



**MINUTES
YAKIMA CITY COUNCIL**

June 6, 2023

**City Hall – Council Chambers - 129 N 2nd Street, Yakima, WA
5:30 p.m. Regular meeting - conducted in person and virtually via Zoom**

1. Roll Call

Present: Mayor Janice Deccio, presiding; Assistant Mayor Soneya Lund and Councilmembers Matt Brown, Patricia Byers, Holly Cousens, Danny Herrera and Eliana Macias (attending via Zoom)

2. Pledge of Allegiance

Mayor Deccio led the Pledge of Allegiance.

3. Interpreter Services

Mayor Deccio introduced Jorge Villaseñor who announced interpreter services are available in Spanish.

4. Open Discussion for the Good of the Order

A. Proclamations

i. Juneteenth proclamation

Assistant Mayor Lund proclaimed the week of June 12 through June 19, 2023 as "Juneteenth Freedom Week" and Reesha Cosby accepted the proclamation.

ii. Pride month proclamation

Mayor Deccio proclaimed the month of June 2023 as "Lesbian, Gay, Bisexual, Transgender, Asexual, Aromantic, Queer, Two-Spirit, Non-Binary, and Intersex Pride Month" and Beth Parker accepted the proclamation.

iii. Narcissa Whitman Chapter, NSDAR Day proclamation

Councilmember Byers proclaimed June 19, 2023 as "Narcissa Whitman Chapter, NSDAR Day" and Jill Scott accepted the proclamation.

B. Presentations / Recognitions / Introductions

i. Report from business owners regarding alternatives for parking in the downtown area

Joe Mann and Ben Hittle presented a proposal from business owners for downtown parking, which includes a higher percentage of paid parking stalls and increased permit fees. Chief

Murray provided updated information regarding current parking enforcement efforts in downtown Yakima. Council members agreed that a recommendation from the Downtown Association of Yakima (DAY) is the next step to move forward with the approach proposed by the downtown business owners.

C. Appointments to Boards, Commissions and Council Committees

i. Council Nominating Committee recommendation for appointments to Boards & Committees

Assistant Mayor Lund, Chair of the Council Nominating Committee, reported on the May 22, 2023 committee meeting. The recommendation for appointments and reappointments is as follows:

Appoint:

- Autumn Britt, artist - Arts Commission
- Jennifer Chandler - Bicycle & Pedestrian Advisory Committee
- Reesha Cosby - Henry Beauchamp Jr. Community Center Advisory Committee
- Abdon Godinez - Yakima Housing Authority
- Blake Scully - Parks & Recreation Commission
- Charles Hitchcock - Planning Commission
- Luis Gutierrez - Lodging Tax Advisory Committee
- Ajit Singh Gill, youth member - Sustainable Yakima Committee

Reappoint:

- Barbara Cline, Jim Johnston, and James Fickel - Board of Appeals
- Rev. Robert Trimble and Wilma Beauchamp - Henry Beauchamp Jr. Community Center Advisory Committee
- Dawn Noel King and Joe Mann - Historic Preservation Commission
- Stacy Hackenmueller - Parks & Recreation Commission
- Maureen Adkison - Public Facilities District

MOTION: Cousens moved and Herrera seconded to approve the Council Nominating Committee recommendation. The motion carried by unanimous vote.

5. Council Reports

A. Discussion regarding a Feasibility Study concerning the formation of a Regional Fire Authority

Fire Chief Aaron Markham briefed Council on next steps regarding a feasibility study concerning the formation of a Regional Fire Authority.

MOTION: Lund moved and Macias seconded to direct staff to move forward with an Request For Proposal (RFP) process to conduct a feasibility study concerning the formation of a Regional Fire Authority and begin to meet with other respective agencies to determine the regional interest in participating in a Regional Fire Authority. The motion carried by a 4-3 vote; Byers, Cousens and Brown voting no.

6. Consent Agenda

Mayor Deccio 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 Cousens seconded to approve the consent agenda. The motion carried by unanimous vote.

- A. Approval of minutes from the May 16, 2023 City Council regular meeting and May 23, 2023 City Council study session
- B. Project Completion and Contract Acceptance for Insituform Technologies LLC for the W. Yakima Irrigation Main CIPP Rehabilitation Project IC2657
- C. Resolution setting the time and place for a hearing on June 20, 2023 to review and adopt the Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan

RESOLUTION NO. R-2023-072, A RESOLUTION setting the time and place for a hearing on June 20th, 2023 to review and adopt the Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan for the period of 2024-2029.

- D. Resolution awarding and authorizing an agreement with Questica for budget management software

RESOLUTION NO. R-2023-073, A RESOLUTION awarding and authorizing an agreement with Questica for Budget Management Software.

- E. Resolution authorizing acceptance of a YVCOG CMAQ Award for \$500,000 for the 2024 Northside Alley Paving Project 2759

RESOLUTION NO. R-2023-074, A RESOLUTION authorizing acceptance and execution of a YVCOG Congestion Mitigation & Air Quality (CMAQ) Grant award of \$500,000 for 2024 Northside Alley Paving Project 2759.

- F. Resolution authorizing an agreement with All American Investment Group for repayment of SIED loan to reconstruct Russell Lane Project 2650

RESOLUTION NO. R-2023-075, A RESOLUTION authorizing a development agreement with All American Investment Group to pay the loan costs associated with a Supporting Investments in Economic Development (SIED) grant to reconstruct Russell Lane, Project 2650.

- G. Resolution authorizing a contract with American Rock Products to provide construction for the Nob Hill Boulevard Resurfacing and Pacific Avenue Sidewalk Improvements Projects 2619 and 2612

RESOLUTION NO. R-2023-076, A RESOLUTION authorizing an agreement with American Rock Products for the Nob Hill Boulevard Resurfacing and Pacific Avenue Sidewalk Improvements Projects 2619 and 2612.

- H. Resolution authorizing grant application and acceptance with the Federal Aviation Administration (FAA) for AIP No. 3-53-0089-055/056-2023 for Taxilane Charlie Extension

RESOLUTION NO. R-2023-077, A RESOLUTION authorizing construction grant applications for the Yakima Air Terminal Taxilane Charlie Extension project to the Federal

Aviation Administration (FAA) for Capital Improvement Projects, at the Yakima Air Terminal-McAllister Field.

- I. Resolution authorizing bid award agreement with Hurst Construction LLC. for AIP No. 3-53-0089-055-2023 for Taxilane Charlie Extension

RESOLUTION NO. R-2023-078, A RESOLUTION authorizing an agreement with Hurst Construction, LLC to construct the Taxilane Charlie Extension project at the Yakima Air Terminal-McAllister Field.

- J. Resolution authorizing a supplemental construction services agreement with JUB Engineering for AIP No. 3-53-0089-056-2023 for Taxilane Charlie Extension

RESOLUTION NO. R-2023-079, A RESOLUTION authorizing a supplemental construction services agreement to City Contract No. 2023-033 with JUB Engineering, Inc. for construction services for the Taxilane Charlie Extension Project at the Yakima Air Terminal-McAllister Field.

- K. Resolution declaring a 1990 Peterbilt 320 and a 2000 Olympic 62,000 lb. trailer surplus and authorizing their disposal per Surplus Disposal Policy 3-100

RESOLUTION NO. R-2023-080, A RESOLUTION declaring a 1990 Peterbilt 320 and a 2000 Olympic 62,000 lb. trailer surplus and authorizing their disposal per Surplus Disposal Policy 3-100.

- L. Ordinance amending the City of Yakima Municipal Code Chapter 7.82 Construction Stormwater Runoff

ORDINANCE NO. 2023-019, AN ORDINANCE amending the City of Yakima Municipal Code Chapter 7.82 Construction Stormwater Runoff.

