



**MINUTES
YAKIMA CITY COUNCIL**

September 7, 2021

City Hall – Council Chambers

5:00 p.m. Executive session; 5:30 p.m. regular meeting 6 p.m. public hearings

EXECUTIVE SESSION

1. Executive Session pursuant to RCW 42.30.140 regarding collective bargaining

Present: Mayor Patricia Byers, presiding, Councilmembers Kay Funk, Brad Hill, Soneya Lund and Eliana Macias

Absent: Assistant Mayor Holly Cousens and Councilmember Jason White

MOTION: Hill moved and Lund seconded to adjourn to an Executive Session regarding collective bargaining pursuant to RCW 42.30.140 for up to 30 minutes. The motion carried by unanimous vote, Cousens and White absent. Executive Session was held and adjourned at 5:18 p.m.

1. **Roll Call**

Present: Mayor Patricia Byers, presiding, Councilmembers Kay Funk, Brad Hill, Soneya Lund and Eliana Macias (present until 7:14 p.m.)

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

Absent: Assistant Mayor Cousens and Councilmember Jason White

2. **Pledge of Allegiance**

3. **Interpreter Services**

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

A. Proclamations

- i. Surgical Technologist Week proclamation

Councilmember Funk proclaimed the week of September 19-25, 2021 as Surgical Technologists Week.

5. **Council Reports**

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. Items 10 (now 6K) & 13 (now 6L) 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: Funk moved and Hill seconded to approve the consent agenda. The motion carried by unanimous vote, Cousens and White absent.

- A. Approval of minutes from the August 17, 2021 City Council regular meeting
- B. 2021 2nd Quarter Financial Report
- C. Project Completion and Contract Acceptance for POW Contracting, Inc. - Project 2511 Beech Street Lift Station Odor Control Improvements
- D. Set October 5, 2021 as the date for a public hearing on the Anderson Park Annexation in the vicinity of Occidental and Ahtanum Roads and South 59th Avenue
- E. Resolution authorizing an agreement with Washington State Department of Commerce for a grant for Nelson Dam Removal: Water Supply, Riverine Process and Fish Passage Improvements

RESOLUTION NO. R-2021-115, A RESOLUTION authorizing execution of an Agreement with Washington State Department of Commerce for a grant of \$1,298,500 for Nelson Dam Removal: Water Supply, Riverine Process and Fish Passage Improvements, Project IC2010

- F. Resolution authorizing an Agreement with HDR Engineering to provide design amendments and construction services for the Nelson Dam Removal, Water Supply, Riverine Process and Fish Passage project

RESOLUTION NO. R-2021-116, A RESOLUTION authorizing an agreement with HDR Engineering to provide design amendments and construction services for the Nelson Dam Removal, Water Supply, Riverine Process and Fish Passage project.

- G. Resolution authorizing a memorandum of understanding with Homeland Security Investigations to conduct joint investigations of internet crimes against children

RESOLUTION NO. R-2021-117, A RESOLUTION authorizing a Memorandum of Understanding with Homeland Security Investigations relating to the designation of certain YPD Officers as Customs Officers (Excepted) pursuant to investigations of internet crimes against children

- H. Resolution authorizing a settlement agreement by Cities Insurance Association of Washington (“CIAW”) and Munich Reinsurance to resolve and settle the claims brought by Murray Family LLC, Doug and Bronwyn Mayo, and Haywire Outfit, Inc.

RESOLUTION NO. R-2021-118, A RESOLUTION approving the conditional settlement agreement entered into by Cities Insurance Association of Washington (“CIAW”) and Munich Reinsurance to settle the claims brought against the City of Yakima by Murray Family LLC, Doug and Bronwyn Mayo, and Haywire Outfit, Inc.

- I. Ordinance to create a fund to account for the Clean City Fund (second reading)

ORDINANCE NO. 2021-019, 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.

- J. Ordinance to create a fund to account for the American Rescue Plan Act (ARPA) Fund (second reading)

ORDINANCE NO. 2021-020, 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.

- K. Review Dates and Times for 2022 Annual Budget Study Sessions - October 5, 7, 12 and 14

- L. Resolution authorizing a contract with Motorola to purchase dispatch radio consoles for primary and backup SunComm dispatch centers

RESOLUTION NO. R-2021-119, A RESOLUTION authorizing a contract with Motorola to purchase replacement dispatch radio consoles for SunComm’s primary and backup locations.

7. **Public Comment**

Rhonda Hauff, Chief Executive Office of Yakima Neighborhood Health Services, spoke in support of an affordable housing sales tax.

Cheri Kilty, YWCA Executive Director, spoke in support of the City Manager’s American Rescue Plan Act report.

PUBLIC HEARINGS

8. Public Hearing on Critical Areas Ordinance amendments

Joseph Calhoun, Planning Manager, briefed Council on the proposed ordinance.

Mayor Byers opened the public hearing and, with no one coming forward to speak, closed the hearing.

The City Clerk read the ordinance by title only.

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

ORDINANCE NO. 2021-021, AN ORDINANCE amending the City of Yakima Critical Areas Ordinance, YMC Ch 15.27

9. Public Hearing relating to the Transportation Benefit District; modifying the Transportation Improvements to be funded by the District

Scott Schafer, Public Works Director, briefed Council on the Transportation Benefit District project list and answered questions from Councilmembers.

Mayor Byers opened the public hearing and Ken Johnsen, President of Yakima Valley Trolleys, requested the trolley item on the project list be placed in two phases, with the strip in the middle of the trolley tracks as the first phase and a higher priority. Mayor Byers closed the

hearing.

MOTION: Hill moved and Macias seconded to direct staff to bring back a proposal for renovation and safety measures for the intersections of 66th and Englewood, 6th Avenue project, Summitview Avenue between 48th and 72nd and Nob Hill between 34th and 44th. The motion carried by unanimous vote, Cousens and White absent.

DEPARTMENT ITEMS

10. This item was added to the consent agenda (6K)

11. Discussion on the use of American Rescue Plan Act (ARPA) funds

City Manager Harrison reported on his proposed use of ARPA funds and answered questions from Councilmembers.

Councilmembers Hill and Funk disagreed about a proposal to use some of the funding for an arts center. Councilmember Hill stated he is more concerned about a day use center for homeless in downtown, supporting domestic violence efforts and sewer infrastructure. Councilmember Funk referenced her proposal for behavioral health intervention and having paramedic response vehicles at the Fire Department.

Councilmembers Lund and Macias voiced their support for an arts center. Councilmember Lund suggested meeting with the County regarding behavioral health so there is no duplication of services.

Mayor Byers noted certain city services are leasing space that could come into the new facility and then invite other partners to the building in order to derive income. She noted the HBCC and Washington Fruit Center should be incorporating arts and there is a need for more Designated Crisis Responders (DCR's).

Councilmember Funk shared her skepticism about the County's ability to embrace behavioral health and suggested a study session or meeting with DCR's from Comprehensive Mental Health and representatives from the Police Department to see how they are integrated into policing.

City Manager Harrison stated he wanted to provide Council with an update on these concepts and will bring back additional information and have further discussion with Council on the use of ARPA funds.

12. Affordable housing report

Planning Manager Joseph Calhoun, Planning Commission Member Jacob Liddicoat and Jake Mayson, Government Affairs Director of the Central Washington Home Builders Association reported on affordable housing and answered questions from Councilmembers. Mr. Mayson stressed that investing in water and sewer will help achieve more affordable housing.

After discussion,

MOTION: Lund moved and Hill seconded that we direct staff to prepare an ordinance for implementation of HB 1070 authorizing a 1/10th of 1% sales tax increase to support a variety of affordable housing projects. The motion carried by a 3-1 vote with Byers voting no and Cousens, White and Macias absent.

13. This item was added to the consent agenda (6L)

14. Ordinance amending the City of Yakima City Manager annual salary

Connie Mendoza, Director of Human Resources, briefed Council on the 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, with Cousens, Macias and White absent.

ORDINANCE NO. 2021-022, AN ORDINANCE amending the City of Yakima City Manager annual salary.

15. **Other Business**

MOTION: Funk moved and Hill seconded that we add to the agenda of the next business meeting discussion of a public information by Zoom meeting, regarding the costs and benefits of anaerobic digestion and methane capture from food and yard waste. The motion carried by unanimous vote, with Cousens, Macias and White absent.

Councilmember Hill asked about a previous affordable housing meeting and Mr. Borton's perspective. Councilmember Funk noted Mr. Borton provided a document on his comments. Mr. Harrison stated he will send Mr. Borton's comments to Council.

16. **Adjournment**

MOTION: Hill moved and Lund seconded to adjourn to a City Council study session on September 14, 2021, at 5:00 p.m. The motion carried by unanimous vote, with Cousens, Macias and White absent. The meeting adjourned at 7:33 p.m.

DRAFT

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR