



## YAKIMA CITY COUNCIL

November 5, 2019

City Hall -- Council Chambers

4:30 p.m. Executive Session; 5:30 p.m. Regular Meeting; 6:00 p.m. Public Hearings --  
MINUTES

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### EXECUTIVE SESSION

1. Executive session regarding pending and prospective litigation

Roll call: 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 Cousens seconded to adjourn to Executive Session for up to one hour to discuss pending and prospective litigation.** The motion carried by unanimous vote. Executive Session was held and adjourned at 5:25 p.m.

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: Interim City Manager Cynthia Martinez, City Attorney Jeff Cutter and City Clerk Sonya Claar Tee

2. **Pledge of Allegiance**

Mayor Coffey led the Pledge of Allegiance.

3. **Interpreter Services**

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

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

A. Proclamations

i. Remembrance Day proclamation

Councilmember Hill read a Remembrance Day proclamation that on November 11th, 2019 and on each November 11th thereafter, the citizens of Yakima, at the beginning of the 11th hour, pause in their activities and cease talking for a period of one (1) minute, as a means of honoring all veterans. Eric Silvers, Russ Mazzola and Kurt Labberton accepted the proclamation.

5. **Council Reports**

None.

## 6. Consent Agenda

Mayor Coffey reported item 6F has an error and is removed from the agenda. Mayor Coffey referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item 6G was removed from the consent agenda and item 14 was added to the consent agenda becoming item 6K. 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 October 15, 2019 City Council regular meeting, October 16 and 17, 2019 City Council study sessions and October 22, 2019 special meeting
- B. 2019 3rd Quarter Accounts Receivable Status Report
- C. 2019 3rd Quarter Financial Report
- D. Set date of December 3, 2019, for an open record public hearing to consider the Yakima Planning Commission's recommendation regarding proposed text amendments to YMC Chapter 6.88 Environmental Policy, Title 14 Subdivisions, and Title 15 Urban Area Zoning Ordinance

- E. Resolution accepting and approving 3rd Quarter 2019 Claim Report

**RESOLUTION NO. R-2019-095, A RESOLUTION** accepting and approving the 3rd Quarter 2019 Claim Report for the City of Yakima.

- F. This item was removed from the agenda and will be brought back at a future meeting
- G. Resolution executing an airport lease agreement to develop additional aircraft hangars located at 3600 W. Washington Ave, Yakima Air Terminal-McAllister Field

**RESOLUTION NO. R-2019-096, RESOLUTION** authorizing a Lease Agreement with McCormick Aircraft Hangars, LLC., for property located at 3600 W. Washington Ave, Yakima Air Terminal-McAllister Field.

- H. Resolution authorizing the Chief of Police to execute the State Plan of Operation between the State of Washington and the Yakima Police Department

**RESOLUTION NO. R-2019-097, A RESOLUTION** authorizing the Chief of Police to execute the State Plan of Operation between the State of Washington and the Yakima Police Department

- I. Resolution authorizing the Mayor of the City of Yakima to execute an Employment Agreement for Interim City Manager Alex Meyerhoff

**RESOLUTION NO. R-2019-098, A RESOLUTION** authorizing the Mayor of the City of Yakima to execute an Employment Agreement for Interim City Manager Alex Meyerhoff

- J. Ordinance transferring a telecommunications system franchise from Noel Communications, Inc. to Wholesail Networks LLC

**ORDINANCE NO. 2019-034, AN ORDINANCE** relating to the telecommunications system franchise granted to Noel Communications, Inc. as granted under City of Yakima Ordinance No. 2015-045 and approving a transaction resulting in certain assets of Noel Communications, Inc. being sold to Wholesail Networks LLC.

- K. Consideration of 2020 State and Federal Legislative Priorities

#### **Items Removed from the Consent Agenda**

- A. Resolution authorizing a Land Use Agreement with the Yakima Greenway Foundation

Senior Assistant City Attorney Sara Watkins briefed Council on the resolution. Kellie Connaughton, Executive Director of the Yakima Greenway, spoke in support of the agreement.

**MOTION: Funk moved to postpone this item until February 1, 2020.** The motion died for lack of a second. **MOTION: White moved and Gutierrez seconded to adopt the resolution.** The motion carried by a 4-3 vote, Funk, Coffey and Hill voting no.

**RESOLUTION NO. R-2019-099, A RESOLUTION** authorizing a Land Use Agreement with the Yakima Greenway Foundation to resolve and settle the lawsuits brought by the Yakima Greenway Foundation against the City of Yakima.

#### **7. Public Comment**

Tony Sandoval, City resident, questioned the delay in hiring a permanent City Manager.

Dennis Randle, City resident, asked why it is illegal to shovel snow onto the road.

James Parks, City resident, spoke on behalf of the Henry Beauchamp Community Center and brought up concerns about the lack of support for a feasibility study from one Council member.

Cassandra Collins, City resident, spoke against the Strong Mayor form of government.

Wilma Beachamp, City resident, shared her concerns about the lack of support from a Council member for a feasibility study for the Henry Beauchamp Community Center.

#### **PUBLIC HEARINGS**

8. Closed record public hearing and Resolution to consider the Hearing Examiner's recommendation regarding the preliminary plat of Anderson Park located in the vicinity of S 64th Ave & Occidental Rd

Eric Crowell, Associate Planner, 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: Gutierrez moved and Mendez seconded to adopt the resolution.** The motion carried by unanimous vote.

**RESOLUTION NO. R-2019-100, A RESOLUTION** approving the Preliminary Long Plat of

Anderson Park, a 94-lot subdivision, located at 2309 S. 64th Ave.

9. First public hearing on the 2020 Preliminary Budget for the City of Yakima

Steve Groom, Director of Finance and Budget, briefed Council on the 2020 preliminary budget. Mayor Coffey opened the public hearing.

La Casa Hogar Executive Director Laura Armstrong and Board Members Isabel Garcia and Priscilla Trevino, shared concerns regarding the feasibility study for the Henry Beauchamp Community Center. Tony Courcy, City resident, spoke on several issues.

Mayor Coffey closed the public hearing and noted a second and final public hearing will be held on November 19, 2019.

10. Public hearing and ordinances pertaining to Ad Valorem Taxes to be levied for collection in Fiscal Year 2020

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

Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. The City Clerk read the ordinances by title only.

**MOTION: Cousens moved and Funk seconded to pass ordinance A.** The motion carried by unanimous vote.

**A. ORDINANCE NO. 2019-035, AN ORDINANCE** relating to the annual property tax levy; declaring the City Council's intent to increase the City's 2020 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: Funk moved and Cousens seconded to pass ordinance B.** The motion carried by unanimous vote.

**B. ORDINANCE NO. 2019-036, AN ORDINANCE** fixing and levying the amount of ad valorem taxes necessary to discharge the expected expenses and obligations for the 2020 Budget for the City of Yakima.

11. Public Hearing and ordinance to amend Yakima Municipal Code 4.16.180 to increase the license tax for private refuse haulers

Dave Brown, Assistant Public Works Director, briefed Council on the ordinance.

Mayor Coffey opened the public hearing and, with no one coming forward to speak, closed the hearing. The City Clerk read the ordinance by title only.

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

**ORDINANCE NO. 2019-037, AN ORDINANCE** amending License Tax section of Yakima Municipal Code section 4.16, Garbage Storage, Collection and Disposal

## **DEPARTMENT ITEMS**

12. Resolution authorizing an amendment to an existing lease with Sunrise Outreach Center of

Yakima

Senior City Attorney Sara Watkins briefed Council on the amendment.

Tony Courcay, City resident, spoke on several issues.

The City Clerk read the resolution by title only.

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

**RESOLUTION NO. R-2019-101, A RESOLUTION** authorizing an Amendment to an existing lease with Sunrise Outreach Center of Yakima for operation of a temporary homeless camp on City-owned property

13. Summary of actions taken by the City of Yakima to encourage housing diversity

Joan Davenport, Director of Community Development, briefed Council on the report and advised that the City received a \$100,000 grant for the Housing Action plan.

Assistant Mayor Gutierrez thanked staff for providing this report and requested examples of what other cities are doing on this issue.

**MOTION: Gutierrez moved and Hill seconded to have a Study Session on desegregation of housing in the City of Yakima and diversification of housing.** The motion carried by unanimous vote.

Community Development Director Davenport stated the Housing Action Plan could be folded into this study session.

#### **CITY MANAGER UPDATE**

14. Discussion on Mayor-Council Form of Government

Ryan Bleek, Assistant City Attorney, reported in the City's agenda packet is a proposed resolution for a Charter amendment submitted by a local resident as well as one adapted by City legal with a summary of key differences. He pointed out the City's version of the Charter amendment is being changed to reflect the effective date to match the resolution and clarified that if this were to pass, the first term would be three years. Additionally, per state statute, the salary for a Mayor cannot be set by Charter.

Executive Director Tracy Burrows of Municipal Research and Service Center and Anne Pflug, Senior Advisor of Eastern Washington City/County Management Association, reviewed the different types of municipal governments.

The following City residents spoke against the Mayor-Council form of government: Sam Johnson, Alfredo Gonzalez Benitez on behalf of Columbia Legal Services, Audel Ramirez, Isabel Garcia, Luz Bazan Gutierrez, Herb Schmidt, Community Integration Committee Members Sandra Aguilar and Chad Stover, Laura Armstrong, Marguerite Wright, Liz Hallock, Giovanni Severino, Rocio Carrion, Cristina Ortega, Nick Marquez, Felipe Rodriguez-Flores, Rogelio Montes and others who also provided a petition, Noemi Sanchez, and Aileen Kane. Jerry Mellen, City resident, stated he had no preference; however, he does not like the City being threatened by the ACLU.

The following community members spoke in favor of the Mayor-Council form of government: Patricia Hoendermis, Tony Sloan, Maureen Adkison, Tim Kavis, Rick de Villa, Alexander Patten and Rick Weiss.

Councilmembers Funk, Mendez and Gutierrez spoke in opposition of the Strong Mayor form of government. After further Council discussion,

**MOTION: Cousens moved and White seconded that the proposed Strong-Mayor Charter Amendment topic be added to the agenda of our November 19, 2019 regular meeting and that staff prepare for that meeting any and all material required to put the measure on the February 2020 ballot.** The motion carried by a 4-3 vote, Gutierrez, Funk and Mendez voting no.

**15. Other Business**

**MOTION: Coffey moved and Hill seconded to add a letter from the Chamber of Commerce on homeless issues to the next agenda.** The motion carried by unanimous vote.

**MOTION: Hill moved and Coffey seconded to direct staff to develop and deploy a mobile app which will provide a real time account of all available bed space at low barrier shelters which will be accessible to providers, law enforcement, other emergency responders, as well as by city council and staff, for discussion at the next business meeting agenda.** The motion carried by unanimous vote.

**16. Adjournment**

**MOTION: Gutierrez moved and Cousens seconded to adjourn to a City Council study session on November 12, 2019 at 5:30 p.m. in the Council Chambers.** The motion carried by unanimous vote. The meeting adjourned at 8:57 p.m.

**CERTIFICATION**

READ AND CERTIFIED ACCURATE BY

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

\_\_\_\_\_  
DATE

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

\_\_\_\_\_  
DATE

ATTEST:

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CITY CLERK

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MAYOR