



**YAKIMA CITY COUNCIL**  
**April 2, 2019**  
**City Hall -- Council Chambers**  
**6 p.m. Regular Meeting -- MINUTES**

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**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 J. Garcia who announced that interpreters are available.

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

A. Proclamations

i. Arbor Day proclamation

Council Member Mendez proclaimed the second Saturday in April as Arbor Day. Jheri Ketchum, retired Co-Director of the Yakima Area Arboretum, accepted the proclamation and thanked City employees Eric Crowell and Chip Rognlie for helping to establish and maintain the City's Tree City USA designation. Garret Brenden, Education and Outreach Coordinator at the Yakima Area Arboretum, invited Council and the community to the Arbor Day Festival.

B. Presentations / Recognitions / Introductions

i. Recognition of Connie Upton for 25 years of service

Yakima Valley Tourism President and CEO John Cooper introduced Connie Upton, General Manager of the Yakima Convention Center. Mayor Coffey and Council recognized and thanked Connie for her 25 years of service at the Convention Center.

**5. Council Reports**

A. Council Healthy Communities and Neighborhood Building Committee report

Council Member Funk, as Chair of the Council Healthy Communities and Neighborhood Building Committee, reported on the Committee's March 14, 2019 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: Gutierrez moved and Cousens seconded to approve the consent agenda.**  
The motion carried by unanimous vote.

- A. Approval of the minutes from the March 5 and 19, 2019, City Council regular meetings and March 12 and 26, 2019 City Council special meetings
- B. Project Completion and Contract Acceptance for Greenwalt Electric, LLC - Project #2478 Camp Hope Utility Extension
- C. Project Completion and Contract Acceptance for Ken Leingang Excavating - Project 2478 Camp Hope Utility Extension
- D. Resolution authorizing a contract with Wheeler Excavation, LLC. for the construction of the 2019 Stormwater Drainage Improvements

**RESOLUTION NO. R-2019-036, A RESOLUTION** authorizing a contract with Wheeler Excavation, LLC. for City Project No. 2469 which provides for 2019 Stormwater Drainage Improvements

- E. Resolution ratifying a Professional Services Contract with KBA, Inc. for Construction Management Services

**RESOLUTION NO. R-2019-037, A RESOLUTION** ratifying the City Manager's execution of a Professional Services Contract with KBA, Inc. for Construction Management Services for Phase 1 of the N. 1st Street Revitalization Project

- F. Resolution authorizing an agreement with Yakima County for Certified Acceptance Services

**RESOLUTION NO. R-2019-038, A RESOLUTION** authorizing an Interlocal Agreement with Yakima County for Yakima County to perform Certified Acceptance Services.

- G. Resolution authorizing acceptance of Passenger Facility Charge revenues from U.S. Department of Transportation

**RESOLUTION NO. R-2019-039, A RESOLUTION** authorizing acceptance of Passenger Facility Charge revenues from U.S. Department of Transportation.

- H. Resolution authorizing application for a grant from the Washington State Department of Transportation (WSDOT) Aviation Division for capital improvements at the Yakima Air Terminal-McAllister Field

**RESOLUTION NO. R-2019-040, A RESOLUTION** authorizing the City Manager to apply for a grant from the Washington State Department of Transportation (WSDOT) Aviation Division for capital improvements at the Yakima Air Terminal-McAllister Field

## 7. **Public Comment**

Bill Duerr, City resident, suggested the City promote Captain Gary Jones to Assistant Police

Chief.

Tony Courcy, City resident, spoke on several issues.

## DEPARTMENT ITEMS

8. 2018 Annual Report for the Yakima Fire Department

Fire Chief Markham presented the Yakima Fire Departments 2018 annual report.

## CITY MANAGER UPDATE

9. City Manager response to the Yakima Police Patrolman's Association letter

City Manager Moore presented his response to the issues raised in the Yakima Police Patrolman's Association letter that was provided to Council two weeks ago.

City residents Joey Anderson and Roman Kilinuaridis spoke in support of the YPPA's letter.

The following City employee's spoke in support of the City Manager: Jenn Zeutenhorst, Training Program Coordinator; Debbie Korevaar, Civil Service Examiner and Maria Mayhue, Senior Buyer, who presented a petition of support for City Manager Moore signed by 163 employees.

**MOTION: Gutierrez moved and Cousens seconded to adjourn to Executive Session for up to 30 minutes to discuss the performance of a public employee.** The motion carried by unanimous vote. Funk questioned the executive session and requested representation as she felt about her. Gutierrez moved the Point of Order that the comment was not germane to the motion. Coffey moved the Point was well taken. The meeting adjourned at 6:43 p.m.

The meeting reconvened at 7:05 p.m. **MOTION: Gutierrez moved and Cousens seconded to accept the response of the City Manager, and from a Council perspective, consider the matter closed.** The motion carried by a 6-1, Funk voting no.

10. Other Business

Assistant Mayor Gutierrez announced several upcoming events with the Police Department, including a May 9, 2019, Coffee with a Cop at Vierra's on W. Lincoln Avenue.

**MOTION: Coffey moved and Cousens seconded to adjourn to an Executive Session to discuss the performance of a public official pursuant to RCW 42.30.110 for up to 30 minutes.** Coffey noted there may be a decision in open session afterwards. Funk stated Coffey informed her this executive session is about her, she hasn't arranged for an attorney to be present, and asked the city attorney if she can record the meeting. The city attorney reported there is no provision for recording executive sessions. The motion carried by unanimous vote. The meeting adjourned at 7:09 p.m.

The meeting reconvened at 7:23 p.m. **MOTION: Hill moved and Gutierrez seconded that in accordance with Council Rules of Procedure, Section K, that Council sanction Council Member Funk by removing her from all City Council committee assignments and non-City board, committee and commission assignments for a period of 6 months.** Hill read a statement explaining the reasons for the sanction including violations of the Principles of Conduct and Code of Ethics for Yakima City Council members. Funk apologized

for the "naughty" related remarks during a Council committee meeting and commented on her mental health statements about an individual. Gutierrez raised a Point of Order that commenting on the individuals name is not germane to the motion. Coffey ruled the Point was well taken. After further discussion, Funk stated she feels she is being censored and raised a Point of Information to the city attorney regarding whether he recognizes that she has a right to due process and representation. The city attorney responded that this is a Council censuring process, and is not subject to hindering freedom; therefore, due process and all that goes with it, is not part of this process. The motion carried by a 5-2 vote, Funk and White voting no.

11. **Adjournment**

**MOTION: Gutierrez moved and Mendez seconded to adjourn to the next City Council regular meeting on April 16, 2019, at 5:30 p.m. at City Hall.** The motion carried by unanimous vote. The meeting adjourned at 7:34 p.m.

**CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
DATE

ATTEST:

**DRAFT**

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR