



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

LEGAL DEPARTMENT

James J. McNamara
City Attorney

Stephen C. Shuman
Senior Attorney - Criminal Division

Heidi Thompson
Asst. Attorney - Criminal Division

Sean J. Kelly
Asst. Attorney - Criminal Division

Sent via e-mail to pdc@pdc.wa.gov
Re: PDC Case No. 41629

October 17, 2018

Micaiah Titus Ragins
Compliance Coordinator
Washington Public Disclosure Commission

Dear Mr. Ragins:

On behalf of the Longview City Council, I am responding to the two complaints filed in PDC case No. 41629.

With regard to Mr. Michael O'Neill's complaint, the complainant states, in full:

"The agenda for the upcoming City Council meeting contains a biased summary about Initiative 1631, which is on the upcoming November election ballot, and recommends the City Council adopt a motion to urge citizens to vote no on the ballot measure. Using City of Longview public facilities to distribute the agenda, hold the meeting where this agenda item will be discussed, and publishing meeting minutes and video records of the proceedings will all violate the prohibition of this activity from RCW 42.17A.555.

The City of Longview only brings forward Council member motions when they are supported by two members of the Council. Mary Alice Wallis is listed on the agenda as the sponsor of this motion, and Mike Wallin is listed as the supporting Council member. This violation of the law would not have been initiated without these two Council members."

RCW 42.17A.555

RCW 42.17A.555 provides:

RCW 42.17A.555

Use of public office or agency facilities in campaigns—Prohibition—Exceptions.

No elective official nor any employee of his or her office nor any person appointed to or employed by any public office or agency may use or authorize the use of any of the facilities of a public office or agency, directly or indirectly, for the purpose of assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition. Facilities of a public office or agency include, but are not limited to, use of stationery, postage, machines, and equipment, use of employees of the office or agency during working hours, vehicles, office space, publications of the office or agency, and clientele lists of persons served by the office or agency. **However, this does not apply to the following activities:**

(1) **Action taken at an open public meeting by members of an elected legislative body** or by an elected board, council, or commission of a special purpose district including, but not limited to, fire districts, public hospital districts, library districts, park districts, port districts, public utility districts, school districts, sewer districts, and water districts, to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or **to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view;**

(2) A statement by an elected official in support of or in opposition to any ballot proposition at an open press conference or in response to a specific inquiry;

(3) Activities which are part of the normal and regular conduct of the office or agency.

(4) This section does not apply to any person who is a state officer or state employee as defined in RCW 42.52.010.

(emphasis added)

Mr. O'Neill's complaint is without merit. RCW 42.17.555 explicitly allows for a local governing body, such as the Longview City Council "to express a collective decision, or to actually vote upon a motion, proposal, resolution, order, or ordinance, or to support or oppose a ballot proposition so long as (a) any required notice of the meeting includes the title and number of the ballot proposition, and (b) members of the legislative body, members of the board, council, or commission of the special purpose district, or members of the public are afforded an approximately equal opportunity for the expression of an opposing view"

Mr. O'Neill does not assert that required notice of the October 11, 2018 meeting was not provided. In fact, such notice was provided, as demonstrated by the attached Declaration of Longview City Clerk Kaylee Cody.

Next, he does not assert that any required notice of the meeting failed to include the title and number of the ballot proposition. In fact, the attached notice of hearing, as seen on pages 3 and 4 of the October 11th Council agenda (attached to Ms. Cody's declaration) reads:

**CONCERNING INITIATIVE MEASURE NO 1631, FILED MARCH 13, 2018
AN ACT RELATING TO REDUCING POLLUTION BY INVESTING IN
CLEAN AIR, CLEAN ENERGY, CLEAN WATER, HEALTHY FORESTS, AND
HEALTHY COMMUNITIES BY IMPOSING A FEE ON LARGE EMITTERS
BASED ON THEIR POLLUTION; AND ADDING A NEW CHAPTER TO TITLE 70
RCW.**

Thus, the provided notice fully identified the title and number of the ballot proposition in question.

Further, Mr. O'Neill does not assert that members of the legislative body or members of the public were not afforded an approximately equal opportunity for the expression of an opposing view. Interestingly, Mr. O'Neill failed to provide the Public Disclosure Commission with the actual agenda for the night of October. Either intentionally or carelessly, he provided an earlier version. The actual version, which Ms. Cody authenticated was different, and in a significant way that undercuts Mr. O'Neill's complaint.

The actual notice contained a statement in the agenda summary that reads:

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

Finally, as Ms. Winger has attested in her attached declaration, consistent with the notice in the Agenda at the October 11, 2018, proponents and opponents of the measure were limited to 3 minutes apiece of testimony. That is, every speaker, whether in support of or in opposition to I-1631 had an equal opportunity to express their views, as allowed by statute.

I should note that prior to the October 11th City Council meeting, being aware that this item would be on the agenda, I contacted the PDC to seek guidance to ensure that the City's planned procedure was fully in accordance with the law. I spoke with Ladelle Fuquay of the PDC and she and I discussed the issue. She directed me to the guidance provided in PDC Interpretation No. 04-02: Guidelines for Local Government Agencies in Election Campaigns* Public Disclosure Law Re: Use of Public Facilities in Campaigns.

PDC Interpretation No. 04-02

The PDC's own Interpretation of this statute in PDC Interpretation No. 04-02 gives further weight to the conclusion that the City's Council's actions were proper.

As you are well aware, I am sure, Interpretation No. 04-02 provides a matrix of guidance that is "an expression of the Commission's view of the meaning of RCW 42.17A.555".¹

¹ PDC Interpretation No. 04-02, at 1.

With regard to the application of RCW 42.17A.555 to local elected legislative bodies, the Interpretation notes, under Permitted activities: "May collectively vote to support or oppose a ballot measure at a properly noticed public meeting, where opponent of the measure are given an equal opportunity to express views."² Thus, PDC guidance explicitly acknowledges that legislative bodies such as the Longview City Council may engage in the activities to which Mr. O'Neill objects. Thus there is no basis for his complaint.

As noted above, Mr. O'Neill has failed to provide a scintilla of evidence that all parties were not provided with an equal opportunity to express views.

Conclusion

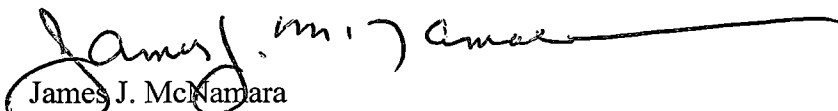
The complaint of Michael O'Neill does not support a finding of a violation of RCW 42.17A.555.

As noted in the PDC's Enforcement Guide, "Complaints may be dismissed as unfounded or frivolous when the evidence presented is insufficient to support the alleged violations." Mr. O'Neill not only fails to produce *sufficient* evidence, he has failed to produce *any* evidence.

RCW 42.17A.555 allows a City Council to vote to support or oppose a ballot measure, so long as certain steps, detailed and discussed above, are taken. To summarize, the City provided notice, including number and ballot title and provided an equal opportunity for the expression of opposing views. This is all the statute requires. Yet, Mr. O'Neil has not only not alleged a single fact to the contrary, he has marshalled no evidence to the contrary.

In light of the fact that Mr. O'Neill provides no evidence to support the allegation of a violation of RCW 42.17A.555 the complaint should be dismissed as unfounded and frivolous with no further action taken.

Sincerely yours,


James J. McNamara
City Attorney

Enc

Cc: Longview City Council
Kurt Sacha, City Manager

² Id. at 8.

1 **BEFORE THE PUBLIC DISCLOSURE COMMISSION OF THE STATE OF**
2 **WASHINGTON**

3
4
5
6 In Re: THE COMPLAINT OF MICHAEL
7 O'NEILL

Case No. 41629

8 **DECLARATION OF KAYLEE CODY,**
9 **CITY CLERK OF THE CITY OF**
10 **LONGVIEW**

11
12 KAYLEE CODY declares:

- 13 1. I am the City Clerk for the City of Longview ("City"),
14 2. Among my duties as City Clerk for the City of Longview, I am responsible for preparing the City
15 Council Agenda. In addition, I attend and take minutes at City Council meetings.
16 3. I have reviewed the Complaint filed by Michael O'Neill with the Public Disclosure Commission
17 and his supporting documentation.
18 4. I prepared the agenda for the October 11, 2018 City Council meeting. I ensured, after consulting
19 with the City Attorney that consistent with RCW 42.17A.555, the notice of the meeting, with
20 regard to I-1631 included the title and number of the ballot proposition that would be under
21 consideration that evening.
22 5. The agenda attached to Mr. O'Neill's Complaint was not the final agenda. The final agenda is
23 attached to this Declaration as Exhibit A. It differs from the agenda Mr. O'Neill submitted in two
24 material ways. First, while the agenda Mr. O'Neill submitted bears the heading Agenda - Final,
25 this is was later replaced and reposted with an agenda bearing the heading Agenda – Final –
26 revised. The second way this agenda differed from the document submitted by Mr. O'Neill is
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DECLARATION OF KAYLEE CODY

1 that the agenda actually used at the Council meeting of October 11th contained the following
2 language: "Consistent with RCW 42.17A.555(1), members of the council and members of the
3 public will be afforded an approximately equal opportunity for the expression of an opposing
4 view."
5

- 6
- 7 6. I caused notice of the October 11th meeting of the City Council to be provided in the following
8 manner: posted to the City of Longview's official website; distributed to the local media by email
9 (The Daily News, KLTV & KLOG); and displayed at the Post Office, Longview Public Library,
10 & City Hall.
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- 12
- 13 7. I was not in attendance at the October 11th Council meeting. On that evening Maureen Wingler
14 served as Acting City Clerk, in my absence.
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16 I declare under penalty of perjury under the laws of the State of Washington that the
17 foregoing is true and correct to the best of my knowledge.
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19 EXECUTED at Longview, Washington this 17th day of October, 2018.
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24 Kaylee Cody
25 Kaylee Cody
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City of Longview

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

Agenda - Final-revised

City Council

Mayor Don Jensen
Council Member Ken Botero
Council Member Chet Makinster
Council Member Steve Moon
Council Member Scott Vydra
Mayor Pro Tem Michael Wallin
Council Member MaryAlice Wallis

EXHIBIT A

Thursday, October 11, 2018

7:00 PM

2nd Floor, City Hall

The City Hall is accessible for persons with disabilities. Special equipment to assist the hearing impaired is also available. Please contact the City Executive Offices at 360.442.5004 48 hours in advance if you require special accommodations to attend the meeting.

1. CALL TO ORDER

2. INVOCATION*/FLAG SALUTE

3. ROLL CALL

4. APPROVAL OF MINUTES

18-5613 COUNCIL MINUTES, SEPTEMBER 20, 2018 WORKSHOP
COUNCIL MINUTES, SEPTEMBER 27, 2018 REGULAR MEETING

Attachments: 9.20.18 Workshop Minutes for Approval

9.27.2018 Regular Meeting Minutes for Approval

5. CHANGES TO THE AGENDA

6. PRESENTATIONS & AWARDS

18-5572 PROCLAMATION: DOMESTIC VIOLENCE AWARENESS MONTH -
OCTOBER 2018

RECIPIENT: JILL MATHEWS, DOMESTIC VIOLENCE ADVOCATE & CASE
MANAGER

STAFF CONTACT: Maureen Wingler, Executive Office

Attachments: Domestic Violence Action Month - October 2018.pdf

18-5616**PROCLAMATION: LONGVIEW-WAKO SISTER CITY FRIENDSHIP 2018****RECIPIENT: EILEEN BERGESON, CHAIR****STAFF CONTACT: Maureen Wingler, Executive Office****Attachments:** Longview - Wako Friendship 2018.pdf18-5615**PARKS & RECREATION: COMMUNITY ADVOCATE AWARD****SUMMARY STATEMENT:**

The City of Longview Parks & Recreation Department goal of the Community Advocate Award is to recognize community members who support the mission of Longview Parks and Recreation to build a healthy Longview community. To be considered for the Award, the department created the following criteria:

- May be involved in Longview Parks & Recreation but must be involved in additional activities outside of the department
- Majority of advocacy must benefit City of Longview Residents.
- Recipients work must align with our mission
- Priority for award goes to those that deal with a vulnerable population
- Advocate must volunteer. Award may be given to a person based on their paid job position, but they must also volunteer in some capacity.

This Fall, the City of Longview Parks and Recreation Department decided to recognize, Erika Quiroz, Cary Bellows & Juice Quiroz of Radical Love. These individuals have been chosen because they enhance the quality of life for residents and inspire us every day with their passion and commitment to make Longview a better place to live, work, and play. Erika and Juice came to Washington in 2012 looking for a positive community to call home. During this time the Longview/Kelso area was already in the midst of its housing and homeless crisis. With the closure of Love Overwhelming coinciding with dropping temperatures, Erika knew there would be a spike of homeless individuals on the streets unprepared for freezing weather, and felt moved to do something to help those in need. Erika, being a life-long hobby chef, and her son Juice, took it upon themselves to make a large pot of chili to help warm those on that cold night. Through the support of many organizations and individuals in our community, that outreach turned into a regular meal which welcomed all who needed to be fed, body and soul. Erika quickly recognized that many of those attending the regular meals depended on heavily processed, nutrient-deficient foods to survive, and as a result had many health complications because of or worsened by poor nutrition. Erika focused on providing nutrient-rich meals, utilizing the bounty of local gardeners, donors, and the school gardens to serve nourishing food in a loving, welcoming family-style meal. Through the efforts of Erika, her partner Cary Bellows, Juice and countless volunteers and supporters, Radical Love continues to thrive. They now serve two meals each week and it's not uncommon for some of the regular guests to call out, "Love you!" when leaving, as one does when leaving the home of a friend or family member. Erika Says: "We, as a human family, are all a part of one living body. If one part of the body is unwell, we are all unwell.

When we nourish the whole, we uplift the whole. And, as love grows, we grow, too.¹² We all would like to thank Erica, Cary, and Juice for their dedication to improving the health and wellbeing of so many Cowlitz County residents!

7. **CONSTITUENTS' COMMENTS (Thirty Minutes)**
8. **FOLLOW-UP TO PAST CONSTITUENTS' COMMENTS**
9. **PUBLIC HEARINGS**
10. **BOARD & COMMISSION RECOMMENDATIONS**
11. **ORDINANCES & RESOLUTIONS**

18-5609 **RESOLUTION 2278: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LONGVIEW RATIFYING AND CONFIRMING THE DECLARATION OF EMERGENCY PROCLAMATION - STATE OF CIVIL EMERGENCY, AS SIGNED BY THE CITY MANAGER ON OCTOBER 2, 2018, PURSUANT TO CHAPTER 10.60 LMC**

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Address quality of place issues

CITY ATTORNEY REVIEW: REQUIRED

SUMMARY STATEMENT:

The City Manager has determined that there are conditions that threaten to result in the destruction of, or damage to, property. LMC 10.60.010 authorizes the City Manager to declare a civil emergency under such conditions. He did so on October 2nd. LMC 10.60.015 requires that this declaration of emergency be ratified by the Council or it will have no further force or effect. The proposed resolution is the instrument by which the Council can take action to ratify the City Manager's declaration of an emergency.

RECOMMENDED ACTION:

Motion to approve Resolution No. 2278.

Attachments: Resolution 2278 ratifying Homelessness Emergency Declaration

12. **MAYOR'S REPORT**
13. **COUNCILMEMBERS' REPORTS**

18-5610 **CONCERNING INITIATIVE MEASURE NO 1631, FILED MARCH 13, 2018 AN ACT RELATING TO REDUCING POLLUTION BY INVESTING IN CLEAN AIR, CLEAN ENERGY, CLEAN WATER, HEALTHY FORESTS, AND HEALTHY COMMUNITIES BY IMPOSING A FEE ON LARGE EMITTERS BASED ON THEIR POLLUTION; AND ADDING A NEW CHAPTER TO**

TITLE 70 RCW.**INTRODUCED BY:** Councilmember Mary Alice Wallis**SUPPORTED BY:** Mayor Pro-Tem Mike Wallin**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management, strengthen economic conditions & create new opportunities, address quality of place issues, preserve and enhance neighborhoods and more.

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

Initiative 1631 would impose a carbon tax of \$15 per metric ton of CO₂ emitted in Washington State, increasing by \$2 per year plus inflation, to over \$40 per metric ton in about ten years. Taxpayers would see the cost of the initiative primarily at the gas pump, in home heating costs, and on their electricity bills. This translates to between \$234 and \$305 for the average household in the first year, increasing to \$672 and \$877 per year after ten years. The largest portion of the cost would come from a 14-cent-per-gallon gas tax that would increase by about two cents per gallon each year. The initiative calls the tax a "pollution fee," but it would use existing laws on gas taxes and other energy taxes for enforcement, so the effect on taxpayers would be a tax. Spending of the more than \$600 million generated annually by the carbon tax would be dictated by a 15-member board, all but one of whom would be unelected and would have few restrictions on how to spend the money. The initiative would limit the impact on manufacturing jobs by exempting "energy-intensive, trade-exposed" industries, as well as agricultural, aircraft, and maritime fuels. Claims that the initiative would create jobs make several errors, including the claim that buying less fuel would keep money in Washington State, even as supporters argue we should buy more foreign-built wind turbines and electric vehicles. Although the initiative sets CO₂ reduction targets, there is no accountability for board members or the state if targets are not met. Ironically, if the board failed to meet CO₂ reduction targets, taxes would be increased, and board members would be given control over more money, providing an incentive to miss the targets. The initiative would limit and then prohibit third-party CO₂ reduction projects, which are often the most effective and efficient. Among the suggestions for expenditure is that funding be used to increase tolling on state roads, called in the initiative, "traffic demand management."

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

RECOMMENDED ACTION:

A City Council motion expressing to the Voters of the City of Longview the City Council's opinion that Initiative 1631, AN ACT Relating to reducing pollution by investing in clean air, clean energy, clean water, healthy forests, and healthy communities by imposing a fee on large emitters based on their pollution; and adding a new chapter to Title 70 RCW, should not be approved by the voters.

Attachments: Initiative 1631 for the agenda of 10-11-18

18-5611

**HARLIE'S HOOPS BASKETBALL COURT PROJECT AT ELKS
MEMORIAL PARK AT LAKE SACAJAWEA PARK AND ALLOCATION OF
REMAINING FUNDS FROM THE NIEGHBORHOOD PARK GRANT**

INTRODUCED BY: Councilmember MaryAlice Wallis

SUPPORTED BY: Councilmember Steve Moon

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Preserve and enhance neighborhoods and address quality of place issues.

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

Harlie's Angels is a non-profit organization based on equipping and empowering teens to grow into loving, responsible, caring, young adults through sports, service and fellowship. (www.harliesangels.com)
<<http://www.harliesangels.com>> Jennifer DesArmo of Harlie's Angels and her dedicated volunteers have been working hard to improve the lives of the community and specifically the lives of the teens at the Longview Teen Center located at the Elks Memorial Teen Center at Lake Sacajawea.

Since October of 2017, Jennifer has addressed Parks and Recreation Advisory Board and Historic Preservations Board and met with the Longview City Council at a workshop on February 2018 and at the City Council meeting on May 2018 to present the project and the details of what has been accomplished thus far for the project of a covered basketball court next to the Elk's Memorial Building at Lake Sacajawea Park.

Council unanimously voted in support of the concept of Harlie's Hoops at the workshop in February 2018. Harlie's Angels has worked with Ecological Land Services to undergo a Critical Areas Determination and Impact Analysis for the proposal of the Harlie's Hoops Basketball Court. All studies have shown no impact. Studies completed so far include: SEPA checklist and Critical Areas Determination and Impact Analysis. Other studies still to be completed are Certificate of Appropriateness that will occur on October 22, as well as the public outreach, shoreline permit, height variance request, building/electrical permits and approval of engineered drawings.

On May 24, 2018 Council approved the motion to have the City Manager sign the Joint Aquatic Resources Permit Application allowing Harlie's Angels to move onto the next phase of the project.

RECOMMENDED ACTION:

Motion to approve the allocation of the remaining 17k of the Neighborhood Park Grant to Harlie's Hoops for the Harlie's Hoops project at the location of Elks Memorial Park at Lake Sacajawea.

Attachments: Harlie's Hoops summary statement for the agenda of 10-11-18

18-5612

ALLEY VACATION RECONSIDERATION

INTRODUCED BY: Councilmember Ken Botero

SUPPORTED BY: Councilmember Chet Makinster

COUNCIL STRATEGIC INITIATIVE ADDRESSED:

Preserve and enhance neighborhoods

CITY ATTORNEY REVIEW: N/A

SUMMARY STATEMENT:

At the 07/12/18 council meeting, council approved Resolution No. 2272 setting a public hearing to vacate the northerly 290 feet of alley right-of-way in Block #12, Plat of Longview #7, located between 7th & 8th Avenues, south of Hudson Street, as requested by property owner Vince Penta. At the 8/9/18 meeting, council held the public hearing and subsequently approved the alley vacation request. The approval had conditions set, as can be reviewed on the attached minute excerpt from that meeting.

Recently Mr. Penta had a conversation with City of Longview staff concerning that approval. We would like to revisit this issue after Mr. Penta expressed a different view of what our intent was. It seems that city staff and the State of Washington are not on the same page on the funding issue. The City of Longview, following tradition, has the option to collect the payment for the vacations. Mr. Penta is asking to earmark the funds being paid into a fund, separate from general fund monies, and be set aside for the required relocation and other infrastructure that may be required through building permits. It was noted that "housing can only be affordable to rent, if the cost to build be affordable".

RECOMMENDED ACTION:

Revisit council intent regarding the alley vacation approval as mentioned above.

Attachments: Alley Vacation Reconsideration for agenda of 10-11-18 SIGNED

14. CONSENT CALENDAR

18-5614

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 OCTOBER 2018 ACCOUNTS PAYABLE: \$1,188,939.39

SECOND HALF SEPTEMBER 2018 PAYROLL:

\$83,520.53, checks no. 23-44
\$710,275.80, direct deposits
\$964,667.38, wire transfers
\$1,758,463.71 Total

STAFF CONTACT:

Kaylee Cody, City Clerk
John Baldwin, Fiscal Analyst
Chresta Larson, Human Resources Specialist

PROJ #105 PROJECT COMPLETION - COLUMBIA HEIGHTS ROAD SLIDE REPAIR**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Improve transportation systems

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

The Columbia Heights Road Slide Repair project has been completed in accordance with the plans and specifications under Contract No. 17-2653-R entered into between the City of Longview and P.C.R., Inc. The City Council must accept the project as complete before final contract closeout can be accomplished.

RECOMMENDED ACTION:

Motion to accept as complete the Columbia Heights Road Slide Repair project.

STAFF CONTACT:

Craig Bozarth, City Engineer

18-5617 LONGVIEW POLICE GUILD, JANUARY 1, 2019 - DECEMBER 31, 2021**COUNCIL STRATEGIC INITIATIVE ADDRESSED:**

Continue effective financial management

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

On September 10, 2018 the Longview Police Guild and the City reached Tentative Agreement on a 2019-2021 Collective Bargaining Agreement. Multiple articles in the contract were opened for review and some language changes to clarify/improve the contract were made.

The Longview Police Guild notified the City of its 58 member ratification on October 2, 2018. The contract provides for a wage increase as follows:

Effective January 1, 2019: A general wage increase of 3.0%.

For year 2020: A general wage increase of 3.0%%.

For year 2021: A general wage increase of 3.0%

Additionally, all Guild members will remain on either the AWC/Regence or Kaiser Permanente High Deductible Healthcare Plans with a 5% employee contribution of the premium. Members who opt-out of City paid medical insurance will receive \$750 per month to a personal VEBA account. Dental plans remain at 100% employer paid.

RECOMMENDED ACTION:

Approval of the Longview Police Guild Collective Bargaining Agreement for 2019-2021.

STAFF CONTACT:

Chris Smith, Human Resources Director

Attachments: Longview Police Guild 2019-21 CBA

15. CITY MANAGER'S REPORT

16. MISCELLANEOUS

17. ADJOURNMENT

* Any invocation that may be offered at the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council does not endorse the religious beliefs or views of this, or any other speaker.

NEXT REGULAR COUNCIL MEETINGS:

THURSDAY, OCTOBER 25, 2018 - 7:00 P.M.

THURSDAY, NOVEMBER 1, 2018 - 7:00 P.M. (SPECIAL MEETING)

NEXT COUNCIL WORKSHOPS:

SATURDAY, OCTOBER 20, 2018 - 8:30 A.M. BUDGET WORKSHOP

THURSDAY, OCTOBER 25, 2017 - 6:00 P.M. LIBRARY MODERNIZATION PLAN

1 **BEFORE THE PUBLIC DISCLOSURE COMMISSION OF THE STATE OF**
2 **WASHINGTON**

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4
5
6 In Re: THE COMPLAINT OF MICHAEL
7 O'NEILL

Case No. 41629

8 **DECLARATION OF MAUREEN**
9 **WINGLER**

10
11 MAUREEN WINGLER declares as follows:

- 12 1. I am an Administrative Assistant for the City of Longview ("City").
13
14 2. I attended the October 11, 2018 City Council meeting in the absence of City Clerk Kaylee Cody,
15 serving as Acting City Clerk. Among my duties that evening was the responsibility to take
16 minutes, therefore I paid close attention to the proceedings and attended the full meeting.
17
18 3. When the agenda item for a discussion of Initiative 1631 came up for consideration, the Mayor,
19 who chairs City Council meetings, announced that he would allow anyone wishing to speak in
20 favor or against Initiative 1631 three (3) minutes to express their position. This time limit also
21 applied to Council members.
22
23 4. Based on my observations the Mayor, using a timer that is mounted on the podium, allocated
24 three (3) minutes to each speaker. No one was afforded more time, nor limited to less than three
25 (3) minutes.
26
27 5. I declare under penalty of perjury under the laws of the State of Washington that the foregoing is
28 true and correct to the best of my knowledge.

29 EXECUTED at Longview, Washington this 17th day of October, 2018.
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DECLARATION OF MAUREEN WINGLER

Maureen Wingler
Maureen Wingler

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DECLARATION OF MAUREEN WINGLER

Page 2 of 2

City of Longview
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