granted, and the director shall be allowed ready access to all parts of the premises for the purposes of inspection, water quality sampling, examination and copying of records that

must be kept under the conditions of a city or NPDES permit to discharge stormwater, and the performance of any additional duties as defined by local, state, or federal law.

(c) Presentation of Credentials. When entering a property, the director shall present identification credentials, state the reason for the inspection, and then enter the property to carry out the inspection.

(d) Premises Safety and Security. If an owner has safety and security measures in force which require proper clearance before entry into the premises, the owner shall make the necessary arrangements to allow access to representatives of the city.

(e) Access Obstructions. Any temporary or permanent obstruction to safe and easy access to the place or facility to be inspected and/or sampled shall be promptly removed by the owner at the written or oral request of the city and shall not be replaced. The costs of clearing such access shall be borne by the owner.

(f) Search Warrant. If the director does not have permission as provided in subsection (1)(a) or (b) of this section, or is unable to locate the owner, or is refused access to any part of the premises for which an inspection is to be performed, the director may obtain a search warrant from any court of competent jurisdiction to perform the inspection or sampling, by showing probable cause that he/she believes there may be a violation of this chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this chapter or any order issued hereunder, or to protect the overall health, safety, and welfare of the community or the environment.

(g) Imminent Hazard. If the director does not have permission as provided in subsection (1)(a) or (b) of this section or is unable to locate the owner or is refused access to any part of the premises from which an inspection is to be performed and he/she has good cause to believe the condition of the premises or of the private stormwater drainage system creates an imminent hazard to persons, property, or the environment, the director may enter solely to abate the danger and must then obtain permission or a search warrant as provided in subsection (1)(f) of this section for any further action.

(h) Delays. Any unreasonable delay in allowing the city access as provided under this section is a violation of this chapter.

17.90.100 Violations, enforcement and penalties.

(1) It shall be unlawful for any person to violate the provisions or fail to comply with any of the requirements of this chapter. Enforcement of this chapter shall be in accordance with Chapter 1.33 LMC or other means available through applicable local, state and/or federal law.

(2) Notice of Violation. Whenever the city finds that a violation of this chapter has occurred, the director may order compliance by written notice of violation. The notice of violation shall contain:

(a) The name and address of the person to whom the notice of violation is directed;

(b) The address when available or a description of the location where the violation is occurring, or has occurred;

(c) A statement specifying the nature of the violation;

(d) A description of the remedial measures necessary to restore compliance with this ordinance and a time schedule for the completion of such remedial action;

(e) A statement of the penalty or penalties that shall or may be assessed against the person to whom the notice of violation is directed; and,

(3) Remedies. In order to obtain compliance with this chapter, a notice of violation may require remedies, including any one or more of the following, without limitation:

(a) That violating discharges, practices, or operations shall cease and desist;

(b) The elimination of illicit connections;

(c) The performance of monitoring, analyses, and reporting to the city;

(d) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;

(e) The implementation of pollution prevention and/or source control best management practices; and

(f) Civil or criminal penalties pursuant to LMC 1.33 and applicable state or federal laws.

(4) Abatement. If abatement of a violation and/or restoration of affected property is required, the notice of violation shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the city or party authorized by the city may undertake remediation or restoration with the expenses thereof charged to and payable by the violator.

(5) Penalty Fee Recovery. Proceeds recovered from civil penalties for violations of this chapter shall be paid to the stormwater utility or provided as direct reimbursement for the costs and expenses incurred by other city programs or departments.

(6) Residential and Charity Car Washing. The city will take a public education approach to compliance for individual residential and charity car washing. These discharges shall be minimized through, at a minimum, water conservation efforts and public education activities that encourage use of commercial car washes, redirection of washwaters to a sanitary sewer or to pervious surfaces such as grass or gravel, and the use of phosphate-free soap.

17.90.110 General provisions.

(1) Abrogation and Greater Restrictions. It is not intended that this chapter repeal, abrogate, or impair any existing regulations, easements, covenants, or deed restrictions. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or

regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

(2) Interpretation. The provisions of this chapter shall be held to be minimum requirements in their interpretation and application and shall be liberally construed to serve the purposes of this chapter.

(3) Severability. The provisions of this chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this chapter.

(4) Liability. The requirements of this chapter are minimum standards and a person's compliance with the same shall not relieve such person from the duty of enacting all measures necessary to minimize the hydrologic impact of development and the pollution of receiving waters.

(5) Intent. The intent of this chapter is to place the obligation of complying with its requirements upon the owner. Neither the city nor any officer, agent, or employee thereof shall incur or be held as assuming any liability by reason or in consequence of any permission, inspection or approval authorized herein, or issued as provided herein, or by reason or consequence of any thing done or act performed pursuant to the provisions of this chapter.



City of Longview

Agenda Summary

RESOLUTION NO. 2423 – INTERLOCAL AGREEMENT WITH THE CITY OF KELSO FOR STORMWATER INSPECTION SERVICES

RECOMMENDED ACTION

MOTION TO ADOPT RESOLUTION NO. 2423.

COUNCIL INITIATIVE ADDRESSED:

Continue effective financial management

CITY ATTORNEY REVIEW: Yes

SUMMARY STATEMENT:

Kelso and Longview are both NPDES Phase II stormwater permittees required to meet Federal Clean Water Act requirements as administered by the Washington Department of Ecology. Municipal permittees are mandated to develop and implement a program to inspect pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites and require the application of pollution source control best management practices by January 2023.

Resolution No. 2423 authorizes the City Manager to enter into an interlocal agreement with the City of Kelso which would allow Longview Public Works staff to assist Kelso in performing stormwater source control inspections in its jurisdiction. Kelso would compensate Longview for performing these services.

Staff Contact:

Steve Haubner, Stormwater Manager

Attachments:

1. Resolution 2423 - Interlocal Agreement

RESOLUTION NO. 2423

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH THE CITY OF KELSO TO PROVIDE STORMWATER SOURCE CONTROL INSPECTION SERVICES

WHEREAS, Kelso and Longview are public agencies as defined by Ch. 39.34 of the Revised Code of Washington (“RCW”), and are authorized to enter into interlocal agreements on the basis of mutual advantage and thereby to provide service and facilities in the manner and pursuant to forms of governmental organization that will accord best with the geographic, economic, population, and other factors influencing the needs of local communities; and

WHEREAS, both Kelso and Longview are NPDES Phase II stormwater permittees required to meet Federal Clean Water Act requirements as administered by the Washington Department of Ecology; and

WHEREAS, the 2019 NPDES permit requires municipal permittees to develop and implement a program to inspect pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites and require the application of pollution source control best management practices; and

WHEREAS, Kelso desires to utilize the resources of Longview to assist Kelso in performing stormwater source control inspections for sites in its jurisdiction; and

WHEREAS, Kelso has agreed to compensate Longview for performing these services.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Longview as follows:

1. Section 1. The City Manager is authorized to execute the agreement with the City of Kelso, Washington to provide stormwater source control inspection services upon request by the City of Kelso, which agreement is provided as ATTACHMENT A, and forming a part of this Resolution.

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 17th day of November 2022.

M A Y O R

ATTEST:

City Clerk

INTERLOCAL AGREEMENT BETWEEN
THE CITIES OF LONGVIEW AND KELSO, WASHINGTON
RELATING TO STORMWATER SOURCE CONTROL
INSPECTION SERVICES

THIS INTERLOCAL AGREEMENT, hereinafter “Agreement”, is entered into between the CITY OF LONGVIEW, WASHINGTON, hereinafter “Longview”, and the CITY OF KELSO, WASHINGTON, hereinafter “Kelso”.

WHEREAS, Kelso and Longview are public agencies as defined by Ch. 39.34 of the Revised Code of Washington (“RCW”), and are authorized to enter into interlocal agreements on the basis of mutual advantage and thereby to provide service and facilities in the manner and pursuant to forms of governmental organization that will accord best with the geographic, economic, population, and other factors influencing the needs of local communities; and

WHEREAS, both Kelso and Longview are NPDES Phase II stormwater permittees required to meet Federal Clean Water Act requirements as administered by the Washington Department of Ecology; and

WHEREAS, the 2019 NPDES permit requires municipal permittees to develop and implement a program to inspect pollutant generating sources at publicly and privately owned institutional, commercial and industrial sites and require the application of pollution source control best management practices; and

WHEREAS, Kelso desires to utilize the resources of Longview to assist Kelso in performing stormwater source control inspections for sites in its jurisdiction; and

WHEREAS, Kelso has agreed to compensate Longview for performing these services.

NOW THEREFORE, in consideration of the terms and provisions contained herein, it is agreed between Kelso and Longview as follows:

1. Purpose. It is the purpose of this Agreement to establish the framework, roles, and responsibilities in order to have Longview perform stormwater source control inspection services for the City of Kelso for payment.

2. Services-Generally.

2.1 Approval and Priority. All services provided by Longview to Kelso, as detailed in this Agreement, will be performed by Longview Department of Public Works staff (“Longview Staff”) as approved and directed by the Longview Public Works Director (“Longview Director”) and subsequent to regularly assigned duties for Longview staff.

2.2 Joint Procedures. Both parties shall develop mutually agreeable procedures for the notification, transmittal, review, and communication regarding the services performed under this Agreement. The parties will periodically review these procedures and confer as needed to address any issues that arise in the administration of this Agreement. In the event of a dispute regarding the interpretation, application, or performance of these procedures or this Agreement, the City Managers of each party shall meet to attempt to resolve the dispute prior to the dispute resolution process set out in Paragraph 10.2.

- 3 Inspection Services. Longview staff shall perform stormwater source control inspections of publicly and privately-owned institutional, commercial and industrial sites located in the City of Kelso, upon request. The governing codes used for inspections shall be those adopted by Kelso within Chapter 13.09 of the Kelso Municipal Code, as amended.

Policies and procedures shall be established and agreed upon by both parties for 1) development of Kelso's source control site inventory, 2) development of source control BMP guidance and educational materials, 3) inspection checklists and procedures, 4) scheduling of inspections and notifications thereof, 5) the regular conduct and completion of site inspections, and 6) transmittal of inspection documentation and audit results with recommended and required source control BMPs. Kelso staff shall be responsible for further dissemination of the inspection results back to the site owners/operators and all enforcement actions as required under the municipal stormwater permit. Longview Staff shall also perform reinspection of sites to assess compliance, upon request.

Kelso will be responsible for data management for all aspects of the source control program and will retain ultimate responsibility for compliance with its municipal stormwater permit.

- 4 Term of Agreement. This agreement shall become effective immediately upon ratification by both legislative bodies of the City of Kelso and the City of Longview and shall continue indefinitely unless terminated by either party upon it providing the other party with sixty (60) days advance written notice of such termination.
- 5 Payment to Longview. In consideration of this Agreement and the services provided, Kelso shall pay Longview an hourly rate for all services provided under this Agreement.

5.1 Billing Statement. Longview shall submit a monthly statement to Kelso that shall contain the following:

- a. Date of service
- b. Hours of work

Payments for services rendered shall be made by Kelso each month within thirty (30) days of receipt of the billing statement from Longview.

5.2 Billing Statement Dispute. In the event that there is a dispute regarding the amount of money owed by Kelso to Longview, staff shall make every effort to resolve such dispute. In the event that there is no resolution to the dispute, the disputed amount shall be placed into the registry of the Cowlitz County Superior Court until the dispute is resolved by agreement of the parties or in a court with jurisdiction over the subject matter of the dispute.

6 Ownership of Property. The parties to this Agreement do not contemplate the acquisition of any property to carry out the purposes of this Agreement. Any property owned by Kelso shall remain the property of Kelso, and any property owned by Longview shall remain the property of Longview.

7 Independent Contractor. The parties understand and agree that Longview is acting hereunder as an independent contractor and shall maintain control of all Longview employees, including but not limited to hiring, firing, discipline, evaluation, and establishment of standards of performance thereof. All Longview personnel rendering service hereunder shall be, for all purposes, employees of Longview, although they may act as officers of Kelso in the performance of services under this Agreement.

8 Termination.

8.1 Termination by Notice. This Agreement may be terminated by either party upon it providing the other party with sixty (60) days advance written notice of such termination.

8.2 Termination by Mutual Written Agreement. This Agreement may be terminated at any time by mutual written agreement of the parties.

8.3 Termination for Breach. Longview may terminate this Agreement with fourteen (14) days advance written notice upon the failure of Kelso to make payments as required by this Agreement. Kelso may terminate this Agreement upon fourteen (14) days advance written notice in the event Longview fails to provide services as required in this Agreement except disputes handled per Section 5.2.

9 Indemnification and Hold Harmless. Longview agrees to defend, indemnify, and hold harmless Kelso, and each of its employees, officials, agents, and volunteers, from any and all losses, claims, liabilities, lawsuits, or legal judgments arising out of any negligent or tortious actions or inactions by Longview or any of its employees, officials, agents, or volunteers, while acting within the scope of the duties required by this Agreement. All costs, including but not limited to attorneys' fees, court fees, mediation fees, arbitration fees, settlements, awards of compensation, awards of damages of every kind, etc., shall be paid by Longview or its insurer. This provision shall survive the expiration of this Agreement. This provision shall also survive and remain in effect in the event that a court or other entity with jurisdiction determines that this interlocal Agreement is not enforceable.

Kelso agrees to defend, indemnify, and hold harmless Longview and each of its employees, officials, agents, and volunteers from any and all losses, damages, claims, liabilities, lawsuits, or legal judgments arising out of any negligent or tortious actions or inactions by Kelso or any of its employees, officials, agents, or volunteers, while acting within the scope of the duties required by this Agreement. All costs, including but not limited to attorneys' fees, court fees, mediation fees, arbitration fees, settlements, awards of compensation, awards of damages of every kind, etc., shall be paid by Kelso or its insurer. This provision shall survive the expiration or earlier termination of this Agreement. This provision shall also survive and remain in effect in the event that a court or other entity with jurisdiction determines that this interlocal Agreement is not enforceable.

IT IS FURTHER SPECIFICALLY AND EXPRESSLY UNDERSTOOD THAT THE INDEMNIFICATION PROVIDED HEREIN CONSTITUTES EACH PARTY'S WAIVER OF IMMUNITY UNDER INDUSTRIAL INSURANCE, TITLE 51 RCW, SOLELY TO CARRY OUT THE PURPOSES OF THIS INDEMNIFICATION CLAUSE. THE PARTIES FURTHER ACKNOWLEDGE THAT THEY HAVE MUTUALLY NEGOTIATED THIS WAIVER.

The rights, duties and obligations set forth in this section survive termination or expiration of this agreement.

10 Miscellaneous.

10.1. Non-Waiver of Breach. The failure of either party to insist upon strict performance of any of the covenants and agreements contained in this Agreement, or to exercise any option conferred by this Agreement in one or more instances, shall not be construed to be a waiver or relinquishment of those covenants, agreements or options, and the same shall be and remain in full force and effect.

10.2. Resolution of Disputes and Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Washington. If the parties are unable to settle any dispute, difference or claim arising from the parties' performance of this Agreement, the exclusive means of resolving that dispute, difference or claim, shall only be by filing suit exclusively under the venue, rules and jurisdiction of the Cowlitz County Superior Court, Cowlitz County, Washington, unless the parties agree in writing to an alternative dispute resolution process. In any claim or lawsuit for damages arising from the parties' performance of this Agreement, each party shall pay all its legal costs and attorney's fees incurred in defending or bringing such claim or lawsuit, in addition to any other recovery or award provided by law; provided, however, nothing in this paragraph shall be construed to limit the parties' right to indemnification under this Agreement.

10.3. Assignment. Any assignment of this Agreement by either party without the prior written consent of the non-assigning party shall be void. If the non-assigning party gives its consent to any assignment, the terms of this Agreement shall continue in full force and effect and no further assignment shall be made without additional written consent.

10.4. Modification. No waiver, alteration, or modification of any of the provisions of this Agreement shall be binding unless in writing and signed by a duly authorized representative of each party and subject to ratification by the legislative body of each City.

10.5. Compliance with Laws. Each party agrees to comply with all local, state and federal laws, rules, and regulations that are now effective or in the future become applicable to this Agreement.

10.6. Entire Agreement. The written terms and provisions of this Agreement, together with any exhibits attached hereto, shall supersede all prior communications, negotiations, representations or agreements, either verbal or written of any officer or

other representative of each party, and such statements shall not be effective or be construed as entering into or forming a part of or altering in any manner this Agreement. All of the exhibits are hereby made part of this Agreement. Should any of the language of any exhibits to this Agreement conflict with any language contained in this Agreement, the language of this document shall prevail.

10.7. Severability. If any section of this Agreement is adjudicated to be invalid, such action shall not affect the validity of any section not so adjudicated.

10.8. Interpretation. The legal presumption that an ambiguous term of this Agreement should be interpreted against the party who prepared the Agreement shall not apply.

10.9. Notice. All communications regarding this Agreement shall be sent to the parties listed on the signature page of the Agreement, unless notified to the contrary. Any written notice hereunder shall become effective upon personal service or three (3) business days after the date of mailing by registered or certified mail.

IN WITNESS, the parties below execute this Agreement, which shall become effective on the last date entered below.

DATED: _____

CITY OF KELSO

BY: _____

CITY MANAGER

ATTEST: _____

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

DATED: _____

CITY OF LONGVIEW

BY: _____

CITY MANAGER

ATTEST: _____

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



City of Longview

Agenda Summary

RESOLUTION NO. 2425 - AUTHORIZING THE AD VALOREM TAX LEVY FOR 2023

RECOMMENDED ACTION

MOTION TO ADOPT RESOLUTION NO. 2425.

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

RCW Chapter 84.55 limits ad valorem taxes to 100% of the previous year's levy, plus the value of new construction and improvements; this is called a "limit factor." In order to exceed the "limit factor," the law requires cities to adopt a Resolution authorizing any increase in the ad valorem to a "limit factor" established by the city, which cannot exceed the lesser of one percent or inflation, as defined by the Implicit Price Deflator (IPD). This Resolution complies with the language of RCW 84.55 in that it represents an increase in the levy amount that is the lesser of one percent or an amount equal to inflation as measured by the implicit price deflator over the highest allowable levy since 1985. This Resolution authorizes a levy for 2023 in an amount which is 103.63% of the 2022 levy, which constitutes a 1.0% increase in the general property tax levy, in addition to any amount resulting from prior years banked capacity, new construction and improvements to property, annexations, any increase in value of state-assessed property, and amounts eligible for refund levy. Such a Resolution must follow a public hearing regarding revenue sources. The public hearing for the 2023 General Fund revenue sources was held on November 3, 2022.

STAFF CONTACT:

Kurt Sacha, City Manager

Attachments:

1. RESOLUTION NO 2425 - Authorizing the Ad Valorem Tax Levy Rate for 2023

RESOLUTION NO. 2425

A RESOLUTION of the City Council of the City of Longview, Washington, pursuant to RCW Chapter 84.55 of the State of Washington, providing for a 1.0% increase in the regular property tax levy, in addition to banked capacity from prior years and any amount resulting from new construction, improvements, any increase in the value of state-assessed property and amounts eligible for refund levy from the amount that was levied in 2022 to an amount which is 103.63% thereof.

WHEREAS, RCW Chapter 84.55.120 of the State of Washington, provides for and requires the enactment of an ordinance or resolution of the City Council, after a public hearing, in order to levy ad valorem taxes in an amount and/or percentage higher than that levied in the previous year; and

WHEREAS, the City Council of the City of Longview, a city of more than 10,000 population, has properly given notice of the public hearing held on November 3, 2022, to consider the City of Longview's current expense budget for the 2023 calendar year, pursuant to RCW 84.55.120; and

WHEREAS, the City Council, after hearing, and after duly considering all relevant evidence and testimony presented, has determined that the City of Longview shall provide for a 1.0% increase in the regular property tax levy from the previous year. Additions to the increase resulting from the prior years banked capacity, the addition of new construction and improvements to property, annexation and any increase in the value of state-assessed property, and amounts eligible for refund levy shall also be provided for in order to discharge the expected expenses and obligations of the City of Longview and in its best interests;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Longview as follows:

That an increase in the regular property tax levy, in addition to any amount resulting from the prior years banked capacity, the addition of any new construction and improvements to property, annexation and any increase in the value of state-assessed property and amounts eligible for refund levy are hereby authorized for the 2023 levy in the amount of \$345,009 which is a percentage increase of 3.63% from the previous year.

Any unused general property tax levy capacity for the 2023 tax year is reserved for future levy as provided by RCW 84.55.092.

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

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

Mayor

Attest:

City Clerk



City of Longview

Agenda Summary

ORDINANCE NO. 3469 – SETTING THE AD VALOREM TAX LEVY RATE FOR 2023

RECOMMENDED ACTION

MOTION TO ADOPT ORDINANCE NO. 3469.