- M. Ordinance amending the City of Yakima Municipal Code Section 7.83.100 Design Manuals

ORDINANCE NO. 2023-020, AN ORDINANCE amending the City of Yakima Municipal Code Chapter 7.83.100 Design Manuals.

- N. Ordinance amending the City of Yakima Municipal Code Chapter 7.85 Stormwater Illicit Discharge

ORDINANCE NO. 2023-021, AN ORDINANCE amending the City of Yakima Municipal Code Chapter 7.85 Stormwater Illicit Discharge.

- O. Ordinance updating Classification and Compensation Plan for City Employees Section 2.20.100

ORDINANCE NO. 2023-022, AN ORDINANCE relating to City personnel; adopting a classification and compensation plan for City employees to be effective July 9, 2023; and repealing all preceding pay ordinances in the City of Yakima Municipal Code.

7. Public Comment

Henry Potrykus, resident, shared his concerns about navigating the City's criminal justice system reporting and ensuring ADA compliance for individuals who may have a disability.

Javier Gonzalez, resident, spoke regarding cruising events and in opposition to the proposed ordinance amendments.

Beth Parker, resident, thanked Council for its support of Pride month proclamation and expressed concern regarding those Council members who voted against adding the proclamation to the agenda without discussion. She encouraged attendance at the Pride Parade and Festival on Saturday June 10, 2023.

Jeanna Hernandez, resident, expressed her concerns regarding downtown parking matters and costs relating to the study.

Corie Ratliff, resident, spoke about downtown parking and safety concerns for downtown area businesses.

Jay Hirst, VP of Operations of Kittitas Interactive Management, spoke in support of Mr. Mann's downtown parking proposal.

Cindy Simmons, resident, spoke regarding being a victim of property crime, the difficulty with the online police reporting process and the inability to contact anyone at the non-emergency number.

Tony Courcy, resident, spoke regarding several matters.

PUBLIC HEARINGS

8. Closed record public hearing to consider an appeal of the Hearing Examiner's Decision for a 4-lot Preliminary Short Plat for Lester & Sonya Makalii

Mayor Deccio stated this is a closed record appeal hearing and read the following statement: The Hearing Examiner upheld the City's decision to approve the Applicant's request for a preliminary short plat dividing one property into four parcels. The Council is sitting in its quasi-judicial capacity. The Council is now charged with evaluating the Hearing Examiner's decision and determining whether his decision was properly made. Testimony will be limited to the record and the issue in this appeal, which is whether the Preliminary Short Plat was properly upheld. No other issues are in front of this Council, nor may they be discussed in argument, or considered when the Council makes its decision. This is a quasi-judicial hearing, as such the Appearance of Fairness doctrine controls.

Each Council member answered affirmatively or negatively to the following questions:

1. Do you have any interest in the property or the application, or do you own property within 300 feet of the property subject to the application? Council responded they did not.
2. Do you stand to gain or lose any financial benefit as a result of the outcome of the appeal? The response from Council was no.
3. Can you hear and consider the application in a fair and objective manner, without bias? Council stated they could.
4. Have you had any ex parte communications with the Applicants, the Makalii's, the Respondent, Gary Lofland, or anyone else, regarding this appeal? If so, please place on the record the substance of your communications so that interested parties have the opportunity to rebut the communications. Council members stated they have not had any ex parte communications.

Mayor Deccio asked if anyone wished to challenge any council member's participation in this application on appearance of fairness grounds, and no one from the audience or on Zoom spoke to the issue.

Mayor Deccio opened the closed record hearing. Gary Lofland provided the appellant's

argument. Planning Manager Joseph Calhoun provided the City's argument. Lester and Sonya Makalii provided argument. Gary Lofland provided the appellant's rebuttal. Mayor Deccio closed the public hearing. After Council discussion and deliberation,

MOTION: Cousens moved and Byers seconded to adopt and affirm the Hearing Examiner's decision. The motion carried by unanimous vote.

DEPARTMENT ITEMS

9. Aquatic Center at Martin Luther King Jr. Park Design

Parks and Recreation Manager Ken Wilkinson presented the report and shared the design created by NAC Architecture for the swimming pool at Martin Luther King Jr. Park.

MOTION: Herrera moved and Cousens seconded to accept the report from the ad-hoc committee and refer the Aquatic Center concept design to the Parks Commission for review and comment and to direct the administration to hold community meetings to receive direct feedback on three items: 1) the pool design 2) the park design, and 3) explore connecting MLK Jr. Park with Adams Elementary School through the closure of Race Street between 8th and 9th Streets. The motion carried by unanimous vote.

10. Summary of Passed "Blake Fix" 2023 Legislation

Senior Assistant City Attorney Cynthia Martinez and Police Chief Murray summarized and answered questions regarding the "Blake Fix" bill passed by the Washington State Legislature relating to the use and possession of drugs. The bill takes effect July 1, 2023.

MOTION: Lund moved and Brown seconded to direct staff to prepare an ordinance or options of ordinances for consideration at the soonest available Council business meeting. The motion carried by unanimous vote.

11. Resolution authorizing the Memorandum of Understanding between the Greater Columbia Region municipalities to establish an opioid abatement council

City Attorney Sara Watkins briefed the Council on the proposed resolution. The City Clerk read the resolution by title only.

MOTION: Byers moved and Lund seconded to adopt the resolution. The motion carried by unanimous vote.

RESOLUTION NO. R-2023-081, A RESOLUTION approving the Memorandum of Understanding between the Greater Columbia Region municipalities to establish an opioid abatement council.

12. Resolution authorizing an agreement with Yakima County Development Association (YCDA) to establish and manage a Minimum Revenue Guarantee Airline Fund

City Manager Harrison briefed the Council on the proposed resolution. The City Clerk read the resolution by title only.

MOTION: Lund moved and Cousens seconded to adopt the resolution. The motion carried by unanimous vote.

RESOLUTION NO. R-2023-082, A RESOLUTION authorizing an agreement with Yakima County Development Association (YCDA) to establish and manage a Minimum Revenue

Guarantee Airline Fund.

13. Resolution authorizing an agreement with the Yakima Area Arboretum for the operation and maintenance of Yakima's arboretum

City Attorney Sara Watkins briefed the Council on the proposed resolution. The City Clerk read the resolution by title only.

MOTION: Cousens moved and Lund seconded to adopt the resolution. The motion carried by unanimous vote.

RESOLUTION NO. R-2023-083, A RESOLUTION authorizing an Operations and Maintenance Agreement with the Yakima Area Arboretum.

14. Ordinance amending Section 1.37.030 Membership, and Section 1.37.050 Meetings of the Yakima Municipal Code Chapter 1.37 Bicycle and Pedestrian Advisory Committee

City Attorney Sara Watkins briefed the Council on the proposed ordinance relating to the Bicycle and Pedestrian Advisory Committee. The City Clerk read the ordinance by title only.

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

ORDINANCE NO. 2023-023, AN ORDINANCE amending the Section 1.37.030 Membership and Section 1.37.050 Meetings of Chapter 1.37, Bicycle and Pedestrian Advisory Committee.

15. Ordinance amending Yakima Municipal Code Section 9.25.020 Cruising permitted—Open cruising event

City Attorney Sara Watkins briefed the Council on the proposed ordinance relating to open cruising events. After discussion, Council took no action.

16. **Other Business**

Councilmember Cousens reminded Council regarding the annual AWC conference taking place in Spokane on June 20th-23rd and requested members notify Cally of their interest in attending. She also encouraged attendance at Juneteenth festivities and the Pride Parade and Festival.

17. **Adjournment**

MOTION: Lund moved and Byers seconded to adjourn to the next Council study session on June 13, 2023, at 4:00 p.m. at the Washington Fruit Community Center. The motion carried by unanimous vote. The meeting adjourned at 8:06 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR

DRAFT