



MINUTES
YAKIMA CITY COUNCIL
August 17, 2021
City Hall -- Council Chambers
4 p.m. Executive Session; 5:30 p.m. Regular meeting

EXECUTIVE SESSION

1. Executive Session to review the performance of a public employee

Present: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens and Councilmembers Kay Funk, Brad Hill (attending via speakerphone and present at 4:25 p.m.) and Eliana Macias (attending via speakerphone)

Absent: Councilmember Soneya Lund (excused) and Councilmember Jason White

MOTION: Cousens moved and Funk seconded to adjourn to an executive session for up to 1 1/2 hours to review the performance of a public employee under RCW 42.30.110. The motion carried by unanimous vote, Lund and White absent.

Executive Session was held and adjourned at 5:30 p.m.

1. **Roll Call**

Present: Mayor Patricia Byers, presiding, Assistant Mayor Holly Cousens and Councilmembers Kay Funk, Brad Hill (attending via speakerphone) and Eliana Macias (attending via speakerphone)

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

Absent: Councilmember Soneya Lund (excused) and Councilmember Jason White

2. **Pledge of Allegiance**

Mayor Byers led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Byers introduced Jorge Villasenor who announced interpreter services are available in Spanish.

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

City Attorney Watkins reported the City filed a lawsuit to condemn the Savoy Apartments for health and life safety violations, which was granted on August 13, 2021. Lee Murdock of the Homeless Coalition is working on outreach efforts for the residents.

A. Presentations / Recognitions / Introductions

i. Recognition of Scott Schafer for 25 years of service

City Manager Harrison recognized Public Works Director Scott Schafer for 25 years of service to the City of Yakima.

5. **Council Reports**

A. Discussion about special events

Mayor Byers and Assistant Mayor Cousens reported on the recent special events meeting.

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. 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 Funk seconded to approve the consent agenda. The motion carried by unanimous vote, Lund and White absent.

A. Approval of minutes from the August 2, 2021 City Council regular meeting

B. Approve payment of disbursements for the period July 1 – 31, 2021.

C. July 2021 Investment Transactions Report

D. Set Date of September 7, 2021 to review the Planning Commission's Recommendation on amendments to the Critical Areas Ordinance, YMC Ch. 15.27

E. Resolution setting the date of September 7, 2021 for a Public Hearing regarding modification of the Transportation Benefit District Project List

RESOLUTION NO. R-2021-106, A RESOLUTION setting the time and place for hearing on September 7, 2021 at 6:00 PM in the City of Yakima Council Chambers to hear from the public on amending transportation improvements to be exercised or funded on the Transportation Benefit District Project List.

F. Resolution accepting and approving 2nd Quarter 2021 Claim Report

RESOLUTION NO. R-2021-107, A RESOLUTION accepting and approving the 2nd Quarter 2021 Claim Report for the City of Yakima.

G. Resolution authorizing the Sole Source purchase of an Electrode with Tube Assembly from De Nora Water Tech, LLC for the City of Yakima Water Treatment Plant disinfection system

RESOLUTION NO. R-2021-108, A RESOLUTION authorizing the sole source purchase of a CT600 Drinking/NSF, W Electrode with Tube Assembly from De Nora Water Tech, LLC Inc. for the City of Yakima Water Treatment Plant disinfection system.

H. Resolution authorizing an Agreement with Washington State Recreation and

Conservation Office for a grant of \$4,134,000 for Nelson Dam Removal: Water Supply, Riverine Process and Fish Passage Improvements

RESOLUTION NO. R-2021-109, A RESOLUTION authorizing execution of an Agreement with Washington State Recreation and Conservation Office for a grant of \$4,134,000 for Nelson Dam Removal: Water Supply, Riverine Process and Fish Passage Improvements, Project IC2010.

- I. Resolution authorizing a Memorandum of Understanding and Engagement with the Mid-Columbia Fisheries Enhancement Group to monitor, maintain, and provide design review for existing and future restoration projects at the wastewater treatment plant

RESOLUTION NO. R-2021-110, A RESOLUTION authorizing a Memorandum of Understanding and Engagement with the Mid-Columbia Fisheries Enhancement Group (MCFEG) to monitor, maintain, and provide design review for existing and future restoration projects at the wastewater treatment plant.

- J. Resolution authorizing an Agreement with Landau Associates to perform the design and remediation for the environmental cleanup of the former Tiger Oil site at 1808 North First Street

RESOLUTION NO. R-2021-111, A RESOLUTION authorizing an Agreement with Landau Associates to perform the design and remediation for the environmental cleanup of the former Tiger Oil site at 1808 North First Street.

- K. Resolution authorizing a Right-of-Way Use Permit for a gate at the north end of the alley between N Front Street and N 1st St at Staff Sgt. Pendleton Way

RESOLUTION NO. R-2021-112, A RESOLUTION authorizing the issuance of a right-of-way use permit for a gate at the north end of the alley between N Front Street and N 1st Street at Staff Sgt. Pendleton Way.

- L. Resolution authorizing a Memorandum of Understanding with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)

RESOLUTION NO. R-2021-113, A RESOLUTION authorizing a Memorandum of Understanding between the Bureau of Alcohol, Tobacco Firearms and Explosives ("ATF") and the Yakima Police Department as it relates to the ATF Violent Crime Task Force

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

RESOLUTION NO. R-2021-114, A RESOLUTION authorizing the Chief of Police's execution of recurring annual agreements with the United States Department of Justice, Drug Enforcement Administration.

- N. Ordinance amending the 2021 Budget for the City of Yakima; and increasing the Convention Center Fund 170 revenue budget with a \$500,000 allocation from the American Rescue Plan Act (ARPA) Fiscal Recovery Funds (Second Reading)

ORDINANCE NO. 2021-016, AN ORDINANCE amending the 2021 Budget for the City of Yakima; and increasing the Convention Center Fund 170 revenue budget with a \$500,000 allocation from the American Rescue Plan Act (ARPA) Fiscal Recovery Funds.

- O. Ordinance updating Classification and Compensation Plan for City Employees

ORDINANCE NO. 2021-017, AN ORDINANCE relating to City personnel; adopting a classification and compensation plan for City employees to be effective September 19, 2021; and repealing all preceding pay ordinances in the City of Yakima Municipal Code.

7. Public Comment

Joe Mann, City resident, shared his concerns about Naches Parkway.

Andrew Holt, Executive Director of the Downtown Association of Yakima, reported his recommendations regarding special events.

DEPARTMENT ITEMS

8. Ordinance to create a fund to account for the Clean City Fund (first reading)

Jennifer Ferrer-Santa Ines, Director of Finance and Budget, briefed Council on the budget amendment noting it will be brought back to the next meeting for a second reading. The City Clerk read the ordinance by title only.

First reading of AN ORDINANCE authorizing the establishment of a Special Revenue Fund 136 "Clean City Fund" to account for the utility tax increase imposed on the City's waste systems' commercial refuse collection.

9. Ordinance to create a fund to account for the American Rescue Plan Act (ARPA) Fund (first reading)

Jennifer Ferrer-Santa Ines, Director of Finance and Budget, briefed Council on the budget amendment noting it will be brought back to the next meeting for a second reading. The City Clerk read the ordinance by title only.

First reading of AN ORDINANCE accepting the Coronavirus Local Fiscal Recovery Funds from the American Rescue Plan Act (ARPA) authorizing the City Manager to execute all related contracts and documents; adopting City of Yakima Municipal Code Section 3.124 to establish the ARPA Fiscal Recovery Fund.

10. Ordinance adding Yakima Municipal Code Section 13.16.178 Drug Possession and Use Prohibited, to Chapter 13.16: Rules and Regulations, regarding parks and playgrounds

City Attorney Watkins briefed Council on the ordinance. The City Clerk read the ordinance by title only.

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

ORDINANCE NO. 2021-018, AN ORDINANCE adding Yakima Municipal Code Section 13.16.178 Drug Possession and Use Prohibited to Chapter 13.16: Rules and Regulations regarding parks and playgrounds.

11. Other Business

MOTION: Funk moved and Cousens seconded to add to the next agenda a discussion on affordable housing. The motion carried by unanimous vote, Lund and White absent.

MOTION: Funk moved and Hill seconded to add to the next agenda a discussion on

the use of ARPA funds for behavioral health. The motion carried by unanimous vote, Lund and White absent.

MOTION: Cousens moved and Funk seconded to add to the next agenda a discussion on the City Manager's salary. The motion carried by unanimous vote, Lund and White absent.

City Manager Harrison stated the City and County will be meeting in September on SWAT issues.

12. Adjournment

MOTION: Cousens moved and Funk seconded to adjourn to the next City Council regular meeting on September 7, 2021, at 5:30 p.m. at City Hall. The motion carried by unanimous vote, Lund and White absent. The meeting adjourned at 6:11 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

DRAFT

CITY CLERK

MAYOR