



YAKIMA CITY COUNCIL

March 20, 2018

City Hall -- Council Chambers

5 p.m. Executive Session; 6 p.m. Business Meeting; 6:30 p.m. Public Hearings -- MINUTES

EXECUTIVE SESSION

1. Executive Session regarding prospective litigation

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Dulce Gutierrez, Council Members Holly Cousens, Kay Funk, Brad Hill, Carmen Mendez and Jason White

MOTION: Gutierrez moved and Mendez seconded to adjourn to Executive Session for up to 60 minutes to discuss prospective litigation. The motion carried by unanimous vote.

At 5:45 p.m. Mayor Coffey announced the Executive Session would be extended to 6:15 p.m. to discuss pending litigation.

Executive Session was held and adjourned at 6:00 p.m.

BUSINESS MEETING

1. **Roll Call**

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Dulce Gutierrez, Council Members Holly Cousens, Kay Funk, Brad Hill, Carmen Mendez and Jason White

Staff: City Manager Moore, City Attorney Cutter and City Clerk Claar Tee

2. **Pledge of Allegiance**

Mayor Coffey led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Coffey introduced Juven Garcia who announced interpreter services are available.

4. **Open Discussion for the Good of the Order**

A. Proclamations

- i. March for Meals month proclamation

Council Member Cousens proclaimed March 2018 as March for Meals Month and Madelyn Carlson and Lorena Fernandez with People for People accepted it.

- ii. Cesar Chavez Day

Mayor Coffey stated this is an addition on today's agenda and Council Member Mendez read a

proclamation proclaiming March 31, 2018, as Cesar E. Chavez Day. Council Member Mendez announced Governor Inslee will be in Yakima on March 31, 2018, at 9 a.m. at 507 S 3rd Street to sign a bill proclaiming March 31, 2018, as Cesar E. Chavez Day in the State of Washington.

B. Presentations / Recognitions / Introductions

i. Introduction of new Deputy Fire Chief Aaron Markham

Deputy Fire Chief Pat Reid introduced Aaron Markham as the new Deputy Fire Chief.

ii. Recognition of City employees in leadership program

City Manager Moore stated there are several employees in attendance tonight who have been nominated by their Department Heads as emerging leaders and are attending the City's Leadership Program. He recognized Julia Cruz from Codes, Trevor Martin from Planning, Billy Collins from I.T. Services and Brian Hoyt from Wastewater. Mr. Moore thanked them for their commitment to the City and interest in growing as leaders.

C. Appointments to Boards, Commissions and Council Committees

i. Appointments to Boards & Committees

MOTION: Mendez moved and Cousens seconded to appoint Cindy O'Halloran and Diane Riley to the Community Review Board, Leanne Hughes-Mickel to the Planning Commission and Anita Quintana to the Community Integration Committee. The motion carried by unanimous vote.

5. Council Reports

A. Report from Council Partnership Committee regarding YVCOG Retreat

MOTION: Mendez moved and Cousens seconded to authorize Council Member Hill to attend the YVCOG Retreat. The motion carried by unanimous vote.

B. Discuss potential Sister City with Hadong County, South Korea

Assistant City Manager Cortez reported the State Fair Association has extended an invitation to one Council member to attend an all expense paid Sister City exploratory trip to Hadong County, South Korea in May. The purpose of the trip is to engage in a number of learning opportunities and commonalities the City has with Hadong County in anticipation of becoming a Sister City. Ms. Cortez noted the expectation of a Sister City relationship is that one city hosts the other and takes care of all expenses related to the visit; therefore, becoming a Sister City does have some financial responsibilities.

Council Member Mendez mentioned there is substantial interest from the State Fair Park and they may take the lead in establishing a Sister City relationship. She understands there are two Council members interested in participating on this trip and would hope those members would express why they are the more qualified member to attend. Assistant Mayor Gutierrez stated Council Member Cousens has been and continues to be on the Council Economic Development Committee and feels Council Member Cousens should attend.

MOTION: Funk moved to postpone further discussion on this issue until the next meeting. The motion died for lack of a second.

MOTION: Gutierrez moved and White seconded to send Council Member Cousens on

this trip. The motion carried by a 6-1 vote, Coffey voting no.

Council Member Hill suggested having staff establish concrete goals for this trip and expand it into a true trade mission.

MOTION: Mendez moved and Hill seconded to discuss the parameters and deliverables of this trip under the Partnership Committee. The motion failed by a 4-3 vote, Cousens, Gutierrez, Funk and White voting no.

MOTION: Gutierrez moved and Cousens seconded to discuss deliverables for this trip at the Economic Development Committee and bring back to the full Council. The motion carried by a 4-3 vote, Hill, Mendez and Coffey voting no.

Council Member Mendez expressed her concern in sending this issue to the Economic Development Committee instead of the Partnership Committee and doesn't understand the resistance. Council Member Funk raised a point of order and Council Member Hill seconded, that members should refrain from speculating on the motives of others. Mayor Coffey stated the point was well taken. Council Member Mendez reminded Council that Sister Cities fall under the Partnership Committee.

6. Consent Agenda

Mayor Coffey referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. There were no changes. The City Clerk read the Consent Agenda items, including resolutions and ordinances, by title.

(Items on the Consent Agenda are handled under one motion without further discussion—see motion directly below.)

MOTION: Gutierrez moved and Cousens seconded to approve the consent agenda. The motion carried by unanimous vote.

- A. Approval of the minutes from the February 20 and March 6, 2018, City Council Business meetings; February 21, 2018, City Council study session; February 26, 2018, City Council Special meetings and March 1, 2018, City Council Briefing
- B. Approve payment of disbursements for the period February 1 – 28, 2018
- C. Set April 3, 2018, as the date for a closed record public hearing to consider the Hearing Examiner's recommendation regarding a rezone for one parcel at 513 W Washington Ave
- D. Set April 3, 2018, as the date for an open record public hearing to consider the Hearing Examiner's recommendation regarding a right-of-way petition to vacate a portion of Roosevelt Ave that extends east of 18th Ave to the Powerhouse Canal Trail
- E. Set April 17, 2018, as the date for an open record public hearing to consider the Hearing Examiner's recommendation regarding a right-of-way petition to vacate a portion of Midvale Rd that extends west of S 64th Ave
- F. Resolution authorizing a recurring annual agreement with Yakima Valley Umpires Association to obtain officiating services for the City's organized softball program

RESOLUTION NO. R-2018-027, A RESOLUTION authorizing an agreement with the Yakima Valley Umpires Association for officiating services for the City of Yakima's organized softball program.

- G. Resolution affirming and approving three interfund loans made under Chapter 3.123 of the Yakima Municipal Code

RESOLUTION NO. R-2018-028, A RESOLUTION affirming and approving three interfund loans made under Chapter 3.123 of the Yakima Municipal Code

- H. Resolution authorizing open cruising events to be held on June 9, June 16, July 14, August 11, September 8 and September 15, 2018

RESOLUTION NO. R-2018-029, A RESOLUTION authorizing open cruising events to be held on June 9, June 16, July 14, August 11, September 8 and September 15, 2018.

- I. Ordinance amending the Yakima Municipal Code, Ch. 9.50, Parking and Rules of the Road, and Ch. 9.60, Enforcement, adding a prohibition of parking a motor vehicle in front of a mailbox

ORDINANCE NO. 2018-010, AN ORDINANCE relating to Traffic; amending the City of Yakima Municipal Code, Section 9.50.085, and adding language prohibiting parking a motor vehicle in front of a mailbox; also amending Section 9.60.030 to include the penalty for this parking infraction

7. **Public Comment**

James Turner, City Resident, updated Council on his quest for speed bumps in his neighborhood stating he needs seven more signatures.

DRAFT
PUBLIC HEARINGS

8. Final public input meeting on the 2017 Consolidated Annual Performance Evaluation Report (CAPER)

ONDS Manager Archie Matthews briefed Council on the hearing. Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. Mr. Matthews stated there is no further action necessary.

9. Public meeting and Resolution to consider the final plat approval of Annalisa Phase 1 located in the vicinity of S 83rd Ave & Westbrook Ave.

Associate Planner Trevor Martin briefed Council on the hearing. Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. The City Clerk read the resolution by title only.

MOTION: Gutierrez moved and Cousens seconded to adopt the resolution. The motion carried by unanimous vote.

RESOLUTION NO. R-2018-030, A RESOLUTION approving the final plat of Annalisa and authorizing the Mayor to sign the final plat.

DEPARTMENT ITEMS

10. Ordinance repealing City of Yakima Municipal Code Chapter 6.18 relating to Pit Bull Dogs

Helen Harvey, Senior Assistant City Attorney, briefed Council on the ordinance that provides in part, in section A, that it is unlawful to keep, own or possess a pit bull in the City of Yakima and violation of that section is a gross misdemeanor, with a few exceptions including whether a service animal and certain conditions are met. She also reported that in December 2017 a lawsuit was filed by a City resident that contained allegations that the City's Pit Bull Ordinance violated certain federal statutes.

It was Council consensus to have a two minute time limit per person and four minute time limit for someone speaking on behalf of a group.

The following community members spoke in favor of repealing the ordinance relating to Pit Bull Dogs: Kelly Murray, City resident; Brook Barnes, City resident; Dr. Jennifer Fitzpatrick, City resident; Becky Pascua, non-resident; Linda DeCoteau, City resident; June Sinner, non-resident; Jason Mendoza, City resident; Rubi Smith, City resident; Hillary Galloway, City resident; Morgana Holman, City resident; Gabriela Martinez, City resident; Conor O'Brien, City resident; Stephanie Irwin, City resident; Deette Wood, non-resident; Dr. Sandy Wasson, non-resident; Ricardo Rodriguez, City resident; Amanda Wagner, non-resident; Jimmy Pete Forrest, non-resident; Kendra Valdez, non-resident; and, Iris Perez, City resident.

The following City residents spoke against repealing the ordinance: Dave Ettl and Bill Lover.

After Council discussion,

MOTION: Mendez moved and Coffey seconded to direct staff to bring back a more robust dangerous dog Ordinance at the April 17, 2018. MOTION: Hill moved and Mendez seconded to amend the motion to have the Council Public Safety Committee review and return a recommendation at the April 17, 2018 meeting. After further Council discussion, **MOTION: Hill moved and Gutierrez seconded to call for the question. The motion carried by unanimous vote.** The motion to amend carried by a 4-3 vote, Coffey, Mendez and Gutierrez voting no. The motion as amended carried by unanimous vote.

11. Other Business

None.

12. Adjournment

MOTION: Gutierrez moved and Mendez seconded to adjourn to a City Council Briefing on March 29, 2018, at 4 p.m. at City Hall. The motion carried by unanimous vote. The meeting adjourned at 8:30 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR

DRAFT