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The attached Ordinance fixes the estimated amount to be raised by ad valorem taxes for the 2023 Budget. For 2023, the requested ad valorem tax rate is \$2.0348887 per \$1,000 of assessed value. The \$2.03 per \$1,000 represents a \$0.20 decrease from the \$2.23 ad valorem tax rate levied in 2022. Based on the Certification of Value of \$4,886,772,404 provided by the Cowlitz County Assessor's Office, the estimate for 2023 taxes payable is \$9,944,038. The attached Ordinance sets the 2023 general property tax levy at 1.0% above last year's actual levy, and includes the addition of any amount resulting from prior years banked capacity, new construction and improvements to property, annexations, any increase in the value of state-assessed property and amounts eligible for refund levy. An Ordinance setting the 2023 levy must be delivered to the County legislative authority on or before November 30, 2022.

RECOMMENDED ACTION:

Motion to adopt Ordinance No. 3469

STAFF CONTACT:

Kurt Sacha, City Manager

Attachments:

1. ORDINANCE NO 3469 - Setting the 2023 Ad Valorem Tax Rate

ORDINANCE NO. 3469

An Ordinance fixing the estimated amount to be raised by ad valorem taxes for the 2023 Budget of the City of Longview.

WHEREAS RCW 35A.33.135 provides that the City Council shall determine and fix, by ordinance, the amount to be raised by ad valorem taxes, and provides that such ordinance shall be certified to the Board of County Commissioners of Cowlitz County in accordance with RCW 84.52.020; and

WHEREAS RCW 84.52.020 requires that such ordinance be certified to the said County Commissioners on or before the 30th day of November in the year prior to the levy of such taxes;

WHEREAS the City Council adopted Resolution No. 2425, which provided for a 1% increase in the regular property tax levy from 2022, in addition to banked capacity from prior years and any amount resulting from the addition of new construction and improvements to property, annexations, any increase in value of state-assessed property, and amounts eligible for refund levy from the amount that was levied in 2022 to an amount which is 103.63% thereof.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF LONGVIEW DO ORDAIN AS FOLLOWS:

SECTION 1. That the estimated dollar amount to be raised and the estimated tax rate levy upon real and personal property in Cowlitz County, Washington, to raise said dollar amount to cover the estimated budget needs of the City of Longview for the calendar year 2023 is, and shall be (based on 100% of the true and fair value of \$4,886,772,404 for the ensuing year 2023 as follows:

TAX RATE; \$2.03 per \$1,000 of assessed value

 \$2.03 for General Municipal purposes

DOLLAR AMOUNT: General Municipal Purposes \$9,944,038

SECTION 2. This ordinance shall be in full force and effect from and after five (5) days from the date of its passage and publication.

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

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

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published: _____



City of Longview

Agenda Summary

ORDINANCE NO. 3468 AMENDING THE 2021-2022 BIENNIAL BUDGET (2ND READING)

RECOMMENDED ACTION

MOTION TO ADOPT ORDINANCE NO. 3468

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: Continue effective financial management

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The subject ordinance has been prepared to amend the 2021-2022 biennial budget to authorize expenditures unforeseen at the time the 2021-2022 biennial budget was adopted. This amendment affects the 2021-2022 General Fund budget.

RECOMMENDED ACTION:

Motion to Adopt Ordinance No. 3468

STAFF CONTACT: Kurt Sacha, City Manager

Attachments:

1. ORD NO 3468 - Amending the 2021-2022 Biennial Budget

ORDINANCE NO. 3468

An Ordinance relating to public expenditures and declaring an emergency under the provisions of RCW 35A.34.150, fixing the amount of money required to meet such emergencies and authorizing the expenditure of money not provided for in the 2021 - 2022 biennial budget of the City.

WHEREAS, on December 10, 2020, the City Council of the City of Longview adopted the biennial budget of the City of Longview for 2021-2022; and

WHEREAS, it was thereafter determined by said City Council that additional funds are available and that additional expenditures should be authorized, and said matters were not contemplated at the time of the adoption of said 2021-2022 biennial budget:

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

Section 1. That the General Fund of the 2021-2022 City of Longview biennial budget shall be, and is hereby, amended as follows:

- a) Revenue shall be increased to provide for greater than anticipated sales tax revenue: \$91,000.00
- b) General Fund expenditures shall be increased to provide for the salaries and benefits for a Community Outreach Coordinator: \$91,000.00

Section 2. That by reason of the facts herein before set forth, an emergency is hereby declared under the provisions of RCW 35A.34.150, and it is hereby ordered that the foregoing appropriations and budget amendments be approved in excess of the 2021-2022 biennial budget for the purposes stated herein.

Section 3. This ordinance shall be in full force and effect from and after five (5) days from its passage and publication.

Passed by the City Council this _____ day of November, 2022. Approved by the Mayor this _____ day of November, 2022.

M A Y O R

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Published: _____



City of Longview

Agenda Summary

RESOLUTION NO. 2426 - AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COWLITZ COUNTY TO FUND THE ESTABLISHMENT AND OPERATION OF A HOSTED EMERGENCY SHELTER SITE FOR UNHOUSED INDIVIDUALS

RECOMMENDED ACTION:

MOTION TO ADOPT RESOLUTION 2426 AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH COWLITZ COUNTY TO FUND THE ESTABLISHMENT AND OPERATION OF A HOSTED EMERGENCY SHELTER SITE

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Enhance public safety & emergency response
Preserve and enhance neighborhoods
Address quality of place issues

CITY ATTORNEY REVIEW: YES

SUMMARY STATEMENT:

The City of Longview desires to establish a hosted emergency shelter site that provides a clean and safe temporary housing environment for those experiencing homelessness, while engaging in services and being supported in taking steps to obtain stable housing. An interlocal agreement between the City and the County will fund the establishment and operation of the hosted emergency shelter site. The City will collaborate with local stakeholders to address homelessness and work with all organizations providing homeless support services within the two jurisdictions.

RECOMMENDED ACTION:

Motion to authorize the City Manager to sign an Interlocal Agreement with Cowlitz County to fund the establishment and operation of a hosted emergency shelter site.

STAFF CONTACT:

Kris Swanson, Assistant City Manager

Attachments:

1. Resolution 2426 for Hosted Homeless ILA Nov 17 2022

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERLOCAL AGREEMENT WITH COWLITZ COUNTY ~~TO FUND FOR THE ESTABLISHMENT AND OPERATION OF A HOSTED~~ EMERGENCY SHELTER SITE FOR UNHOUSED INDIVIDUALS

WHEREAS, homelessness continues to be a local, regional and national challenge due to many social and economic factors; and

WHEREAS, hosted ~~emergency shelter sites~~~~homeless encampments~~ have become a temporary mechanism for providing shelter for ~~unhoused~~~~homeless~~ individuals ~~and families~~; and

WHEREAS, the City of Longview desires to establish a ~~hosted emergency shelter~~~~Hosted Homeless Shelter ("Shelter") site~~ that provides a clean and safe temporary housing environment for those experiencing homelessness, while engaging in services and being supported in taking steps to obtain stable housing; and

WHEREAS, the purpose of an interlocal agreement between the City and the County is to fund the establishment and operation of ~~a hosted emergency shelter site~~~~the Hosted Homeless Shelter~~. The City will collaborate with local stakeholders to address homelessness and work with all organizations providing homeless support services within the two jurisdictions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Longview as follows:

Section 1. The City Manager is authorized to execute an agreement with Cowlitz County ~~to fund the establishment and operation of a hosted emergency shelter site~~~~regarding a hosted homeless shelter~~.

The Scope of Work for such agreement is attached as Exhibit A, forming a part of this Resolution, and subject to such minor modifications that the City Manager deems necessary.

PASSED by the City Council of Longview, Washington, and approved by its Mayor this 17th day of November, 2022.

Mayor

ATTEST:

City Clerk

ATTACHMENT A - SCOPE OF WORK FOR SHELTER PROJECT

The City is to create and operate a hosted emergency shelter site to address homelessness, providing a clean and safe temporary housing environment and support services.

1. The Shelter Project shall:

- a. Be located in the City of Longview, specifically on City property at 1451 Alabama Street, Longview, WA 98632. The City is responsible for the operation, maintenance, and supervision of the Shelter Project.
- b. Operate for a total of twelve (12) months, which period may be extended by Amendment of the Agreement by both the City and the County.
- c. Include on-site host services and case management, which will include wrap around services for individuals who need assistance in addressing physical and behavioral health challenges, financial barriers, and address any other barriers to housing.
- d. Include shelters that have beds, electric connectivity, insulation and heat, and openable windows and doors for ventilation.
- e. Include storage options such as storage units and a functional and habitable community space for residents to access meals and needed services.
- f. Include hygiene facilities including showers, sinks, and toilets to comply with the American Disabilities Act, as amended, and any other applicable law.
- g. Be a crime-free space with zero tolerance for weapons of any kind, violence, threats or intimidation of any kind, and no alcohol or substance use in public spaces.
- h. Include security seven days a week during overnight hours to ensure public safety.



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 NOVEMBER 2022 ACCOUNTS PAYABLE: \$

Checks no.

FIRST HALF NOVEMBER 2022 PAYROLL:

\$15,455.16, checks no. 1527-1545

\$903,929.00, direct deposits

\$605,939.94, wire transfers

\$1,525,324.10 Total

STAFF CONTACT:

Steve Coons, Fiscal Manager

Dana Beck, Payroll Specialist

Attachments: None



City of Longview

Agenda Summary

RESOLUTION NO. 2424 SURPLUS PROPERTY

RECOMMENDED ACTION

MOTION TO ADOPT RESOLUTION NO. 2424.

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Continue effective financial management

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The equipment identified in Exhibit "A" (surplus request forms) of the attached resolution has been determined by staff to be no longer needed. Before these items can be sold, traded-in, or otherwise disposed of, they must be declared surplus. This resolution will declare these items surplus and authorize the City Manager to sell or otherwise dispose of it.

Attachments:

1. Resolution No 2424 - Surplus Property
2. EXHIBIT A - SURPLUS PROPERTY

A RESOLUTION PROVIDING FOR THE DISPOSAL OF CERTAIN PROPERTY DEEMED TO BE SURPLUS TO THE REASONABLE FORESEEABLE NEEDS OF THE CITY OF LONGVIEW.

WHEREAS, certain items of equipment belonging to the City of Longview are obsolete and no longer used by the City; and

WHEREAS, the value, obsolescence and condition of these items of inventory make it impractical to trade the same in on future purchases of new inventory items from the list of assets of the City, and to obtain the maximum return for said inventory items, it would be in the best interest of the City to dispose of the same in a manner that will be to the best advantage to the City of Longview;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Longview as follows:

1. Based upon the finding and recommendations of the City Manager of said City, the items of inventory belonging to said City as shown on "Exhibit A" (surplus request forms), attached hereto and incorporated herein by this reference, are declared to be surplus to the foreseeable needs of the City.

2. That it is deemed to be for the common benefit of the residents of said City to dispose of said items of inventory.

3. That the City Manager is authorized to dispose of items listed on "Exhibit A" (surplus request forms), attached hereto, in a manner that will be to the best advantage to the City of Longview.

PASSED by the City Council of Longview, Washington, and approved by its
Mayor this 17th day November, 2022.

Mayor

ATTEST:

City Clerk



City of Longview

Agenda Summary

PROJECT COMPLETION – ARCHIE ANDERSON PARK WATER MAIN REPLACEMENT PROJECT

RECOMMENDED ACTION

MOTION TO ACCEPT AS COMPLETE THE ARCHIE ANDERSON PARK WATER MAIN REPLACEMENT PROJECT

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Provide sustainable water quality & environmental infrastructure

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

The Archie Anderson Park Water Main Replacement project has been completed in accordance with the plans and specifications under Contract No. 22-0208-W entered into between the City of Longview and Advanced Excavating Specialists, LLC. The City Council must accept the project as complete before final contract closeout can be accomplished.

STAFF CONTACT:

Karl Enyeart, Project Engineer

Attachments: None



City of Longview

Agenda Summary

CITY MANAGER RECRUITMENT/SELECTION PROCESS/APPOINTMENT

RECOMMENDED ACTION

MOTION TO MOVE FORWARD WITH A RECRUITMENT EFFORT LED BY THE HUMAN RESOURCES DIRECTOR

OR

MOTION TO PROCEED WITH A RECRUITMENT LED BY A THIRD PARTY EXECUTIVE SEARCH FIRM

OR

MOTION TO APPOINT A CITY MANAGER EFFECTIVE MARCH 1, 2023, SUBJECT TO FINAL COUNCIL APPROVAL OF CONTRACT TERMS

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Council Initiative: All

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Pursuant to Council's request at the November 3, 2022 Council meeting, the City Manager shall provide an overview of the City Manager recruitment/selection process undertaken by previous City Councils. The manager will highlight timelines, costs and other considerations associated with the varying recruitment processes.

Attachments: None