



YAKIMA CITY COUNCIL

September 11, 2018

City Hall -- Council Chambers

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

EXECUTIVE SESSION

1. Executive Session to review the performance of a public employee

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 30 minutes to review the performance of a public employee. The motion carried by unanimous vote. Executive Session was held and adjourned at 5:58 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**

The Yakima Police Honor Guard presented the Colors, during which Mayor Coffey led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Coffey introduced Jorge Villaseñor who announced interpreter services are available.

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

A. Proclamations

- i. Patriot Day proclamation

Council Member Mendez proclaimed today, September 11, 2018, as Patriot Day and Fire Chief Markham and Police Captain Jones accepted it.

- ii. Constitution Week proclamation

Mayor Coffey proclaimed September 17-23, 2018, as Constitution Week and Pam Egan accepted on behalf of the DAR, Narcissa Whitman Chapter.

iii. National Truck Drivers Appreciation Week proclamation

Assistant Mayor Gutierrez proclaimed September 9-15, 2018, as National Truck Driver Appreciation Week and Josh Borden, with Associated Freight Brokers, Inc., accepted it and invited Council and Commercial Driver's License holders to a luncheon at the Gear Jammer on September 13, 2018, from 11 a.m to 3 p.m.

B. Presentations / Recognitions / Introductions

i. Central Washington State Fair 4th of July event recap

Greg Stewart, Central Washington State Fair President, reported on this year's annual 4th of July event at the Fairgrounds.

5. Council Reports

A. Council Partnership Committee recommendation regarding a request for a Yakima Valley Museum Board Liaison (ex-officio board member)

Council Member Mendez briefed Council on the Yakima Valley Museum's request to the Partnership Committee to have a Council member as an ex-officio (non-voting member) on its Board.

MOTION: Mendez moved and Coffey seconded to appoint Hill as the liaison for the Yakima Valley Museum Board. The motion carried by unanimous vote.

B. Council Partnerships Committee recommendation to adopt 2019 State and Federal Legislative Priorities

Randy Beecher, Communications & Public Affairs Director, reported the Council Partnership Committee unanimously recommended that the draft 2019 State and Federal Legislative Priorities be presented for full Council consideration. He stated the draft priorities reflect the Council's Strategic Plan and were developed based on current and emerging issues that have been discussed by Council committees and/or the full Council. After Council discussion,

MOTION: Funk moved and Mendez seconded to accept the priorities. The motion carried by a 6-1 vote, Gutierrez voting no.

C. Council Public Safety Committee recommendations regarding: an inventory of the entire City of Yakima DV incident response system in comparison to national best practices; and, consider adding funding for one new FTE to serve as an in-house DV Victim's Advocate to the 2019 budget development process

Assistant Mayor Gutierrez reported at the August 23, 2018, Council Public Safety Committee, the Committee recommended that Council authorize an inventory of the entire City of Yakima domestic violence (DV) incident response system in comparison to national best practices; and, consider adding funding for one new full time employee to serve as an in-house DV Victim's Advocate to the 2019 budget development process. Additionally, the Committee discussed recreational vehicle issues in the City, noting there is a memorandum on this issue in the information section of the agenda packet, and reviewed Safe Routes to all Elementary Schools. After Council discussion,

MOTION: Gutierrez moved and Cousens seconded to direct staff to take an inventory of the City of Yakima domestic incident response system. The motion carried by unanimous vote.

MOTION: Gutierrez moved and Hill seconded *that the domestic violence victim advocate position be added to the consideration list for the 2019 budget process.* The motion carried by unanimous vote.

- D. Council Healthy Communities & Neighborhood Building Committee report regarding: 1. Motion for Yakima Valley Conference of Governments Information (document in agenda packet) and 2. Youth Safety/High School Parking

Council Member Funk reported at the August 16, 2018, Council Healthy Communities & Neighborhood Building Committee meeting, the Committee's concern on underage/unlicensed drivers parking in the Davis High School parking lot and requested that Council consider taking further action to address this issue.

MOTION: Funk moved and Hill seconded *to refer the Davis High School parking issue to the Public Safety Committee.* The motion carried by a 6-1 vote, Coffey voting no.

MOTION: Funk moved and Gutierrez seconded *to approve the motion to request information from YVCOG: The Yakima Valley Conference of Governments is established under RCW 36.70.060, and the City of Yakima is a participating municipality. Under the Washington State Public Disclosure Act (RCW 42.56, RCW 42.56.040), YVCOG is required to display and make available for inspection the general course and method of its operations for guidance of the public. Specifically, YVCOG is mandated to develop, implement, and update a comprehensive countywide homeless plan, including review and evaluate homeless and housing data to determine the effectiveness of the local strategy. This includes an obligation to establish and maintain a transparent funding distribution process to solicit, screen, review, score and rank potential projects. Yakima homeless programs are required to use a coordinated Entry process in which all service providers use the same assessment format and input data into the Homeless Management Information System (HMIS). Because homelessness has adverse impacts within the City of Yakima, the City has a vested interest in monitoring program operations and results. Specifically, the Healthy Community and Neighborhood Building Committee (HCNBC) has a mandate to "discuss, analyze, consider, review data, input and ideas on...Homeless Resources and Network". SPECIFIC INFORMATION REQUEST*

1. ***An assessment of whether programs funded in 2017 were completed according to their contracts and funding awards.***
2. ***All 2018 RFPs, and their opening and closing dates, and their evaluation criteria.***
3. ***2018 RFP Awards.***
4. ***List of scoring committee members.***
5. ***Scoresheet.***
6. ***Justifying documents for any "sole source" awards.***
7. ***Explain why HMIS data collection is limited to "emergency" shelter criteria, when there are Lengths of Stay listed as greater than >300 days.***
8. ***Monitoring protocols for reviewing performance of contractors.***
9. ***Results of monitoring performance of contractors.***
10. ***YVCOG deadlines for posting operations documents and making them available for inspection by the public and YVCOG partners.***

If any of this information is confidential please provide proper citation that designates the information as such. The City Council recognizes the authority YVCOG has in addressing homelessness. The City Council also recognizes the public's right to know

how homeless funding is used, its impact and how governmental entities conduct due diligence. The motion carried by unanimous vote.

Larry Mattson, Executive Director of YVCOG, asked for more than three minutes to speak in order to respond to this motion, which was **approved by Council consensus**. Mr. Mattson presented YVCOG's Annual Report to the City Council and spoke to the following points regarding the motion: on page 2 of the report, under program oversight, he reported they received a score of 99 percent from the Department of Commerce (DOC) in their Homeless System Performance Report, which is the third highest score in the state. On page 4, under RFP scoring, are three city council people from the valley, two city managers, and two subject matter experts, from Blue Mountain Action Counsel and the Union Gospel Mission. In regards to the 3rd paragraph, he reminded Council that DOC staff has confirmed that YVCOG is compliant with all coordinated entry and homeless management information system requirements; DOC is in charge of homeless management information systems, and that it is no longer in YVCOG's domain. In regards to the 4th paragraph, the operation responsibility lies with the YVCOG Board, the State Auditor's office, and DOC to ensure compliance. He noted in regards to the statement that YVCOG didn't show up to a City Council Study Session on homeless issues, he stated they did not receive an invitation.

In response to the 10 items, Mr. Mattson reported the following:

1. All but one contract was completed, that contract was the tiny homes contract with Transform Yakima Together, which was discussed and the award was reduced at the February 20, 2018, Executive Committee open public meeting.
2. Is on page 3 of the report.
3. This information is posted on YVCOG's website and repeated on page 8 of the report.
4. YVCOG does not make funding recommendations, it's a citizen panel process, which is on page 4 of the report.
5. The score sheet is posted on YVCOG's website and included on page 6 of the annual report.
6. Is on page 9 of the report.
7. Emergency shelters are the least restrictive project requiring the least amount of data collection on purpose, as a low barrier shelter, clientele typically would rather not disclose a lot of information and this practice is outlined in the HMIS data standards.
8. Is on page 14 of the report.
9. Performance measurements of contractors is an aspirational goal of YVCOG.
10. Contracts are posted to the website upon execution. YVCOG recognizes the public's right to know and both of the homeless programs and financial matters are posted on YVCOG's website and all YVCOG business occurs in open public meetings, which anyone can attend. No funding is allocated or distributed without Executive Committee approval and is always done in a transparent open public meeting.

Mr. Mattson concluded his report by stating any concerns about YVCOG's performance can be addressed in one of two ways, via Council's representative, Mr. Hill, or by attending an Executive Committee meeting. He summarized YVCOG's Annual Report and stated they have implemented a transparent funding process that has been reviewed by the State Auditor's Office with no findings and YVCOG's fiscal management of provider contracts has been reviewed by DOC with no findings. He shared his concern about possible false statements and stated they are open to meaningful and reasonable discussions; however, if false statements do not terminate, they will be forced to consider other available courses of action to preserve and protect the reputation of the YVCOG organization.

Assistant Mayor Gutiérrez asked about the 5-year plan process. Mr. Mattson mentioned the 5-

year plan is a structural strategic document to guide how they allocate dollars and that HB 1570 designates a timeline of December 2019 for the next update to that plan. He anticipates the planning process will need to start early in 2019 with robust community involvement.

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. Accept Council Committee minutes
- B. Approval of the minutes from the August 21, 2018, City Council Business Meeting; August 28, 2018, City Council Study Session and August 30, 2018, Special Meeting
- C. Resolution authorizing a contract with Stiles, Inc. dba L & S Fencing, in the amount of \$95,151 for the installation of security fencing and gates at the Wastewater Treatment Plant

RESOLUTION NO. R-2018-100, A RESOLUTION authorizing a contract with Stiles, Inc. dba L & S Fencing, in the amount of \$95,151 for City Project No. 2017-77, which provides for the installation of security fencing and gates at the Wastewater Treatment Plant.

- D. Resolution authorizing consent to a settlement entered into by Cities Insurance Association of Washington and Munich Reinsurance to resolve and settle the damage claim brought by the State of Washington Department of Natural Resources

RESOLUTION NO. R-2018-101, A RESOLUTION authorizing consent to a settlement entered into by the Cities Insurance Association of Washington and Munich Reinsurance to resolve and settle the damage claim brought by State of Washington Department of Natural Resources.

7. Public Comment

Tony Sandavol, City resident, stated the City needs a new Police Chief and asked what the plan is to fight crime.

Tony Courcy, City resident, spoke on several topics.

PUBLIC HEARINGS

- 8. Public Hearing and Resolution declaring certain property originally part of Drainage Improvement District #13, later abandoned by Yakima County and ceded to the City of Yakima, to be surplus to the City needs

Mike Price, Wastewater Manager, briefed Council on the item.

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

RESOLUTION NO. R-2018-102, A RESOLUTION declaring certain property originally part of Drainage Improvement District #13 later abandoned by Yakima County to be surplus to City needs and abandoning all interest to the property owners over which the pipeline extends.

DEPARTMENT ITEMS

9. Resolution authorizing an agreement with the Yakima Lions Club for a donation for Playground Equipment in the amount of \$25,000 at Lions Park

Ken Wilkinson, Parks & Recreation Manager, briefed Council on the agreement.

David Mulalley, President of the Yakima Lions Club, shared the many projects the Lions Club is involved in and how excited they are to help replace playground equipment at Lions Park.

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-2018-103, A RESOLUTION authorizing an agreement with Yakima Lions Club, not to exceed \$25,000 to develop new playground equipment in Lions Park.

10. Resolution authorizing a Sister City Relationship with Hadong County, South Korea

Council Member Cousens briefed members on the resolution and stated representatives from Hadong County, South Korea, will be at the Fairgrounds on September 22, 2018, to officially sign a Sister City agreement and she invited Council members to attend.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2018-104, A RESOLUTION establishing a Sister City relationship with Hadong County, South Korea.

11. 2nd Quarter 2018 Capital Improvement Projects Report

Scott Schafer, Public Works Director, briefed Council on the report. Bob Desgrosellier, Senior Engineer, provided a PowerPoint presentation on the Capital Improvements project 2nd Quarter of 2018. Council Member White asked about the scope of work on school sidewalks, which Mr. Desgrosellier will provide.

12. Budget Process Preview

Ana Cortez, Assistant City Manager and Interim Finance Director reviewed the budget process with Council. Ms. Cortez requested direction from Council regarding items Council members

would like to see discussed at the upcoming budget meetings.

Council Member Mendez reminded Council that the budget needs to be looked at through an equity lense. After further Council discussion, Ms. Cortez reviewed the following list that Committees have discussed that has not been approved by Council: \$50,000 for YCDA; \$30-50,000 for Port Authority feasibility effort; in house DV Victim Advocate; Citywide clean-up and code effort; \$400,000 Northside alley paver project; and, park maintenance.

MOTION: Gutierrez moved and Cousens seconded to add everything listed to the list of considerations for the 2019 budget process. The motion carried by a 6-1 vote, Coffey voting no.

CITY MANAGER UPDATE

13. Ordinance relating to Public Safety; amending the City of Yakima Municipal Code, Sections 6.27.060 and 6.27.070 regarding shopping carts

Billy Doyle, Legal Intern, briefed Council on the ordinance.

The City Clerk read the ordinance by title only.

MOTION: Funk moved and Hill seconded to pass the ordinance. The motion carried by unanimous vote.

ORDINANCE NO. 2018-030, AN ORDINANCE amending the Yakima Municipal Code, Sections 6.27.060 and 6.27.070 regarding shopping carts, to allow the City to more adequately address the issue of nuisance shopping carts

14. Other Business

MOTION: Cousens moved and Hill seconded to direct the City Manager to investigate and prepare recommendations or options for mechanisms legislative, financial or philanthropic, leading to an increase of safe and affordable housing options, and this should not include the use of general fund dollars. A report should be provided to Council no later than the 1st meeting in December. The motion carried by unanimous vote.

Council Member Funk noted the HCNB Committee has already asked staff to make reports on this issue and is delighted to hear that others share this concern.

Council Member Mendez stated she was the alternate at the last Economic Development Committee meeting and thought there would be a Committee report regarding main street projects. **MOTION: Gutierrez moved and Cousens seconded to add the Council Strategic priority on redevelopment of main arterials to the September 18th agenda.** The motion carried by unanimous vote. Council Member Hill asked if the Council's Strategic Priority document had been finalized. Assistant Manager Cortez stated it is finalized and will be posted on the City's website tomorrow.

15. Adjournment

MOTION: Gutierrez moved and Mendez seconded to adjourn to the next Council Business Meeting on September 18, 2018, at 5 p.m. in the Council Chambers at City Hall. The motion carried by unanimous vote. The meeting adjourned at 8:50 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE _____

COUNCIL MEMBER

DATE _____

ATTEST:

CITY CLERK

MAYOR

DRAFT