



YAKIMA CITY COUNCIL

December 3, 2019

City Hall -- Council Chambers

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

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 Alex Meyerhoff, City Attorney Jeff Cutter and Acting City Clerk Jodi Stephens

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

Councilmember Funk brought up #4 of the Council Code of Ethics, which refers to a Conflict of Interest, stating she is concerned about potential conflicts of interest with the elected Mayor vote. Mayor Coffey asked the City Attorney to take the comments under advisement, but to do so under Other Business.

A. Proclamations

i. World Aids Day proclamation

Assistant Mayor Gutierrez proclaimed December 1, 2019 as "Undetectable=Untransmittable Day" also known as World Aids Day and Kelly Penfold accepted the proclamation.

B. Presentations / Recognitions / Introductions

i. Apple Award to Yakima Police Detective Arturo Medina

Police Chief Matt Murray recognized Yakima Police Detective Arturo Medina for exemplary performance and Mayor Coffey presented him with a City of Yakima apple award.

ii. Second Presentation of a Draft Equity and Community Integration Plan

Community Integration Committee Chair Sandra Aguilar and Committee Members Chad Stover, Brenda Torres Salcedo, Maria del Rocio Carrion Estrada, and Wyatt Kanyer represented its Draft Equity and Community Integration Plan. In early 2020, the Committee intends to ask the Council for direction regarding the adoption and implementation of the plan.

5. Council Reports

- A. Discussion regarding mobile application related to real time count of low-barrier shelter availability

Councilmember Hill stated after more review of the mobile application related to real time count of low-barrier shelter availability, it was determined that service providers do not need this application, and this should be removed from consideration, to which Council agreed.

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. Item 12 was added to the consent agenda becoming item 6J. 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 November 19, 2019 City Council regular meeting
- B. Resolution authorizing a collective bargaining agreement with AFSCME Transit for January 1 2020 - December 31, 2023

RESOLUTION NO. R-2019-114, A RESOLUTION authorizing a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 1122 representing the Transit Employee Bargaining unit for January 1, 2020 - December 31, 2023.

- C. Resolution authorizing an Interlocal Agreement between Kittitas County Fire Protection District 2 and the City of Yakima

RESOLUTION NO. R-2019-115, RESOLUTION authorizing an Interlocal Agreement between Kittitas County Fire Protection District 2 and the City of Yakima.

- D. Resolution authorizing an agreement with People for People to provide assessment and case management services for the City of Yakima Community Diversion Program through December 2020

RESOLUTION NO. R-2019-116, A RESOLUTION authorizing an agreement with People for People to provide assessment and case management services for the City of Yakima Community Diversion Program through December 2020.

- E. Resolution authorizing a Facilities Rental Agreement with The Seasons Performance Hall to host the City of Yakima Community Diversion Program through December 2020

RESOLUTION NO. R-2019-117, A RESOLUTION authorizing a Facilities Rental Agreement between the City of Yakima and the Seasons Music Festival for the use of the Seasons Performance Hall to host the City of Yakima Community Diversion Program through December 2020.

- F. Resolution authorizing grant acceptance from the Department of Commerce E2SHB 1923 Grant Fund to address housing affordability

RESOLUTION NO. R-2019-118, A RESOLUTION authorizing acceptance of a grant of \$100,000 from the Washington State Department of Commerce for the purpose of preparing a Housing Action Plan (HAP) compliant with HB 1923

- G. Resolution authorizing a grant agreement with the Washington State Office of Public Defense to support indigent defense services

RESOLUTION NO. R-2019-119, A RESOLUTION authorizing a grant agreement with the Washington State Office of Public Defense accepting the terms and conditions for the receipt of a \$187,000 Grant for 2020-2021.

- H. Resolution for reimbursement of expenses from bond proceeds for Yakima Convention Center Expansion

RESOLUTION NO. 2019-120, A RESOLUTION of the City of Yakima, Washington, appointing certain officials for the purpose of designating certain expenditures for reimbursement from the proceeds of bonds or other obligations that may be authorized and approved by the City Council for issuance in the future.

- I. Ordinance amending section 1.48.026 of the City of Yakima Municipal Code relating to limited commissions for the enforcement of Chapter 6.27

ORDINANCE NO. 2019-042, AN ORDINANCE relating to Public Safety; amending section 1.48.026 of the City of Yakima Municipal Code relating to limited commissions for the enforcement of chapter 6.27.

- J. Resolution authorizing a contract with Total Site Services, LLC for the Yakima Convention Center - North Expansion Project

RESOLUTION NO. R-2019-121, A RESOLUTION authorizing a contract with Total Site Services, LLC for the Yakima Convention Center - North Expansion Project including public utility realignment.

7. **Public Comment**

Liz Hallock, City resident, spoke about income inequality.

Coleen Anderson, City resident, shared her concern about climate crisis.

Jerry Mellen, City resident, spoke about the homeless industrial complex.

Tony Courcy, City resident, spoke about various issues.

PUBLIC HEARINGS

8. Open record public hearing and Ordinances to consider the Yakima Planning Commission's recommendations regarding proposed text amendments to YMC Chapter 6.88 Environmental Policy, Title 14 Subdivisions, and Title 15 Urban Area Zoning Ordinance

Planning Manager Joseph Calhoun 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 three ordinances by title only.

After discussion and amendment, the following motion was passed: **MOTION: Cousens moved and Funk seconded to pass the ordinances with the exception of the Title 15 ordinance.** The motion carried by unanimous vote.

MOTION: Funk moved and Gutierrez seconded to to amend the congregate living facility portion of Title 15 for congregate living facilities up to 10 to allow that use in the SR and R1 zoning districts, in addition to the R2 and R3 districts. **MOTION:** Gutierrez moved and Cousens seconded to amend the motion to include congregate living facilities of 11 units or more as permitted uses in the SR and R1 zones and that all congregate living facility types (up to 10 and 11 or more) would require Type 3 review in residential zones (SR, R1, R2, and R3). The amendment passed unanimously. The motion, as amended, passed unanimously.

ORDINANCE NO. 2019-043, AN ORDINANCE amending Yakima Municipal Code Title 14 – Subdivisions to incorporate text amendments recommended by the City of Yakima Planning Commission

ORDINANCE NO. 2019-044, AN ORDINANCE amending Yakima Municipal Code Title 15 – Yakima Urban Area Zoning Ordinance to incorporate text amendments recommended by the City of Yakima Planning Commission

ORDINANCE NO. 2019-045, AN ORDINANCE amending Yakima Municipal Code Chapter 6.88 – Environmental Policy to incorporate text amendments recommended by the City of Yakima Planning Commission

DEPARTMENT ITEMS

9. Discussion regarding Henry Beauchamp Jr. Community Center concerns

Assistant Public Works Director Dave Brown reported on the concerns mentioned at the last Council meeting regarding the Henry Beauchamp Jr. Community Center. Frank Roland spoke on behalf of OIC and strongly supports the feasibility study. After discussion and amendment, the following motion was approved: **MOTION: Mendez moved and Hill seconded to approve that the feasibility study for the Henry Beauchamp Community Center move forward and that the funding come out of REET.** The motion carried by unanimous vote.

10. Discussion item related to Governor Jay Inslee's Office for a Department of Justice grant to assist with the purchase of ShotSpotter

Police Chief Matt Murray briefed Council on the Governor's proposal to provide a one-time grant to fund ShotSpotter. After discussion and amendment, **MOTION: Gutierrez moved and Cousens seconded to support the Police Department in accepting the \$250,000 one-time grant to fund ShotSpotter.** The motion passed unanimously.

11. Report Update on the City's Clean City Program

Assistant Public Works Director Dave Brown presented an update on the City's Clean City Program. No action was taken.

12. This item was added to the consent agenda becoming item 6J

13. Ordinance adopting the 2020 Budget for the City of Yakima

Steve Groom, Director of Finance & Budget, presented the 2020 budget. The City Clerk read the ordinance by title only. Mayor Coffey asked if there were any objections to passage of the ordinance, and hearing none, the ordinance was passed unanimously.

ORDINANCE NO. 2019-046, AN ORDINANCE adopting a budget for the City of Yakima,

Washington, for the year 2020; and making appropriations for estimated expenditures.

14. Ordinance amending the 2019 budget and making appropriations from unappropriated balances for expenditure during 2019 (First Reading)

Steve Groom, Director of Finance & Budget, reported on the budget appropriation. Mayor Coffey noted this is a first reading and no action is necessary. The City Clerk read the ordinance by title only.

AN ORDINANCE amending the 2019 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various funds for expenditure during 2019 for various purposes described in the attached Schedule.

15. Ordinance amending Chapter 6.27 of the Yakima Municipal Code relating to shopping cart regulations

Assistant City Attorney Jeff Schaap reported on the updated information that was requested by Council at the last meeting. The City Clerk read the ordinance by title only. **MOTION: Gutierrez moved and Mendez seconded to pass the ordinance.** The motion carried by unanimous vote.

ORDINANCE NO. 2019-047, AN ORDINANCE relating to shopping carts; amending Chapter 6.27 of the Yakima Municipal Code relating to shopping cart regulations

CITY MANAGER UPDATE

16. Consideration of Submitting a Letter to the U.S. Secretary of State Regarding Refugee Resettlement

Communications and Public Affairs Director Randy Beehler briefed Council on the issue. **MOTION: Hill moved and Cousens seconded to direct staff to send a letter to the U.S. Secretary of State as proposed.** The motion carried by unanimous vote.

17. Resolution authorizing a 2020 City-wide ballot proposition for Levy Lid Lift

Steve Groom, Director of Finance & Budget and Deanna Gregory of the Pacifica Law Group briefed Council on the resolution. The City Clerk read the resolution by title only.

MOTION: Gutierrez moved and Funk seconded to adopt the resolution with the exclusion of any exemptions. The motion carried by unanimous vote.

RESOLUTION NO. R-2019-122, A RESOLUTION providing for the submission to the qualified electors of the City of Yakima at an election to be held on February 11, 2020, of a proposition authorizing the City to lift the levy limit established in RCW 84.55.010 in order to provide funds to pay the costs of City operations and services, including public safety, parks and recreation, addressing homelessness, street maintenance, planning, code enforcement, graffiti removal and other City services; and providing for severability and an effective date.

18. **Other Business**

MOTION: Mendez moved and Hill seconded to add to the next council meeting a proclamation on climate change and have Mendez work with the person that was in attendance at this meeting on this issue. The motion carried by unanimous vote.

Assistant Mayor Gutierrez confirmed her request for the December 10 agenda regarding a presentation from transit on Transit routes to the Aquatic Center and SOZO sports center

along with a fee schedule, which was confirmed by Council.

Councilmember Cousens announced this Sunday is the 20th Annual lighted parade at 6 p.m. followed by the City tree lighting around 7 p.m.

MOTION: Cousens moved and Funk seconded that consideration of a request for a letter of support regarding Yakima Valley College's proposed replacement of Prior Hall and Kendall Hall be placed on the Council's December 10th regular meeting agenda. The motion carried by unanimous vote.

Councilmember Funk shared her concern about a possible conflict of interest in the elected Mayor referendum, with Council members running for Mayor or expecting a political advantage after placing this on the ballot, and asked for a legal opinion. City Attorney Cutter stated they will research this issue.

City Manager Meyerhoff reported on a thank you letter from BJ Kent for city employee Bill Wells.

Councilmember Hill updated Council on the recent Downtown Master Plan meeting that will be coming back to Council.

Councilmember Funk stated there is difficulty getting the exact wording of motions and asked this to be added to the training with Ann Macfarlane. Councilmember Cousens suggested there be forms to write motions on in advance.

19. **Adjournment**

MOTION: Gutierrez moved and Mendez seconded to adjourn to a City Council study session on December 5, 2019, at 4 p.m. at City Hall. The motion carried by unanimous vote. The meeting adjourned at 8:10 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR