



YAKIMA CITY COUNCIL

May 19, 2020

City Hall -- Council Chambers

5:30 p.m. Regular Meeting -- This meeting will be conducted via speakerphone and is live streamed at www.yakimawa.gov and telecast live on Y-PAC, Spectrum Cable Channel 194. There will be no opportunity for oral communications at this meeting; however if you wish to provide written comment to the City Council, please email ccouncil2@yakimawa.gov. Written comments received by 3 pm on May 19 will be provided to the City Council prior to the meeting -- MINUTES

1. Roll Call

Council: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens, Councilmembers Kay Funk, Brad Hill, Soneya Lund and Eliana Macias and Jason White (all but White and Funk attending via speakerphone)

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

2. Open Discussion for the Good of the Order

A. Coronavirus (COVID-19) update

Interim City Manager Meyerhoff provided an update on COVID-19's effect on City services and finances.

B. Proclamations

i. Pride Month proclamation

Assistant Mayor Cousens proclaimed the month of June 2020 as "LGBTQ Pride Month."

ii. Older Americans Month proclamation

Councilmember Lund proclaimed the month of May 2020 as Older Americans Month.

3. Council Reports

A. Discuss interim and permanent city manager review process and template

Interim City Manager Meyerhoff introduced the item. After Council discussion,

MOTION: White moved and Hill seconded to use city manager evaluation form #3 to evaluate the Interim City Manager. The motion carried by unanimous vote.

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

- A. Approval of minutes from the May 5, 2020 City Council regular meeting
- B. April 2020 Investment Transactions Report
- C. Approve payment of disbursements for the period April 1 - 30, 2020
- D. Project Completion and Contract Acceptance for Ken Leingang Excavating, Inc. - Project SC2499/SW2500 Sewer Trunk Line Installation & Stormwater Pipe Realignment

- E. Resolution accepting and approving 1st Quarter 2020 Claim Report

RESOLUTION NO. R-2020-053, A RESOLUTION accepting and approving the 1st Quarter 2020 Claim Report for the City of Yakima.

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

RESOLUTION NO. R-2020-054, A RESOLUTION authorizing acceptance of Passenger Facility Charge revenues from U.S. Department of Transportation.

- G. Resolution authorizing an agreement with Road Products, Inc. to rehabilitate Runway 9/27 High Intensity Runway Edge Lights and to perform asphalt maintenance at the Yakima Air Terminal-McAllister Field

RESOLUTION NO. R-2020-055, A RESOLUTION authorizing an agreement with Road Products, Inc. to rehabilitate Runway 9/27 High Intensity Runway Edge Lights and to perform asphalt maintenance at the Yakima Air Terminal-McAllister Field.

- H. Resolution authorizing designated representatives to execute FEMA-related contracts, request payments, and approve required documentation to obtain federal and/or state emergency or disaster assistance funds

RESOLUTION NO. R-2020-056, A RESOLUTION designating authorized agents on behalf of the City of Yakima for the purpose of preparing and executing all documents necessary to apply for and receive funding from federal and/or state emergency disaster assistance sources.

- I. Resolution authorizing a Mutual Aid Agreement between all Yakima County Fire Protection Districts and cities located within Yakima County

RESOLUTION NO. R-2020-057, A RESOLUTION authorizing a Mutual Aid Agreement between all Yakima County Fire Protection Districts and Cities located within Yakima County.

- J. Ordinance amending the City of Yakima Municipal Code Sections 8.40.010 and 8.40.080 regarding Truck Routes

ORDINANCE NO. 2020-012, AN ORDINANCE relating to the regulation of Truck Routes; amending Sections 8.40.010 and 8.40.080 of the Yakima Municipal Code regarding the established weight of qualifying trucks and the associated violation penalty.

DEPARTMENT ITEMS

5. Public safety and police budgetary concerns related to illegal cruising

Police Chief Matt Murray briefed Council on public safety and budgetary concerns related to the recent illegal cruising activities, stressing the Police Department is not anti-cruising. After Council discussion,

MOTION: Hill moved and Lund seconded to add repealing of the cruising ordinance to the next business meeting. City Attorney Cutter stated he believes the public will want to provide comment and will not have the opportunity if this is added to the June 2 agenda. The motion carried by a 5-2 vote, Funk and Cousens voting no.

