



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Richland City Hall ~ 505 Swift Boulevard

Tuesday, December 5, 2017

Pre-Meeting Executive Session:

Mayor Thompson called the pre-meeting to order at 6:00 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 was City Manager Reents.

1. Executive Session per RCW 42.30.110 (1) (g) Performance Review of Public Employee (60 minutes)
 - Cindy Reents, City Manager

MAYOR PRO TEM CHRISTENSEN MOVED AND MAYOR THOMPSON SECONDED A MOTION TO MOVE INTO EXECUTIVE SESSION AT 6:00 P.M. TO DISCUSS PER RCW 42.30.110 (1) (G) PERFORMANCE REVIEW OF PUBLIC EMPLOYEE FOR 60 MINUTES. THE MOTION CARRIED 7-0.

MAYOR THOMPSON MOVED AND MAYOR PRO TEM CHRISTENSEN SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:00 P.M. THE MOTION CARRIED 7-0.

City Attorney Kintzley joined the second executive session.

MAYOR THOMPSON MOVED AND MAYOR PRO TEM CHRISTENSEN SECONDED A MOTION TO MOVE INTO EXECUTIVE SESSION AT 7:00 P.M. TO DISCUSS PER RCW 42.30.110 (1) (II) CURRENT OR POTENTIAL LITIGATION WITH LEGAL COUNSEL FOR 10 MINUTES. THE MOTION CARRIED 7-0.

MAYOR PRO TEM CHRISTENSEN MOVED AND MAYOR THOMPSON SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:10 P.M. THE MOTION CARRIED 7-0.

City Council Pre-Meeting - 7:10 p.m.

Agenda Item

2. Discuss Meeting Agenda Items (15 minutes)
 - Councilmembers

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

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

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.

Attendance:

Mayor Robert Thompson, Mayor Pro Tem Terry Christensen, Councilmember David Rose, Councilmember Phillip Lemley, Councilmember Brad Anderson, Councilmember Sandra Kent, 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 Director Hammond, Police Services Director Skinner and City Clerk Hopkins.

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 LEMLEY SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION CARRIED 7-0.

Presentations

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

Ms. Jubb announced the retirees Jim Jordon, Assistant Fire Marshall, with 26 years of service and Randy Rosen, General Crafts Worker, with 29 years of service. Ms. Jubb then announced the new hires: Karen Gonzalez-Alvarez, Parks & Recreation Aide; Benjamin Harrington, Police Officer; Kelly King, Emergency Communications Dispatcher; and Savannah Montgomery, Emergency Communications Dispatcher.

Public Hearing

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

4. Proposed Amendments to the 2017 Budget - Ordinance No. 51-17
- Cathleen Koch, Administrative Services Director

Mr. Allen said a public hearing was necessary for Ordinance No. 51-17, Amending the 2017 Budget, and he proceeded to give the details of the budget amendments. He said the first reading of the ordinance is on the agenda and the second reading and passage is scheduled for the December 19, 2017, Council meeting.

Council did not have any questions.

Mayor Thompson opened the public hearing at 7:38 p.m. and closed the hearing at 7:38:15 p.m. as there were no comments.

5. Assuming the Rights, Powers, Functions, Immunities, and Obligations of the Richland Transportation Benefit District - Ordinance No. 55-17
- Heather Kintzley, City Attorney

Ms. Kintzley said on March 21, 2017, the Richland City Council passed Ordinance No. 02-17, establishing the Richland Transportation Benefit District "Richland TBD". The primary purpose of the Richland TBD is to support the City's pavement preservation program, and to provide some limited funding in support of the Duportail Bridge. The geographical boundaries of the Richland TBD mirror those of the City of Richland. This public hearing is being held pursuant to Resolution No. 217-17. The legal requirements regarding publication have been met.

Council did not have any questions.

Mayor Thompson opened the public hearing at 7:41 p.m.

Ann Fraser, 570 Holly Street, Richland, WA, asked where the announcement of this action was posted. Ms. Kintzley said it was noticed in the Tri City Herald newspaper.

Mayor Thompson closed the public hearing at 7:42 p.m.

6. 2018 Community Development Block Grant and HOME Funding Recommendations - Resolution Nos. 209-17 & 218-17
- Kerwin Jensen, Community Development Director

Mr. Jensen said the 2018 Annual Action Plan (AAP) for the City of Richland and the Tri-Cities HOME Consortium is a supplement to the 2015-2019 Consolidated Plan. It describes proposed uses of 2018 funding from the U.S. Department of Housing and Urban Development (HUD) and 2018 anticipated program income from repaid housing loans via the HOME Investment Partnership and Community Development Block Grant (CDBG) programs. Mr. Jensen gave details of the programs as well as Block Grant

Coordinator Burden.

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

Mayor Thompson opened the public hearing at 7:51 p.m. and closed the hearing at 7:51:15 p.m. as there were no comments.

Public Comments

There were no public comments.

Consent Calendar

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER ANDERSON SECONDED THE MOTION TO APPROVE THE CONSENT CALENDAR AS AMENDED BY MOVING ORDINANCE NO. 48-17 AND RESOLUTION NO. 222-17 TO ITEMS OF BUSINESS. THE MOTION CARRIED 7-0.

Minutes

7. Adopt the Minutes of the Meeting Held November 21, 2017
 - Heather Kintzley, City Attorney

Ordinances - First Reading

8. Ordinance No. 51-17, Approving Amendments to the 2017 Budget
 - Cathleen Koch, Administrative Services Director
9. Ordinance No. 55-17, Assuming the Rights, Powers, Functions, Immunities, and Obligations of the Richland Transportation Benefit District
 - Heather Kintzley, City Attorney
10. Ordinance No. 56-17, Approving the 2021 Council Compensation Plan
 - Cathleen Koch, Administrative Services Director

Ordinances - Second Reading/Passage

- PULLED:** 11. Ordinance No. 48-17, Amending RMC Title 23: Zoning Regulations to add Vehicle-Based Food Vendors
 - Kerwin Jensen, Community Development Director
12. Ordinance No. 53-17, Amending RMC Title 3: Finance, Chapter 3.24 Funds

- Cathleen Koch, Administrative Services Director

13. Ordinance No. 54-17, Authorizing a Fiber Optic Franchise Agreement and Master Permit with WA-CLEC LLC, dba Crown Castle
Pete Rogalsky, Public Works Director

Resolutions – Adoption

14. Resolution No. 209-17, Authorizing Submission of Grant Forms to the U.S. Department of Housing and Urban Development for Community Development Block Grant (CDBG) Funds for 2018
- Kerwin Jensen, Community Development Director
15. Resolution No. 218-17, Authorizing Submission of Grant Forms to the U.S. Department of Housing and Urban Development (HUD) for the HOME Investment Partnership Program
- Kerwin Jensen, Community Development Director
16. Resolution No. 219-17, Authorizing a Collaboration Agreement for a Regional Analysis of Fair Housing Plan
- Kerwin Jensen, Community Development Director
17. Resolution No. 221-17, Authorizing a Purchase and Sale Agreement with Rieve Properties for 1-Acre in the Horn Rapids Business Center
- Kerwin Jensen, Community Development Director
- PULLED:** 18. Resolution No. 222-17, Authorizing a Purchase and Sale Agreement with Anmol Enterprises, LLC for 2.5 Acres in the Horn Rapids Commercial Center
- Kerwin Jensen, Community Development Director
19. Resolution No. 220-17, Authorizing the Energy Services Director to Represent the City of Richland Energy Services in Market Power Purchase Transactions with Northwest Intergovernmental Energy Supply
- Bob Hammond, Energy Services Director

Items for Approval

20. Appointments to the Americans with Disabilities Act Citizens Review Committee:

David Carl and Michele Levenite
- Heather Kintzley, City Attorney

21. Authorize Travel for Mayor Thompson and Mayor Pro Tem Christensen
- Cindy Reents, City Manager

Expenditures - Approval

22. Expenditures from November 13, 2017 - November 24, 2017 for \$4,466,402.97 including Check Nos. 252009-252337, Wire Nos. 6623-6630, Payroll Check Nos. 126842-127379, and Payroll Wire/ACH Nos. 10174-10189
- Cathleen Koch, Administrative Services Director

Items of Business

23. Resolution No. 223-17, Authorizing a Purchase and Sale Agreement with Chill Build WA, LLC for 9 Acres in the Horn Rapids Industrial Park
- Kerwin Jensen, Community Development Director

Mr. Jensen said Chill Build WA, LLC is proposing to purchase a 9-acre property within the Horn Rapids Industrial Park east and adjacent to its freezer facility. The purpose of the purchase is to accommodate expansion of Chill Build WA, LLC's existing freezer facility. The purchase price is \$32,500 per acre for the 9-acre property, amounting to estimated gross proceeds of \$292,500. The City will retain a repurchase right if Chill Build has not submitted an application for approval of building plans to the City within twelve (12) months of closing, and if it does not begin construction of the construction office and warehouse facility within eighteen (18) months of closing. The proposed purchase was reviewed by the Economic Development Committee at its November 27, 2017 meeting. The EDC and staff recommended approval of Resolution No. 223-17.

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

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER ROSE SECONDED THE MOTION TO ADOPT RESOLUTION NO. 223-17. THE MOTION CARRIED 7-0.

24. Ordinance No. 48-17, Amending RMC Title 23: Zoning Regulations to add Vehicle-Based Food Vendors
- Kerwin Jensen, Community Development Director

Mr. Jensen said the Economic Development Committee has recommended that the City revise its zoning regulations to provide for vehicle-based food vendors (food trucks) to operate in the City's commercial and business zoning districts. Under the City's existing

regulations, food trucks are allowed to operate only in the C-3 General Business district. The Planning Commission held a public hearing on October 25, 2017 to consider these code amendments, and voted unanimously to recommend their adoption. If approved, the code amendments would provide for the operation of food trucks subject to compliance with operating standards intended to protect public health and safety. This item was also reviewed by the City Council at a previous workshop. Staff recommends approval of Ordinance No. 48-17 for second reading and passage.

Council had a question and answer period with Mr. Jensen on the topic, however, Mr. Jensen did not have the information available to answer several of the questions.

MAYOR THOMPSON MOVED AND COUNCILMEMBER KENT SECONDED THE MOTION TO TABLE ORDINANCE NO. 48-17 TO THE DECEMBER 19, 2017 COUNCIL MEETING. THE MOTION CARRIED 7-0.

25. Resolution No. 222-17, Authorizing a Purchase and Sale Agreement with Anmol Enterprises, LLC for 2.5 Acres in the Horn Rapids Commercial Center
- Kerwin Jensen, Community Development Director

Mr. Jensen said Anmol Enterprises, LLC is proposing to purchase a 2.5-acre lot in the Horn Rapids Commercial Plaza along Kingsgate Way and east of the Horn Rapids Golf Course Community for the development of a gas station, convenience store, coffee stand and car wash. The total purchase price for the 2.5-acre property is \$336,501. The purchase price is consistent with the City of Richland's Resolution No. 35-13, which established pricing within the Horn Rapids Business Center in September, 2013. The City will retain a repurchase right if Anmol Enterprises, LLC has not submitted an application for approval of building plans to the City within eight (8) months of closing, and if construction of the commercial development does not begin within eighteen (18) months of closing. The proposed purchase was reviewed by the Economic Development Committee at its November 27, 2017 meeting. The EDC recommends approval. Staff also recommends approval of Resolution No. 222-17.

After discussion of the resolution, Councilmembers agreed to amend the purchase and sale agreement to include language that gives Council oversight ability for the design of the entrance plans.

Ms. Kintzley recommended that the resolution not be approved so that staff can amend the purchase and sale agreement and bring it back to Council for consideration at a future Council meeting.

MAYOR THOMPSON MOVED AND COUNCILMEMBER ROSE SECONDED THE MOTION TO AMEND THE PURCHASE AND SALE AGREEMENT AND BRING IT BACK TO COUNCIL ACTION AT A FUTURE COUNCIL MEETING. THE MOTION CARRIED 7-0.

Reports and Comments

1. City Manager

Ms. Reents said she would appreciate Councilmembers bringing their questions on agenda items to staff to answer before the Council meeting, whenever possible.

2. City Council

Councilmember Lemley said he attended the annual Richland Chili Cookout, which is a fundraising event for United Way, and said he enjoyed the event. He also attended the State of the Ports meeting. He said the Local 598 Local Plumbers and Pipe Fitters will be assembling over 3,000 donated bicycles and tricycles and distributing them to qualified families next week and encouraged people to volunteer at the event.

Councilmember Rose congratulated the Richland High School football team for winning the State Championship.

Mayor Pro Tem Christensen cautioned Council to not micromanage projects.

3. Mayor

Mayor Thompson the holiday programs at the HAPO stage have been well attended and stated the HAPO stage has been a very successful addition to the City.

Adjournment

Mayor Thompson adjourned the meeting at 8:26 p.m.

Respectfully Submitted,

Marcia Hopkins, City Clerk

FORM APPROVED:

Robert J. Thompson, Mayor

DATE APPROVED:

DATE PUBLISHED: