



YAKIMA CITY COUNCIL
November 6, 2018
City Hall -- Council Chambers
6 p.m. Business Meeting; 6:30 p.m. Public Hearings -- MINUTES

BUSINESS MEETING

1. Roll Call

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Dulce Gutierrez (via speakerphone), 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 Joven Garcia who announced interpreter services are available.

4. Open Discussion for the Good of the Order

A. Proclamations

i. Henry Beauchamp, Jr. Day Proclamation

Mayor Coffey proclaimed November 9, 2018, as Henry Beauchamp, Jr. Day. Steve Mitchell, Chief Executive Officer and Frank Rowland, Chief Operations Officer of OIC, accepted the proclamation.

5. Council Reports

A. Council Public Safety Committee report

Assistant Mayor Gutierrez reported on Safe Routes to School and reaching out to the City of Yakima School District for feedback and would like to formalize a process.

MOTION: Gutierrez moved and Funk seconded to direct staff to send a letter to Superintendent Dr. Jack Irion requesting that Yakima School District survey families so that the City can better understand how to improve safety for school routes by looking at sidewalks, lighting deficiencies, traffic configurations, dangerous properties, dangerous dogs and code enforcement issues. The motion carried by unanimous vote.

B. H2A Worker Housing Ad Hoc Committee report

Assistant Mayor Gutierrez spoke about holding a forum on the H2A housing issue. After

Council discussion,

MOTION: Gutierrez moved and Funk seconded to move forward with YVCOG as a facilitator for a forum to be held at the Yakima Convention Center on H2A worker housing. The motion carried by unanimous vote. City Manager Moore confirmed staff will do the legwork in preparing for this meeting.

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

- A. Approval of the minutes from the October 16, 2018, City Council Business Meeting and October 9, 11, 17, 18, and 30, 2018, City Council Study Sessions
- B. Accept Council Committee minutes
- C. Resolution authorizing Supplemental Agreement No. 4 of the Professional Services Agreement with Maul, Foster and Alongi, Inc. (MFA), to be funded with a Department of Ecology grant not to exceed \$375,000, to perform high resolution site characterization and post-remediation actions at the former Tiger Oil site located at 2312 W. Nob Hill Boulevard

RESOLUTION NO. R-2018-124, A RESOLUTION authorizing Supplemental Agreement No. 4 with Maul, Foster Alongi, Inc. (MFA) to be funded with a Department of Ecology grant not to exceed \$375,000 to perform high resolution site characterization and post-remediation actions at the former Tiger Oil site located at 2312 West Nob Hill Boulevard

- D. Resolution authorizing annual renewal of the City Manager's authority to resolve and settle any claims against or by the City of Yakima in an amount of \$50,000 or less, and to execute all documents necessary for such claims

RESOLUTION NO. R-2018-125, A RESOLUTION authorizing annual renewal of the City Manager's authority to resolve and settle any claims against or by the City of Yakima in an amount of \$50,000 or less, and to execute all documents necessary for such claims

- E. Resolution authorizing and directing the Yakima Department of Community Development to identify and implement a policy regarding temporary emergency cold weather shelters; and providing that such policy shall be valid only from November 15, 2018 through March 31, 2019

RESOLUTION NO. R-2018-126, A RESOLUTION authorizing and directing the Yakima Department of Community Development to identify and implement a policy regarding temporary emergency cold weather shelters in the City of Yakima, and providing that such policy shall be valid only from November 15, 2018, through March 31, 2019.

- F. Ordinance amending Yakima Municipal Code Chapter 6.20 removing references to repealed Chapter 6.18, relating to pit bull dogs

ORDINANCE NO. 2018-037, AN ORDINANCE amending the City of Yakima Municipal Code Chapter 6.20, relating to animal control, to remove references to the now-repealed 6.18, relating to pit bulls.

7. Public Comment

Vinny Carrillo, City resident, stated his life changed due to a positive interaction with a police officer when he was younger, and he invited Council to join in a night of prayer on December 5, 2018 from 6-8 p.m., at Foursquare Church for Cops and Kids night.

Nicholas Martinez, City resident, reported his young daughter was approached by a convicted sex offender in his neighborhood and shared his concerns.

Susan Whitman, City resident and former Council member, shared her concerns with the proposed reductions to the Police and Fire Departments.

PUBLIC HEARINGS

8. Public hearing and ordinances pertaining to Ad Valorem Taxes to be levied for collection in Fiscal Year 2019

Steve Groom, Director of Budget and Finance, briefed Council on the ordinances.

Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing.

MOTION: *Cousens moved and Mendez seconded to pass the ordinance (A).* The motion carried by unanimous vote.

A. ORDINANCE NO. 2018-038, AN ORDINANCE relating to the annual property tax levy; declaring the City Council's intent to increase the City's 2019 regular levy up to 101% along with new construction, annexation, refunds and growth in state-assessed property values from the amount levied the previous year.

MOTION: *Cousens moved and Mendez seconded to pass the ordinance (B).* The motion carried by unanimous vote.

B. ORDINANCE NO. 2018-039, AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to discharge the expected expenses and obligations for the 2019 Budget for the City of Yakima.

9. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#001-18) and Rezone (RZ#002-18) request submitted by Coastal Farm Real Estate Inc

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing and Tom Durant, Planning Engineer with PLSA Engineering and Surveying, spoke in favor of this amendment on behalf of Coastal Farm and Ranch. Mayor Coffey closed the

hearing.

MOTION: Cousens moved and Mendez seconded to direct staff to prepare legislation to approve this amendment. The motion carried by unanimous vote.

10. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#002-18) and Rezone (RZ#003-18) request submitted by Yakima Valley Farmworkers Clinic

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing. Bill Hordan of Hordan Planning Services, spoke on behalf of Yakima Valley Farmworkers Clinic in support of the amendment. Mayor Coffey closed the hearing.

MOTION: Mendez moved and Cousens seconded to direct staff to prepare legislation to approve the amendment. The motion carried by unanimous vote.

11. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#003-18) and Rezone (RZ#004-18) request submitted by William Almon

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing. Bill Hordan of Hordan Planning Services, spoke on behalf of Mr. Almon in support of the amendment. Mayor Coffey closed the hearing.

MOTION: Cousens moved and Funk seconded to direct staff to prepare legislation to approve this amendment. The motion carried by unanimous vote.

12. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#004-18) and Rezone (RZ#005-18) request submitted by Riverpointe Landing LLC/ Westtowne LLC

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing. Bill Hordan of Hordan Planning Services, spoke on behalf of Riverpoint Landing in support of the amendment. Mayor Coffey closed the hearing.

MOTION: Cousens moved and Funk seconded to direct staff to prepare legislation to approve the amendment. The motion carried by unanimous vote.

13. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#005-18) and Rezone (RZ#006-18) request submitted by West Valley Nursing Homes Inc

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing. Cal Groenenberg, Director of West Valley Nursing, aka Living Care and Bill Hordan of Hordan Planning Services spoke in support of the amendment. Mayor Coffey closed the hearing.

MOTION: Cousens moved and Funk seconded to *direct staff to prepare legislation to approve this amendment*. The motion carried by a 6-0 vote, Gutierrez temporarily absent.

14. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#006-18) and Rezone (RZ#007-18) request submitted by Israel Zaragoza

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing. Bill Hordan of Hordan Planning Services spoke on behalf of Israel Zaragoza in support of the amendment. Mayor Coffey closed the hearing.

MOTION: Mendez moved and Cousens seconded to *direct staff to prepare legislation to approve this amendment*. The motion carried by a 6-0 vote, Gutierrez temporarily absent.

15. Open record public hearing to consider the Yakima Planning Commission's recommendation on a Comprehensive Plan Amendment (CPA#007-18) and Rezone (RZ#008-18) request submitted by the City of Yakima Wastewater Division

Mayor Coffey asked Council members if they have any interest in the property; if they have any financial benefit; if they can consider this application fairly and objectively and if they have had any ex-parte communications regarding the property. Council members all responded that they have no interest, or any financial gain, that they can be objective and that they have had no ex-parte communications on the property.

Planning Manager Joseph Calhoun introduced the item. Mayor Coffey opened the public hearing and the following individuals spoke against the amendment: Leslie Wahl, City-resident and Board member of the Yakima Arboretum; Lynda Hopkins, non-resident; Kellie Connaughton, Executive Director of the Yakima Greenway; Dr. Hamilton Licht, City resident; and Will Hollingberry, non-resident. Mayor Coffey closed the hearing.

City Manager Moore reported Yakima County is willing to partner on this project with \$300,000 to build screening between SR24 and the project. After Council discussion;

MOTION: Funk moved *to approve with conditions being that the boundary establishment between the camp and the river is done and that we have a safe boundary between the camp and Hwy 24.* The motion failed for lack of a second.

MOTION: Hill moved and White seconded *to move to accept staff's recommendation to move forward with the rezone and comprehensive plan amendment.* The motion carried by a 6-1, Funk voting no.

DEPARTMENT ITEMS

16. Recap of the 2019 Preliminary Budget Sessions and Follow up

Assistant City Manager Cortez provided a recap of the 2019 preliminary budget changes made by Council during budget meetings. After Council discussion,

MOTION: Hill moved and Cousens seconded *to accept staffs recommendation for workers compensation and reserve funds (move \$380,000 of savings to the workers comp fund and the remainder to reserves).* The motion carried by unanimous vote.

Steve Groom, Director of Finance and Budget, reviewed the PowerPoint slides on Lodging Tax. After Council discussion,

MOTION: Hill moved and Cousens seconded *to approve the Convention Center Capital Facility Plan 2019-2022 including the expansion as proposed and to authorize \$12.5 million public financing for the expansion that commences with a 2019 commitment of \$567,200.* The motion carried by a 6-1, Funk voting no.

MOTION: Mendez moved and Hill seconded *to direct staff to provide notice to the LTAC advising that the City Council will discontinue lodging tax funding for the SunDome operations and request the Lodging Tax Advisory Committee's review and comment.* The motion carries by unanimous vote.

MOTION: White moved and Cousens seconded *to reallocate the \$60,000 to YPAL and the HBCC for operations (\$30,000 to HBCC and \$30,000 to YPAL) out of general funds for programming.* The motion carried by unanimous vote.

Ed Shoenbach, non-resident, and Linda Dale, non-resident and Vice President of YPAL, spoke in support of YPAL and would like a long-term agreement to assist with grant applications.

MOTION: White moved *that the City Council adopt a 3-year term agreement with YPAL.* The motion failed for lack of a second.

MOTION: Cousens moved *to direct staff to find savings of \$60,000 to \$100,000 to offset any further priorities given our interest in children.* The motion failed for lack of a second.

MOTION: Cousens moved and White seconded *to include a feasibility study in the 2019 budget for the East Side pool using REET money.* After discussion, the motion failed by a 4-3 vote, Hill, Funk, Mendez, and Coffey voting no.

Luz Gutierrez, City resident, spoke in favor of the Hotel Motel Tax motion and urged Council to support the Cinco De Mayo event.

Charles Stanton, non-resident and Executive Director of the Humane Society, offered to help

the City with fundraising.

Steve Groom, Director of Finance and Budget, reviewed the levy lid lift.

MOTION: Hill moved and Mendez seconded to add the levy lid lift to a study session. The motion carried by unanimous vote.

17. Discussion regarding potential partnership with Spark Northwest

MOTION: Funk moved and Mendez seconded to postpone this item to December. The motion carried by unanimous vote.

CITY MANAGER UPDATE

18. Consideration of reinstating Council agenda preview meetings

City Manager Moore reported on recent conversations about reinstating the Council Agenda Preview Meetings.

MOTION: White moved and Hill seconded to hold a monthly Council Briefing on the 4th Tuesday of every month at 6 p.m. in the Council Chambers. The motion carried by unanimous vote. It was Council consensus to have the meetings televised and take no action at these meetings.

19. Other Business

MOTION: Cousins moved and Hill seconded to add to the first business meeting in December, with certified results regarding the plan, that Council discuss and outline the next steps regarding the Downtown Plaza. The motion carried by unanimous vote.

20. Adjournment

MOTION: Mendez moved and Cousins seconded to adjourn to the next Council Business Meeting on November 13, 2018, at 6 p.m. at City Hall in the Council Chambers. The motion carried by unanimous vote. The meeting adjourned at 9:19 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR