



**MINUTES
YAKIMA CITY COUNCIL**

March 19, 2024

**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 Patricia Byers, presiding; Assistant Mayor Matt Brown and Councilmembers Reedy Berg, Janice Deccio, Rick Glenn, Danny Herrera and Leo Roy

Staff: Interim City Manager Dave Zabell, City Attorney Sara Watkins and Deputy City Clerk Brandy Bradford

2. Pledge of Allegiance

Mayor Byers led the Pledge of Allegiance.

3. Interpreter Services

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

4. Public Comment

Joseph Daniels Jr., resident, spoke on unity and read from scripture.

Natalie McClendon, resident, spoke regarding three petitions being circulated to suspend recent ordinance to terminate Community Integration Committee and Sustainable Yakima Committee.

Andrew Reyes, resident, expressed his gratitude and lauded Council on their good work and requested support for civil rights of community members.

Sharvan Khular and Parmjit Singh, Yakima business owners, spoke about how the North 1st Street improvement construction has affected their businesses and asked for the Council support. Mayor Byers offered that they contact the City Manager to speak about it further.

Maria Martinez, City employee, Storekeeper, Water Division; and David Macias, AFSCME president, City employee, Wastewater Instrument Technician, spoke regarding employment conditions within the City.

5. Open Discussion for the Good of the Order

A. Proclamations

i. Welcome Home Vietnam Veterans proclamation

Mayor Byers proclaimed March 30, 2024, as "Welcome Home Vietnam Veterans Day." Mr. Otto Cruz and Mr. Robb Repp of the Yakama Warriors Association thanked Council and accepted the proclamation. They extended an invitation to the Council and community to attend the Yakama Warriors Association March 30, 2024 Welcome Home Vietnam Veterans Day event at Sarg Hubbard Park.

B. Presentations / Recognitions / Introductions

i. Administration of Oath of Office to Municipal Court Judge Troy Clements

Judge Aryn Masters introduced Judge Troy Clements who has been appointed to fill the Municipal Court Judge position once Judge Kelley Olwell retires. Mr. Clements' appointment is effective April 1, 2024. Judge Clements addressed the community with a promise to treat everyone fairly, justly, and with respect.

Deputy City Clerk Brandy Bradford administered the Oath of Office to newly appointed Municipal Court Judge Troy Clements.

ii. Recognition of retiring Judge Kelley Olwell

Interim City Manager Dave Zabell recognized Judge Kelley Olwell on her retirement after 34 years of public service. She was presented with a framed certificate for her years of service.

iii. YVCOG 2023 Year End Review and 2024 Goals

YVCOG Executive Director Chris Wickenhagen provided a 2023 year-end review and discussed 2024 goals for the organization. Wickenhagen distributed the YVCOG report to Council and provided an overview of the highlights.

6. **Council Reports**

None.

7. **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. Item I was removed from the consent agenda. The Deputy 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: Brown moved and Deccio seconded to approve the consent agenda as read. The motion carried by a 7-0 roll call vote.

A. Approval of minutes from the March 5, 2024 City Council regular meeting and March 12, 2024 study session

B. February 2024 Investment Transaction Report

C. Approve payment of disbursements for the period February 1-29, 2024

D. Resolution authorizing the write-off of certain uncollectable parking citations

RESOLUTION NO. R-2024-042, A RESOLUTION authorizing the write-off of certain uncollectable parking citations and penalties for the City of Yakima.

- E. Resolution authorizing the write-off of certain uncollectable central accounts receivables

RESOLUTION NO. R-2024-043, A RESOLUTION authorizing the write-off of certain uncollectable central accounts receivables for the City of Yakima.

- F. Resolution authorizing the write-off of certain uncollectable delinquent utility accounts receivable funds

RESOLUTION NO. R-2024-044, A RESOLUTION authorizing the write-off of certain uncollectable delinquent utility accounts receivable funds for the City of Yakima.

- G. Resolution setting date of April 2, 2024 to amend 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

RESOLUTION NO. R-2024-045, A RESOLUTION setting the time and place for a hearing on April 2, 2024, to review and adopt the amended Six-year Transportation Improvement Program and amend the Capital Facilities Element of the Yakima Urban Area Comprehensive Plan for the period of 2024-2029.

- H. Resolution authorizing a contract with Knobel's Electric Inc for the Russell Lane Improvements Project 2650

RESOLUTION NO. R-2024-046, A RESOLUTION authorizing a Contract with Knobel's Electric, Inc. for the Russell Lane Improvements Project 2650.

- I. Item I was removed from the Consent Agenda

Item I was removed from the Consent Agenda.

- J. Resolution authorizing a temporary water transfer interlocal agreement with the City of Tieton and Yakima-Tieton Irrigation District

RESOLUTION NO. R-2024-048, A RESOLUTION authorizing a Temporary Water Transfer Interlocal Agreement with the City of Tieton and Yakima-Tieton Irrigation District to lease 31 shares of Irrigation Water to the City of Tieton for the water year 2024.

- K. Resolution authorizing the Parks and Recreation Division Manager to execute personal services agreements with contractors that perform specialized Parks and Recreation services, volleyball officials, musicians, exercise instructors, etc

RESOLUTION NO. R-2024-049, A RESOLUTION authorizing the Parks and Recreation Division Manager to execute Personal Services Agreements during 2024 and depending upon funding, authorizing the Parks and Recreation Manager to execute any renewable agreements for the following four years (2028), upon approval as to form by the City Attorney.

Items Removed from the Consent Agenda

- A. Resolution authorizing professional services agreement Supplemental 1 with NAC Architecture for MLK Jr. Park Eastside Pool Project 2745

Parks and Recreation Manager Ken Wilkinson provided as status update to Council regarding the MLK pool project and the need for the contract.

The Deputy City Clerk read the resolution by title only.

MOTION: Brown moved and Herrera seconded to adopt the resolution. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2024-047, A RESOLUTION authorizing Contract Supplemental Agreement Number 1 to the Professional Services Agreement with NAC Architecture to provide professional construction management for the MLK Jr Park Eastside Pool Project 2745.

PUBLIC HEARINGS

8. Closed record public hearing and Resolution to consider the Hearing Examiner's recommendation regarding the preliminary plat of Marylyn Place submitted by WM Real Property Holdings, located in the vicinity of Ahtanum Rd & S 58th Ave

Mayor Byers stated this is a closed record hearing and testimony will be limited to the record regarding the preliminary plat of Marylyn Place submitted by WM Real Property Holdings. The City Council is sitting in its quasi-judicial capacity and is charged with evaluating the Hearing Examiner's recommendation and the record and deciding whether to approve the preliminary plat of Marylyn Place. As this is a quasi-judicial hearing, the Appearance of Fairness doctrine controls. Each Councilmember answered negatively or affirmatively 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 application? 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 applicants, or anyone else, regarding this application? Council members stated they have not had any ex parte communications.

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

Mayor Byers opened the public hearing. Interim Planning Manager Eric Crowell briefed the Council on the matter. With no one coming forward to speak, Mayor Byers closed the public hearing.

After Council discussion and deliberation,

MOTION: Deccio moved and Brown seconded adopt the resolution affirming the recommendation of the Hearing Examiner. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2024-050, A RESOLUTION approving the Preliminary Long Plat of Marylyn Place, an 83-lot subdivision, located in the vicinity of Ahtanum Rd. & S. 58th Ave.

9. Closed record public hearing and Resolution to consider the Hearing Examiner's recommendation regarding the preliminary plat of Champions Park Phase 1 submitted by Prickly Pear Holdings, LLC, located in the vicinity of 4607 & 4701 Ahtanum Rd

Mayor Byers stated this is a closed record hearing and testimony will be limited to the record regarding the preliminary plat of Champions Park Phase 1 submitted by Prickly Pear Holdings. The City Council is sitting in its quasi-judicial capacity and is charged with evaluating the

Hearing Examiner's recommendation and the record and deciding whether to approve the preliminary plat of Champions Park Phase 1. As this is a quasi-judicial hearing, the Appearance of Fairness doctrine controls. Each Councilmember answered negatively or affirmatively 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 application? 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 applicants, or anyone else, regarding this application? Council members stated they have not had any ex parte communications.

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

Mayor Byers opened the public hearing. Assistant Planner Connor Kennedy briefed the Council on the matter. With no one coming forward to speak, Mayor Byers closed the public hearing.

After Council discussion and deliberation,

MOTION: Brown moved and Deccio seconded adopt the resolution affirming the recommendation of the Hearing Examiner. The motion carried by a 7-0 roll call vote.

RESOLUTION NO. R-2024-051, A RESOLUTION approving the Preliminary Long Plat of Champions Park Phase 1, a 93-lot subdivision, located in the vicinity of 4607 & 4701 Ahtanum Rd.

DEPARTMENT ITEMS

10. 2023 Update on Capital Improvement Projects Report

City Engineer Bill Preston presented an update on the 2023 Capital Improvements Projects. He highlighted the 3rd and 4th quarter projects, challenges, and future projects.

Councilmembers Glenn and Brown lauded Preston for his work and Engineering staff.

11. 2024 Washington State Legislature Session Review

Communications & Public Affairs Director Randy Beehler introduced the City's Olympia lobbyists, Luke Esser and Nick Federici, who briefed Council on the 2024 Legislature short session which concluded on March 7th. Esser and Federici provided information on issues of importance to the City of Yakima and the Yakima community.

12. Resolution authorizing an interagency agreement with the Washington State Department of Commerce through the Law Enforcement Vehicle Pursuit Technology Grant Program

Yakima Police Chief Matt Murray briefed Council on the proposed interagency agreement accepting the Law Enforcement Vehicle Pursuit Technology Grant program.

The Deputy City Clerk read the resolution by title only.

MOTION: Brown moved and Deccio seconded to adopt the resolution. The motion

carried by a 7-0 roll call vote.

RESOLUTION NO. R-2024-052, A RESOLUTION authorizing an interagency agreement with the Washington State Department of Commerce through the Law Enforcement Vehicle Pursuit Technology Grant Program.

CITY MANAGER UPDATE

13. Salary Survey Status Update

Director of Human Resources Connie Mendoza presented the final report regarding the salary survey conducted by Trüpp HR.

14. **Other Business**

MOTION: Brown moved and Berg seconded to add to a future business meeting a discussion about joining the YVCOG local crime lab. The motion carried by unanimous vote.

Interim City Manager Zabell and Chief Murray are scheduled to meet with Chris Wickenhagen, Executive Director of YVCOG, prior to the Council discussion; Council confirmed their support of that meeting prior to Council study session.

Resolution titles for Agenda Items 8 and 9 were read by Deputy City Clerk Brandy Bradford.

15. **Adjournment**

MOTION: Brown moved and Deccio seconded to adjourn to the next City Council study session on March 26, 2024 at 5:00 p.m. in the City Hall Council Chambers. The motion carried by unanimous vote. The meeting adjourned at 7:42 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR