



YAKIMA CITY COUNCIL
November 17, 2015
City Hall -- Council Chambers
6 p.m. Business Meeting; 6:30 p.m. Public Hearings

BUSINESS MEETING

1. Roll Call

Council: Mayor Micah Cawley, presiding, Assistant Mayor Kathy Coffey, Council Members Maureen Adkison, Tom Dittmar, Rick Ensey, Dave Ettl and Bill Lover

Staff: City Manager O'Rourke, City Attorney Cutter and Acting City Clerk Stephens

2. Pledge of Allegiance

Mayor Cawley led the Pledge of Allegiance.

3. Open Discussions for the Good of the Order

A. Presentations, Recognitions, Introductions

i. Recognition of 25 Years of Service for Katy Ybarra

Brad Coughenour, 911 / Suncom Manager, recognized Katy Ybarra for 25 years of service to the City of Yakima.

ii. World Aids Day

Mayor Cawley proclaimed World Aids Day for December 1, 2015. John and Kelly Penfold accepted the proclamation.

B. Appointments to Boards, Commissions and Council Committees

i. Council Nominating Committee recommendations for appointment

MOTION: Dittmar moved and Adkison seconded to approve the recommendations. The motion carried by unanimous vote.

4. Council Reports

A. Quarterly update from Dave Fonfara, the Yakima Planning Commission Chair to the City Council

Mayor Cawley noted Chairman Fonfara was not available to comment on the report; however, the report is included in the packet for review.

5. Consent Agenda

Mayor Cawley referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members or citizens 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: Ettl moved and Adkison seconded to approve the consent agenda. The motion carried by unanimous vote.

- A. 3rd Quarter 2015 Treasury Report
- B. Set December 1, 2015 as the date for an Open Record Public Hearing for the 2015 Text Amendments to the Yakima Urban Area Zoning Ordinance
- C. Set date of December 8, 2015, for the Closed Record Public Hearing on the Preliminary Plat of Rainier Court, Justin Hellem / Columbia Ridge Homes developers
- D. Set date of December 8, 2015, for the Closed Record Public Hearing on the Preliminary Plat of Summit View, Rich Hochrein / Summit Crest Construction
- E. Resolution setting dates of December 1, 2015 and December 7, 2015, for Public Hearings to review the Yakima Planning Commission's recommendation of nine (9) Comprehensive Plan Amendments

RESOLUTION NO. R-2015-137, A RESOLUTION setting time for six Public Hearings before the City Council on December 7, 2015 and setting time for three Public Hearings before City Council on December 1, 2015; regarding applications for the 2015 Annual Comprehensive Plan Amendments and concurrent application requests for rezones.

- F. Resolution authorizing the execution of a 5-year Interlocal Agreement with Yakima County for purchase and the joint use of a Mass Notification System

RESOLUTION NO. R-2015-138, A RESOLUTION authorizing the City Manager to execute and administer an intergovernmental service agreement between Yakima County (County) and City of Yakima (City) for the joint use of a Mass Notification System.

- G. Resolution authorizing an Master Interlocal Agreement with Yakima County which updates and continues to provide a management structure for growth within the City's Urban Growth Area

RESOLUTION NO. R-2015-139, A RESOLUTION authorizing the City Manager to execute a Master Interlocal Agreement between the City of Yakima and Yakima County which updates and continues to provide a management structure for growth and development that is coordinated and meets the goals and policies of the Growth Management Act for development occurring within the City's Urban Growth Area.

- H. Resolution approving three locations for cold weather shelters in the City of Yakima

RESOLUTION NO. R-2015-140, A RESOLUTION authorizing and directing the Yakima Community Development Department to identify and implement a policy regarding

temporary emergency cold weather shelters in the City of Yakima, and providing that such policy shall be valid only from November 18, 2015 through March 15, 2016

- I. Resolution authorizing a letter of agreement clarifying post-retirement VEBA contribution language with the Yakima Police Management Unit represented by Teamsters Local #760

RESOLUTION NO. R-2015-141, A RESOLUTION authorizing a Letter of Agreement between the Yakima Police Management Unit represented by Teamsters Local No. 760 and the City to correct a non-compliant provision of the previously adopted Collective Bargaining Agreement effective January 1, 2015 through December 31, 2018.

- J. Resolution concerning City of Yakima Management Group pay and compensation, cancelling the annual Management Group employee's pay and compensation adjustment provided by YMC 2.20.116 for management employee compensation, effective for the calendar year 2016, as provided in YMC 2.20.116 (C)

RESOLUTION NO. R-2015-142, A RESOLUTION concerning City of Yakima Management Group pay and compensation, cancelling the annual Management Group employee's pay and compensation adjustment provided by YMC 2.20.116 for management employee compensation, effective for the calendar year 2016, as provided in YMC 2.20.116 (C).

- K. Resolution authorizing the City Manager to grant a 2.5% adjustment in base pay for the City employees in 2016.

RESOLUTION NO. R-2015-143, A RESOLUTION authorizing the City Manager to grant a 2.5% adjustment in base pay for the Non-Union Employee Group in 2016.

- L. Second reading of an ordinance amending the 2015 budget and making appropriations from Unappropriated Fund Balances within various Funds for expenditure during 2015 (First reading on November 3, 2015)

ORDINANCE NO. 2015-032, AN ORDINANCE amending the 2015 budget for the City of Yakima; and making appropriations from Unappropriated Fund Balances within various funds for expenditure during 2015 for various purposes described in the attached Schedule.

- M. Second reading of an ordinance authorizing a Limited Tax General Obligation Bond, not to exceed \$5,000,000, to finance the acquisition and improvements to a soccer/multi-use sports campus (First reading November 3, 2015)

ORDINANCE NO. 2015-033, AN ORDINANCE of the City Council of the City of Yakima, Washington, authorizing the issuance and sale of a Limited Tax General Obligation Bond of the City in the principal amount of not to exceed \$5,000,000 to finance costs related to acquiring, designing, constructing and improving a soccer/multi-use sports campus and other park projects in the city; providing the form of the bond; and authorizing the sale of the bond to Cashmere Valley Bank.

6. Audience Participation

Bill Duerr, City resident, talked about the Code of Ethics voted on by Council in 2009. He feels several Council members have violated the Code over the last couple of years and

should be held accountable by a Committee.

Tom Allen, non-City resident, expressed his disagreement with Mr. Duerr and thanked Council members and City Manager O'Rourke for their service. He also thanked Codes Employee Glen Denman for responding to his questions.

Shawn Niles, Pastor of Dad's House, thanked Council members and City Manager O'Rourke for making Yakima a better place to live.

Paula Zambrano, City resident, through an interpreter, asked Council to consider mandating an increase in the minimum wage to \$15 per hour within the City limits.

Joey Anderson, City resident, asked about the special meeting regarding Mr. O'Rourke's separation agreement.

Maria Campos, urged Council to consider increasing the minimum wage in Yakima to \$15 per hour.

Jose Lopez, City resident, through an interpreter, asked Council to consider an increase in the minimum wage to \$15 per hour within the City limits.

Bev Luby Bartz, City resident, spoke against the proposed neighborhood associations. She believes this would be a barrier between the residents and City Council.

Janet urged Council to consider a \$15 minimum wage proposal.

Rev. Willie Pride, City resident, thanked Council members for all they have done for the City of Yakima. He also spoke in support of increasing the minimum wage to \$15 per hour.

Lupe Sanchez, City resident, spoke in support of increasing the minimum wage to \$15 per hour.

PUBLIC HEARINGS

7. Continued public hearing to consider citizen comments on the proposed 2016 Annual Action Plan for Community Development Block Grant (CDBG) and HOME Fund Programs

Archie Matthews, ONDS Manager, briefed Council on the issue.

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

Mr. Matthews stated this item will be back on the December 1, 2015, agenda for another public hearing and action.

8. First public hearing on the proposed 2016 Revenue and Expenditure Budget for the City of Yakima

City Manager O'Rourke briefed Council members on the proposed budget.

Mayor Cawley opened the public hearing.

John Cooper, CEO Yakima Valley Tourism, noted they have Committee Members from the Lodging Tax Advisory Committee in attendance and reported on their last meeting and how it impacts the budget.

Finance Director Epperson noted this item will be back on the December 1, 2015, meeting for another public hearing.

9. Public hearing pertaining to Ad Valorem Taxes to be levied for collection in Fiscal Year 2016

Finance Director Epperson briefed Council members on the ordinances.

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

The City Clerk read the ordinance by title only.

A: ORDINANCE NO. 2015-034, AN ORDINANCE relating to the annual property tax levy; declaring the City Council's intent to increase the City's 2016 regular levy up to 100.25% along with new construction, annexation, refunds and growth in state-assessed property values from the amount levied the previous year.

MOTION: **A**ttl moved and **Ettl** seconded to pass the ordinance. The motion requires a supermajority vote. Therefore, the motion failed by a 4-3 vote with Dittmar, Ensey and Lover voting no.

Finance Director Epperson recommended a .25 percent increase which still requires a supermajority vote to set the levy.

MOTION: **Cawley** moved and **Ettl** seconded *to amend the ordinance by increasing the levy by 100.25%*. The motion carried by a unanimous vote.

The City Clerk read the ordinance by title only.

B: ORDINANCE NO. 2015-035, AN ORDINANCE fixing and levying the amount of ad valorem taxes necessary to balance estimated revenue with estimated expenditures for the 2016 Budget for the City of Yakima.

Mayor Cawley noted this may be amended to make the .25 percent change.

MOTION: **Dittmar** moved and **Ettl** seconded *to passed the ordinance*. The motion carried by a unanimous vote.

CITY MANAGER REPORTS

10. Amend North First Street Project Design and Phasing

City Manager O'Rourke and Chief Engineer Sheffield briefed Council on the issue noting they are dividing Phase 2 into two separate phases.

11. Status Report on the Final Draft Yakima Bike Master Plan

Community Development Director Davenport briefed Council on the Bike Master Plan.

Robert Strader, City resident, noted he appreciated the idea of buffered bike lanes; however, he is concerned about the lack of bike lanes North of I Street leading to the freeway.

Marla Powers urged Council to keep bike lanes for phase 2 and 3 as bicylists want to utilize roads, not just the Greenway.

Chad Dow stated they serve a lot of Thanksgiving meals at the Union Gospel Mission and many of those people have only bicycles for transportation. He stated the area is very busy with bikes and they need a safe way to travel.

Phil Hogue, City resident, spoke in support of the phasing and protected bike lanes but urged Council to reconsider bike lanes on North First Street and postpone the decision until the transportation plan is completed.

Tony Courcy, City resident, stated he asks questions and doesn't get answers. He also complained about the crosswalk built and taken down by St. Joseph's.

Ms. Davenport stated there are choices for riding bikes on North First. One choice is to turn on I Street and take an alternate route or from N. Street to the freeway, which will have a two foot margin, not a bicycle lane, which provides some area for people to ride. Another option is the sidewalk. The only place you cannot ride a bike on a sidewalk is in the downtown area.

12. Resolution authorizing letter of support for passage and funding of the Yakima River Basin Water Enhancement Project Phase III Act of 2015 (S. 1694)

Dave Brown, Water and Irrigation Manager, briefed Council on the item.

The City Clerk read the resolution by title only.

RESOLUTION NO. R-2014-144, A RESOLUTION authorizing the City Manager to execute the attached letter of support for passage and funding of the Yakima River Basin Water Enhancement Project Phase III Act of 2015 (S. 1694).

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

13. Other Business

Council Member Ettl asked if it is possible for the Council to mandate a \$15 minimum wage. City Attorney Cutter noted there are some cities in the State of Washington where a minimum wage was increased by a vote of the people. He is not certain if this can be done councilmatically. Mr. Ettl asked if the Council could place this on the ballot for consideration or if it had to be done by a petition. Mr. Cutter noted he would need to do further research on the issue.

14. Adjournment

Motion: **Ensey moved and Coffey seconded to adjourn to the next Council Business Meeting on December 1, 2015, at 6 p.m. in the Council Chambers at City Hall.** The motion carried by unanimous vote. The meeting adjourned at 7:49 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR

DRAFT