



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Richland City Hall ~ 505 Swift Boulevard

Tuesday, September 5, 2017

City Council Pre-Meeting - 7:00 p.m.

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.

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

Also present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Public Works Director Rogalsky, Finance Director Allen and City Clerk Hopkins.

Agenda Item

1. Discuss Meeting Agenda Items (15 minutes)
- Council Members

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

Mr. Rogalsky gave a brief update on the Duportail Bridge funding sources and the car tab fee.

Ms. Reents gave an update on the Tri-Cities Regional Public Facilities District Council appointment and the Richland Public Facilities District Board opening.

Councilmember Lemley was concerned that the Tri-Cities Regional Chamber of Commerce was not going to sponsor the Cool Dessert Nights after 2018. Ms. Reents said the Chamber is scheduled to speak to the Council about that topic in October.

City Council Regular Meeting - 7:30 p.m.

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 and Luzzo Gilmour were present.

Also present were City Manager Reents Assistant City Manager Amundson, City Attorney

Kintzley, Fire and Emergency Services Director Huntington, Public Works Director Rogalsky, Parks and Public Facilities Director Schiessl, Police Services Director Skinner, Energy Services Business Services Manager Edgemon, Community Development Planner Arrasmith and City Clerk Hopkins.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER LEMLEY SECONDED A MOTION TO EXCUSE COUNCILMEMBER KENT. THE MOTION CARRIED 6-0.

Pledge of Allegiance

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

Approval of Agenda

Councilmember Lemley added an agenda item to Items of Business requesting staff to create an inclusiveness statement and bring it forward to a future Council meeting for Council action. He gave details on what he would like to address in the statement.

COUNCILMEMBER LEMLEY MOVED AND MAYOR PRO TEM CHRISTENSEN SECONDED A MOTION TO APPROVE THE AGENDA AS AMENDED. THE MOTION CARRIED 6-0.

Presentations

2. Junior Achievement Presentation (5 minutes)
- Cindy Reents, City Manager

Susan Fillafer, Regional Director for Junior Achievement spoke about Junior Achievement and its impact on Richland. She shared information about Junior Achievement, the number of students they reach (specifically in Richland) and what concepts they teach entrepreneurship, financial literacy and work readiness) and how business leaders go into the classroom as mentors. She said they are looking for volunteers this year.

3. Ben Franklin Transit 2017 Annual Report (10 minutes)
- Cindy Reents, City Manager

Gloria Boyce, Ben Franklin Transit (BFT) General Manager, said she is attending the council meetings of the Tri-Cities jurisdictions serviced by BFT to present the 2017 BFT Annual Report. She provided a brief overview of the service changes coming in September and how they will affect Richland transit service.

4. New Hire/Retirements (5 minutes)
- Allison Jubb, Human Resources Director

Mr. Allen read the background on the new employees and introduced those in attendance: Nathaniel Carpenter, Parks & Recreation Assistant Recreation; Sean Mundy, Emergency Communications Dispatcher SECOMM; and John Deskins, Traffic Engineer Public Works.

Public Hearing

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

5. Consideration of the Keene Road Annexation Request - Ordinance No. 34-17,
Approving Annexation of Approximately 17.2 Acres Located South of Keene Road
- Kerwin Jensen, Community Development Director

Mr. Simon said the purpose of the public hearing was to provide Council with an opportunity to hear from the public concerning the proposed annexation of 17.2 acres located south of Keene Road and east of Brantingham Road. The annexation petitioner, Edward Shaw, is the sole owner of the land within the proposed annexation. Council previously took action to authorize the commencement of annexation proceedings through the adoption of Resolution No. 54-17 and further approved the circulation of a formal petition through adoption of Resolution No. 121-The Planning Commission has determined that R1-10 Single Family Residential zoning would be appropriate for the property and the Benton County Boundary Review Board has completed its review of the proposal. Beyond the public hearing, the last step in the annexation process is the adoption of an ordinance.

Mayor Thompson opened the public hearing at 7:53 p.m.

Eric Van Mason, 1620 Brantingham Road, Richland, WA, said he had concerns that no SEPA review was performed for this annexation and that a well services the neighborhood within the annexation.

Mayor Thompson closed the public hearing at 7:54 p.m.

Public Comments

Lloyd Becker, 2120 Duportail Street, #1, Richland, WA, said he believes the City has a surplus amount of money and questioned what the City plans to do with it. He also questioned the Richland City Manager resident status.

Amy Boaro, 5410 W. 20th Ave, Kennewick, WA, said Councilmembers have heard from diverse groups of community members all requesting an inclusiveness statement and she wants Council to adopt this resolution.

Mayor Thompson said the First Amendment allows free speech and he had a dialogue with Ms. Boaro regarding that topic.

(no name given) believes there are limits to free speech.

Ryan Wagstaff, 211 New Haven Loop, Richland, WA, believes the inclusiveness statement is necessary.

Maricela Sanchz, 1001 6th St. Prosser, WA, said she is a physician at Kadlec Medical Center and believes there is nothing in the inclusiveness resolution that would endanger free speech.

Rev. Jane Schmoetar, 1940 Thayer Drive, Richland, WA, said her friends and parishioners support the inclusiveness resolution. Her son is Africa American and has experience discrimination in the area.

Shir Regev, 114 Patton St. Richland, WA, expressed her support of the inclusiveness statement.

Martin Newberry, 618 Muriel, Richland, WA, said he supports the inclusiveness statement and suggested that Council approve it at tonight's meeting.

Carly Coburn, 2200 W. Shoshone St. Pasco, WA, said she supported the inclusiveness resolution and encouragement the Councilmembers to approve it.

Ann Fraser, 570 Holly St. Richland, WA, said she supports the inclusiveness statement and is confused why there has been resistance to it.

(no name given) inquired if Cascade Locks, OR, has called for volunteers for a smoke relief effort. She also suggested that if the City does not use the inclusiveness statement given to staff, then staff should contact the advocacy groups to help create the language which would demonstrate inclusivity.

Kelly Yokoda, 455 Mainmast, Richland, WA, believes the eastside is known for being conservative and that can deter young professionals from settling in the Tri- Cities area. She supports the inclusiveness statement.

Consent Calendar

Minutes

6. Approve the Minutes of the Meetings Held August 15 and 22, 2017
- Heather Kintzley, City Attorney

Ordinances - First Reading

7. Ordinance No. 32-17, Amending RMC Title 23, Section 23.22.010 Related to Commercial Zoning
- Kerwin Jensen, Community Development Director
8. Ordinance No. 34-17, Approving the Keene Road Annexation of Approximately 17.2 Acres Located South of Keene Road
- Kerwin Jensen, Community Development Director

Ordinances - Second Reading/Passage

9. Ordinance No. 30-17, Amending the 2017 Budget to Increase Appropriations to the Equipment Replacement Fund
- Bob Hammond, Energy Services Director

10. Ordinance No. 31-17, Authorizing Railroad Street Right-of-Way Vacation
- Pete Rogalsky, Public Works Director

Resolutions – Adoption

11. Resolution No. 144-17, Authorizing a Consultant Agreement with Parametrix Inc. for Implementation of the Landfill Monitoring Work Plan
- Pete Rogalsky, Public Works Director
12. Resolution No. 151-17, Approving a Purchase and Sale Agreement with Longship Cellars
- Kerwin Jensen, Community Development Director
13. Resolution No. 153-17, Appointing Membership to the Code Enforcement Board
- Heather Kintzley, City Attorney
14. Resolution No. 154-17, Expressing Appreciation to Adam Pechtel for Service on the Code Enforcement Board
- Heather Kintzley, City Attorney
15. Resolution No. 155-17, Expressing Appreciation to Steve Snyder for Service on the Code Enforcement Board
- Heather Kintzley, City Attorney
16. Resolution No. 156-17, Approving 2017 Park Partnership Program Funding Allocations
- Joe Schiessl, Parks and Public Facilities Director
17. Resolution No. 157-17, Authorizing an Agreement with the Bonneville Power Administration for Energy Conservation
- Bob Hammond, Energy Services Director
18. Resolution No. 158-17, Adopting an Electric Utility Privacy Policy
- Bob Hammond, Energy Services Director
19. Resolution No. 159-17, Authorizing Submittal of a Department of Ecology Stormwater Capacity Grant Application
- Pete Rogalsky, Public Works Director
20. Resolution No. 160-17, Authorizing an Amended and Restated Parking Lease Agreement with Charles Joseph Frenzel
- Kerwin Jensen, Community Development Director
21. Resolution No. 161-17, Authorizing an Amendment to a Purchase and Sale Agreement with SIRJMR, Inc.
- Kerwin Jensen, Community Development Director

Expenditures - Approval

22. Expenditures from August 7, 2017 - August 25, 2017 for
\$9,092,802.02 including Check Nos. 247920-249548, Wire Nos. 6537-6553,
Payroll Check Nos. 122431-123545, and Payroll Wire/ACH Nos. 10037-10073
- Cathleen Koch, Administrative Services Director

**MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER LUZZO GILMOUR
SECONDED A MOTION TO APPROVE THE CONSENT CALENDAR AS PUBLISHED.
THE MOTION CARRIED 6-0.**

Items of Business

23. Resolution No. 168-17, Approving a Sixth Amendment to the Purchase and Sale Agreement with The Crown Group, Inc.
- Kerwin Jensen, Community Development Director

Mr. Amundson said that Mr. Jensen is not in attendance and introduced Community Development Planner Arrasmith who will give the presentation.

Mr. Arrasmith said On March 17, 2015, Council authorized a Purchase and Sale Agreement (Contract No. 54-15) with The Crown Group, Inc. (Crown) for the sale and development of 650 George Washington Way. Per the contract, Crown initially agreed to develop the site as a mixed-use project with 10,000 square feet of retail space and 18,000 square feet of office space. After execution of several amendments, the Agreement now allows Crown to choose between an office/retail project or a residential/retail project. The initial contingency period expired on May 15, 2017. As required, Crown has paid \$45,000 in earnest money, and has expended no less than \$65,000 on the project.

At this time, Crown is seeking review of a modified site plan that further refines its residential/retail project concept, and for the opportunity to extend the construction date until mid-2018 to pursue a HUD loan to support the project. Staff believes the modified design proposed by Crown aligns with Council's vision for the property, and supports Crown's pursuit of the funding necessary to develop the project. That being said, staff also recommends that Council protect its interest in the property, and that it pursue valuable consideration in support of the proposed 6th Amendment.

The 6th Amendment is intended to accomplish the following: Require Crown to pay an additional \$30,000 in earnest money; Extend the closing date to mid-2018, triggered by a firm financial commitment to construct the residential/retail project; Extend the construction date to coincide with Crown's funding availability; Extend the repurchase period an additional 12 months; Require, through contractual agreement, construction substantially consistent with the revised site plan; Institute a schedule of milestones; and Secure assurances that the property will not be encumbered for any purpose other than construction or permanent financing for the 650 GWW project.

Ms. Kintzley said she supports the amendment and believes is it closer to the original design and concept Council desired in the beginning and improves the elements of the purchase

and sales agreement.

Mayor Thompson and Councilmembers Lemley and Luzzo Gilmour said they supported the resolution.

MAYOR THOMPSON MOVED AND MAYOR PRO TEM CHRISTENSEN SECONDED A MOTION TO ADOPT RESOLUTION NO. 168-17, APPROVING A SIXTH AMENDMENT TO THE PURCHASE AND SALE AGREEMENT WITH THE CROWN GROUP, INC. THE MOTION CARRIED 6-0.

24. ADDED DURING MEETING: Request Staff to Create an Inclusiveness Statement
- City Council

COUNCILMEMBER LEMLEY MOVED TO DIRECT STAFF TO PREPARE A DOCUMENT ADDRESSING INCLUSIVITY FOR COUNCIL ACTION AT A FUTURE COUNCIL MEETING.

Councilmember Lemley said that after many public comments heard by the Council on the topic of inclusivity, he decided to request that staff prepare a document on inclusivity for Council action. He gave his views on the topic and what he would like stated in the document.

COUNCILMEMBER LUZZO GILMOUR SECONDED THE MOTION.

Councilmember Anderson gave his views on the inclusiveness statement and how it relates to the City of Richland.

Councilmember Luzzo Gilmour supports the inclusiveness statement and believes Council should take action on the statement.

Mayor Pro Tem Christensen gave his views on the inclusiveness statement and said he believes the City's Values and Mission statement already states inclusivity. He said he was not opposed to creating the document for Council action, he did not want to vote for the motion that inferred Council would sign the document without first having Council discussion and then voting.

Mayor Thompson gave his views on the need for an inclusiveness statement and he will support drafting a statement for Council action.

THE MOTION CARRIED 5-1. MAYOR PRO TEM CHRISTENSEN OPPOSED.

Reports and Comments

1. City Manager Reents had no comments.
2. Councilmember Anderson said he toured The Lodge at Columbia Point, the newest boutique hotel in Richland.

3. Mayor Thompson said the Department of Energy contracts are being released at this time and there will be a community involvement

Adjournment

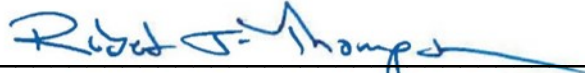
Mayor Thompson adjourned the meeting at 9:11 p.m.

Respectfully Submitted,



Marcia Hopkins, City Clerk

FORM APPROVED:



Robert J. Thompson, Mayor

DATE APPROVED:

September 19, 2017

DATE PUBLISHED:

September 20, 2017