6. Parking enforcement review and discussion – current Ordinance and past Council action regarding parking enforcement

Brooke Goosman, Senior Assistant City Attorney, briefed Council on the item and stated the Legal Department proposes including a 48 hours notice requirement before towing, in order to avoid constitutional challenges, as well as including language describing the procedure for contesting a tow impound. Further it will be proposed that the language directing that parking officers “shall” impound a vehicle be amended to “may” to allow for officer discretion and consideration of reasonable alternatives to vehicle impounds. After Council discussion,

MOTION: White moved and Macias seconded that Council suspend parking enforcement until the Stay Home Order is lifted. The motion failed by a 6-1 vote, Cousens, Funk, Hill, Lund, Macias and Byers voting no.

MOTION: Funk moved and Hill seconded the Council suggest to the Mayor an emergency powers proclamation, which would provide for more lenient enforcement of our current parking ordinance. The motion carried by a 5-2 vote, White and Cousens voting no.

Mayor Byers stated she will declare an emergency proclamation regarding parking enforcement, which will need Council approval within 72 hours. Steve Groom, Director of Finance and Budget, reported the City recently increased its parking enforcement officers to two. He stated that during the month of April, the total dollar amount of citations was just under \$8,000. In terms of enforcing expired registrations, parking enforcement officers are only enforcing the ordinance on 2019 and older expired licenses that are pre-COVID.

MOTION: Lund moved and Byers seconded to proceed with staff's proposal. The motion carried by a 6-1 vote, Funk voting no.

7. Small business assistance options due to COVID-19

Senior Assistant City Attorney Sara Watkins briefed Council on the item and stated staff proposes the following program with the COVID-19 CDBG funds:

1. Allocate \$480,000 for grant assistance for small businesses meeting the micro-enterprise criteria, with the remaining funding staying with the City for oversight, technical assistance and administration as allowed by HUD.
2. Determine if there are any requirements that the Council would like to add to the applications in addition to the regulatory requirements.
3. Enter into a contract with YCDA to operate the grant assistance program. City staff will provide technical assistance to YCDA regarding application materials, data collection, etc. to ensure HUD compliance.
4. The City helps promote the program, criteria and application process through press releases, social media, the website, and other means available.

Jonathan Smith, Executive Director of YCDA, clarified uses of the grant. After Council discussion,

MOTION: Hill moved and Lund seconded to adopt staff's recommendations and work in coordination with YCDA to begin the grant process. The motion carried by unanimous vote.

8. Discussion of draft plan for utility bill relief in COVID-19 emergency

Steve Groom, Director of Finance and Budget, reported on the item and stated the City has not seen an increase in unpaid utility bills, although there has been an increase in payment arrangements.

Scott Schafer, Public Works Director, reported on the status of capital projects earmarked utilizing enterprise funds.

Ryan Bleek, Assistant City Attorney, briefed Council on the legality of utilizing city funds to assist rate payers. After Council discussion,

MOTION: Cousens moved and Hill seconded to direct staff to monitor uncollectable balances over the next 60 days and report back if there is an increase in accounts that would normally have been disconnected for nonpayment and to report back on the dollar amount of uncollected balance that could be considered for deferral. The motion carried by a 5-2 vote, Funk and Byers voting no.

MOTION: Macias moved and Funk seconded to direct staff to explore using CARES act money for utility relief of those impacted by COVID-19. We will document adverse impact for 1) Individuals: unemployment, reduced employment hours, increase child care expenses, etc., 2) Small Businesses: Closure or reduced revenue, 3) Landlords: nonpayment of rent by impacted renters. The motion carried by a 4-3, Hill, White and Cousens voting no.

9. Other Business

MOTION: White moved and Byers seconded to direct staff to read all public emails in regards to topics on the agenda. Councilmember Funk raised a Point of Order that this issue was not on the agenda, and therefore, no action can be taken. Mayor Byers ruled the point was well taken. **MOTION: White moved and Byers seconded to amend the motion to put this topic on the next regular business meeting agenda.** After Council discussion, the motion to amend failed by a 5-2 vote, with Cousens, Funk, Hill, Lund and Macias voting no. The motion failed by a 5-2 vote, with Hill, Cousens, Funk, Lund and Macias voting no.

MOTION: Byers moved and Hill seconded that staff prepare a time-limited or one time exemption of fees for outside seating permits for local eateries that comply with zoning ordinances for outside seating. The motion carried by unanimous vote.

MOTION: Cousens moved and White seconded to adjourn to Executive Session on June 2, 2020, at 4:30 p.m. in the Council Chambers at City Hall. The motion carried by unanimous vote. The meeting adjourned at 9:06 p.m.

MAYOR