



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Richland City Hall ~ 505 Swift Boulevard

Tuesday, October 3, 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.

Attendance:

Mayor Robert Thompson, Mayor Pro Tem Terry Christensen, Councilmember Phillip Lemley, Councilmember Sandra Kent and Councilmember Dori Luzzo Gilmour were present.

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

Agenda Item

1. Executive Session Per RCW 42.30.110 (1) (ii): Discuss Current or Potential Litigation With Legal Counsel - Litigation Update (25 minutes)
 - Heather Kintzley, City Attorney

MAYOR PRO TEM TERRY CHISTENSEN MOVED AND COUNCILMEMBER SANDRA KENT SECONDED A MOTION TO MOVE INTO EXECUTIVE SESSION AT 7:00 P.M. TO DISCUSS Per RCW 42.30.110.(I) (iii): DISCUSS CURRENT OR POTENTIAL LITIGATION WITH LEGAL COUNSEL FOR 25 MINUTES. THE MOTION CARRIED 5-0.

COUNCILMEMBER SANDRA KENT MOVED AND COUNCILMEMBER MAYOR PRO TEM TERRY CHISTENSEN SECONDED A MOTION TO EXTEND THE EXECUTIVE SESSION FOR AN ADDITIONAL 10 MINUTES AT 7:25 P.M. THE MOTION CARRIED 5-0.

COUNCILMEMBER DORI LUZZO GILMOUR MOVED AND MAYOR PRO TEM TERRY CHRISTENSEN SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:35 P.M. THE MOTION CARRIED 5-0.

2. Discuss Meeting Agenda Items
 - City Councilmembers

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

meeting.

City Council Regular Meeting - 7:40 p.m.

Mayor Thompson called the Council meeting to order at 7:40 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.

Attendance: Mayor Robert Thompson, Mayor Pro Tem Terry Christensen, Councilmember Phillip Lemley, Councilmember Sandra Kent, and Councilmember Dori Luzzo Gilmour were present.

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

COUNCILMEMBER SANDRA KENT MOVED AND MAYOR PRO TEM TERRY CHRISTENSEN SECONDED A MOTION TO EXCUSE COUNCILMEMBER DAVID ROSE AND COUNCILMEMBER BRAD ANDERSON. THE MOTION 5-0.

Pledge of Allegiance

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

Approval of Agenda

Ms. Kintzley addressed proper meeting decorum by audience members during a Council meeting. She read a list of acceptable behaviors and explained the ramifications if unacceptable behaviors persist.

Mayor Thompson added Resolution No. 192, Authorizing the Acquisition of Real Property Interests from the Tri-City Railroad Company, LLC, by negotiated settlement for the purpose of constructing the Duportail Bridge project, to Items of Business and moved Presentation No. 4 to the last Presentation position, No. 6.

COUNCILMEMBER SANDRA KENT MOVED AND MAYOR PRO TEM TERRY CHRISTENSEN SECONDED A MOTION TO APPROVE THE AGENDA AS AMENDED. THE MOTION 5-0.

Presentations

3. New Hire/Retirements (5 minutes)

- Allison Jubb, Human Resources Director

Ms. Jubb announced the retirees Bonnie Gordon, Support Specialist with 11 years of service and Glen Gordon, Lead Meter Reader, with 29 years of service. She also introduced the new employees and gave their backgrounds: Darryl Mayfield, Plant Operator; Chenea Pontin, Emergency Communications Dispatcher; Frank Urich, Engineering Technician I; and Robert Moritz, Utility Crafts Worker.

4. Presentation of the 2018 City Manager's Proposed Budget (20 minutes)
 - Cindy Reents, City Manager

Ms. Reents highlighted the Richland community, gave an overview of the 2018 City Manager's proposed budget and reviewed the remaining 2018 Budget Calendar.

Councilmember Lemley expressed praise to the City Manager, Department Directors and staff for running a strong and successful City government.

5. Expressing Appreciation to Steve Arneson for Service on the Utility Advisory Committee
 - Robert Thompson, Mayor

Mayor Thompson read the appreciation resolution and plaque to Steve Arneson who has served on the Utility Advisory Committee for more than 16 years. Mayor Thompson gave his personal thanks to Mr. Arneson. Mr. Arneson spoke on how it was an honor to serve the City and how much he enjoyed the experience.

6. Proposed Annexation of the Lorayne J Ranch and Meadow Springs Ranch Plats West of Leslie Road and South of Lorayne J Boulevard
 - Kerwin Jensen, Community Development Director

Mr. Simon said several property owners within the Lorayne J Ranch and Meadow Springs Ranch plats have filed a request to initiate annexation proceedings to the City. This proposed annexation area consists of 120 residential lots on approximately 68 acres. A total of 18 owners, representing 15% of the total assessed valuation of the proposed annexation area have initiated this request, in satisfaction of the state law threshold that at least 10% of property owners are needed to initiate the annexation process. RCW 35.13.125 requires the City Council to meet with the parties initiating annexation for the purpose of determining whether the City will accept, reject or geographically modify the annexation proposal.

The annexation request is coming forward because this neighborhood needs an upgrade to its community water system, which presently operates on a well that has tested high in nitrates. The City has provided a temporary emergency intertie so that residents are currently receiving City water. Annexation would provide for this neighborhood to make a permanent connection to the City water system. Later in the annexation process, a formal annexation petition will be required to be signed by

property owners representing 60% of the total assessed valuation of the proposed annexation area. At this point, it is not known whether or not the neighborhood will be able to meet this requirement.

Council had questions for Mr. Simon on the annexation.

Public Hearing

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

7. Proposed Surplus of Equipment - Resolution No. 167-17
- Cathleen Koch, Administrative Services Director

Ms. Koch said the public hearing was being held to receive input or comments on proposed Resolution No. 167-17, Authorizing Surplus and Disposal of Equipment, which is on the Consent Agenda.

Mayor Thompson opened the public hearing at 8:15 p.m.

Randy Slovic, 74 Newcomer, Richland, WA, wanted to know the City's process of selling the surplus items. Purchasing Manager Robinson explained the steps the City follows to legally dispose of surplus items.

Mayor Thompson closed the public hearing at 8:17 p.m.

8. Relinquishment of a Portion of Utility and Waterline Easement at 2100 Pullen Street - Resolution No. 184-17
- Pete Rogalsky, Public Works Director

Mr. Rogalsky said the public hearing was to receive public comment on the proposed relinquishment of a portion of water line and utility easement lying within 2100 Pullen Street.

Mayor Thompson opened the public hearing at 8:18 p.m. and closed the hearing at 8:18:15 p.m. as there were no public comments.

Public Comments

Randy Slovic, 74 Newcomer, Richland, WA, was concerned that the boards, committees and commissions do not have more women appointed to them. She also was not in favor of the development at Columbia Point South.

Carrie Benitez, 100 Sykline Drive, Richland, WA, said the intersection of Skyline Drive and Queensgate Avenue has had a marked increase in traffic and believes it is a dangerous intersection. She gave suggestions for solutions.

Lloyd Becker, 2120 Duportail Street, Richland, WA, expressed his concerns about Councilmember Luzzo Gilmour.

Nancy Doran, 1516 Johnston Street, Richland, WA, said she supports keeping Columbia Point South as an open natural space area.

Paul Fraser, 570 Holly Street, Richland, WA, supports open spaces and encourages the Council to keep the Columbia Point South area as an open natural space.

Aaron White, 1202 Thayer Drive, Richland, WA, said he was concerned that by developing Columbia Point South, it would increase the bottleneck of traffic on George Washington Way. He supports leaving that area as an open natural space.

Shir Regev, said she supports leaving Columbia Point South as a natural open space. She said she has not heard any comments made in support of the urban recreation zoning.

Ginger Wireman, 2435 Michael Avenue, Richland, WA, said she was concerned the Comprehensive Plan update had references to developing housing in the 300 Area. She supported the work being done on the Bateman causeway, and said the Capital Improvement Plan had no plans for street and sidewalk improvements in the neighborhood south of City Hall.

Consent Calendar

City Clerk Hopkins read the Consent Calendar.

MAYOR PRO TEM TERRY CHRISTENSEN MOVED AND COUNCILMEMBER SANDRA KENT SECONDED A MOTION TO APPROVE THE CONSENT CALENDAR AS PUBLISHED. THE MOTION CARRIED 3-2. COUNCILMEMBER DORI LUZZO GILMOUR AND MAYOR PRO TEM TERRY CHRISTENSEN OPPOSED.

Minutes

9. Approve the Minutes of the Meetings Held on September 19 and 26, 2017
 - Heather Kintzley, City Attorney

Ordinances - First Reading

10. Ordinance No. 40-17, Amending the Critical Areas Ordinance
 - Kerwin Jensen, Community Development Director

Ordinances - Second Reading/Passage

11. Ordinance No. 35-17, Amending RMC Title 14: Electricity, Relating to Retail Rates
 - Bob Hammond, Energy Services Director

12. Ordinance No. 36-17, Rezoning Five (5) Acres Currently Designated Under the Badger Mountain South Land Use and Development Regulations (LUDR) to R-12 Single Family
 - Kerwin Jensen, Community Development Director
13. Ordinance No. 39-17, Amending the 2017 Budget to Increase Appropriations in the Criminal Justice Sales Tax Fund
 - Chris Skinner, Police Services Director
14. Ordinance No. 43-17, Amending RMC Title 23: Zoning, Related to Nursing and Rest Homes in the Business Commerce (B-C) Zone
 - Kerwin Jensen, Community Development Director
15. Ordinance No. 42-17, Adopting the Ten-Year Update to the Comprehensive Plan
 - Kerwin Jensen, Community Development Director

Resolutions – Adoption

16. Resolution No. 167-17, Approving the Sale of Surplus Property and Equipment
 - Cathleen Koch, Administrative Services Director
17. Resolution No. 172-17, Expressing Appreciation to Steve Arneson for Service on the Utility Advisory Committee
 - Heather Kintzley, City Attorney
18. Resolution No. 173-17, Authorizing the Execution of an EVITA Agreement with Energy Northwest for a WSDOT Grant
 - Bob Hammond, Energy Services Director
19. Resolution No. 182-17, Authorizing the Execution of Agreements with the Department of Natural Resources and Army Corp of Engineers for the Duportail Bridge Project
 - Pete Rogalsky, Public Works Director
20. Resolution No. 183-17, Accepting a Request for Annexation of the Lorayne J

Ranch and Meadow Springs Ranch Plats

- Kerwin Jensen, Community Development Director

21. Resolution No. 184-17, Authorizing the Relinquishment of a Portion of a Utility and Water line Easement at 2100 Pullen Street

- Pete Rogalsky, Public Works Director

22. Resolution No. 185-17, Awarding Bid to Rotschy, Inc. for Wastewater Treatment Plant Influent Upgrades Project

- Pete Rogalsky, Public Works Director

23. Resolution No. 187-17, Authorizing Acquisition of Access Control Rights for Duportail Bridge Project

- Pete Rogalsky, Public Works Director

Items for Approval

24. Appointment to the Richland Public Library Board of Trustees: Kurt Maier

- Heather Kintzley, City Attorney

25. Appointment to the Richland Personnel Committee: Kalen Finn

- Heather Kintzley, City Attorney

Expenditures - Approval

26. Expenditures from September 11, 2017 - September 22, 2017 for \$6,232,553.73 including Check Nos. 249919-250382, Wire Nos. 6567-6578, Payroll Check Nos. 124648-125206, and Payroll Wire/ACH Nos. 10096-10110

- Cathleen Koch, Administrative Services Director

Items of Business

27. Ordinance No. 37-17, Creating a New Urban Recreation Zoning District - First Reading

Kerwin Jensen, Community Development Director

Mr. Jensen said as part of the City's update to its Comprehensive Plan, a new land use designation called Urban Recreation is proposed and would initially be applied to the city-owned property in the Columbia Point South area. In order to implement this portion of the plan, a new zoning designation of the same name is proposed. This zoning

category is intended to provide areas for public events, parks and open space, and provide some limited commercial uses as well. The new zoning designation recognizes the environmentally sensitive nature of Columbia Point South and is proposed to require cultural resource surveys and critical areas reports prior to any development taking place on site.

The proposed ordinance was the same ordinance presented by staff to the Planning Commission. The Planning Commission held a public hearing on August 30, 2017 and recommended the following changes to the attached ordinance:

- Outdoor theatres, RV campgrounds, health spas, lodges, restaurants, specialty retail stores, and sporting good rentals all would require a special use permit and approval by the Hearing Examiner.
- Additional standards would be required of all developments to include "Bird-Friendly Building Design", compliance with the "Pattern Outdoor Lighting Code", landscaping shall consist of native species, building design shall maintain the view scape of the river, all area tribes (rather than just the Umatilla) to be notified of each development. .

Mr. Jensen said if the Council choose to adopt the more restrictive standards, staff will be directed to present the more restrictive language in the ordinance for second reading.

Council had a question and answer period with Mr. Jensen on the topic.

MAYOR ROBERT THOMPSON MOVED AND MAYOR PRO TEM TERRY CHRISTENSEN SECONDED A MOTION TO GIVE FIRST READING TO ORDINANCE NO. 37-17.

Councilmember Kent said she does not support the Columbia Point South as an urban recreation zone, but supports the natural open space designation. She will be voting no.

Councilmember Luzzo Gilmour said the citizens do not want development at Columbia Point South and she will be voting no.

Councilmember Lemley said he supports the amendment to the urban recreation zone.

Mayor Pro Tem Christensen said the urban recreation zoning may enhance the area and the City should be looking ahead at future planning.

Mayor Thompson said the Council needs to remain open to future planning.

THE MOTION CARRIED 3-2. COUNCILMEMBERS DORI LUZZO GILMOUR AND SANDRA KENT OPPOSED.

28. Resolution No. 192, Authorizing the Acquisition of Real Property Interests from

the Tri-City Railroad Company, LLC by Negotiated Settlement for the Purpose of
Constructing the Duportail Bridge Project
- Heather Kintzley, City Attorney

**MAYOR ROBERT THOMPSON MOVED AND COUNCILMEMBER SANDRA KENT
SECONDED A MOTION TO APPROVE RESOLUTION NO, 192. THE MOTION
CARRIED 5-0.**

Reports and Comments

1. City Manager

Ms. Reents thanked staff for their work on the budget during her absence. Ms. Reents addressed a letter to the editor recently in the Tri City Herald, saying the City should have used local contractors to build the new City Hall. She said that was not an accurate statement. She explained the process of the design bid solicitation method used for the new City Hall building and how contracts are competitively bid. Eleven of the seventeen sub-contractors submitted for the project are from the greater Tri-Cities area.

2. City Council

Councilmember Luzzo Gilmour expressed congratulations to the founders of LIGO for winning the Nobel Prize in Physics. She noted the Arts Commission Chair, Dr. Kissel, works for LIGO.

Councilmember Lemley said he attended a Richland Police Officer's funeral the past weekend and complimented Police Chief Skinner and his department on their involvement the ceremony.

Mayor Pro Tem Christensen said the Richland Fred Myer grand reopening is scheduled on October 4, 2017, and encouraged all to attend.

3. Mayor

Mayor Thompson cautioned public speakers about the consequences of making negative comments that may be out of context or unfounded.

Adjournment

Mayor Thompson adjourned the meeting at 9:01 p.m.

Respectfully Submitted,



Marcia Hopkins, City Clerk

FORM APPROVED



Robert J. Thompson, Mayor

DATE APPROVED

October 17, 2017