



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Richland City Hall ~ 505 Swift Boulevard
Tuesday, April 18, 2017

Pre-Meeting:

Mayor Thompson called the pre-meeting to order at 7:00 p.m. in the City Manager's Conference Room in the City Hall Annex building.

Attendance:

Mayor Thompson, Mayor Pro Tem Christensen, Councilmembers Rose, Lemley, Anderson, Kent and Luzzo Gilmour were present.

Also present were Assistant City Manager Amundson, City Attorney Kintzley, Administrative Services Director Koch, Finance Director Allen, Communications and Marketing Manager Logan, Public Works Director Rogalsky, Community Development Director Jensen, Parks and Public Facilities Director Schiessl and City Clerk Hopkins.

1. Columbia Park West Marina (10 minutes)
 - Joe Schiessl, Parks and Public Facilities Director

Mr. Schiessl gave an update on the Washington State Department of Fish and Wildlife's proposal to remove of the land bridge to Bateman Island. He discussed how that would impact the nearby marina and what options he is evaluating regarding the proposal.

2. Land Sale for Readiness Center (10 minutes)
 - Kerwin Jensen, Community Development Director

Mr. Jensen gave details on proposed Resolution No. 16-17, Purchase and Sale Agreement with the Washington State Military Department at the Horn Rapids Industrial Park for a National Guard Readiness Center.

Mr. Amundson said the City will be sending the Washington State legislators a letter requesting the removal of Section 938 of Senate-passed Operating Budget (ESSB 5048) related to Fire Insurance Premium Tax Distributions. The letter will stress how the Fire Insurance Premium Tax distributions assist the City with LEOFF 1 medical costs in the approximate amount of \$70,000 and how that will impact the City if that funding was lost.

3. Discussion of Council Meeting Agenda Items

Council and staff briefly reviewed the proposed agenda scheduled for the regular meeting.

Regular Meeting:

Mayor Thompson called the Council meeting to order at 7:30 p.m. in the Council Chamber at City Hall.

Welcome and Roll Call:

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

Mayor Thompson, Mayor Pro Tem Christensen, Councilmembers Rose, Lemley, Anderson, Kent and Luzzo Gilmour were present.

Also present were Assistant City Manager Amundson, City Attorney Kintzley, Fire and Emergency Services Director Huntington, Community Development Director Jensen, Administrative Services Director Koch, Public Works Director Rogalsky, Parks and Public Facilities Director Schiessl, Police Services Director Skinner, Energy Services Business Services Manager Edgemon and City Clerk Hopkins. Edgemon

Pledge of Allegiance:

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

Approval of Agenda:

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER KENT SECONDED A MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION CARRIED 7-0.

Presentations:

1. Expression of Appreciation to Clifford Clark for Service on the Planning Commission (Resolution No. 77-17)
- Robert Thompson, Mayor

Mayor Thompson read the resolution and presented it to Mr. Clark. Mr. Clark expressed his appreciation for the opportunity to serve the City.

2. Planning Commission Annual Report (5 minutes)
- Kerwin Jensen, Community Development Director

Mr. Jensen introduced Amanda Wallner, Planning Commission Chair, who gave an overview of the Planning Commission's 2016 achievements including: financial stability; infrastructure; economic vitality; targeted investments; neighborhoods; construction values; and the 2017 projects.

3. Community and Economic Development First Quarter Update (10 minutes)
- Kerwin Jensen, Community Development Director

Mr. Jensen gave the first quarter update that included: building permits; land use and subdivisions; and the comprehensive plan. Mr. Ratki gave an update on economic development including: Horn Rapids area; Central Business District; Queensgate and the

South Richland area; Inland Port; Ask Richland Business project; Business License Reserve Fund; and the Capital Improvement Program.

4. CityView Video: Snyder Substation Expansion
- Sandi Edgemon, Energy Services Business Services Manager

Ms. Edgemon introduced the video about the City's 16th transformer installed at the Snyder Substation.

Public Hearing:

City Clerk Hopkins read the Public Hearing and Public Comments procedures.

1. Amending the 2017 Budget for the General Fund to Provide Additional Appropriations for the Development of an Environmental Impact Statement for the Comprehensive Plan Update - Ordinance No. 16-17
- Kerwin Jensen, Community Development Director

Mr. Jensen said as part of the city's current comprehensive plan amendment process, the future potential land uses for the Columbia Point South area will be considered.

The process of addressing Columbia Point South as part of the City's current effort will require a more detailed and expanded environmental analysis and will require additional funding to complete. Additionally, this expanded process will prolong the anticipated adoption date by approximately six weeks.

Additional costs associated with the expanded environmental analysis is expected to be up to \$50,000. Staff is recommending that the City's general fund be utilized to offset this shortfall.

Mayor Thompson opened the public hearing at 7:59 p.m. and closed the public hearing at 7:59:15 p.m. as there were no comments.

2. Relinquishment of an Easement lying within 1820 Davison Avenue, Resolution No. 74-17
- Pete Rogalsky, Public Works Director

Mr. Rogalsky said the property owners at 1820 Davison Avenue have requested the relinquishment of an existing utility easement lying within their property. The easement was created with the recording of the Plat of Richland in 1956 and contained a water line. The water line was taken out of service in 2008 when a new water line was installed in the existing street right-of-way.

In reviewing the request, staff has determined that the existing easement is no longer necessary. State law provides for the disposal of surplus property originally required for public utility purposes.

Mayor Thompson opened the public hearing at 8:00 p.m. and closed the public hearing at 8:00:15 p.m. as there were no comments.

Public Comments:

Police Chief Skinner said at the last several Council meetings, he has heard public comments from citizens that are feeling a lack of safety and security. He said he agrees that some instances of inappropriate behavior have occurred in the community that he knows about and some that he probably doesn't know about, as they are not reported. He is gathering data and working on a strategy to address hate crimes and has met with ACLU to review the City's immigration policies, spoke with citizens that have experienced hate crimes and encouraged citizens to speak with him about instances or concerns regarding hate crimes. He reviewed the reported hate crimes since 2012 and to date there are 19 on record.

Rick Jones, 1854 Marshall, Richland, WA, said the City of Richland has had three hate crime assaults in the past 12 years. He talked with the local school districts and since the November 2016 election, there have been no hate crime reported to the schools. He believes Richland has diversity and is against the inclusiveness resolution because he believes federal funding will be withheld from the City, if the resolution is approved.

Ann Fraser, 570 Holly Street, Richland, WA, said she is a teacher and has seen a change in her classroom since the election. She said speaking to the marginalized population, would be a method to understand their feelings of a lack of safety and security. She noted the resolution does not have any language regarding immigration and therefore, the federal funds would not jeopardized.

Barbara Chinn, 2528 Harris Avenue, Richland, WA, said she does not see any downside in signing the inclusiveness resolution, it is intended to make people feel welcome and would be a big plus to the City.

Laura Newberry, 618 Muriel Street, Richland, WA, presented a sign "Hate Has No Home Here" that was torn up in a citizen's yard. She said it was not reported to the police and stated hate crime incidents are going on in the community that are not being reported and gave some reasons why they are not reported. She suggested the City work to be proactive against hate crimes before problems arise.

Kathy Sally, 1893 Young Grade Road, Yakima, WA, requested Council reconsider the ban on cannabis. She would like to come to Richland to open a cannabis business. She asked that Council look at how cannabis businesses are operated and regulated and consider the updated information about cannabis.

Martin Newberry, 618 Muriel Street, Richland, WA, said that he has spoken with several people who have had hate crime issues, but did not report them.

Paul Weaver, 1893 Young Grade Road, Yakima, WA, invited Councilmembers to visit his cannabis business to see how it is operated. He said it is time to review the ban on cannabis by considering the two-year operations and regulations history of the cannabis business.

Adriana Widen, 4301 English Court, (no city was stated) said she lived in southern California and never experience racial bigotry. She said after she moved here and got a job with the Richland School District, she was subject to racial bigotry and left the Richland

School District and moved to the Kennewick School District. She said that even though the reported hate crimes are low, it is an environment of segregation towards the low social status and non-English speaking populations.

Consent Calendar:

City Clerk Hopkins read the Consent Calendar.

Minutes:

1. Approve the Minutes for the Meeting Held April 4, 2017
- Heather Kintzley, City Attorney

Ordinances - First Reading:

2. Ordinance No. 15-17, Acceptance of Funds and Amendment to the 2017 Budget to Provide Additional Appropriations in the City's Industrial Development Fund
- Kerwin Jensen, Community Development Director
3. Ordinance No. 16-17, Amending the 2017 Budget for Additional Appropriation to the General Fund for the Development of an Environmental Impact Statement for the Comprehensive Plan Update
- Kerwin Jensen, Community Development Director

Ordinances - Second Reading/Passage:

4. Ordinance No. 10-17, Accepting a Citizen Donation and Amending the 2017 Budget to Provide Additional Appropriations in the City's General Fund
- Tom Huntington, Fire and Emergency Services Director
5. Ordinance No. 11-17, Amending RMC Title 23: Zoning, Official Zoning Map of the City
- Kerwin Jensen, Community Development Director
6. Ordinance No. 12-17, Amending the 2017 Budget for the General Fund and the Capital Improvement Plan to Provide Additional Appropriations for the Swift Corridor: City Hall Project
- Joe Schiessl, Parks and Public Facilities Director
7. Ordinance No. 13-17, Increasing 2017 Budget Appropriations to Include the 2016 Budget Carryovers
- Cathleen Koch, Administrative Services Director

Resolutions – Adoption:

8. Resolution No. 16-17, Authorizing the City Manager to Sign and Execute a Purchase and Sale Agreement with the Washington State Military Department at the Horn Rapids Industrial Park
- Kerwin Jensen, Community Development Director

9. Resolution No. 51-17, Awarding Distribution of 2017 Business License Reserve Funds (BLRF)
- Kerwin Jensen, Community Development Director
10. Resolution No. 65-17, Approving a Purchase and Sale Agreement with Treasure Valley Coffee Company
- Kerwin Jensen, Community Development Director
11. Resolution No. 70-17, Awarding Distribution of Commercial Improvement Funds (CIP)
- Kerwin Jensen, Community Development Director
12. Resolution No. 71-17, Authorizing a Second Amendment to the EVITA Interlocal Agreement to add Kittitas County PUD and City of Ellensburg
- Bob Hammond, Energy Services Director
13. Resolution No. 72-17, Authorizing Two Purchase and Sale Agreements with Steven Mansfield for the Reata-to-Dallas Transmission Line
- Bob Hammond, Energy Services Director
14. Resolution No. 74-17, Authorizing Relinquishment of an Easement within 1820 Davison Avenue
- Pete Rogalsky, Public Works Director
15. Resolution No. 77-17, Expressing Appreciation to Clifford Clark for Service on the Richland Planning Commission
- Heather Kintzley, City Attorney
16. Resolution No. 78-17, Awarding Bid to Boswell Asphalt Paving Solutions, Inc. for the 2017 Microsurfacing Project
- Pete Rogalsky, Public Works Director

Expenditures - Approval:

17. Expenditures from March 27, 2017 - April 7, 2017 for \$7,890,465.19 including Check Nos. 243607-243949, Wire Nos. 6407-6411, Payroll Check Nos. 117821-118324, and Payroll Wire/ACH Nos. 9864-9885
- Cathleen Koch, Administrative Services Director

COUNCILMEMBER KENT MOVED AND MAYOR PRO TEM CHRISTENSEN SECONDED A MOTION TO APPROVE THE CONSENT CALENDAR AS PUBLISHED. THE MOTION CARRIED 7-0.

Items of Business:

1. Resolution No. 79-17, Authorizing an Agreement with Benton County for use of Jail Facilities
- Cindy Reents, City Manager

Police Chief Skinner said at the March 21, 2017, pre-meeting, City Manager Reents provided Council an update on the jail contract negotiations with Benton County and asked that Council approve a one-month extension to the short-term jail agreement in order for the cities and the county to complete their negotiations. At that time, it was expected to reach an agreement that was mutually beneficial to all parties.

On the following day, March 22, the cities, along with their respective Chiefs of Police, met with Benton County Commissioner Jerome Delvin and Deputy County Administrator Loretta Smith Kelty, where several scenarios were discussed. In preparation for that meeting, the City of Kennewick provided the county and cities with the costs associated with each scenario that had previously been discussed based on actual bed days for the past several years and net operating costs for 2016 that were provided to the cities by the county. At the conclusion of that meeting, the county agreed to run scenarios based on discussions and provide that information to the cities by March 27 in preparation for a follow-up meeting on April 10.

The cities received no communication from the county until the City of Kennewick sent an email on April 6 inquiring about an agenda and the scenarios in order to prepare for the follow-up meeting on April 10. The response received from the county was that they had received direction at the commissioners' meeting on March 28 to move forward with the attached contract that was similar to a previous contract they had presented on March 3. They also canceled the meeting for April 10 since a decision had been made by the county that, according to their March 28 minutes, it is a 'take it or leave it' offer and there would be no further negotiations.

Given that the county has ended discussions and the City has no other options for housing prisoners at this time, City Manager Reents recommends approval of the agreement.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER KENT SECONDED A MOTION TO ADOPT RESOLUTION NO. 79-17, AUTHORIZING AN AGREEMENT WITH BENTON COUNTY FOR USE OF JAIL FACILITIES.

Mayor Thompson said he will not vote in favor of this resolution as he believes the negotiations with the Benton County Commissioners was not equitable or fair to the City.

Mayor Pro Tem Christensen asked what will happen if the Council does not adopt the resolution. Police Chief Skinner said the City has no alternative but to adopt the resolution as the City does not have any viable options at this time.

Mr. Amundson said most of the cities included in the jail facilities agreement have to accept the agreement as they have no other options.

THE MOTION CARRIED 4-3. MAYOR THOMPSON AND COUNCILMEMBERS ANDERSON AND ROSE OPPOSED.

Reports and Comments:

1. Assistant City Manager Amundson announced two upcoming events: the Coffee with a Cop event at Ethos Bakery at 11:30 a.m. on April 19; and the Queensgate

Corridor Improvement public open house held at the City Shops at 4:00 p.m. on April 19.

2. Council:

Councilmember Luzzo Gilmour said the Richland Library received a large donation that will be used for interactive panels. She also said she has reached out to the community to promote inclusiveness and recently took two immigrants that are new to the City on a tour to show them the area.

Councilmember Anderson said he appreciated the public comments. He has never experienced anything out of the norm in Richland and he expects the Richland Police to uphold the laws that protect people from hate crimes. He said unfortunately, some bad people will always be in the community. He assured the citizens that the City takes this topic very seriously is working to develop a strategy to address this issue.

Councilmember Kent said she appreciated the public's comments. She believes the City is looking at real solutions to address the issue of hate crimes.

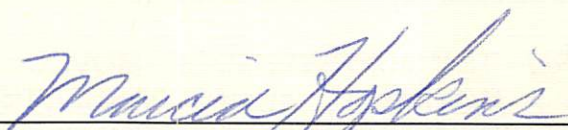
Mayor Pro Tem Christensen said he attended the City's open house on the Racheal Road development options and was impressed with the quality of the presentation.

3. Mayor Thompson said what the downside of the resolution of inclusiveness give the city a chance to work and resolve the issues.

Adjournment:

Mayor Thompson adjourned the meeting at 8:55 p.m.

Respectfully Submitted,



Marcia Hopkins, City Clerk

FORM APPROVED:



Robert J. Thompson, Mayor

DATE APPROVED:

5/2/17

DATE PUBLISHED:

5/3/17