



**MINUTES
YAKIMA CITY COUNCIL**

May 7, 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 City Clerk Rosalinda Ibarra

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

Mireya Chavez and Consuelo Rodriguez, La Casa Hogar, introduced students who are in attendance and currently studying to become U.S. citizens.

Dan Schapiro, City resident; Ralph Call, City resident; Colleen Anderson, City resident; spoke against the City's petition process and urged that Council reinstate the affected Council committees.

Tiffany Hein, downtown property owner, expressed frustration about the recently adopted downtown parking plan and suggested additional changes. She would like the City to only charge for street parking.

Natalie McClendon, City resident, expressed interest in the zero-based budgeting presentation and commented about public participation in the budget process. She stated the Community Integration Committee could have assisted with those efforts.

Tony Courcy, Yakima resident, spoke on several matters including a storm drain near his property.

Parmjit Singh, City resident and N. 1st. Street business owner, expressed concerns about the current effect of construction on businesses, including inability to receive necessary stock for his store.

Megan Tweedy (via Zoom), spoke regarding the opioid settlement funds and encouraged Council to focus on Option 3 included in the distribution policy which allows for pooling of funds.

5. Open Discussion for the Good of the Order

A. Proclamations

i. Salvation Army Week Proclamation

Councilmember Berg proclaimed May 13-19, 2024 as "National Salvation Army Week" and Lisa Sargent accepted the proclamation.

ii. Draft Missing and Unidentified Persons Awareness Month Proclamation

MOTION: Deccio moved and Herrera seconded to approve the proclamation. The motion carried by unanimous vote.

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. 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: 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 April 16, 2024 City Council regular meeting and April 23, 2024 study session

B. Financial Policy - Investment Policy (Revised)

C. Project Completion and Contract Acceptance with American Rock Products for the Nob Hill Boulevard Resurfacing and Pacific Avenue Sidewalk Improvements Projects 2619 and 2612

D. Project Completion and Contract Acceptance with Insituform Technology LLC for Wastewater CIPP Rehabilitation Project 2560

E. Project Completion and Contract Acceptance with Iron Horse LLC for 2023 CIPP DID Rehabilitation Project 2651

F. Resolution setting June 13, 2024, as the date for an open record public hearing before the Hearing Examiner to vacate a portion of N. 92nd Ave. north of Summitview Ave

RESOLUTION NO. R-2024-075, A RESOLUTION fixing time for a public hearing before the Hearing Examiner on June 13, 2024, on a petition (Petition No. 24-01) to vacate a portion of N. 92nd Ave. north of Summitview Ave.

- G. Resolution setting June 13, 2024, as the date for an open record public hearing before the Hearing Examiner to vacate an alley and a portion of N. Front St. between Bartlett Pl. and N. 1st St

RESOLUTION NO. R-2024-076, A RESOLUTION fixing time for a public hearing before the Hearing Examiner on June 13, 2024, on a petition (Petition No. 23-07) to vacate an alley and a portion of N. Front St. between Bartlett Pl. and N. 1st St.

- H. Resolution authorizing a professional services agreement with RH2 Engineering for professional engineering services of the I-82 Sewer Main Extension Project 2760

RESOLUTION NO. R-2024-077, A RESOLUTION authorizing a Professional Services Agreement with RH2 Engineering (RH2) to prepare civil engineering plans and specifications for the I-82 Sewer Main Extension Project 2760.

- I. Resolution authorizing Supplemental Agreement No. 1 with HLA Engineering and Land Surveying, Inc. for construction engineering services associated with the South 2nd Avenue Water Main Replacement Project AC2792

RESOLUTION NO. R 2024-078, A RESOLUTION authorizing Supplemental Agreement No. 1 with HLA Engineering and Land Surveying, Inc. for Construction Engineering services associated with the South 2nd Avenue Water Main Replacement Project AC2792.

- J. Resolution authorizing an Interlocal Agreement with Washington Department of Natural Resources (DNR) for fire protection services

RESOLUTION NO. R-2024-079, A RESOLUTION authorizing an Interlocal agreement between the Department of Natural Resources (DNR) and the Yakima Fire Department.

- K. Resolution ratifying and approving the City Manager's execution of a grant agreement with the Washington State Office of Public Defense accepting the terms and conditions for a reimbursable grant for 2024

RESOLUTION NO. R-2024-080, A RESOLUTION ratifying and approving the City Manager's execution of a grant agreement with the Washington State Office of Public Defense accepting the terms and conditions for a reimbursable grant for 2024.

- L. Resolution authorizing the City Manager to execute an Memorandum of Understanding with the Seattle Police Department to receive reimbursement funding for the continued use of forensic cell phone tools

RESOLUTION NO. R-2024-081, A RESOLUTION authorizing the City Manager to execute a Memorandum of Understanding between the City of Yakima and the Seattle Police Department to receive reimbursement funding for the continued use of forensic cell phone tools.

- M. Resolution authorizing a grant application for the Yakima Air Terminal Building Modernization project to the Federal Aviation Administration (FAA) for Capital Improvement Projects at the Yakima Air Terminal-McAllister Field

RESOLUTION NO. R-2024-082, A RESOLUTION authorizing a grant application for the Yakima Air Terminal Building Modernization project to the Federal Aviation Administration

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

- N. Resolution authorizing a grant application to the Washington State Department of Commerce Industrial Site Readiness Grant for land development improvements at the Yakima Air Terminal-McAllister Field

RESOLUTION NO. R-2024-083, A RESOLUTION authorizing a grant application to the Washington State Department of Commerce Industrial Site Readiness Grant for land development improvements at the Yakima Air Terminal-McAllister Field.

- O. Resolution authorizing acceptance of a grant from the Department of Commerce under the Connecting Housing to Infrastructure Program (CHIP) for the "Yakima Housing Authority" project for system development charges and utility infrastructure improvements

RESOLUTION NO. R-2024-084, A RESOLUTION authorizing an agreement with the Washington State Department of Commerce through the Connecting Housing to Infrastructure Program (CHIP) to be administered by the City of Yakima's Community Development Department.

DEPARTMENT ITEMS

8. Resolution authorizing the Janssen Washington State-Wide Opioid Settlement

City Attorney Sara Watkins briefed Council on the proposed resolution which authorizes the City to take advantage of settlement funds and agreeing to the Allocation Agreement.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-085, A RESOLUTION approving the Janssen Washington State-Wide Opioid Settlement Agreement.

9. Resolution adopting the City of Yakima Opioid Settlement Funds Policy on Distribution of Funds

City Attorney Sara Watkins briefed Council on the proposed resolution adopting the Opioid Settlement Funds Policy on how funds will be distributed by the City.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-086, A RESOLUTION adopting the City of Yakima Opioid Settlement Funds Policy on Distribution of Funds.

10. Resolution providing for indemnification against personal liability for volunteers participating in the Yakima Police Department volunteer program(s)

Senior Assistant City Attorney Jeffrey Schaap briefed Council on the proposed resolution to provide indemnification against personal liability for City personnel and police volunteers.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-087, A RESOLUTION providing for indemnification against personal liability for volunteers participating in the Yakima Police Department volunteer program(s).

11. Resolution authorizing the City Manager to execute a Memorandum of Understanding with the Washington Traffic Safety Commission to reimburse wages for officers recognized as drug recognition experts

Yakima Police Lieutenant Tory Adams briefed Council on the proposed resolution authorizing a Memorandum of Understanding with the Washington Traffic Safety Commission to reimburse wages for drug recognition expert officers.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-088, A RESOLUTION authorizing the City Manager to execute a Memorandum of Understanding (MOU) between the City of Yakima and the Washington Traffic Safety Commission to reimburse wages for officers recognized as Drug Recognition Experts.

12. Resolution authorizing a Memorandum of Understanding between the City of Yakima Police Department, the Yakima School District and the Educational Services District 105 for purpose of implementing a "Handle with Care" program

Yakima Police Lieutenant Chad Janis briefed Council on the proposed resolution authorizing a Memorandum of Understanding with the Yakima School District and Educational Services District 105 for the Handle with Care program to increase the effectiveness of service delivery to students and victims.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-089, A RESOLUTION approving a Memorandum of Understanding between the City of Yakima Police Department, the Yakima School District and the Educational Services District 105 for the purpose of implementing a "Handle with Care" program.

13. Resolution amending the operating agreement with the Capitol Theatre Committee, Inc

Assistant City Manager Rosylen Oglesby briefed Council on the proposed resolution extending the operating agreement with the Capitol Theatre Committee Inc. an additional eight years to accommodate requirements for a grant the Capitol Theatre is seeking.

The City Clerk read the resolution by title only.

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

RESOLUTION NO. R-2024-090, A RESOLUTION amending the Capitol Theatre Operating Agreement between the City of Yakima and the Capitol Theatre Committee, Inc.

14. Resolution authorizing a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 1122 representing the Transit Employee Bargaining unit for January 1, 2024 - December 31, 2027

Director of Human Resources Connie Mendoza briefed Council on the proposed resolution authorizing the AFSCME Transit Local 1122 collective bargaining agreement representing Transit employees.

The 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 091, A RESOLUTION authorizing a collective bargaining agreement with the American Federation of State, County and Municipal Employees (AFSCME) Local 1122 representing the Transit Employee Bargaining unit for January 1, 2024 - December 31, 2027.

15. Ordinance amending Yakima Municipal Code Title 7.50.040 concerning utility services fees

Utility Customer Services Manager Anabel Chavez briefed Council on the proposed ordinance amending the Yakima Municipal Code to clarify language regarding inflation rate increases for utility service fees.

The City Clerk read the ordinance by title only.

MOTION: Deccio moved and Brown seconded to pass the ordinance. The motion carried by a 7-0 roll call vote.

ORDINANCE NO. 2024 014, AN ORDINANCE amending the City of Yakima Municipal Code Section 7.50.040 relating to utility service fees.

16. Resolution authorizing a contract with Justice Housing Yakima for system development charges and utility infrastructure improvements through CHIP grant

Interim Community Development Director Bill Preston briefed Council on the proposed resolution authorizing an agreement with Justice Housing Yakima to provide reimbursement funds for utility improvements and system development charges through the Department of Commerce CHIP program.

Councilmember Roy acknowledged the neighborhood opposition to the proposed development project.

The City Clerk read the resolution by title only.

MOTION: Deccio moved and Herrera seconded to adopt the resolution. The motion carried by a 4-3 roll call vote; with Berg, Brown and Roy voting no.

RESOLUTION NO. R-2024-092, A RESOLUTION authorizing an agreement with Justice Housing Yakima through the Connecting Housing to Infrastructure Program (CHIP) to be administered by the City of Yakima's Community Development Department.

17. **Other Business**

Councilmember Deccio read a statement opposing recent changes to Council committees and its effect on community trust.

MOTION: Deccio moved and Herrera seconded to place an agenda item on the May 21, 2024 meeting repealing the three ordinances on City advisory committees and reinstating the affected committees. The motion failed by a 4-3 vote; Berg, Brown, Byers, and Roy voting no.

Councilmember Herrera reminded the public about aquatic center ground breaking ceremony taking place on Wednesday May 8th at Martin Luther King Jr. Park.

18. **Adjournment**

MOTION: Brown moved and Roy seconded to adjourn to the next City Council study session on May 14, 2024, at 5:00 p.m. in the Council Chambers at City Hall. The motion carried by unanimous vote. The meeting adjourned at 6:34 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR