



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, April 16, 2024

Richland City Hall ~ Council Chambers
625 Swift Boulevard

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

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

Welcome and Roll Call

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

Attendance: Mayor Richardson	Present
Mayor Pro Tem Kent	Present
Councilmember Jones	Present
Councilmember Lukson	Present
Councilmember Maier	Present
Councilmember VanDyke	Present
Councilmember Whitten	Absent

COUNCILMEMBER VANDYKE MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO EXCUSE COUNCILMEMBER WHITTEN. MOTION CARRIED 6-0.

Also present were City Manager Amundson, Deputy City Manager Schiessl, Assistant City Manager Florence, City Attorney Kintzley, Interim Chief of Police Meidl, Fire Chief Huntington, Development Services Director Jensen, Interim Public Works Director D'Alessandro, Energy Services Director Whitney, Finance Director Allen, Human Resources Director Paulsen, and City Clerk Rogers.

Pledge of Allegiance

Mayor Pro Tem Kent led the Council and audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

MAYOR PRO TEM KENT MOVED AND COUNCILMEMBER VANDYKE SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 6-0.

Presentations

1. 2023 Supporting The Arts in Richland (STAR) Awards Presentation

Arts Commission Vice-Chair, Terri Rice introduced members of the Arts Commission in

attendance. Then on behalf of the Arts Commission, Ms. Rice presented the 17th Annual Supporting The Arts in Richland (STAR) Awards. Selected from public nominations, the STAR Award is bestowed upon one (1) organization and one (1) individual for their extraordinary contributions to the arts.

Brandi Saint Claire was awarded the STAR Award in the category of individual artist. Ms. Rice provided an overview of Ms. Saint Claire's accomplishments related to the annual Art in the Park event.

The Academy of Children's Theatre (ACT) was awarded the organizational STAR Award for their contributions in the community. Ms. Rice provided an overview of ACT's productions through the years, programs and opportunities offered, and an overview of their community outreach. Members of the ACT, including ACT Executive Director, Anne Spilman, were in attendance to receive the award.

Mayor Richardson congratulated both STAR award recipients.

2. Richland Library Board Annual Presentation

Lindsay Lightner, Chair of the Library Board of Trustees, expressed appreciation to Council for the opportunity to present, introduced Library Board members who were in attendance, and conveyed her gratitude to council liaison Mayor Pro Tem Kent for her support, attendance, and participation. Ms. Lightner then thanked Library Manager Nulph for his leadership.

Ms. Lightner informed Council that the Library Board adopted a 10-year Strategic Plan in 2023. During the strategic planning process, three (3) principal roles for how the library would serve the community were established, accompanied by an assessment plan to measure those successes.

With the aid of a PowerPoint Presentation, Ms. Lightner and Vice-Chair Buxton jointly presented the annual Richland Public Library Board of Trustees the annual update and 2024 action plan items.

Mayor Richardson thanked Ms. Lightner and Ms. Buxton for the presentation.

On behalf of the entire Council, Mayor Pro Tem Kent thanked members of the Library Board for their dedicated volunteer service, noting that the provided statistics clearly indicates the library remains a highly valued and heavily utilized resource within the community.

Following the presentation, Ms. Lightner, Ms. Buxton, and Library Manager Nulph responded to council inquiries.

Public Hearing

None.

Public Comments

City Clerk Rogers read the Public Comments procedure.

The following individuals provided public comments:

- Randy Slovic of Richland, WA stated her belief that the proposed expenditure for federal lobbying services with K&L Gates LLP is unnecessary, drawing on her experiences from Capitol Hill. Ms. Slovic stated that elected federal representatives should serve the City's lobbyists in Washington D.C., and that councilmembers ought to engage directly with state congressmen and senators to effectively advocate for the City's needs.
- John Ray of Richland, WA spoke in favor of Ordinance No. 2024-18, Amending Chapter 9.16 of the Richland Municipal Code related to Public Nuisance Noise, on tonight's agenda. Mr. Ray, a resident of Horn Rapids noted that residents of Horn Rapids have been troubled by excessive noise primarily originating from the Horn Rapids Golf Course, for the past three (3) years.

Mr. Ray suggested the ordinance should explicitly state that creating a noise nuisance is unacceptable at any time of day if the noise extends beyond a 50-foot radius. In conclusion, Mr. Ray requested clarification on the requirements for event permits.

- Darin Sweeney of Richland, WA spoke in support of approval of Ordinance No. 2024-18, and offered further perspectives on the noise ordinance by playing for the audience a recording of music heard from his patio. Mr. Sweeney emphasized the need for effective enforcement of the noise ordinance, and suggested that council explore alternative enforcement mechanisms, similar to the progressive system of civil infractions used in neighboring cities.
- Eli Allen of Richland, WA spoke in support for the efforts to amend Ordinance No. 2024-18, and expressed his desire to maintain a peaceful, enjoyable, and attractive neighborhood. Mr. Allen emphasized the importance of a clear and practical enforcement mechanism that accounts for areas where businesses and residential interests overlap. In conclusion, Mr. Allen urged that the enforcement process be manageable for law enforcement, avoiding situations where the ordinance becomes either unenforceable due to reluctance in imposing penalties, or merely as an insignificant expense by violators.
- Carol Larkin of Richland, WA expressed gratitude towards Councilmember Maier for his efforts to address and correct misinformation at a recent Ben-Franklin Transit Board meeting. Ms. Larkin also recognized the dedication of all councilmembers, highlighting the extensive time and effort they contribute not only to council duties, but also to other boards and groups for which they serve as liaisons.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

Minutes

3. Approval of the April 2, 2024 City Council Regular Meeting Minutes

Ordinances - First Reading

4. Ordinance No. 2024-19, Dedicating the Right-of-Way for a portion of North Columbia Center Boulevard

Ordinances - Second Reading & Passage

5. Ordinance No. 2024-16, Amending the 2024 Budget to provide for Additional Appropriations in the City's General Fund, Streets Capital Construction Fund and Water Fund

Resolutions - Adoption

6. Resolution No. 2024-54, Authorizing a Second Amendment to the Consultant Agreement with Transpo Group USA, Inc. for the Downtown Connectivity Improvements Project
7. Resolution No. 2024-55, Authorizing a Consultant Agreement with RH2 Engineering, Inc. for the Tapteal 2 Booster Pump Station Project
8. Resolution No. 2024-56, Authorizing a Grant Application to the Paul Lauzier Charitable Foundation

Items – Approval

None.

Expenditures – Approval

9. Expenditures from March 1, 2024, to March 31, 2024, for \$27,397,230.07 including Travel Checks Nos. 20485-20499, Accounts Payable Check Nos. 320853-321843, Accounts Payable Wire Nos. 9966-10008, Payroll Wires & ACH Nos. 13901-13955, Payroll Direct Deposit & Check Nos. 220809-221997, and Pension Check Nos. 6703-6725

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER JONES SECONDED THE MOTION TO APPROVE THE CONSENT CALENDAR AS PUBLISHED. THOSE IN FAVOR: MAYOR RICHARDSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS JONES, LUKSON, MAIER AND VANDYKE. THOSE OPPOSED:

NONE. MOTION CARRIED 6-0.

Items of Business

10. Ordinance No. 2024-18, Amending Chapter 9.16 of the Richland Municipal Code related to Public Nuisance Noise

Deputy City Manager Schiessl provided an overview of the ordinance which addresses administrative challenges by providing clear criteria for permit approval or denial and establishing an appeal process. The proposed ordinance will also limit the number of permits to two (2) permits per location per year to create a balance between nuisance noise in private communities and private event needs.

Following Deputy City Manager Schiessl's presentation, Council offered comments and participated in an extensive question-and-answer session with staff.

Councilmember Maier raised concerns about the proposed limit of two (2) permits per location per year. He questioned the basis for this limit and sought clarification on how "location" is defined within the ordinance context. He indicated that such a restriction seemed stringent given that it could impact residents who host multiple events annually.

Councilmember Jones opposed the misdemeanor approach for violations and suggested a scaled penalty system and more lenient noise hours to accommodate community activities, especially during summer.

Mayor Pro Tem Kent thanked staff for their work on the revised ordinance, thanked members of the public who provided comments, and emphasized the importance of further revising the ordinance to reflect community sentiment. Mayor Pro Tem Kent requested a comparative analysis to examine how neighboring jurisdictions are addressing the same problem. Mayor Pro Tem expressed interest in reviewing the requested data before approving the first reading of this ordinance.

Councilmember Lukson supported additional research into enforcement practices and proposed a more progressive discipline system that escalates to a misdemeanor only after multiple violations.

Mayor Richardson reiterated the possibility of incorporating a system where past penalties influence the ability to obtain future permits and suggested including a requirement for permit applicants to notify neighbors of their event plans.

At the conclusion of Council deliberations and detailed question and answer session with staff, no motion was made to advance the ordinance to a first reading.

ORDINANCE NO 2024-18 FAILED TO ADVANCE DUE TO LACK OF A MOTION.

11. Resolution No. 2024-57, Authorizing an Agreement with K&L Gates LLP for Federal

Lobbying Services

Deputy City Manager Schiessl explained that the City has been utilizing the services of David Arbaugh of Arbaugh & Associates to represent the City's interests during Washington legislative sessions, and is now seeking to engage the services of K&L Gates LLP for federal lobbying services. A competitive Request for Proposals (RFP) process was conducted, and three (3) proposals were received. K&L Gates LLP was selected based on technical capabilities and cost.

Following Deputy City Manager Schiessl's presentation, Council provided feedback and participated in an extensive question-and-answer session with staff.

Councilmember Maier expressed discomfort with the concept of hiring a federal lobbyist and questioned the transparency and effectiveness of the system if such an arrangement is considered necessary.

Councilmember VanDyke supported the proposed agreement with K&L Gates LLP, highlighting the strategic importance of federal lobbying to the City's goals, and endorsed the selected firm based on their qualifications and the thoroughness of the selection process.

Mayor Pro Tem Kent thanked the Tri-City Development Council (TRIDEC) and David Reeploeg, Vice-President of TRIDEC, for their outstanding work in lobbying for the Tri-cities in Washington D.C. Mayor Pro Tem Kent emphasized that though she endorses the concept of retaining a federal lobbyist, she desired additional information to inform her decision-making. Mayor Pro Tem Kent stated that she will not vote in favor of Resolution No. 2024-57 due to lack of clarify on the exact services to be performed by K&L Gates LLP.

Councilmember Lukson stated that he was comfortable with the general description of services provided in the agreement but suggested setting a review period prior to the agreement's expiration to assess its effectiveness.

Mayor Richardson supported the proposed agreement with K&L Gates LLP, noting the firm's commitment to providing regular updates and strategic advice.

In response to Council's comments during deliberation, City Manager Amundson acknowledged staff's oversight in not providing the City's request for proposal and K&L Gates LLP's response, which would have provided clarification on some of Council's noted concerns. The proposal details specific actions to be undertaken by K&L Gates LLP on behalf of the City, and also specifies that instruction will primarily come from the Mayor, Councilmembers, City Manager, and the Deputy City Manager.

Additionally, City Manager Amundson reminded Council that moving forward with a federal lobbyist is part of the City's 2024-2026 Strategic Plan as adopted by Council, and that staff has been regularly engaged with elected district representatives Rick Evans,

Ashley Stubbs, and Raquel Crowley to ensure ongoing, productive discussions.

Furthermore, City Manager Amundson stated that this initiative is not just about outreach to elected offices, but also involves liaising with federal agencies and departments to assist the City in securing grant opportunities, debriefs, refining strategies, and supporting the City's broader goals. The agreement names Tim Peckinpaugh as the City's primary point of contact, with the provision that additional lobbyists will be engaged when subject matter expertise as needed.

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER VANDYKE SECONDED THE MOTION TO ADOPT RESOLUTION NO. 2024- 57, AUTHORIZING AN AGREEMENT WITH K&L GATES LLP FOR FEDERAL LOBBYING SERVICES. THOSE IN FAVOR: MAYOR RICHARDSON AND COUNCILMEMBERS JONES, LUKSON AND VANDYKE. THOSE OPPOSED: MAYOR PRO TEM KENT AND COUNCILMEMBER MAIER. MOTION CARRIED 4-2.

Reports and Comments

City Manager

City Manager Amundson welcomed Interim Chief of Police Meidl to the City and expressed appreciation for his willingness to serve in an interim capacity for the next several months. City Manager Amundson encouraged those who have not had the opportunity to meet Chief Meidl to do so.

City Council

Mayor Pro Tem Kent had no comments.

Councilmember Lukson welcomed Interim Chief of Police Meidl and expressed an interest in hearing his initial impressions and insights into the Richland Police Department's strengths, weaknesses, and areas for improvement, which would be invaluable in shaping the direction for the future chief.

Councilmember Maier reported on a Ben-Franklin Transit meeting he recently attended, highlighting that he was able to address a contentious issue regarding the potential for a public referendum on a tax reduction, which ultimately led to the matter being deferred until 2026. Councilmember Maier shared that in his opinion, the most compelling testimony provided during the public comment portion of the same meeting was provided by a Pasco school district administrator who emphasized the significance of the Ben-Franklin Transit system for the youth in Pasco.

Councilmember Maier concluded by stating several boards and commissions are facing recruitment challenges and sought Council's assistance in promoting the vacancies.

Councilmember Jones had no comments.

Councilmember VanDyke welcomed Interim Chief of Police Meidl to the City, then thanked staff for their efforts, and expressed confidence in staff's ability to address and incorporate the comments received regarding Ordinance No. 2024-18.

Councilmember VanDyke then reported on his liaison meetings with the Port of Benton and the Tri-Cities Regional Chamber of Commerce meetings.

Mayor

Mayor Richardson acknowledged the valuable efforts of the Arts Commission, adding the annual STAR Awards are greatly appreciated for encouraging art and recognizing the contributions to the community. Additionally, Mayor Richardson expressed anticipation for the annual Richland Public Library Board report which underscores the importance of this vital community resource.

Adjournment

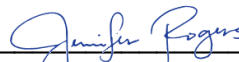
Mayor Richardson adjourned the meeting at 7:36 p.m.

APPROVED:



Theresa Richardson, Mayor

ATTEST:



Jennifer Rogers, City Clerk

DATE APPROVED: May 7, 2024

DATE PUBLISHED: May 8, 2024