



**MINUTES
YAKIMA CITY COUNCIL**

June 15, 2021

Virtual via Zoom

5:30 p.m. Regular meeting; 6 p.m. public hearings -- conducted virtually via Zoom

1. Roll Call

Present: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens (present until 8:55 p.m.) and Councilmembers Kay Funk, Brad Hill, Soneya Lund and Eliana Macias (present at 5:47 p.m.)

Staff: City Manager Robert Harrison, City Attorney Sara Watkins and City Clerk Sonya Claar Tee

Absent: Councilmember Jason White

2. Open Discussion for the Good of the Order

A. Proclamations

i. Juneteenth Freedom Week proclamation

Assistant Mayor Cousens proclaimed the week of June 14 through June 20, 2021 as “Juneteenth Freedom Week” and Reesha Cosby, Yakima County NAACP President, accepted it.

B. Presentations / Recognitions / Introductions

i. Retirement recognition of Joe Rosenlund, Streets & Traffic Operations Division Manager, for 12 years of service

Public Works Director Scott Schafer recognized Joe Rosenlund, Streets & Traffic Operations Division Manager, for 12 years of service to the City of Yakima. Mayor Byers presented Mr. Rosenlund with a retirement clock.

ii. Presentation on Lean process improvement project for Procurement Card program (P-Cards)

Purchasing Manager Maria Mayhue shared a presentation on the Lean process improvement project for the City's procurement card program.

iii. Water/Irrigation Division Drinking Water 2020 Water Quality Report

Water and Irrigation Manager Dave Brown presented on the 2020 Water Quality Report.

3. Council Reports

- A. This item was moved to the consent agenda becoming item 4G
- B. Discussion of Councilmember Funk's draft American Rescue Plan Project Proposal to address Mental Health Challenges in Yakima

Councilmember Funk shared her draft American Rescue Plan Act (ARPA) project proposal to address mental health challenges in Yakima. Assistant Mayor Cousens pointed out that the ARPA funds are one time only and this proposal may not be sustainable. She suggested having a pilot program using ARPA funds.

Councilmember Hill asked to hear from the City Manager about competing priorities as he understands Assistant Mayor Cousens' concerns. City Manager Harrison noted there are a lot of ideas on how to utilize the funding, has talked with Councilmember Funk about this and the question will be how much of the resources Council would like to put into this project. He reported he will be coming back to Council with potential expenditure options. Councilmember Lund stated her appreciation for the proposal; however, she doesn't like the idea of staffing a human services department utilizing 2163 funds. Councilmember Macias suggested having a study session on this issue. After additional Council discussion,

MOTION: Hill moved and Cousens seconded to call for the question. The motion carried by unanimous vote, White absent.

MOTION: Funk moved and Hill seconded that we direct staff to create a proposal to use American Rescue Plan funds to address mental health challenges in Yakima. The motion carried by unanimous vote, White absent.

- C. Discussion of amendment to the City Council Rules of Procedures for consideration of letters requesting letters of support

Councilmember Funk shared her proposed amendment to the City Council Rules of Procedure on letters of support. Assistant Mayor Cousens reported letters of support have been handled a couple of different ways and believes it worked best when the City Manager made the approvals. After discussion, it was Council consensus to send any concerns or comments about the process to Councilmember Funk and she will discuss with staff and bring back a redline proposal to Council on the process.

- D. Discussion regarding the City Council Rules of Procedures for appointing Council members to outside boards

Councilmember Funk stated the City has a problem with clarifying that the Mayor has no executive authority and all appointments to represent the City and the City Council are full Council decisions; however, there will be exceptions when state statute requires representation from the Mayor, which it occasionally does. She referred to her redline proposal that states "In accordance with our City Charter, the Mayor has no executive authority. All appointments to represent the City of Yakima and the Yakima City Council to outside groups are full Council decisions. There will be an exception when state statute requires representation from the Mayor."

MOTION: Funk moved and Hill seconded to adopt this as written. Council discussed that some partnership boards possibly want to request specific Council members and may wish to comment on this issue.

MOTION: Hill moved and Lund seconded to postpone this issue to the July 20th

meeting. After further discussion, Assistant Mayor Cousens raised a Point of Order that comments must be germane to the motion. The Mayor ruled the point is well taken. **MOTION: Funk moved to appeal the Mayor's ruling.** The motion died for lack of a second. The motion to postpone carried by unanimous vote, White absent.

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. Items 3A, 9 and 10 were added to 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 Macias seconded to approve the consent agenda. The motion carried by unanimous vote, White absent.

- A. Approval of minutes from the June 1, 2021 City Council regular meeting, June 8, 2021 City Council study session and June 9, 2021 City Council special meeting
- B. Approve payment of disbursements for the period May 1 – 31, 2021.
- C. May 2021 Investment Transactions Report
- D. Resolution authorizing an agreement with Ken Leingang Excavating, Inc. for 41st Avenue Fire Flow Improvements and Waterline Replacement on S. 1st Street and Mead Avenue

RESOLUTION NO. R-2021-081, A RESOLUTION authorizing an agreement with Ken Leingang Excavating, Inc. for Project Nos. AC2504 and AC2537 41st Ave fire flow Improvements and waterline replacement on S. 1st St and Mead.

- E. Resolution authorizing a one year lease agreement with the Tower, LLC to provide office space to house the Capitol Theatre staff

RESOLUTION NO. R-2021-082, A RESOLUTION authorizing a Lease Agreement with The Tower, LLC to provide office space to house the Capitol Theatre staff

- F. Resolution adopting the Yakima Housing Action Plan

RESOLUTION NO. R-2021-083, A RESOLUTION approving the City of Yakima Housing Action Plan

- G. Lodging Tax Advisory Committee Report

Mayor Byers briefed Council on the Lodging Tax Advisory Committee meeting on May 10, 2021.

- H. Resolution authorizing an agreement with OIC of Washington for \$75,000.00 of CDBG funding for youth programming and services at the Henry Beauchamp Community Center

RESOLUTION NO. R-2021-086, A RESOLUTION authorizing an agreement with Opportunities Industrialization Center of Washington (OIC) in the amount of Seventy-Five Thousand Dollars (\$75,000.00) in Community Development Block Grant funds to provide youth services and programming in Yakima at the Henry Beauchamp Community Center.

- I. Resolution authorizing an agreement with the Parks & Recreation Division of the City of Yakima for \$50,000.00 of CDBG funding for youth programming and services at the Washington Fruit and Produce Community Center

RESOLUTION NO. R-2021-087, A RESOLUTION authorizing an Agreement with the City of Yakima, Parks & Recreation Division, in the amount of Fifty Thousand Dollars (\$50,000.00) in Community Development Block Grant funds to provide youth services and programming in Yakima at the Washington Fruit and Produce Community Center.

5. **Public Comment**

None.

PUBLIC HEARINGS

6. Public hearing and Ordinance amending the City of Yakima Municipal Code Section 5.99.040 Tourism Promotion Charge to add an additional tourism promotion charge of two dollars per night of lodging stay

Sara Watkins, City Attorney, briefed Council on the proposed ordinance.

Mayor Byers opened the public hearing. Jeren Franks, General Manager of the Fairfield Inn and President of the Yakima Valley Lodging Association, spoke in support of the ordinance. With no one else calling in to speak, the Mayor closed the hearing.

The City Clerk read the ordinance by title only.

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

ORDINANCE NO. 2021-011, AN ORDINANCE amending the City of Yakima Municipal Code Section 5.99.040 Tourism Promotion Charge to add an additional tourism promotion charge of two dollars per night of lodging stay

7. Public input meeting to consider citizen comments on the proposed Draft 2021 Annual Action Plan for Community Development Block Grant (CDBG), HOME Fund Programs, and Cares Act CDBG-CV3 funds

Angelica Saldivar, ONDS Grant Financial Specialist, briefed Council on the proposed Draft 2021 Annual Action Plan for Community Development Block Grant (CDBG), HOME Fund Programs, and Cares Act CDBG-CV3 funds.

Mayor Byers opened the public hearing and, with no one calling in to speak, closed the hearing. Mayor Byers stated there is no action necessary tonight as this will be brought back to the next Council agenda meeting for action.

8. Public hearing to consider: A) Resolution adopting the Six-Year Transportation Improvement Program for the period of 2022 through 2027, and to amend the Transportation Systems Plan 2040; and B) Resolution amending the Yakima Urban Area Comprehensive Plan Capital Facilities Element

Bill Preston, City Engineer, and Public Works Director Schafer briefed Council on the public hearing. City Manager Harrison explained the difference between the Transportation Benefit District and the Transportation Improvement Program.

Mayor Byers opened the public hearing. Phil Mattoon with the Bicycle/Pedestrian Committee commented the Committee reviews these projects in regards to the best practices for bicycles and pedestrians. Mayor Byers closed the hearing. After Council discussion,

The City Clerk read the resolutions by title only.

MOTION: Cousens moved and Lund seconded to adopt the resolutions. The motion carried by unanimous vote, White absent.

RESOLUTION NO. R-2021-084, A RESOLUTION adopting the Six-Year Transportation Improvement Program (TIP) for the period of 2022 through 2027 for transportation improvements to arterial streets in the City of Yakima and amending the Transportation Systems Plan 2040.

RESOLUTION NO. R-2021-085, A RESOLUTION to amend the Yakima Urban Area Comprehensive Plan Capital Facilities Element to incorporate the Six-year Transportation Improvement Program (TIP) for the period of 2022 through 2027.

DEPARTMENT ITEMS

9. This item was added to the consent agenda becoming item 4H

10. This item was moved to the consent agenda becoming item 4I

11. Regional Fire Authority (RFA) presentation

Fire Chief Markham shared a PowerPoint presentation on a Regional Fire Authority. After Council discussion,

MOTION: Hill moved and Cousens seconded to direct City staff to move forward with a Regional Fire Authority study. The motion carried by unanimous vote, White absent.

12. Request for authorization to purchase police vehicles

City Manager Harrison reported on a request for authorization to purchase police vehicles by utilizing funds that the City deems as lost revenue under the federal ARPA program, which may be used just like any other general fund revenue at the City's discretion. Chief Murray reported on the City's aging fleet and the importance of police vehicles. After Council discussion,

MOTION: Hill moved and Cousens seconded to authorize the City Manager to proceed with purchase of 57 police vehicles. The motion carried by a 5-1 vote, Macias voting no and White absent.

13. **Other Business**

Councilmember Hill asked about immediate needs of the Police Department with the spate of local shootings. City Manager Harrison asked Chief Murray to comment. Chief Murray reported on violent crime in our community and the strategies the police department has undertaken in the last two years to reduce violent crime. Councilmember Hill implored the community to participate in the safe camera and neighborhood watch programs. City Manager Harrison and Chief Murray suggested the City hire two crime analysts, invest in police technology and hire a grant writer that could be used citywide. After Council discussion,

MOTION: Hill moved and Macias seconded to have staff bring back at the July 6,

2021 City Council meeting, a recommendation on police technology investments, hiring crime analysts, and a grant writer. The motion carried by unanimous vote, Cousens and White absent.

After discussion and amendment, MOTION: Hill moved and Macias seconded to have staff bring back at the July 6, 2021 a discussion regarding a proposed Charter amendment that provides the Council an opportunity to remove members for failure to attend meetings, that amends certain sections to be consistent with state law, and that makes other changes staff believes would be beneficial to the City. The motion carried by unanimous vote, Cousens and White absent. Councilmember Hill asked about the timeline for putting a Charter amendment to vote. City Manager Harrison noted a resolution is due to Yakima County by August 2; therefore, a resolution would need to be adopted at the July 20 meeting or a special meeting to meet the deadline.

Councilmember Hill brought up a complaint the Council received regarding cruising the avenue. He suggested shutting down the cruise earlier, reduce the cruise events to one night, or eliminate them all together. **MOTION: Hill moved and Lund seconded that Council have a discussion regarding the hours of the City approved cruise events to the July 6 City council agenda.** The motion carried by unanimous vote, Cousens and White absent.

Councilmember Funk shared her concerns with the Yakima County Board of Commissioners intent to issue a proclamation to support several things including freedom from segregation. After discussion, **MOTION: Funk moved and Macias seconded that we add to the July 6 meeting agenda a discussion and opportunity to confirm that "vaccination status" does not have Equal Protection status under the 14th Amendment or any other federal or state law.** The motion failed by a 3-2 vote, Byers, Lund and Hill voting no, Cousens and White absent.

Councilmember Hill spoke about the continued reliance of the County for the City's SWAT services. **MOTION: Hill moved and Funk seconded to put on the July 20 agenda an update from the City Manager on SWAT in regard to community wide cost sharing and utilization of our SWAT throughout the County.** The motion carried by unanimous vote, Cousens and White absent.

Mayor Byers stated with the Governor has indicated he may lift all pandemic restrictions on June 30. If that happens, beginning with the July 6 Council meeting, Council meetings will be in person due to the Open Public Meetings Act, with no remote Zoom attendance.

Mayor Byers shared that the Yakima County Commissioners have agreed to a joint meeting on June 29 on the following agenda topics: 1) Yakima County Care Campus 2) East West Corridor 3) Community Cleanup Partnership and she would like to add SWAT to the agenda. **MOTION: Byers moved and Hill seconded to suspend the rules in order to take action on the City/County meeting agenda.** After discussion, Byers asked to withdraw the motion. The request carried by a 4-1 vote, Hill voting no, Cousens and White absent. After additional discussion, **MOTION: Hill moved and Byers seconded to suspend the rules regarding the meeting with the County Commissioners.** The motion carried by a 4-1 vote, Funk voting no, Cousens and White absent. **MOTION: Hill moved and Macias seconded to direct the City Manager to ask the County to add SWAT to our joint meeting agenda.** The motion carried by a 4-1 vote, Funk voting no, Cousens and White absent.

14. **Adjournment**

MOTION: Lund moved and Macias seconded to adjourn to the a City Council study

