



## AGENDA –Monday, March 18, 2024

6:15 p.m. Workshop

7:00 p.m. City Council Meeting

In-Person and Zoom Webinar

Meeting ID: 829 2381 4826

Password: 123456

### 6:15 WORKSHOP

WS 24-06

Peninsula Poverty Response – TAB A

### 7:00 p.m. CALL TO ORDER; PLEDGE OF ALLEGIANCE; AND ROLL CALL

Call to order

Mayor Svendsen, Council Member Perez, Council Member Phelps,

And roll call

Council Member Provenzano, Council Member Reddy & Council Member Coleman

### PUBLIC COMMENT

At this time, the Mayor will call for any comments from the public on any subject whether it is on the agenda for any item(s) the public may wish to bring forward and discuss. Preference will be given to those who must travel. **Please limit your comments to three minutes. The City Council does not take any action or make any decisions during public comment.** To request Council action during the Business portion of a Council meeting, contact the City Administrator at least one week in advance of a meeting.

### MINUTES AND WARRANTS

- Minutes, March 4, 2024 Regular Meeting – TAB B
- Payment Approval List for Warrant Registers –92176-92242 for \$213,007.77 – TAB C

### BUSINESS

- AB 24-12 -- Resolution 2024-01 Amending the Council Rules and Procedures – TAB D
- AB 24-13 – Agreement with Long Beach Merchants Association – TAB E

### ORAL REPORTS

### CORRESPONDENCE AND WRITTEN REPORTS – TAB F

- Police Chief's Report for February 2024
- Lodging Tax Collections for February 2024
- Sales Tax Collections for February 2024
- Transportation Benefit District Collections for February 2024

### FUTURE CITY COUNCIL MEETING SCHEDULE

The Regular City Council meetings are held the 1<sup>st</sup> and 3<sup>rd</sup> Monday of each month at 7:00 PM and may be preceded by a workshop.  
April 1, 2024, April 15, 2024 & May 6, 2024

### ADJOURNMENT

American with Disabilities Act Notice: The City Council Meeting room is accessible to persons with disabilities. If you need assistance, contact the City Clerk at (360) 642-4421 or advise City Administrator at the meeting.

**TAB - A**



**CITY COUNCIL  
WORKSHOP BILL  
WS 24-06**

**Meeting Date: March 18, 2024**

| AGENDA ITEM INFORMATION   |                                |    |
|---|--------------------------------|----|
| <b>SUBJECT: Peninsula<br/>Poverty Response<br/>Presentation</b>                           | <i>Originator:</i>             |    |
|   | Mayor                          |    |
|   | City Council                   |    |
|   | City Administrator             | DG |
|   | City Attorney                  |    |
|   | City Clerk                     |    |
|   | City Engineer                  |    |
|   | Community Development Director |    |
|   | Events Coordinator             |    |
|   | Finance Director               |    |
|   | Police Chief                   |    |
|   | PW Director                    |    |
| <b>COST:</b>  |                                |    |
| <b>SUMMARY STATEMENT:</b> Opportunity for the council and PPR to have an open discussion. |                                |    |
|   |                                |    |

Workshops are public meetings with the purpose of allowing the City Council to discuss topics. No formal decisions are made at workshops. While almost every meeting when a majority of the city council is present is considered a public meeting, that doesn't necessitate the Council allowing public comment. If the Mayor and Council request more information or clarification they may seek input from the audience.

**TAB - B**



## **LONG BEACH CITY COUNCIL MEETING**

**March 4, 2024**

### **6:15 COUNCIL WORKSHOP**

Mayor Svendsen, C. Perez, C. Phelps, C. Provenzano, C. Reddy, and C. Coleman were all in attendance.

#### **WS 24-05 Long Beach Merchants Association**

David Glasson, City Administrator, presented the workshop bill. The purpose of this workshop is to discuss possible changes to the LBMA facilities agreement as it expires in June of 2024. During the workshop the LBMA made a prestation to the Council, staff, and audience.

- **No decisions or motions were made at this time.**

### **7:00 CALL TO ORDER**

Mayor Svendsen called the meeting to order.

### **ROLL CALL**

David Glasson, City Administrator, called roll with Mayor Svendsen, C. Perez, C. Phelps, C. Provenzano, C. Reddy, and C. Coleman in attendance.

### **PUBLIC COMMENT**

No public comments were made.

### **MINUTES & WARRANTS**

Minutes, February 20, 2024, Regular Meeting

**C. Perez made the motion to approve the minutes of February 20, 2024, C. Coleman seconded the motion; 5 Ayes, motion passed.**

Payment Approval List for Warrant Registers – 92134-92175 for \$258,239.16

**C. Perez made the motion to approve the warrants. C. Provenzano seconded the motion; 5 Ayes, motion passed.**

### **BUSINESS**

None

### **ORAL REPORTS**

### **CORRESPONDENCE AND WRITTEN REPORTS**

- Decision on CAO V 2024-01
- Well City Recognition

### **ADJOURNMENT**

**C. Perez moved to adjourn the meeting. C. Reddy seconded the motion; 5 Ayes, motion passed.**

**Time of adjournment: 7:13 p.m.**

---

Mayor

---

City Clerk

TAB - C



# Warrant Register

Check Periods: 2024 - March - First

I, THE UNDERSIGNED DO HEREBY CERTIFY UNDER PENALTY OF PERJURY THAT THE MATERIALS HAVE BEEN FURNISHED, THE SERVICES RENDERED OR THE LABOR PERFORMED AS DESCRIBED HEREIN AND THAT THE CLAIM IS A JUST, DUE AND UNPAID OBLIGATION AGAINST THE CITY OF LONG BEACH, AND THAT I AM AUTHORIZED TO AUTHENTICATE AND CERTIFY TO SAID CLAIM.

| Council Member | Council Member | Council Member | Clerk/Treasurer |
|----------------|----------------|----------------|-----------------|
|----------------|----------------|----------------|-----------------|

| Number | Name  | Print Date | Clearing Date | Amount     |
|--------|---|------------|---------------|------------|
| 92176  | Nagy, Branden                                       | 3/11/2024  |               | \$400.00   |
| 92177  | Oman & Son Builders                                 | 3/13/2024  |               | \$1,496.36 |
| 92178  | 3 Kings   | 3/14/2024  |               | \$5,909.12 |
| 92179  | A-1 Redi Mix  | 3/14/2024  |               | \$2,058.76 |
| 92180  | Active Enterprises, Inc.                            | 3/14/2024  |               | \$7,206.30 |
| 92181  | Advantage Polygraph Services, LLC                   | 3/14/2024  |               | \$350.00   |
| 92182  | Allen, Jordan                                       | 3/14/2024  |               | \$90.39    |
| 92183  | ALS Group USA, Corp.                                | 3/14/2024  |               | \$100.00   |
| 92184  | AlSCO-American Linen Div.                           | 3/14/2024  |               | \$481.30   |
| 92185  | Arts Auto Parts Inc.                                | 3/14/2024  |               | \$200.16   |
| 92186  | Association of Washington Cities                    | 3/14/2024  |               | \$690.00   |
| 92187  | Astoria Janitor & Paper Supply                      | 3/14/2024  |               | \$3,139.21 |
| 92188  | BMC WELDING   | 3/14/2024  |               | \$602.12   |
| 92189  | BSK Associates                                      | 3/14/2024  |               | \$1,253.00 |
| 92190  | Cascade Columbia Distribution CO                    | 3/14/2024  |               | \$5,025.72 |
| 92191  | CenturyLink   | 3/14/2024  |               | \$741.20   |
| 92192  | Chinook Observer                                    | 3/14/2024  |               | \$46.56    |
| 92193  | Cintas  | 3/14/2024  |               | \$52.59    |
| 92194  | CivicPlus LLC                                       | 3/14/2024  |               | \$3,795.00 |
| 92195  | Clatsop County Lawn & Tractor                       | 3/14/2024  |               | \$291.51   |
| 92196  | Coastal AG LLC                                      | 3/14/2024  |               | \$3,234.14 |
| 92197  | Day Wireless Systems                                | 3/14/2024  |               | \$217.69   |
| 92198  | Dennis Company Ace (Westlake Hardware, Inc.) WA-133 | 3/14/2024  |               | \$2,252.17 |
| 92199  | Dept of Ecology                                     | 3/14/2024  |               | \$3,085.50 |
| 92200  | DMT Auto Parts, Inc                                 | 3/14/2024  |               | \$40.04    |
| 92201  | Englund Marine Supply                               | 3/14/2024  |               | \$857.79   |
| 92202  | Evergreen Septic Inc                                | 3/14/2024  |               | \$380.00   |
| 92203  | Flukinger, Ashley                                   | 3/14/2024  |               | \$1,700.00 |

| Number      | Name  | Print Date | Closing Date | Amount       |
|-------------|---|------------|--------------|--------------|
| 92204       | Ford Electric   | 3/14/2024  |              | \$1,652.91   |
| 92205       | Glasson, David  | 3/14/2024  |              | \$58.95      |
| 92206       | Gray & Osborne  | 3/14/2024  |              | \$14,558.35  |
| 92207       | Gray, Karen   | 3/14/2024  |              | \$107.97     |
| 92208       | Ground Penetrating Radar Systems, LLC                   | 3/14/2024  |              | \$1,800.00   |
| 92209       | K & L Supply, Inc.                                      | 3/14/2024  |              | \$1,739.17   |
| 92210       | L.N. Curtis & Sons                                      | 3/14/2024  |              | \$8,016.29   |
| 92211       | MANSFIELD ALARM CO, INC                                 | 3/14/2024  |              | \$148.67     |
| 92212       | Marsh, Stephanie  | 3/14/2024  |              | \$5,000.00   |
| 92213       | Mccall's Tire Center                                    | 3/14/2024  |              | \$1,912.73   |
| 92214       | MCCI, LLC   | 3/14/2024  |              | \$11,157.30  |
| 92215       | Melting, Casey  | 3/14/2024  |              | \$113.30     |
| 92216       | MossyTel  | 3/14/2024  |              | \$618.86     |
| 92217       | Newton All Phases of Concrete                           | 3/14/2024  |              | \$11,213.19  |
| 92218       | Office of Minority & Women's Business DES-SAFS Agencies | 3/14/2024  |              | \$330.63     |
| 92219       | OHD, LLP  | 3/14/2024  |              | \$931.39     |
| 92220       | One Call Concepts, Inc.                                 | 3/14/2024  |              | \$19.89      |
| 92221       | Pacific County Sheriffs                                 | 3/14/2024  |              | \$237.50     |
| 92222       | Peninsula Sanitation                                    | 3/14/2024  |              | \$1,981.70   |
| 92223       | Peninsula Visitors Bureau                               | 3/14/2024  |              | \$32,833.33  |
| 92224       | Penoyar, Joel   | 3/14/2024  |              | \$2,540.00   |
| 92225       | Sea Western Fire  | 3/14/2024  |              | \$5,281.02   |
| 92226       | Sid's Market  | 3/14/2024  |              | \$68.92      |
| 92227       | Staples   | 3/14/2024  |              | \$201.87     |
| 92228       | Stidham, Bill   | 3/14/2024  |              | \$39.54      |
| 92229       | Sustainable Supply                                      | 3/14/2024  |              | \$1,836.43   |
| 92230       | SwiftComply   | 3/14/2024  |              | \$2,707.50   |
| 92231       | Systems Interface Inc.                                  | 3/14/2024  |              | \$18,184.50  |
| 92232       | Turner, Joe P.C.  | 3/14/2024  |              | \$759.00     |
| 92233       | U. S. Bank Equipment Finance                            | 3/14/2024  |              | \$232.92     |
| 92234       | ULINE   | 3/14/2024  |              | \$53.61      |
| 92235       | Usa Blue Book   | 3/14/2024  |              | \$1,276.03   |
| 92236       | Valley Athletics  | 3/14/2024  |              | \$7,388.47   |
| 92237       | Visa  | 3/14/2024  |              | \$6,269.60   |
| 92238       | Vision Municipal Solutions                              | 3/14/2024  |              | \$20,864.86  |
| 92239       | Wahkiakum West Internet                                 | 3/14/2024  |              | \$595.00     |
| 92240       | Wex Bank  | 3/14/2024  |              | \$500.00     |
| 92241       | WEX Health, Inc.  | 3/14/2024  |              | \$50.00      |
| 92242       | Wilcox & Flegel Oil Co.                                 | 3/14/2024  |              | \$4,029.74   |
| Total       |   |            |              | \$213,007.77 |
| Grand Total |   |            |              | \$213,007.77 |

TAB - D





**CITY COUNCIL  
AGENDA BILL  
AB 24-12**

**Meeting Date: March 18, 2024**

| AGENDA ITEM INFORMATION  |                                   |    |
|--|-----------------------------------|----|
| <b>SUBJECT:</b> Resolution 2024-01 Amending the City's Council Rules and Procedures  | <b>Originator:</b>                |    |
|  | Mayor                             |    |
|  | City Council                      |    |
|  | City Administrator                | DG |
|  | City Attorney                     |    |
|  | City Clerk                        |    |
|  | City Engineer                     |    |
|  | Community Development Director    |    |
|  | Finance Director                  |    |
|  | Fire Chief                        |    |
|  | Police Chief                      |    |
|  | Streets/Parks/Drainage Supervisor |    |
|  | Water/Wastewater Supervisor       |    |
| <b>COST:</b> NA  | Other:                            |    |
| <b>SUMMARY STATEMENT:</b> The Council Rules and Procedures have been discussed over the last several council workshops. Changes were suggested and agreed upon, those changes are reflected in the resolution presented. |                                   |    |
| <b>RECOMMENDED ACTION:</b> Authorize the Mayor to sign Resolution 2024-01 amending the Council Rules and Procedures.   |                                   |    |

**RESOLUTION NO. 2024-01**  
**A RESOLUTION AMENDING THE COUNCIL RULES AND POLICIES**

**WHEREAS**, the City recognizes the value of well conducted meetings and guidelines of conduct; and

**WHEREAS**, the City now wishes to establish Council Rules to ensure such conduct;

**NOW THEREFORE BE IT RESOLVED**, by the City Council of the City of Long Beach that:

**Section 1**      **AUTHORITY**

- 1.1 The city adopts the classification of non-charter code city operating under the mayor-council plan of government as set forth in Revised Code of Washington chapter 35A.12, endowed with all the applicable rights, powers, privileges, duties and obligations of non-charter code cities as set forth in Revised Code of Washington chapter 35A.12 as the same now exists; including, but not by way of limitation, those set forth in Revised Code of Washington chapter 35A.11; and further including any and all supplements, amendments or other modifications of Revised Code of Washington title 35A which may hereafter be enacted. (1988 Code § 1.08.010) The Council, by resolution, may adopt rules consistent with state law, to govern its meetings.
- 1.2 The rules adopted in this resolution shall be in effect upon their adoption by the council and until such time as they are amended, added to, deleted, or replaced in the manner prescribed by these rules.
- 1.3 Per RCW 35A.12.120 The council shall determine its own rules and order of business and may establish rules for the conduct of council meetings and the maintenance of order. At the desire of any member, any question shall be voted upon by roll call and the ayes and nays shall be recorded in the journal.
- 1.4 These rules are to be observed in addition to and may not be contradictory to the current City Ordinances.

**Section 2**      **THE COUNCIL**

- 2.1 The Council is the policy-making body of the City.
- 2.2 Councilors have no authority when acting as individuals to make decisions and/or create policy for the City. This Authority resides solely with the majority vote of the Council while in a regular or special City Council meeting. City Council decisions which are not unanimous are still the official policy of the City.

### 2.3 The Responsibility of a City Council

The council has the power to enact laws and policies, consistent with state law, regulating local and municipal affairs, usually through the enactment of ordinances and resolutions. In general, the council's authority also includes the specific authority to:

- Enact an agency budget;
- Define the powers, functions, and duties of municipal officers and employees;
- Fix the compensation of municipal officers and employees;
- Establish the working conditions of municipal officers and employees;
- Maintain retirement and pension systems;
- Impose fines and penalties for violation of city ordinances;
- Enter into contracts;
- Regulate the acquisition, sale, ownership, and other disposition of real property;
- Provide governmental, recreational, educational, cultural, and social services;
- Impose taxes, as authorized by state law;
- Cause the agency to own and operate utilities;
- Approve claims against the agency;
- Grant franchises for the use of public ways; and
- License, for the purpose of revenue and regulation, most any type of business.

## **Section 3 COUNCIL MEETINGS**

- 3.1 Regular meetings of the Council will be held the first and third Monday of each month at 7:00 p.m. and at such other additional dates and times as the Council shall determine. Unless otherwise provided, regular meetings shall be held at the Long Beach City Hall.
- 3.2 At the first regular City Council meeting in January following the election, the City Council shall select a Mayor Pro Tempore who will fill in for the Mayor when absent. This includes Council Meetings, ceremonial functions the Mayor would attend, other functions calling for the attendance of the Mayor and the signing of documents in the absence of the mayor. No other duties or responsibilities of the Mayor will be performed by the Mayor Pro Tempore.
- 3.3 Time and date of the regular Council meetings may be changed for special circumstances, to facilitate work sessions or in order to have a quorum of Councilors at the meeting. Regular meeting notice requirements must be followed.
- 3.4 Special meetings of the Council may be called at any time by the mayor or any member of the council by email notice delivered to each member of the council, the Mayor and the city administrator at least twenty four (24) hours before the time specified for the proposed meeting.
- 3.5 An emergency meeting of the Council is a Special Meeting which can be called when less than 24 hours' notice can be given. The minutes need to state the nature

of the emergency. Emergency meetings may be held by consent of a majority of councilors. An attempt must be made to notify the public or the press of the need for this emergency meeting. Only the emergency matter(s) giving rise to the need for an emergency meeting may be considered.

- 3.6 Workshop or Training meetings of the Council may be held at the convenience of the Council at a time when as many as possible can attend. These meetings may be held for Council goal setting, new Councilor training, or longer workshops for planning programs or projects. The Council may decide if public input is allowed at a workshop, or it may be held without opportunity for public input.
- 3.7 Executive sessions may be held by the Council pursuant to Washington State laws. Staff members may be permitted to attend. The City Administrator is required to attend.
- 3.8 Open Meetings: All council meetings shall be open to the public except as permitted by Revised Code of Washington chapter 42.30. No ordinance or resolution shall be passed, or contract let or entered into, or bill for the payment of money allowed at any meeting not open to the public, nor at any public meeting the date of which is not fixed by ordinance, resolution, or rule, unless public notice of such meeting has been given by such notice to each local newspaper of general circulation, as provided in Revised Code of Washington 42.30.080 as now or hereafter amended. (2007 Code)
- 3.9 Councilors should inform the Mayor, City Administrator, or City Administrative Staff if unable to attend any Council meeting. The Mayor will inform the Council Mayor Pro Tempore if unable to attend any Council meeting.
- 3.10 Only a majority of the Council shall determine an absence is unexcused. The absence of a member of the Council shall be recorded in the minutes as either excused or unexcused. [RCW 35A.12.060](#), which applies to mayor-council code cities which provides: "...a council position shall become vacant if the councilmember fails to attend three consecutive regular meetings of the council without being excused by the council."
- 3.11 Councilmembers may call or video conference when not able to attend the regular meeting. Councilmembers intending to call or video conference must give the City Administrator advanced notice of at least one business day so that accommodations can be made. This option can only be exercised up to four consecutive times and the council can add additional times as necessary. Under a Declaration of Emergency this option can exceed four times per year.

#### **Section 4      AGENDA AND ORDER OF BUSINESS**

- 4.1 An agenda for each regular Council meeting shall be prepared by the City Administrator. The Mayor or Council members may direct that a specific item(s) be included on the agenda. The City Administrator should be given the agenda

item 6 days prior to the meeting date to do research or prepare reports to address the agenda items. Agendas and informational material should be distributed to the Council at least three (3) calendar days prior to the meeting.

4.2 The normal order of business for a regular Council meeting shall be as follows:

Although the normal order of business for a regular Council meeting usually follows the format as presented below, the agenda may be modified in order to allow for a more efficient meeting and to allow the public to participate and be aware of the decision rendered without undue delay. For example, an Ordinance may be moved for action immediately after the public comment is held, rather than waiting for it to come up as an action item under administration.

- Open Regular Meeting with Call to Order, Pledge of Allegiance and Roll Call
- Public Comments
- Minutes
- Warrants
- Business
- Staff Reports
- Council Discussion
- Public Comments
- Correspondence and Written Reports
- Future City Council Meeting Schedule
- Adjournment by motion
- Note – If required, an Executive Session can be placed on the City Council Agenda but must be done prior to the meeting.

The Chair may consider agenda items out of order as he/she deems necessary to facilitate the efficient management of the agenda. A Council Member may request the Chair consider the same action for an agenda item.

## **Section 5      PROCEDURE FOR COUNCIL MEETINGS**

- 5.1 The current edition of Robert's Rules of Order Revised shall be used as a general guide for conduct of Council meetings, except in those cases where specific provisions contrary to Robert's rules shall be necessary and approved by the Council. However, the lack of understanding of all aspects of Roberts' rules shall not interfere with a council members ability to be heard or request a vote per rcw 35a.12.120.
- 5.2 The City Council agrees to be clear and simple in its procedures and considerations of decisions before it. The Council shall avoid invoking the finer points of parliamentary rules to obscure issues and arouse audience suspicion at public meetings.



- 5.3 Council Meetings shall be chaired by the Mayor, if present, if not; the Council Mayor Pro Tempore shall serve as Chair. If neither the Mayor nor the Council Mayor Pro Tempore is present, the City Administrator shall call the meeting to order and those Council members present shall elect a Chair pro tem for that meeting. At any meeting, the Chair may appoint another member of the Council to serve as Chair for part or all of the meeting.
- 5.4 Every Councilor desiring to speak should first address the Chair, and await recognition to obtain the floor. No persons other than members of the Council and the person having the floor shall enter into any discussion, either directly or through a member of the Council without the permission of the Chair.
- 5.5 No motion shall be debated, except by the maker, until it has been seconded and announced by the Presiding Officer. However, the council member making the motion should be permitted to state the motion and justification.
- 5.6 Members of the public desiring to address the Mayor and Council shall first be recognized by the Chair and then state their name for the record. Each person shall have up to three (3) minutes to present their comments. Groups with like comments should choose a spokesperson who will present their joint remarks.
- 5.7 Councilors should refer people with questions or complaints to the City Administrator, explaining that if they are not satisfied with the results of that meeting, they should ask to be put on a council meeting agenda or present their issue during the public input portion at a future council meeting.
- 5.8 City Councilors, with recognition of the Chair, may respond to a public comment during the public open comment period. If necessary, response to public comment may be referred to the City Administrator for response at a subsequent time.
- 5.9 Every Councilor may address questions directly to the City Administrator, who may either answer the inquiry or designate a staff member to do so. Councilors are encouraged to present their questions to the City Administrator prior to the meeting when possible.
- 5.10 Prior to a vote, the Chair shall restate the motion or have the maker of the motion restate it to assure clarity of the issue.
- 5.11 When a quorum is present, a majority of the Council present and voting shall decide a motion. A Councilor who is present but abstains from voting is still counted in the quorum. A Councilor must be present either in person or remotely to vote.
- 5.12 The passage of any ordinance, grant or revocation of franchise or license, and any resolution for the payment of money shall require the affirmative vote of at least a majority of the whole membership of the council.



- 5.13 Duty to Vote: Unless confronted with an actual conflict of interest or excused by a majority of the council, every member present when a question is taken, shall vote. For the purposes of this section, an abstention is counted as a vote.
- 5.14 Any Councilmember present who fails to vote without a valid disqualification or without having otherwise received the Council's permission to abstain shall be declared to have voted in the affirmative on the question.
- 5.15 Conflicts of Interest: In every case in which a Councilor is faced with an actual conflict of interest, the nature of the conflict must be disclosed during the public meeting and recorded in the minutes. If an actual conflict of interest exists, the Council member, after disclosing the nature of the conflict, shall remove him or herself from the Council table and refrain from participation in both the discussion and the vote on the issue.
- A. An actual conflict of interest is defined as any action, decision, or recommendation which will have a private financial or other benefit on the Councilor or allow the Councilor to avoid a private financial or other detriment. This standard also applies to relatives of the Councilor or any business with which the Councilor or Councilor's relative is associated. (Chapter 42.23 RCW).
  - B. "Remote Interests" (Chapter 42.23.040 RCW) "A municipal officer is not interested in a contract, within the meaning of RCW [42.23.030](#), if the officer has only a remote interest in the contract and the extent of the interest is disclosed to the governing body of the municipality of which the officer is an officer and noted in the official minutes or similar records of the municipality prior to the formation of the contract, and thereafter the governing body authorizes, approves, or ratifies the contract in good faith by a vote of its membership sufficient for the purpose without counting the vote or votes of the officer having the remote interest."
  - C. Council Members should refrain from boards where they may be financially or in kind supported by the City. If they are a board member, then state that relationship during the council meeting and recuse themselves from the discussion and vote.
- 5.16 The vote on every motion shall be taken by a show of hands, voice vote or roll call and entered in the meeting minutes. Any other questions before Council shall not require a recorded vote unless requested by any Council member. A member's explanation of their vote shall not be in order during a roll call.
- 5.17 A motion fails in the event of a tie vote. When the Mayor is present and presiding over the council meeting, if there is a tie in the votes of the council members with respect to issues other than the passage of any ordinance, grant, or revocation of a

franchise or license, or any resolution for the payment of money, the Mayor may vote to break the tie.

- 5.18 A Councilor who votes on the prevailing side of a motion may move for reconsideration of any vote. This motion must occur during the meeting or at the very next scheduled Council meeting.

## **Section 6 DECORUM AND ORDER**

- 6.1 The Chair shall preserve decorum and decide all points of Order, subject to appeal to the Council.
- 6.2 The Councilors shall help the Chair preserve decorum during Council meetings and shall not, by conversation or other action, delay or interrupt the proceedings or refuse to follow the directions of the Chair or these Council Rules. Councilors shall, when addressing staff or members of the public, confine themselves to questions or issues then under discussion, shall not engage in personal attack, shall not impugn the motives of any speaker, and shall at all times, while in session or otherwise, conduct themselves in a manner appropriate to the dignity of their office.
- 6.3 Members of the administrative staff, employees of the City and other Persons attending Council meetings shall observe the same rules of procedure, decorum, and good conduct applicable to the members of the Council.
- 6.4 Any person who makes personal, impertinent, slanderous or unauthorized remarks or who becomes boisterous while addressing the Council or attending a Council meeting may be removed from the room, after fair warning, if the Chair so directs without a majority vote of the Council present. In case the Chair should fail to act, any member of the Council may obtain the floor and move to require enforcement of this rule; upon affirmative vote of the majority of the Council present, the person or persons shall be removed as if the Chair so directed. Stamping of the feet, whistles, yells and clapping are similarly not permitted. Such persons may be barred from further audience before the Council and, in aggravated cases; an appropriate complaint shall be issued by the Chair to prosecute this person or persons.
- 6.5 If a meeting is disrupted by members of the audience, the Chair may order that the Council Chamber be cleared and a recess called until order is restored.

## **Section 7 CODE OF ETHICS**

- 7.1 Councilors shall comply with all applicable provisions of the State of Washington's Government Ethics Laws.
- 7.2 Councilors are encouraged to conduct themselves so as to bring credit upon the City as a whole, and to set an example of good ethical conduct for all citizens

of the community. Councilors should constantly bear in mind these responsibilities to the entire electorate, and refrain from actions benefiting any individual or special interest group at the expense of the City as a whole. Councilors should likewise do everything in their power to insure impartial application of the law to all citizens, and equal treatment of each citizen before the law, without regard to race, national origin, sex, age, social station, or economic position.

- 7.3 If the Mayor or Councilor represents the City before another public body, governmental agency, community organization or with the media, the Mayor or Councilor should always present the majority position of the Council. Personal opinions and comments may be expressed only if it includes clarification that these statements do not represent the position of the City Council. Communication of personal opinions and comments should not be accompanied with a statement of the author's status as a member of the Council.

## **Section 8 COUNCIL RELATIONS WITH CITY STAFF**

- 8.1 Orientation of New Members - It is important for the members of the City Council to gain an understanding of the full range of services and programs provided by the City. As new members join the City Council, the City Administrator and City Clerk will host an orientation program that provides an opportunity for members to tour municipal facilities and meet with key staff. Another training opportunity for new members is the Association of Washington Cities-sponsored newly elected official orientation. At any time, if there are facilities or programs about which you would like more information, arrangements will be made to increase your awareness of these operations.
- 8.2 There will be mutual respect from both Councilors and staff of their respective roles and responsibilities when and if expressing criticism in a public meeting.
- 8.3 The Council sets city policies and goals. The staff implements and administers the policies and goals.
- 8.4 During a City Council meeting, all requests for information go directly to the Mayor, Chair or City Administrator. At other times, if the request for information would entail an effort that would require time to be spent in researching and/or preparing a response, the request goes directly to the Mayor or City Administrator. The Mayor will ask the City Administrator to direct them to other staff, the City Attorney or deal with them him/herself as appropriate. Questions or complaints regarding staff go directly to the Mayor or City Administrator.
- 8.5 The City Councilors may seek information from staff members regarding the operation of their department, but will not attempt to change or interfere with

the operation or practice of any city department or personnel except by directing their concerns to the Mayor or City Administrator.

## **Section 9      COMMITTEES**

- 9.1 The mayor with consent of the council may establish by resolution ad hoc or standing committees to perform specified investigatory or advisory functions. Any authority granted to such committees shall be clearly delegated in the resolution creating the committee.
- 9.2 A Citizens Committee may be appointed for the length of time necessary to accomplish their mission. The appropriate number of appointees may be determined at the time of appointment.
- 9.3 The Mayor may remove a member from any city committee or commission prior to the expiration of the term of office. Reasons for removal may include, but are not limited to: missing three consecutive regular meetings of the committee or commission, disruptive or inappropriate behavior prior to, during, or after committee or commission meetings which prohibit the advisory body from completing its business in a timely manner, or not acting in the best interest of the citizens or city.
- 9.4 Members of the Council shall not attempt to lobby or influence board, committee, task force or commission members on any items under their consideration. It is important for City advisory bodies to make objective recommendations to the Council on items before them. Councilors that attempt to influence board, committee, citizen committee or commission members on an item may prejudice or hinder their role in reviewing the recommendation as a member of the Council.
- 9.5 Council Committee meetings, when directed by the Council, may be called by the Chairman, or by any two members. A majority of the members of a Committee shall constitute a quorum to do business.
- 9.6 All meetings of any City Boards, Commissions, Task Forces, or Council Committees shall be subject to and comply with the Washington Public Meetings Laws.

## **Section 10      CONFIDENTIALITY**

- 10.1 Councilors must keep in complete confidence all written materials and verbal information provided to them in confidence or learned in executive session, to ensure that the City's position is not compromised. No mention of confidential information read or heard should be made to anyone other than other Councilors, the City Administrator, or City Attorney.



- 10.2 If the Council, in executive session, provides opinions or information to staff on proposed terms and conditions for any type of negotiation whether it be related to property acquisition or disposal, a proposed, pending or likely claim or litigation, and/or employee negotiations, all contact with the other parties shall be made by the designated staff representative handling the negotiations or litigation. A Councilor shall not have any contact or discussion with the other party, or the representatives involved with the issue, nor communicate any discussion conducted in executive session.
- 10.3 All public statements, information, or press releases on confidential matters will be handled by the City Public Information Officer.

**Section 11      SUSPENSION OR AMENDMENT OF COUNCIL RULES**

- 11.1 Any provision of these rules not governed by State law or the City Charter may be temporarily suspended by a majority vote of the Council.
- 11.2 Amendments, deletions or additions to these Council Rules shall be by Resolution approved by the City Council.

**Section 12      SEVERABILITY**

The Councilors agree that if any term or provision of the rules is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions shall not be affected, and the rights and obligations of the parties shall be construed and enforced as if the rules did not contain the particular term or provision held to be invalid.

Adopted this 18<sup>th</sup> Day of March 2024.

AYES

NAYS

ABSENT

\_\_\_\_\_  
Sue Svendsen, Mayor

ATTEST:

\_\_\_\_\_  
Jessie Hermens, City Clerk

TAB - E





**CITY COUNCIL  
AGENDA BILL  
AB 24-13**

**Meeting Date: March 18, 2024**

**AGENDA ITEM INFORMATION**

| <b>SUBJECT:</b><br><b>Contract with the LBMA<br/>for the Visitor Center</b> | <b>Originator:</b>                |    |
|---|-----------------------------------|----|
|   | Mayor                             |    |
|   | City Council                      |    |
|   | City Administrator                | DG |
|   | City Attorney                     |    |
|   | City Clerk                        |    |
|   | City Engineer                     |    |
|   | Community Development Director    |    |
|   | Finance Director                  |    |
|   | Fire Chief                        |    |
|   | Police Chief                      |    |
|   | Streets/Parks/Drainage Supervisor |    |
|   | Water/Wastewater Supervisor       |    |
|   | Other:                            |    |
| <b>COST:</b> N/A  |                                   |    |

**SUMMARY STATEMENT:** The contract presented reflects proposed changes made by the council. This is a five-year contract for the facilities with an annual contribution of \$40,000.

**RECOMMENDED ACTION:** *Authorize the Mayor to sign the presented contract with the LBMA for the Visitor Center.*

**AGREEMENT BETWEEN THE CITY OF LONG BEACH AND THE LONG BEACH MERCHANTS  
ASSOCIATION REGARDING THE USE OF PUBLIC FACILITIES**

This agreement is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_ 2024, by The City of Long Beach, (City), a municipal corporation, and the Long Beach Merchants Association, (Association), a non-profit organization.

**WHEREAS**, the Association desires to use the City's building at 212 Pacific Ave S to provide tourism information, as an office space and merchant support for the Long Beach Merchants Association; and

**WHEREAS**, the City and Association desire to set forth their agreement regarding the consideration the Association must pay for the use of the City's facilities; and

**WHEREAS**, no separate entity will be created pursuant to this agreement; and

**WHEREAS**, no jointly owned property will be acquired pursuant to this agreement;

**NOW THEREFORE**, in consideration of the mutual benefits to be derived hereby and the terms, conditions and covenants contained herein, City and Association agree as follows:

1. Commencing on June 1, 2024, and continuing through June 30, 2029, the Association shall pay City the sum of one dollar (\$1) on or before December 1, 2024, for use of the city building. Each year thereafter that this agreement is in effect, the City shall send an invoice to Association on or before the first of June, stating the amount due for the following year. Unless Association terminates this agreement within sixty (60) days following the receipt of this invoice, the agreement shall continue for an additional year with the payment due to the City in the amount of the invoice and payable on or before the 1st day of June each year.
2. The City agrees to provide the building, utilities, and some financial support in exchange for tourism support, visitor center staffing and local marketing. The City also agrees to pay \$40,000 per year for the term of this contract for the aforementioned services.

3. The City has the authority to terminate the use agreement and ask the Association to leave the property. This decision will be made by the city four months prior to the end of this agreement.
4. The City Administrator will act as the administrator of this agreement.
5. This agreement will not result in a separate agency being created.
6. This agreement will not result in the acquisition of property.
7. The Association will indemnify, defend and hold harmless the City, its agents, officers, and employees from and against any and all liability, expense, including defense costs and attorney fees, and claims for damages of any nature whatsoever including, but not limited to, bodily injury, death, personal injury or property damage arising out of or in any manner connected with the sole negligence or sole intentional misconduct of the Association connected with the Association's use of the City's facility.

The City will indemnify, defend and hold harmless the Association, its agents, officers, and employees from and against any and all liability, expense, including defense costs and attorney fees, and claims for damages of any nature whatsoever including, but not limited to, bodily injury, death, personal injury or property damage arising out of or in any manner connected with the sole negligence or sole intentional misconduct of the City as owner of the facility.

As between the parties, each party specifically and expressly waives any immunity that may be granted it under the Washington State Industrial Insurance Act, Title 51, RCW. The indemnification obligations under this Agreement shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable to or for any third party under Workers' Compensation Acts, disability benefits acts, or other employee benefits acts; provided that each party's waiver of immunity by the provisions of this paragraph extend only to claims against the negligent party by the non-negligent party, and does not include, or extend to, any claims by the negligent party's employees directly against the negligent party. The parties have mutually negotiated this waiver. The provisions of this paragraph survive the expiration or termination of this Agreement.

8. Each party shall secure, and continuously carry in effect, with an insurance company or companies reasonably acceptable to the other, the following insurance policies:

Each party shall maintain insurance for bodily injury and property damage. Such insurance shall include provisions or endorsements naming the other party and its elected

officials, officers, agents, employees, and volunteers as additional insureds; provisions that such insurance is primary insurance with respect to the interest of each party, and that any insurance maintained by the party is excess and not contributory insurance with insurance required hereunder; and provisions or endorsements to include broad-form comprehensive liability and blanket contractual liability. Initial limits of liability for all requirements under this paragraph shall be \$1,000,000 each occurrence and \$2,000,000 general aggregate.

All insurance policies required hereunder shall contain provisions that such policies shall not be canceled, or their limits of liability reduced without thirty (30) days prior written notice to the other party. Each party shall provide the other with a Certificate of Liability Insurance naming the other, and its elected officials, officers, agents, employees, and volunteers as additional insureds. Each party shall secure a waiver and release of all subrogation rights, as to the other party, which may be available under such insurance policies.

9. The terms and conditions of this agreement shall be interpreted under the laws of the State of Washington and any action brought to enforce this agreement shall be brought in Pacific County Superior Court.
10. This agreement may be amended or modified only by written agreement duly executed by the parties hereto. This agreement shall be executed in duplicate originals. One original shall go to each party.
11. NOTICE: All notices, requests, demands and other communications required by or permitted under this Agreement shall be reduced in writing and deemed to have been duly given when received by the party to whom directed. Provided, however, that notice shall be deemed conclusively given at the time of its deposit when sent by Certified or Registered Mail, Return Receipt Requested, at the address as set forth below, or such other address as is hereafter designed by either party by written notice thereof to the other party.

CITY: City of Long Beach  
115 Bolstad Ave W  
Long Beach, WA 98631  
Attn: City Clerk  
(360) 642-4421

ASSOCIATION: Long Beach Merchants Association  
PO Box 896  
Long Beach, WA 98631  
Attn: Karla Jensen  
(360) 642-2600

City of Long Beach by:

Attest:

X

---

Sue Svendsen  
Mayor

X

---

Jessie Hermens  
City Clerk

X

---

Karla Jensen  
LBMA President

TAB — F



# *Long Beach Police*

P.O. Box 795  
Long Beach, WA 98631

Phone 360-642-2911  
Fax 360-642-5273

03-01-24

Page 1 of 2

To: Mayor Svendsen and Long Beach City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for February 2024

During the month of February, the Long Beach Police Department oversaw the following cases and calls:

## **Long Beach**

**262** Total Incidents  
Aid Call Assists: 2  
Alarms: 4  
Animal Complaints: 7  
Assaults: 2  
Assists: 42

(Includes 12 PCSO Assists and 1 WSP Assist Outside City Boundaries)

Burglaries: 1  
Disturbance: 13  
Drug Inv.: 2  
Fire Call Assists: 2  
Follow Up: 34  
Found/Lost Property: 7  
Harassment: 6  
Malicious Mischief: 2  
MIP – Alcohol: 0  
MIP – Tobacco: 0  
Missing Persons: 0  
Prowler: 0  
Runaway: 1  
Security Checks: 53  
Suspicious: 18  
Thefts: 11  
Traffic Accidents: 1  
Traffic Complaints: 13  
Traffic Tickets: 1  
Traffic Warnings: 22  
Trespass: 4  
Warrant Contacts: 2  
Welfare Checks: 12

## **Ilwaco**

**155** Total Incidents  
Aid Call Assists: 0  
Alarms: 5  
Animal Complaints: 2  
Assaults: 3  
Assists: 14

Burglaries: 1  
Disturbance: 13  
Drug Inv.: 4  
Fire Call Assists: 0  
Follow Up: 23  
Found/Lost Property: 2  
Harassment: 8  
Malicious Mischief: 3  
MIP – Alcohol: 0  
MIP – Tobacco: 0  
Missing Persons: 0  
Prowler: 0  
Runaway: 1  
Security Checks: 33  
Suspicious: 13  
Thefts: 5  
Traffic Accidents: 1  
Traffic Complaints: 9  
Traffic Tickets: 0  
Traffic Warnings: 3  
Trespass: 3  
Warrant Contacts: 0  
Welfare Checks: 9

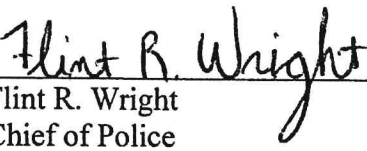
**Monthly Report Continued:**

**Page 2 of 2**

Deputy Chief Casey Meling and Officer Anthony Natsiopoulos attended training February 22<sup>nd</sup>-23<sup>rd</sup> sponsored and paid for by the Fraternal Order of Police. The training dealt with leadership issues.

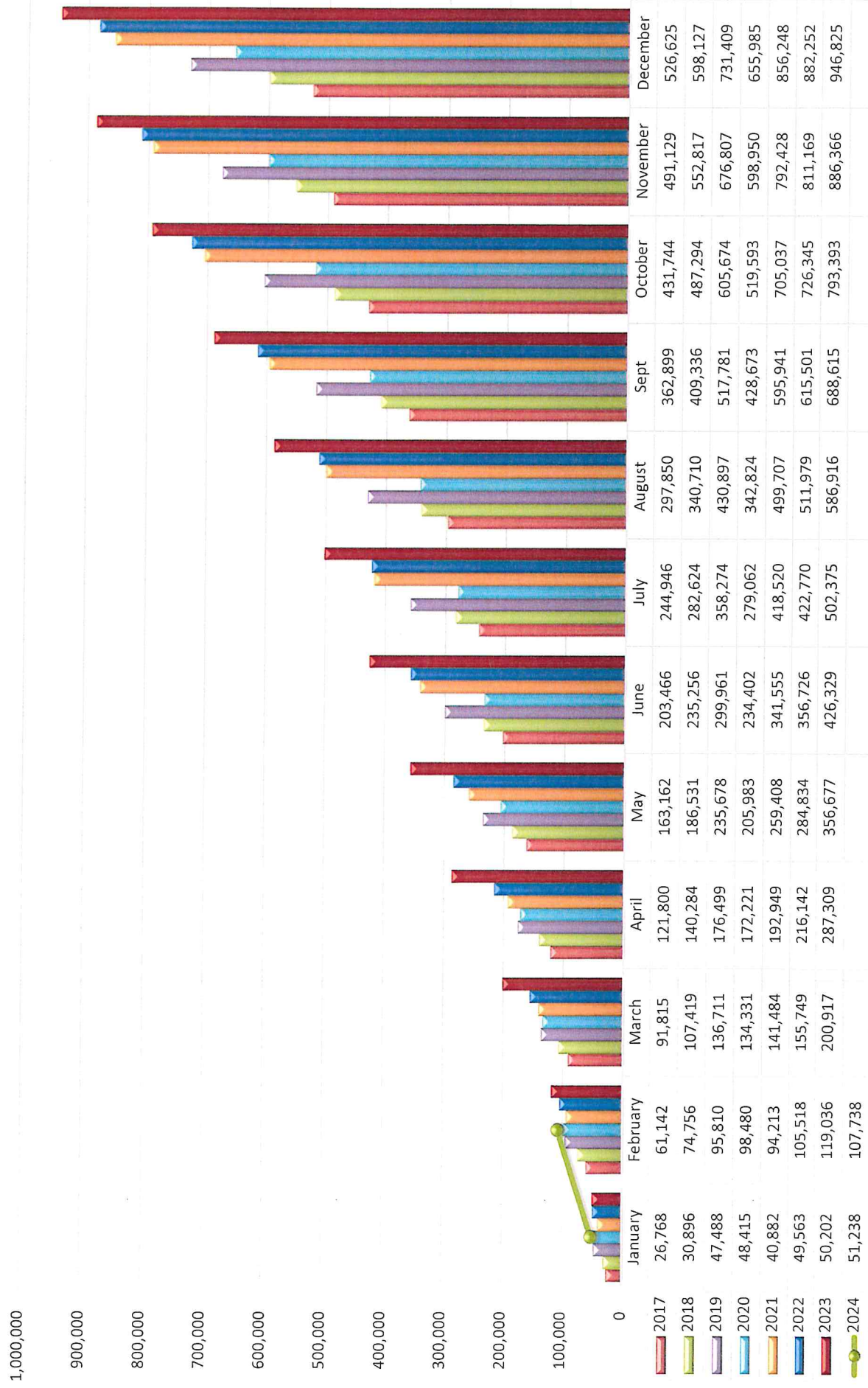
On February 23<sup>rd</sup> I spoke to the driver's education class at Ilwaco High School. I talked about different laws and safety concerns.

I talked to a group of preschoolers at the Peninsula Church Center on the 29<sup>th</sup>. I talked about general safety and how police officers are here to keep them safe. They were wonderful. It is too bad children must grow up to be adults. 🍌

  
\_\_\_\_\_  
Flint R. Wright  
Chief of Police

[illegible][illegible]

## Sales Tax Collections





# Transportation Benefit District Collections - Cumulative

