



## **MINUTES**

### **RICHLAND CITY COUNCIL REGULAR MEETING**

**Tuesday, April 18, 2023**

**Richland City Hall ~ Council Chambers  
625 Swift Boulevard**

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#### **City Council Regular Meeting - 6:00 p.m.**

Mayor Christensen called the Council meeting to order at 6:00 p.m.

#### **Welcome and Roll Call**

Mayor Christensen welcomed those in the audience and expressed appreciation for their attendance.

Attendance: Mayor Christensen, Mayor Pro Tem Richardson, and Councilmembers Jones, Kent, Lukson (remotely via Zoom), VanDyke and Whitten were present.

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Chief of Police Clary, Fire Chief Huntington, Development Services Director Jensen, Public Works Director Rogalsky, Energy Services Director Whitney, Finance Director Allen, and Parks & Public Facilities Director Hester.

#### **Pledge of Allegiance**

Mayor Christensen led the Council and audience in the recitation of the Pledge of Allegiance.

#### **Approval of Agenda**

**COUNCILMEMBER KENT MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 7-0**

#### **Presentations**

**1. National Library Week Proclamation**

Mayor Christensen read aloud a proclamation declaring April 23-29, 2023 to be National Library Week in the City of Richland.

**2. Swearing In of Richland Police Officer Cristian Da Silva**

Chief of Police Clary introduced newly commissioned Police Officer Cristian Da Silva and administered the Oath of Office.

#### **Public Hearing**

None.

## **Public Comments**

City Attorney Kintzley provided comments and instruction for tonight's public comment process, including announcing that forty-five (45) minutes would be made available for public comment.

The following individuals provided public comment:

George Penn – 6223 W. Deschutes, Kennewick WA: Mr. Penn spoke in support of Mayor Pro Tem Richardson and her statement that she was sad about the Emerald of Siam hosting a drag show on Easter. Mr. Penn opined that the statement falls within the protections of the First Amendment. Mr. Penn also shared his belief that drag comes from burlesque, and children should not be exposed to it. Mr. Penn stated his belief that the owner of the Emerald of Siam has exploited this opportunity to create divisiveness.

Brad Klippert – 2301 S. Rainier Street, Kennewick WA: Mr. Klippert spoke in support of Mayor Pro Tem Richardson and referenced the phrases "In God we trust" on the U.S. currency, "One Nation Under God" in the Pledge of Allegiance, and "God Bless America" in the National Anthem at sporting events. Mr. Klippert made reference to specific passages in the Bible that speak against drag and stated that it is wrong to expose children to it.

Andy Reavis – No address given: Mr. Reavis stands behind Mayor Pro Tem Richardson and agreed with the statements of previous speakers George Penn and Brad Klippert.

Robert Gustavson – 277 Meadowridge Loop, Richland WA: Mr. Gustavson, who was born in Richland and has lived in this community his entire life, spoke against the intolerance that has erupted in Richland. Mr. Gustavson shared that Richland was built on diversity, and acknowledged that now there is extremism with people imposing their values on others. Mr. Gustavson spoke of the right to Freedom of Expression in the United States of America, and shared that it is upsetting to hear about threats and criminal action. Mr. Gustavson believes it is unfortunate that a councilmember made a statement reflecting their own personal values while serving in an official capacity, and recommended that City Council consider issuing a public statement and censuring Mayor Pro Tem Richardson.

Michelle Andres – 1421 N. Road 77, Pasco WA: Ms. Andres pointed out that there is a difference between imposing values and standing for values. Ms. Andres recognized Mayor Pro Tem Richardson's right to feel sad under the Washington State Constitution, which protects her right to Freedom of Conscience. Ms. Andres shared that individuals are entitled to be sad when their values are hurt, and that tolerance goes both ways. Children need protection, and under state law (RCW), taking photos of children in compromising positions related to sexual situations is child pornography. Ms. Andres is concerned and cares about Richland because what happens in Richland affects the region.

Dara Quinn – No address provided due to threats: Ms. Quinn is the owner of the Emerald of Siam and has been in the community for decades. Ms. Quinn is a taxpayer, mother, active community member and business owner would never host an event that would negatively affect children. Ms. Quinn was shocked that Mayor Pro Tem Richardson would make such a statement against a family friendly event in Richland.

Justin Chapman – No address provided due to threats: Mr. Chapman is Ms. Quinn's partner and runs audio/video (AV) at Emerald of Siam. Mr. Chapman expressed his great fortune to be affiliated with Emerald of Siam, and expressed his distress with Mayor Pro Tem Richardson for inciting a "mob mentality" against the establishment for hosting a drag event on Easter Sunday. Mr. Chapman asked Mayor Pro Tem Richardson to issue a statement of inclusivity.

Tim Thorton – No address because of threats: Mr. Thorton is the general manager of Emerald of Siam and spoke out against Mayor Pro Tem Richardson's comments about drag events at Emerald of Siam on Easter Sunday. Mr. Thorton pressed Council to let the community know where it stands on the issue, and invited the City to match a donation raised by Emerald of Siam in support of the LGBTQ community.

Caleb Brown – No address because of threats: In response to Mayor Christensen's declaration of Library Week, Mr. Brown encouraged Mayor Pro Tem Richardson to check out a book on tolerance and research the fact that drag is not about sex. Mr. Brown further stated that no person should ever have to be concerned about his or her safety based on the statements of the Mayor Pro Tem, and demanded an apology.

Mitchell Malloy – 703 Catskill Street, Richland WA: Mr. Malloy stated that drag is not a crime and opined that Mayor Pro Tem Richardson's actions are despicable. Mr. Malloy associated Mayor Pro Tem Richardson's comments with right-wing attacks on the LGBTQ community. Mr. Malloy further stated that the "old chestnut" about protecting children is always used as part of the attack (i.e., the basis to justify intolerance). Mr. Malloy pressed Mayor Pro Tem Richardson to immediately concede on the issue.

Claudia Bethard – 703 Catskill Street, Richland WA: Ms. Bethard stated that she stands by messages made by previous speakers. Ms. Bethard also stated that transphobia is vile, and if a councilmember disagrees with LGBTQ the councilmember should immediately resign.

Hannah Greenough – 513 Catskill Street, Richland WA: Ms. Greenough expressed her deep sadness at discovering that the community is capable of such hate and discrimination. Ms. Greenough believes this community is "better than this."

Amanda Devine – 2148 Davidson Avenue, Richland WA: Ms. Devine stated that words have power, and when you are in power, the words you say are even more powerful, despite what may be intended. Ms. Devine stated to Mayor Pro Tem Richardson that regardless of her personal belief, her words have power, and when directed against a small business, people listen. Ms. Devine opined that it was highly inappropriate for Mayor

Pro Tem Richardson to combine her religious beliefs with her position of power. Further, Ms. Devine believes that drag shows children that they can dress how they want or pretend to be someone else for an hour. According to Ms. Devine, the real affront to our children is a politician abusing her power.

Justin Denney – 1419 Farrell Lane, Richland WA: Mr. Denney shared that he has attended different events in the Tri-Cities for the past 20 years, and often brings his 12-year-old nephew to these events. Mr. Denney expressed sadness over not feeling as safe as he used to be before the recent comments from the Mayor Pro Tem. Mr. Denney encouraged Council to remember that they represent all of us, not just those with the same political ideology. Mr. Denney told Mayor Pro Tem Richardson that she “did us all a disservice.”

Lindsey Fisher – 9202 W. Gage Boulevard, Richland WA: Ms. Fisher is a life-long resident, but did not want to stay in the Tri-Cities after she was grown. However, Ms. Fisher did decide to stay in the region after attending more inclusive events in Richland. Ms. Fisher opined that the drag events and others help members of the LGBTQ community to feel safer. Ms. Fisher encouraged everyone to keep an open mind and to evolve their opinion on what these events represent because it would be a lot lonelier in the Tri-Cities without them.

Adam Whittier – 512 Saint Street, Richland WA: Mr. Whittier shared that he has attended multiple drag and non-drag events at Emerald of Siam and Out-and-About, and in his opinion both venues work hard to keep the events family friendly and inviting to all ages. Mr. Whittier believes these organizations should be commended for providing a venue like that because when you are a youth in the LGBTQ community, it is very hard to find venues where you feel comfortable if your immediate circle is not also LGBTQ. Mr. Whittier stated that it is very sad for a member of the Richland City Council to go against a welcoming venue for LGBTQ.

Ricky Riddell – No address because of threats: Mr. Riddell is an employee of Emerald of Siam. Mr. Riddell opined that the establishment is one of the safest places that he could ever be at, and shared how he wishes he discovered it way back when. Mr. Riddell shared that he currently does not always feel at Emerald of Siam because of the community backlash against the establishment. Mr. Riddell also expressed how youth would be safer at drag shows than at some of the churches he has attended.

Kathy Schweiger – 1901 Poplar Street, Richland WA: Ms. Schweiger stated her support of Mayor Pro Tem Richardson. Ms. Schweiger pointed out that Mayor Pro Tem Richardson suggested that a polite note should be sent, and if someone did something other than send a polite note, that is not what Mayor Pro Tem Richardson intended. For this reason, she should not be blamed for it. Ms. Schweiger believes that this situation has been blown out of proportion, and reiterated that the Richland City Council did nothing wrong given that everyone has a right to express their opinion (including a difference of opinion) in a manner that is respectful to all.

T. Lee Williams – 3475 Lakeside Lane, Richland WA: Mr. Williams shared that he served in the U.S. Airforce, and through his service he observed firsthand how the rights of others were restricted and abused. Mr. Williams is also aware of how intertwined faith and government are in the founding of the United States of America. In closing, Mr. Williams thanked the City's police officers and Richland councilmembers for their service, and stated his support for Mayor Pro Tem Richardson.

Shir Regev – 114 Patton Street, Richland WA: Ms. Regev reminded the Council that today is Holocaust Remembrance Day, and opined that the atrocities of the Holocaust directly resulted from one person deciding what the values should be for everyone. Ms. Regev stated that this is what happens when others don't speak out, so she was speaking out against Mayor Pro Tem Richardson's statement. Ms. Regev further stated that she was not going to ask for an apology from Mayor Pro Tem Richardson. Instead, Ms. Regev wants to know what other members of Council will do to keep this situation under control.

Pat Holton – 1522 Hains Avenue, Richland WA: Ms. Holton shared that she has personally known Mayor Pro Tem Richardson for decades, and opined that Mayor Pro Tem Richardson is one of the most tactful people she knows. Ms. Holton is also a supporter of Emerald of Siam. Ms. Holton shared that she has been active in politics, and has observed people making false claims just to make conservatives look bad. Ms. Holton believes that is what is happening here, and that the real focus should be on RPD working hard to figure out who is making the threats, and if they are real.

Michelle Myatt – 237 Sarah Road, Kennewick WA: Ms. Myatt shared that she is catholic, and encouraged everyone to remember that sometimes our own story (crucifixion of Jesus) can be viewed as disturbing. Ms. Myatt shared that drag is an opportunity for people to express who they are, and unfortunately, a lot of people woke up after Mayor Pro Tem Richardson's comments to an existence where they do not feel safe.

Theresa Sharp – 2306 Willowbrook Avenue, Richland WA: Ms. Sharp addressed an untruth about why some people think they are owed an apology. Ms. Sharp opined that Mayor Pro Tem Richardson is a scapegoat in this situation, and that her comments did not produce death threats or hate comments. Instead, those responses were generated by the people who discovered there was a drag show in Easter Sunday. Certain citizens were offended by this, and they reacted on their own.

Raven Rouse – Richland: Mr. Rouse stated that this is an example of "dog-whistling" which is political shorthand for a phrase that may sound innocuous to some people, but which also communicates something more insidious either to a subset of the audience or outside of the audience's conscious awareness — a covert appeal to some noxious set of views. Mr. Rouse stated that he has no doubt that Mayor Pro Tem did not mean for her words to have the resulting affect, but there are extremist people who see statements like this from an official as a green light for people to act hatefully. Mr. Rouse stated that he is a victim of religious persecution, and if we all "loved thy neighbor" as we loved ourselves, maybe we wouldn't be having these problems.

Tom Haggarty – 1911 Mahan Avenue, Richland WA: Mr. Haggarty shared that he is a Christian who is not in favor of violence, and that he stands behind Theresa Richardson and her right to make the comments she made. Mr. Haggarty also stated that he loves everyone in the room.

Janie Romine – 4633 Hibiscus Street, West Richland, WA: Ms. Romine moved to the Tri-Cities in 2005. She has three children and two of them are queer. Mr. Romine stated that she will always support their right to be here. Ms. Romine opined that kids are queer before they are born. She further stated that what's sad is searching for your child for eight hours only to find out that he drove to the Duportail Bridge to jump because he's non-binary and pansexual. Ms. Romine told City Council that it's their job to make sure that the community is safe for everyone, including the queer ones and the right-wing ones.

Danial Glasscock – 227 University Drive, Richland WA: Mr. Glasscock shared that he served in the military, and that even WWII veterans have been doing drag. According to Mr. Glasscock, everyone is included. Mr. Glasscock shared how he and others have bled for that (American) flag! He told City Council to stand down.

### **Executive Session:**

3. Executive Session Per RCW 42.30.110(1)(i): Discuss Current or Potential Litigation with Legal Counsel related to land use (20 minutes)

**COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER WHITTEN SECONDED THE MOTION TO ENTER EXECUTIVE SESSION AT 7:00 P.M. TO DISCUSS CURRENT OR POTENTIAL LITIGATION REGARDING LAND USE WITH LEGAL COUNSEL FOR 20 MINUTES. MOTION CARRIED 7-0.**

Council convened in executive session for 20 minutes. Executive session ended at 7:20 p.m. and all parties returned to Council Chambers to resume the public portion of the meeting.

### **Consent Calendar**

City Attorney Kintzley read the Consent Calendar.

### **Minutes**

4. Approval of the April 4, 2023 City Council Regular Meeting Minutes

### **Ordinances - First Reading**

None.

### **Ordinances - Second Reading & Passage**

5. Ordinance No. 2023-06, Providing for the Sale of 2023 Electric Revenue Bonds

6. Amended Ordinance No. 29-21, Approving The Links Residence at Horn Rapids Planned Unit Development

### **Resolutions - Adoption**

7. Resolution No. 2023-55, Authorizing an Interlocal Agreement with the Richland School District for the Chief Joseph Middle School Irrigation Well Project
8. Resolution No. 2023-58, Authorizing a Domestic Water Latecomer Agreement with Michael Grimes for Allenwhite Drive
9. Resolution No. 2023-59, Authorizing Award of Bid to Intermountain Slurry Seal, Inc. for the 2023 Microsurfacing Project
10. Resolution No. 2023-60, Authorizing Award of Bid to One Way Trigger, LLC for the 2023 Slurry Seal Project
11. Resolution No. 2023-61, Authorizing Award of Bid to Intermountain Slurry Seal, Inc. for the Stevens Drive Pavement Preservation Rebid
12. Resolution No. 2023-62, Authorizing a First Amendment to the Consultant Agreement with QCIC for Inspection Services for the 2022 Reservoir Coating Project

### **Items - Approval**

13. Appointments to the Arts Commission: Lexie Forbes and Angel Peiffer
14. Appointment to the Planning Commission: Austin Miller

### **Expenditures - Approval**

15. Expenditures from March 1, 2023 to March 31, 2023 for \$31,304,613.93 including Travel Check Nos. 20271-20285, Accounts Payable Check Nos. 309374-310465, Accounts Payable Wire Nos. 9455-9498, Payroll Wires & ACH Nos. 13247-13312 Payroll Direct Deposit & Check Nos. 205112-206766 and Pension Check Nos. 6416-6440.

**MAYOR CHRISTENSEN CALLED FOR ACTION ON THE CONSENT CALENDAR BY A ROLL CALL VOTE. ALL THOSE IN FAVOR: MAYOR CHRISTENSEN, MAYOR PRO TEM RICHARDSON, AND COUNCILMEMBERS JONES, KENT, LUKSON, VANDYKE AND WHITTEN. OPPOSED: NONE. CONSENT CALENDAR APPROVED 7-0.**

### **Items of Business**

16. Ordinance No. 2023-07, Approving The Terraces at Queensgate South Planned Unit Development (Closed Record)

Mayor Christensen and City Attorney Kintzley read the closed record hearing procedures.

City Attorney Kintzley asked if any councilmembers had any real or potential conflicts that would disqualify them from hearing the closed record matter. No conflicts were identified.

City Attorney Kintzley asked the audience if anyone had an objection to any councilmember's participation in the closed record review. No objections were raised.

City Attorney Kintzley asked the audience if anyone had an objection on jurisdictional grounds. No objections were raised.

Planning Manager Mike Stevens gave an overview of the planned unit development (PUD) application submitted by Aqtera Engineering on behalf of Columbia Valley Property Holdings, LLC. The proposed development consists of 19 single-family lots, 89 townhome lots, and five (5) open space tracts on approximately 20.67 acres. The proposed PUD has been identified as the first phase of a multi-phase plan to develop approximately 48 acres of contiguous land. The project site is located between Shockley Road and Keene Road and is immediately east and adjacent to the Country Ridge residential neighborhood. The Richland Hearing Examiner conducted an open-record public hearing on January 9, 2023 and recommends approval of the proposed PUD subject to conditions of approval contained in the Hearing Examiner's Recommendation of Approval and as contained in an extensive Property Use and Development Agreement (PUDA).

Mark Fickes, attorney for Columbia Valley Property Holdings, LLC, spoke briefly in support of PUD approval and offered to answer any questions. Mr. Fickes shared that the Country Ridge HOA has had opportunity to review the project and supports it so long as the requirements of the 2010 property development agreement are honored.

Rick Simon, consultant for Columbia Valley Property Holdings, LLC, spoke briefly in favor of approval, and asked that a minor clarification be added to the Property Use and Development Agreement regarding setback distances for second stories. City Attorney Kintzley advised that the change would be made to the PUDA before the matter was brought on for second reading.

**MAYOR CHRISTENSEN MOVED AND COUNCILMEMBER JONES SECONDED THE MOTION TO APPROVE ORDINANCE NO. 2023-07, APPROVING THE TERRACE AT QUEENSGATE SOUTH PLANNED UNIT DEVELOPMENT, FOR FIRST READING, BY TITLE ONLY. ALL THOSE IN FAVOR: MAYOR CHRISTENSEN, MAYOR PRO TEM RICHARDSON, AND COUNCILMEMBERS JONES, KENT, LUKSON, VANDYKE AND WHITTEN. OPPOSED: NONE. MOTION CARRIED 7-0.**

## **Reports and Comments**

### *City Manager*

City Manager Amundson had no comments.

## *City Council*

Councilmembers Lukson, Whitten and Kent had no comments. Councilmember Jones wished everyone a Happy Tax Day and stated that there is still time to file your 2022 tax return. Councilmember VanDyke welcomed the newest members of the Richland Arts Commission and the Richland Planning Commission.

Mayor Pro Tem Richardson made the following comment: I feel like I need to respond to tonight's meeting. I have never promoted or encouraged hate speech or harassment of any kind to any individual or establishment. The vile, profane rants and death threats have no place in civilized society. I have received those disgusting communications as well. I do believe in the First Amendment and the freedom of speech. I treat people with decorum and respect. I love this community and will continue to work hard to represent our community with those values. I have two sisters and a brother. All of us are very close. One of my sisters is gay and has been with her partner for 20 years or more. All of my family is welcome in my home. I love my family and I love my community, and that's not going to change.

## *Mayor*

Mayor Christensen had no comments.

## **Adjournment**

Mayor Christensen adjourned the meeting at 7:49 p.m.

APPROVED:

  
Terry Christensen, Mayor

ATTEST:

  
Jennifer Rogers, City Clerk

DATE APPROVED: May 2, 2023

DATE PUBLISHED: May 3, 2023