



YAKIMA CITY COUNCIL
September 15, 2020
City Hall -- Council Chambers

5:30 p.m. Regular Meeting; 6 p.m. Public Hearings -- 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 or you may call in and listen by dialing 1-877-853-5247 or 1-888-788-0099. When prompted for the webinar ID enter 923 4309 0871#. When prompted for the participant ID enter #. When prompted for the meeting password enter 460658#. 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 for this meeting will be provided to the City Council prior to the meeting. MINUTES

1. Roll Call

Council: Mayor Patricia Byers, presiding, Councilmembers Kay Funk, Brad Hill, Soneya Lund and Eliana Macias (Council members attending via speakerphone with the exception of Funk)

Staff: City Manager Robert Harrison, City Attorney Jeff Cutter and City Clerk Sonya Claar Tee

Absent: Assistant Mayor Holly Cousens (excused), Councilmember Jason White

2. Open Discussion for the Good of the Order

A. Coronavirus (COVID-19) update

City Manager Harrison provided an update on COVID-19's effect on the City.

B. Report on the attributes and deficiencies associated with the continued extension of the Mayoral Proclamation Declaring a State of Emergency in the City

City Attorney Cutter reported on the benefits of extending the emergency proclamation.

C. Proclamations

i. Constitution Week proclamation

Councilmember Hill proclaimed the week of September 17-23, 2020 as Constitution Week.

D. Appointments to Boards, Commissions and Council Committees

i. Appointments to Boards & Committees

Councilmember Macias reported on the Council Nominating Committee recommendations.

MOTION: Funk moved and Lund seconded to appoint Murshed Ramos to the Community Integration Committee, youth position and Daniel Layton to the Tree City USA Board. The motion carried by unanimous vote, Cousens and White absent.

3. Council Reports

None.

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: Lund moved and Macias seconded to approve the consent agenda. The motion carried by unanimous vote, Cousens and White absent.

- A. Approval of minutes from the September 1, 2020 City Council regular meeting
- B. Consideration of changing the October 5, 2020 meeting to October 6, 2020
- C. August 2020 Investment Transactions Report
- D. Resolution authorizing Task Order 2020-01 with HLA Engineering and Land Surveying

RESOLUTION NO. R-2020-098, A RESOLUTION authorizing the City Manager to execute Task Order 2020-01, incorporated in Professional Services Agreement with HLA Engineering and Land Surveying, Inc. to provide engineering services in accordance with the Yakima Water and Irrigation Distribution Systems Contract 2018-048.

- E. Resolution authorizing Task Order 2020-02 with HLA Engineering and Land Surveying

RESOLUTION NO. R-2020-099, A RESOLUTION authorizing the City Manager to execute Task Order 2020-02, incorporated in Professional Services Agreement with HLA Engineering and Land Surveying, Inc. to provide engineering services for the Yakima Water and Irrigation Distribution Systems, City Contract No. 2018-048.

- F. Resolution authorizing the Chief of Police to execute recurring annual agreements with the United States Department of Justice, Drug Enforcement Administration

RESOLUTION NO. R-2020-100, A RESOLUTION authorizing the Chief of Police's execution of recurring annual agreements with the United States Department of Justice, Drug Enforcement Administration.

- G. 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 (Second Reading)

ORDINANCE NO. 2020-023, 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.

PUBLIC HEARINGS -- To comment on a public hearing dial 1-877-853-5247 or 1-888-788-0099; when prompted for the webinar ID enter 923 4309 0871#; when prompted for the participant ID enter #; when prompted for the meeting password enter 460658#. If you wish to speak to the Council during the public hearing press *9 on your phone. When it is your turn to speak you will hear an automated announcement indicating your phone has been unmuted and you can now be heard by all participating in the meeting.

5. Closed record public hearing and Ordinance to consider the Hearing Examiner's recommendation regarding a rezone application submitted by Bruce Lloyd for property at 702 S 48th Ave

Associate Planner Martin briefed Council on the hearing.

Mayor Byers opened the public hearing and, with no one calling in to speak, closed the hearing.

The City Clerk read the ordinance by title only.

MOTION: Funk moved and Hill seconded to pass the ordinance. The motion carried by unanimous vote, Cousens and White absent.

ORDINANCE NO. 2020-024, AN ORDINANCE rezoning parcel 181328-11006 from Single Family Residential (R-1) to local Business (B-2) and amending the Zoning Map of the City of Yakima.

6. Closed record public hearing and Resolution to consider the Hearing Examiner's recommendation regarding a preliminary long plat application and master planned development submitted by Racquet Lane Townhomes LLC for property at 2600 Racquet Ln

Associate Planner Crowell briefed Council on the item.

Mayor Byers opened the public hearing and, with no one calling in to speak, closed the hearing.

The City Clerk read the resolutions by title only.

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

RESOLUTION NO. R-2020-101, A RESOLUTION approving the Preliminary Long Plat of Racquet Lane Luxury Townhomes, a 73-lot subdivision, located at 2600 Racquet Ln., Yakima, Washington.

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

RESOLUTION NO. R-2020-102, A RESOLUTION authorizing and directing the City Manager to execute a Development Agreement with Racquet Lane Townhomes LLC (herein after "Developer") to provide for the terms and conditions of development of a preliminary plat and planned development to be located at 2600 Racquet Lane, in the City of Yakima.

DEPARTMENT ITEMS

7. Consideration of Letter of Support for Justice Housing grant application to Washington State Department of Commerce for Permanent Supportive Housing

Director of Community Development Davenport reported on the requested letter of support. Councilmember Funk commented favorably on this process and expressed her appreciation on the documentation of the request, appropriate citations of program requirements and the draft letter.

MOTION: Funk moved and Macias seconded to support this letter. The motion carried by a 3-2 vote with Hill and Lund voting no, Cousens and White absent.

8. Discussion regarding terms and conditions of the Downtown Yakima Business Improvement District (DYBID)

City Attorney Cutter reported on the DYBID, noting the Board is inactive; however, a Board isn't necessary to have the DYBID.

MOTION: Lund moved and Macias seconded to convene an advisory board for the DT Association to evaluate the business license assessment portion of the DYBID. The motion carried by unanimous vote, Cousens and White absent.

9. Review Dates and Times for 2021 Annual Budget Study Sessions - October 6, 8, 13 and 15

Finance and Budget Director Groom reviewed the budget study session schedule. It was Council consensus to move forward with the dates scheduled.

10. Yakima Police Department Truth and Reconciliation Presentation

Police Chief Murray reviewed a PowerPoint presentation on the Police Departments Truth and Reconciliation document and introduced members of the command staff.

11. Resolution authorizing an Interlocal Agreement for Emergency Aid Response with the City of Toppenish

Fire Chief Markham briefed Council on the agreement.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2020-103, RESOLUTION authorizing an Interlocal Agreement between the City of Toppenish and the City of Yakima for emergency aid response services.

12. Resolution accepting a \$50,000 budget proviso grant from the State of Washington and authorizing an Interlocal Agreement for the Yakima Educational Advocate Program with the Department of Children, Youth & Families and entering into a Memorandum of Understanding with ESD 105 and Yakima School District

Senior Assistant City Attorney Watkins briefed Council on the item.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2020-104, A RESOLUTION accepting a \$50,000 budget proviso grant from the State of Washington and authorizing an Interlocal Agreement for the Yakima Educational Advocate Program with the Department of Children, Youth & Families and entering into a Memorandum of Understanding with ESD 105 and Yakima School District

13. Resolution authorizing an agreement with Yakima County Development Association (YCDA) for \$1,000,000 of CARES Act funding for a small business grant program to address the consequences of COVID-19

Senior Assistant City Attorney Watkins briefed Council on the agreement. Jonathan Smith, Executive Director of the Yakima County Development Association, provided an update on the prior approved CDBG grant process. Financial Services Manager Domine reviewed the funding.

Ms. Watkins clarified if the intent of the amendment would include grant funding for non-profits and Council confirmed that is the intent. The City Clerk read the resolution by title only. After Council discussion,

MOTION: Lund moved and Funk seconded to adopt the resolution and come back with a future amendment for additional funds at the October 6th meeting. The motion carried by unanimous vote, Cousens and White absent.

RESOLUTION NO. R-2020-105, A RESOLUTION authorizing an agreement with Yakima County Development Association (YCDA) in the amount of One Million Dollars (\$1,000,000.00) in CARES Act grant funds to provide grants to small businesses affected by COVID-19.

14. Ordinance adding new Chapter 11.40 Property Maintenance Code to the Yakima Municipal Code and repeal Chapters 11.07 Building Conservation Code, 11.10 Neighborhood Conservation, 11.13 Apartment House and Hotel Safety Code, 11.20 Housing Code, 11.46 Dangerous Buildings, 11.48 Minimum Standards for Vacant Buildings, and 11.56 Building Security

Code Administration Manager Denman presented a PowerPoint on the property maintenance code. After Council discussion,

MOTION: Funk moved and Hill seconded to postpone consideration of this ordinance to January 2021, and that the Codes Department present a study session and that we conduct adequate public comment. The motion carried by unanimous vote, Cousens and White absent.

15. Ordinance amending the Yakima Municipal Code Chapter 8.20 Right of Way Use Permits

Senior Assistant City Attorney Watkins briefed Council on the proposed ordinance.

The City Clerk read the ordinance by title only.

MOTION: Hill moved and Lund seconded to pass the ordinance. The motion carried by unanimous vote, Cousens and White absent.

ORDINANCE NO. 2020-025, AN ORDINANCE amending the City of Yakima Municipal Code Chapter 8.20, Right-Of-Way Use Permits

CITY MANAGER UPDATE

16. Public comment options

City Manager Harrison briefed Council on the common processes used by other agencies during COVID-19 with regard to public comment.

Councilmember Hill asked if public comment is a requirement. City Attorney Cutter stated with the exception of public hearings, it is not a requirement under state law. However, the City Charter has a requirement that the public will have an opportunity to comment. Councilmember Funk stated the Charter doesn't require public comment to be oral testimony in an open public meeting. After additional Council discussion,

MOTION: Lund moved to reintroduce public comment via email to be summarized and read by the City clerk during the public comment section. The motion died for lack of a second.

17. Other Business

MOTION: Lund moved and Macias seconded direct staff to bring back legislation ending the City's emergency moratorium on parking enforcement, issued on June 2, 2020 under emergency order 2020-05. The motion carried by unanimous vote, Cousens and White absent.

MOTION: Funk moved and Macias seconded to add a discussion of the Water Treatment Plant award on the next meeting agenda. The motion carried by unanimous vote, Cousens and White absent.

18. Adjournment

MOTION: Funk moved and Macias seconded to adjourn to the next City Council meeting on October 6, 2020, at 5:30 p.m. at City Hall. The motion carried by unanimous vote, Cousens and White absent. The meeting adjourned at 8:31 p.m.

DRAFT

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR