



YAKIMA CITY COUNCIL
October 18, 2016
City Hall -- Council Chambers
5-6 p.m. Executive Session; 6 p.m. Business Meeting -- MINUTES

EXECUTIVE SESSION

1. Executive Session to review the performance of a public employee

ROLL CALL: Mayor Kathy Coffey, presiding, Assistant Mayor Carmen Mendez, Council Members Maureen Adkison, Holly Cousens, Avina Gutierrez, Dulce Gutierrez and Bill Lover

MOTION: Mendez moved and D. Gutierrez seconded *to adjourn to executive session for up to one hour to review the performance of a public employee.* The motion carried by unanimous vote.

Executive Session was held and adjourned at 5:47 p.m.

BUSINESS MEETING

1. **Roll Call**

Council: Mayor Kathy Coffey, presiding, Assistant Mayor Carmen Mendez, Council Members Maureen Adkison, Holly Cousens, Avina Gutierrez, Dulce Gutierrez and Bill Lover

Staff: City Manager Moore, City Attorney Cutter and City Clerk Claar Tee

2. **Pledge of Allegiance**

Mayor Coffey led the Pledge of Allegiance.

3. **Interpreter Services**

Mayor Coffey announced interpreter services are available.

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

5. **Council Reports**

City Manager Moore reported the City recently received comments from an Uber representative on the draft ordinance. He suggested postponing item 11 to give staff and the Taxi Cab representatives time to review the information. Mr. Moore also noted he has not heard back from the Yakama Tribe regarding item 12, renaming Columbus Day to Indigenous Peoples' Day, and suggested this item also be postponed. After discussion, it was Council consensus to postpone both agenda items.

- A. Acceptance of Council Public Safety Committee minutes of 8/25/16

MOTION: Mendez moved and D. Gutierrez seconded to accept the Council Public Safety Committee meeting minutes. The motion carried by unanimous vote.

6. Consent Agenda

Mayor Coffey referred to the items placed on the Consent Agenda, questioning whether there were any additions or deletions from Council members or citizens present. Item 14 (now 6K) was 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: Mendez moved and Adkison seconded to approve the consent agenda. The motion carried by unanimous vote.

- A. Approve payment of disbursements for the period September 1 – 30, 2016
- B. 3rd Quarter 2016 Accounts Receivable Status Report
- C. 3rd Quarter 2016 Claim Report and Resolution authorizing and approving 3rd Quarter 2016 claims activity

RESOLUTION NO. R-2016-120, A RESOLUTION accepting and approving the 3rd Quarter 2016 Claim Report for the City of Yakima.

- D. Project Completion and Contract Acceptance for Granite Construction Company - Project 2282 S. 64th Ave & Tieton Drive Signal (Standard Motion V-B-Accept the project and approve)
- E. Project Completion and Contract Acceptance for KRCL, LLC - Project 2344 Lincoln Avenue Corridor Safety (Standard Motion V-B-Accept the project and approve)
- F. Resolution authorizing the Chief of Police of the City of Yakima to execute an Interlocal Agreement with the Washington Traffic Safety Commission for funding traffic safety emphasis patrols

RESOLUTION NO. R- 2016-121, A RESOLUTION authorizing the Chief of Police of the City of Yakima to execute an Interlocal Agreement between the City of Yakima Police Department and the Washington Traffic Safety Commission for funding traffic safety emphasis patrols.

- G. Resolution authorizing the Chief of Police of the City of Yakima to execute an Interlocal Agreement with the Washington Traffic Safety Commission for funding a law enforcement liaison

RESOLUTION NO. R- 2016-122, A RESOLUTION authorizing the Chief of Police of the City of Yakima to execute an Interlocal Agreement Between the City of Yakima Police Department and the Washington Traffic Safety Commission for funding a Law Enforcement Liaison.

- H. Resolution authorizing professional service contracts with Gary Cuillier as the

RESOLUTION NO. R-2016-123, A RESOLUTION authorizing the City Manager of the City of Yakima to execute a Hearing Examiner's Professional Service Contract for Gary Cuillier and a Hearing Examiner Pro-Tem Professional Service Contract for Pat Spurgin to have retroactive effect beginning January 1, 2016, in order to provide for these necessary professional services on behalf of the City.

- I. Resolution authorizing the execution of Supplement No. 2 to the Professional Services Agreement with Maul Foster Alongi, not to exceed \$54,100, for post interim action services required for the former Tiger Oil site located at 2312 West Nob Hill Boulevard

RESOLUTION NO. 2016-124, A RESOLUTION authorizing the execution of Supplement No. 2 to the Professional Services Agreement (Contract No. 2014-180) with Maul Foster Alongi (MFA)., not to exceed \$54,100, for post interim action professional services required for the former Tiger Oil Site located at 2312 West Nob Hill Boulevard.

- J. Resolution authorizing a grant agreement for \$49,926.53 in State of Washington Heritage Capitol Projects grant funding for the Yakima Valley Trolley Capitol Improvement Project

RESOLUTION NO. R-2016-125, A RESOLUTION authorizing the City Manager to execute grant agreement for \$49,926.53 in State of Washington Heritage Capitol Projects grant funding for the Yakima Valley Trolley Capitol Improvement Project.

- K. Set date of November 15, 2016 for a public hearing on: A. Proposed 2017 Revenue and Expenditure Budget for the City of Yakima with a second public hearing on December 6, 2016; and B. Proposed 2017 Revenue Sources and Consideration of Legislation pertaining to Ad Valorem (Property) Taxes to be levied for collection in 2017

7. Audience Participation

Steve Hill, city resident, urged Council members to reach out to organizations to help make decisions on the homeless issue.

DEPARTMENT ITEMS

8. Information regarding refuse and recycling

Scott Schafer, Public Works Director, briefed Council on the refuse and recycling information. He stated there is currently no market for recycled materials; therefore, the cost to implement a recycling program would be expensive and there is no funding available.

Loretta Zammarchi, Refuse and Recycling Manager, discussed her efforts to obtain grant funding, which is limited. She suggested, if there is interest in beginning a recycling program, that staff would need Council support and would need to be prepared with a business model.

Bob West, city resident, stated he worked on an initiative about 40 years ago that failed but

would have placed a \$.05 deposit on beverage containers, which other states have successfully done to reduce waste. He suggested the City implement a deposit on beverage containers if possible.

9. Resolution setting Yakima Transit's Disadvantaged Business Enterprise program goals

City Manager Moore reported the information in the agenda packet for this item was outdated and current information has been distributed to Council. Alvie Maxey, Transit Manager, briefed Council on the item.

The City Clerk read the resolution by title only.

RESOLUTION NO. R-2016-126, A RESOLUTION setting Yakima Transit's Disadvantaged Business Enterprise Program goal.

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

10. Resolution authorizing an agreement with Hogback Development Company, LLC and Stephens and Sons Construction, Inc. for development, maintenance and use of Rosalma Garden Club Park (located @ South 16th Ave. and Tieton Drive)

Ken Wilkinson, Parks and Recreation Manager, briefed Council on the item and shared his appreciation for Hogback Development and Stephens and Sons Construction for their donations.

Liz Pomeroy, with Hogback Development and Stephens and Sons Construction, expressed their thanks to Council for allowing them to help with this park.

The City Clerk read the resolution by title only.

RESOLUTION NO. 2016-127, A RESOLUTION authorizing the City of Yakima to accept the donation of materials and labor and enter into an Agreement with Hogback Development, LLC and Stephens and Sons Construction, Inc., for development and use of the Rosalma Garden Club Park to enhance the park by providing plants, and doing the work necessary for planting and establishing a pathway, among other improvements, to the Park.

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

11. Ordinance amending YMC 5.78 addressing vehicles for hire and establishing regulatory provisions for Uber and other transportation network companies

This item was postponed.

CITY MANAGER UPDATE

12. Resolution changing the name of Columbus Day to Indigenous Peoples' Day in the City of Yakima

This item was postponed.

13. Resolution revoking permission of any kind, express or implied, given by the Yakima City Council to allow the use of the City-owned parking lot on the Southeast corner of East Walnut Street and South Third Street in Yakima, for a temporary encampment, effective November 18, 2016

Sara Watkins, Senior City Attorney, briefed Council on the resolution.

Audience comments: Pam Olsen, city resident, spoke against closing the homeless encampment and suggested the old juvenile facility would be a great place to house the homeless. Ken Jones, City resident and member of the faith community, spoke about the churches opening their doors for winter weather shelters for the homeless and is concerned about closing the encampment when there is not enough room at the shelters. Steve Hill asked where the Council's advisory committee is to help work through these issues. He suggested a citizen group to be a buffer with Council and the homeless. He also questioned whether the City has the authority to close the encampment.

Assistant City Attorney Watkins reported that the City has the authority to close the homeless encampment.

Annette Rodriguez, Yakima Neighborhood Health Services (YNHS), thanked the City of Yakima for the support and stated they have been working with the City to keep the people at the encampment safe. She does not believe there will be enough capacity to provide space for the homeless during the cold weather months. She noted YNHS will have a daytime warming center at the Depot upon funding from YVCOG.

Rick Phillips, Union Gospel Mission, reported they are currently available to house up to 260 people and are in the process of building some long term residential units, which should be done by the first of the year. Typically they have over 100 beds available and two day rooms, one for men and one for women, with bathrooms and showers. They serve breakfast, two lunches and two dinners each day and provide clothing and basic needs. The only people they turn away are those legally identified as sexual predators. They cannot accept pets, other than service animals; however, there is a small area pets can temporarily be placed while a person comes in to eat. They do not allow drugs and there is a requirement to respect the rights of others. They have volunteer recovery programs and a faith based program available but there is no requirement to attend the services in order to stay at the Mission, although chapel services do take place in the day rooms.

Joe Caruso, Codes Manager, report he is notifying the encampment residents that they need to begin preparing for closure of the encampment on November 18 and if they choose to take advantage of the cold weather shelters, they will only be able to bring a tote of belongings.

Council Member Lover noted the juvenile facility is owned by Yakima County. Mayor Coffey asked if any citizens have been attending the Yakima County Commissioner meetings to request their help in releasing funds from YVCOG to help with the homeless. She reported the City is doing absolutely all they can, yet continues to be criticized. Council Member D. Gutierrez stated there is a very diverse group of people all living near each other at the encampment and is concerned for their safety.

Mayor Coffey requested the City Manager research obtaining the property tax money

generated by city residents under E2SHB2163 and SHB2060 that is distributed to Yakima County and YVCOG. Assistant Mayor Mendez asked about utilizing that funding in order to establish a City Human Services department. After Council discussion,

MOTION: Mendez moved and Cousens seconded to direct staff to look into creating our own human services department and accessing the 2163 funding at YVCOG. MOTION: Coffey moved and D. Gutierrez seconded to amend the motion to say accessing the funding from 2163 and 2060 to come from the State to the City of Yakima for the City of Yakima filing fees. The motion to amend carried by a 6-1 vote, Lover voting no. The amended motion carried by a 6-1 vote, Lover voting no.

The City Clerk read the resolution by title only.

RESOLUTION NO. R-2016-128, A RESOLUTION revoking permission of any kind, express or implied, given by the Yakima City Council to allow the use of the City-owned parking lot on the Southeast corner of East Walnut Street and South Third Street in Yakima, for a temporary encampment, effective November 18, 2016.

MOTION: Mendez moved and Adkison seconded to adopt the resolution. The motion carried by a 4-3 vote, Lover, Mendez and Cousens voting no.

MOTION: D. Gutierrez moved and Cousens seconded to bring back the camping ordinance for revision and discussion at the next Council meeting. MOTION: Cousens moved and A. Gutierrez seconded to amend the motion to include the hours of permissible camping. The motion to amend carried by unanimous vote. The motion as amended carried by a 6-1 vote, Adkison voting no. Council Member Adkison stated she is concerned about the effect this would have on the City's parks.

14. Report on petition regarding equity assessment

Joan Davenport, Community Development Director, briefed Council on the response to the equity assessment petition.

Rogelio Montes and Felicity Farias, city residents, read a letter stating the City is not doing the type of equity study they had in mind. Additionally, they feel the City is not discussing Miller Park, is not installing more street lights in dark neighborhoods, and is not discussing the amount of funding necessary and where the money will come from for their requests. They reported they will be responding in more detail and will be taking action to get the City to take their request more seriously.

Council Member D. Gutierrez stated this is a work in progress, is only getting started and she appreciates their points and passion. She reported Miller Park is next on the agenda and will be discussed in more detail.

15. Miller Park Update

Parks & Recreation Manager Wilkinson briefed Council on the history of Miller Park and possible options related to public safety ordinances. Council Member A. Gutierrez requested a similar report on Martin Luther King Park. After Council discussion,

MOTION: D. Gutierrez moved and Mendez seconded to have a study session on

Miller Park. The motion carried unanimous vote.

16. Other Business

Council Member D. Gutierrez asked Senior Assistant City Attorney Harvey to provide an update on the mentor/mentee program. Ms. Harvey, reported she and Council Member D. Gutierrez have been making progress on the mentorship with high school students and have met with various members of the school districts in our valley. She reported it has been well received and is pleased to have a partnership with the Yakima School District.

17. Adjournment

MOTION: Mendez moved and D. Gutierrez seconded to adjourn to the October 24, 2016, City Council Study Session at 9:30 a.m. at City Hall. The motion carried by unanimous vote. The meeting adjourned at 8:42 p.m.

CERTIFICATION

READ AND CERTIFIED ACCURATE BY

COUNCIL MEMBER

DATE

COUNCIL MEMBER

DATE

ATTEST:

CITY CLERK

MAYOR