



YAKIMA CITY COUNCIL

February 4, 2020

City Hall -- Council Chambers

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

EXECUTIVE SESSION

1. Executive Session to review the performance of a public employee and a complaint against a public official

Council: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens, Councilmembers, Kay Funk, Brad Hill, Soneya Lund, Eliana Macias and Jason White

MOTION: Cousens moved and Hill seconded to adjourn to an Executive Session for up to one hour to review the performance of a public employee and a complaint against a public official. The motion carried by unanimous vote. Executive Session was held at 4:37 p.m. and adjourned at 5:28 p.m.

1. **Roll Call**

Council: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens, Councilmembers, Kay Funk, Brad Hill, Soneya Lund, Eliana Macias and Jason White

Staff: Interim City Manager Alex Meyerhoff, City Attorney Jeff Cutter and City Clerk Sonya Claar Tee

2. **Pledge of Allegiance**

Mayor Byers led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Byers introduced Juven Garcia who announced interpreter services are available.

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

A. Proclamations

- i. 100th Anniversary of the Women's Right to Vote

Councilmember Macias proclaimed February 14, 2020, as "Women Voters Day and Women's Voting Rights Day." Criss Bardill and Rhonda Hauff accepted the proclamation.

B. Presentations / Recognitions / Introductions

- i. Recognition of Gary Hill, Wastewater Maintenance Crew Leader, for 40 years of service to the City of Yakima

Public Works Director Scott Schafer introduced and recognized Gary Hill for his 40 years of service to the City of Yakima. Councilmember Hill presented the service award and thanked his father, Gary Hill, for his years of service.

5. Council Reports

- A. Update on Council Boards & Committee assignments and clarification on mayoral committee designation

It was Council consensus to make the following appointments to the Council Boards & Committees:

- GRIT Steering Committee: Cousens, Lund and Macias
- Yakima Basin Fish & Wildlife Recovery Board: Hill
- 911 Administration Board: Byers appointed with Funk as the alternate
- Yakima County Emergency Management (EMEB) Exec Board: Byers appointed with Funk as the alternate
- Seniors Inc.: Byers

6. Consent Agenda

Mayor Byers referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members present. Item 6K was removed from the consent agenda. 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: Cousens moved and Lund seconded to approve the consent agenda. The motion carried by unanimous vote.

- A. Approval of the minutes from the January 21, 2020 City Council regular meeting
- B. Project Completion and Contract Acceptance for DW Excavating, Inc. Project 2459 Wastewater Collection System Improvement - Priority 1
- C. Project Completion and Contract Acceptance for TTC Construction - Project 2428 Spring Creek Road Improvement Phase 1
- D. Project Completion and Contract Acceptance for POW Contracting - Project 2463 & 2486 Hathaway Street Water and Sewer Improvements
- E. Project Completion and Contract Acceptance for Moreno & Nelson Construction - Project 2413 Garfield Elementary Safety Improvements
- F. Resolution authorizing the write-off of certain uncollectable utility accounts receivable

RESOLUTION NO. R-2020-011, A RESOLUTION authorizing the write-off of certain uncollectable accounts receivable by the utility funds of the City of Yakima.

- G. Resolution authorizing the write-off of certain uncollectable parking citations

RESOLUTION NO. R-2020-012, A RESOLUTION authorizing the write-off of certain

uncollectable parking citations and penalties for the City of Yakima.

- H. Resolution authorizing the write-off of certain uncollectable central accounts receivables

RESOLUTION NO. R-2020-013, A RESOLUTION authorizing the write-off of certain uncollectable central accounts receivables for the City of Yakima.

- I. Resolution authorizing grant acceptance from the Department of Archaeology and Historic Preservation for the purpose of a reconnaissance-level inventory of North Naches Avenue

RESOLUTION NO. R-2020-014, A RESOLUTION authorizing acceptance of a grant of \$12,000 from the Washington State Department of Archaeology and Historic Preservation (DAHP) for the purpose of preparing a reconnaissance level inventory along North Naches Ave.

- J. Resolution opening the 2020 Comprehensive Plan Amendment process pursuant to RCW 36.70A.130 and YMC Ch. 16.10

RESOLUTION NO. R-2020-015, A RESOLUTION opening the 2020 Comprehensive Plan Amendment process pursuant to RCW 36.70A.130, and YMC Ch. 16.10.

- K. This item was removed from the consent agenda.

- L. Resolution authorizing an agreement with ESD 105 and Comprehensive Healthcare for the Washington State Healthy Transitions Project

RESOLUTION NO. R-2020-016, A RESOLUTION authorizing an Agreement between the City of Yakima, ESD 105 and Comprehensive Healthcare for the Washington State Healthy Transitions Project

- M. Resolution authorizing the source purchase of trace metals analysis instrumentation from Agilent Technologies, Inc. for the Wastewater Treatment Plant laboratory

RESOLUTION NO. R-2020-017, A RESOLUTION authorizing the sole source purchase of a trace metals analysis instrument from Agilent Technologies, Inc. for the City of Yakima Wastewater Treatment Plant laboratory.

Items Removed from the Consent Agenda

- A. Resolution authorizing an amendment to Contract K3791 with Health Care Authority for the Washington State Healthy Transitions Project

Public Works Director Scott Schafer briefed Council on the item. The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2020-018, A RESOLUTION authorizing an amendment to Contract K3791 with Health Care Authority for the Washington State Healthy Transitions Project.

7. Public Comment

The following City residents provided public comment: Tony Courcy, Leigh Kronsoble,

Marguerite Wright and Liz Hallock.

The following City residents spoke in opposition of Strong Mayor: Aileen Kane, Tom Sund, Sam Johnson, Audel Ramirez, Sarai Robleolo-Velacior, Alfredo Gonzalez Benitez (Columbia Legal), Noemi Sanchez and Rogelio Montez.

The following City residents spoke in favor of Strong Mayor: Mike Leita, Patricia Hoendernis, Kenton Gartrell and non-resident Bruce Smith.

PUBLIC HEARINGS

8. Public hearing and resolution on the proposed Development Agreement with Apple Tree for Apple Tree Phase 4 located in the vicinity of S 86th Ave and Occidental Rd

Planning Manager Joseph Calhoun briefed Council on the hearing.

Mayor Byers 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: Cousens moved and Lund seconded to adopt the resolution. The motion carried by unanimous vote.

RESOLUTION NO. R-2020-019, A RESOLUTION authorizing and directing the City Manager to execute a Development Agreement with Apple Tree Construction, LLC., (here after "Developer") for the Plat of Apple Tree Phase 4

DEPARTMENT ITEMS

9. Recommendation to Council about Supporting Draft Housing Bill 2570 in Legislature

Planning Manager Joseph Calhoun stated that while staff agrees with the findings in HB 2570 that outline the various benefits of Accessory Dwelling Units related to environmental sustainability and housing affordability, the strict requirements of this bill should not be supported at this time. After Council discussion,

MOTION: Funk moved that we do not support this request for a support letter. The motion died for lack of a second.

MOTION: Funk moved and Hill seconded to support this letter. The motion carried by a 4-3 vote, Funk, Byers, Macias voting no.

10. Ordinance authorizing the issuance of a Limited Tax General Obligation and Refunding Bond related to the construction of convention center expansion (First Reading)

Steve Groom, Director of Finance and Budget, shared a PowerPoint presentation about the bond ordinance, which is a first reading only, with no action necessary tonight.

The City Clerk read the ordinance by title only.

AN ORDINANCE of the City Council of the City of Yakima, Washington, authorizing the issuance of one or more series of Limited Tax General Obligation and Refunding Bonds in the aggregate principal amount of not to exceed \$28,000,000 to finance costs related to the expansion, improvement and rehabilitation of the Yakima Convention Center, to refund certain outstanding obligations of the City, and to pay the costs of issuance for each series of bonds;

providing the form, terms and covenants of the bonds; delegating the authority to approve the final terms of the bonds; and providing for other matters relating thereto.

11. Ordinance amending the 2020 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various Funds for expenditure during 2020 (First Reading)

Steve Groom, Director of Finance and Budget, introduced the item stating this is a first reading and no action is necessary at tonight's meeting. The City Clerk read the ordinance by title only.

AN ORDINANCE amending the 2020 Budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various funds for expenditure during 2020 for various purposes described in the attached Schedule.

CITY MANAGER UPDATE

12. Discussion on City Charter amendment changing the form of government from a Council-Manager form of government to a Strong Mayor

MOTION: Lund moved and Cousens seconded to adjourn to Executive Session for up to 30 minutes to discuss prospective litigation. The motion carried by unanimous vote. Executive Session was held at 7:07 p.m. and adjourned at 7:36 p.m. when the meeting reconvened.

MOTION: White moved and Cousens seconded that City staff assist the Strong Mayor proponents in developing the proponent's Charter amendment and that the City staff draft the needed resolution and ballot title in time for the measure to be considered by Council for final action no later than the first business meeting of March 2020. After discussion, the motion failed by a 4-3 vote, Funk, Hill, Lund and Macias voting no.

MOTION: Macias moved and Lund seconded to direct staff to present a resolution at the next Council business meeting that clearly states that the City of Yakima will maintain the Council-Manager form of government elected by districts unless otherwise presented with the required number of petition signatures needed by members of the public for a ballot measure. The motion failed by a 4-3 vote, Cousens, Hill, White and Byers voting no.

13. City Council discussion of city manager recruitment

Council members discussed whether to move forward with hiring a permanent City Manager or wait until the August 4 deadline for a citizen led initiative on the Strong-Mayor form of government. Councilmember Lund asked Interim City Manager Meyerhoff if he would be interested in extending his contract through the end of the year, which he confirmed he would be willing.

MOTION: Funk moved to request Council request Mr. Meyerhoff manage the City Manager recruitment process. The motion died for lack of a second.

MOTION: Cousens moved and Funk seconded to postpone this topic until we have further conversations with Mr. Meyerhoff. The motion carried by unanimous vote.

14. Other Business

Mayor Byers shared her concerns about the closure of Astria Hospital.

MOTION: Byers moved and Macias seconded to bring to the next Council meeting the topic of a deferral of utility payments for 60-90 days for Astria employees. The motion carried by a 6-1 vote, Hill voting no.

Councilmember Hill reported Worksource will be holding a job fair for those Astria employees in the near future at the Convention Center, with a reduced rental rate for the building.

15. Adjournment

MOTION: Cousens moved to adjourn to the next Council regular meeting on February 18, 2020, in the Council Chambers at City Hall. The motion carried by unanimous vote. The meeting adjourned at 8:11 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER DATE

COUNCIL MEMBER DATE

ATTEST:

DRAFT

CITY CLERK

MAYOR