



MINUTES (amended)
RICHLAND CITY COUNCIL REGULAR MEETING
Richland City Hall ~ 505 Swift Boulevard
Tuesday, December 4, 2018

City Council Pre-Meeting Workshop - 6:00 p.m.

Mayor Thompson called the pre-meeting workshop 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 Alvarez, Lemley, Lukson, Kent and Anderson were present.

Also present was City Manager Reents.

Agenda Item

1. Executive Session per RCW 42.30.110(1)(g) Performance Review of Public Employee

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER ALVAREZ 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.

COUNCILMEMBER ANDERSON MOVED AND COUNCILMEMBER ALVAREZ SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:00 P.M.

2. Executive Session Per RCW 42.30.110(1)(ii): Discuss Current or Potential Litigation with Legal Counsel

City Attorney Kintzley joined the meeting.

COUNCILMEMBER ALVAREZ MOVED AND COUNCILMEMBER ANDERSON SECONDED A MOTION TO MOVE INTO EXECUTIVE SESSION AT 7:00 P.M. TO DISCUSS PER RCW 42.30.110(1)(II): DISCUSS CURRENT OR POTENTIAL LITIGATION WITH LEGAL COUNSEL FOR 10 MINUTES.

MAYOR PRO TEM CHRISTENSEN MOVED AND COUNCILMEMBER ALVAREZ SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:10 P.M.

3. Net Metering

Administrative Services Director Koch, Public Works Director Rogalsky, Energy Services Director Whitney, and City Clerk Hopkins joined the meeting.

Mr. Whitney said the Utility Advisory Committee has reviewed the rate structure for net metering and made recommendations for a separate delivery and received rate for solar connections. He said an ordinance regarding the net metering rates will be on a January 2019 agenda for Council action.

4. Discuss Meeting Agenda Items

Council briefing discussed items on the agenda.

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 Thompson, Mayor Pro Tem Christensen, Councilmembers Alvarez, Lemley, Lukson, Kent and Anderson were present.

Also present were City Manager Reents, 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 Whitney, Interim Police Services Director Taylor 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 LUKSON SECONDED A MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE CARRIED MOTION 7-0.

Presentations

5. Legalize Richland Initiative petition (10 minutes)

Ms. Kintzley read a statement recapping the details and current status of the “Legalize Richland” petition that was delivered to the City on November 6, 2018. She explained the petition was flawed as it included amending a zoning law which can only be done by Council, not by a petition.

Councilmember Ryan said in 2012, Washington State voters legalized retail marijuana, however, 56% of the Benton County voters were against it. He said views have shifted since then, citing the Gallup polls that show 64% of Americans now approve of legalized marijuana. He agrees the petition is flawed, but with over 2,700 signatures on the petition in favor of legalized marijuana, he believes Council needs to discuss the topic.

COUNCILMEMBER LUKSON MOVED AND COUNCILMEMBER LEMLEY SECONDED THE MOTION TO HAVE STAFF SET A WORKSHOP TO DISCUSS POTENTIALLY PUTTING AN ADVISORY BALLOT ON THE 2019 GENERAL ELECTION, THE COST OF SUCH A BALLOT, ZONING ISSUES AND THE POTENTIAL REVENUE REGARDING LEGALIZED RETAIL MARIJUANA.

Mayor Thompson said that as many citizens have come forward in favor of legalized marijuana, the topic is worthy of discussion and he believes Council needs to make a decision on the issue.

Councilmember Kent said she wants to look at all options regarding the issue, not just an advisory ballot.

Mayor Pro Tem Christensen agrees with Councilmember Kent and said a broad range of options need to be discussed. He said the public is invited to attend the workshop.

COUNCILMEMBER LUKSON AMENDED HIS MOTION TO STATE SETTING A WORKSHOP TO DISCUSS ALL OPTIONS REGARDING LEGALIZED RETAIL MARIJUANA. COUNCILMEMBER LEMLEY AMENDED HIS SECOND. THE MOTION TO AMEND THE MOTION CARRIED 7-0.

Councilmember Alvarez agrees with Councilmember Kent and Mayor Pro Tem Christensen that a broad discussion on options is needed.

Councilmember Anderson said he would like to see the workshop in the near future. He wants the decision by Council made before the 2019 General Election in November so that the decision is transparent.

COUNCILMEMBER LUKSON (AMENDED) MOTION TO SET A WORKSHOP TO DISCUSS ALL OPTIONS REGARDING LEGALIZED RETAIL MARIJUANA. COUNCILMEMBER LEMLEY (AMENDED) SECOND. THE MOTION CARRIED 7-0.

6. Proclamation of Appreciation to Amanda Wallner for Service on the Planning Commission (5 minutes)

Councilmember Lemley read the proclamation and presented it to Ms. Wallner. Ms. Wallner thanked Council for the recognition and noted she is now a Marketing Specialist for Richland.

7. New Hire/Retirements (5 minutes)

Ms. Jubb said there were no retirements and continued by introducing the new hires: Christian Jabri, Police Officer; Ty Russell, Maintenance Worker I; Kyle Arsanto, Construction & Maintenance Worker II; and Rebecca Bishop, IT Business Analyst.

Public Hearing

Ms. Kintzley read the decorum procedure for public comments.

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

8. 2019 Community Development Block Grant (CDBG) and HOME Funding Recommendations - Resolution Nos. 170-18 & 171-18

Mr. Jensen said the 2019 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 2019 funding from the US Department of Housing and Urban Development (HUD) and 2019 anticipated program income from repaid housing loans via the HOME Investment Partnerships and Community Development Block Grant (CDBG) programs.

Councilmembers had a question and answer period with Mr. Jensen.

Mayor Thompson opened the public hearing 7:58 p.m. and closed the hearing at 7:58:15 p.m.

Public Comments

Mayor Thompson opened the Public Comments at 7:58 p.m.

Andrue Ott, 110 Davenport Street, Richland, WA, said Washington State voters made recreational cannabis legal and he supports a vote of the people regarding the cannabis moratorium.

Ryan Cooper, Chair of Libertarian Party, 425 S. Olympia Street, Kennewick, WA, supports a vote of the people regarding the cannabis moratorium.

Daniel Howe, 10017 Willow Way, Richland, WA, supports a vote of the people regarding the cannabis moratorium.

Cheyenne Brown, 1514 Goethals, Richland WA, agrees with previous speakers.

Jennifer Mondo, 231908 E 549 PR SE, Kennewick, WA, supports the cannabis moratorium.

Mike Wingfield, 87 Waldron Street, Richland, WA, supports a vote of the people regarding the cannabis moratorium.

Kimberly Heath, 743 Meadows Drive South, Richland, WA, supports the moratorium on cannabis.

Victoria, Richland, WA, pointed out that a cannabis shop requires ID to get in the store and ID to purchase and if cannabis is sold legally, it is not worth the risk for drug dealers to sell it.

Tim Wilcoxson, 2561 Violet Court, Richland, WA, supports legalizing the retail sale of cannabis.

Dave Hedengren, 1730 Albany Court, Richland, WA, supports the Council's decision to have a workshop to discuss the cannabis options and keep it transparent to citizens.

Andy Webster, 2110 Torbett Street, Richland, WA, asked for people in the audience to raise hand if they support legalized cannabis.

Shawn Griffith, 1126 Benham Court, Richland, WA, supports the Council discussion on legalizing the retail sale of cannabis.

Austin Pierre Saget, 5826 W. Metaline Avenue, Kennewick WA, supports legalizing the retail sale of cannabis.

Robert Benedetti, 400 Broadmoor, Richland, WA, congratulated Mr. Ott on getting over 4,600 signatures. He said he tried cannabis for his Parkinson's disease and it did not work for him.

Brianna Mills, 1421 Potter Avenue, Richland, WA, supports legalizing the retail sale of cannabis.

Randy Slovic, 74 Newcomer Street, Richland, WA supports legalizing the retail sale of cannabis.

Robert Parr, 667 Hanford, Richland, WA, believes enforcement, safe guards and licensing have not been fully developed regarding the use and sale of cannabis and recommends doing a revenue audit before making a decision on the retail sale of cannabis.

Brad Klippert, 2301 South Rainier Street, Kennewick, WA, supports the moratorium on cannabis.

Barbara Poulson, 2308 Olympia Street, Richland, WA, supports the moratorium on cannabis.

Carly Hodges, 1005 Warren Court, Richland, WA, supports legalizing the retail sale of cannabis.

Doug McKinley, Richland, WA, supports legalizing the retail sale of cannabis.

Kerry Williams, Richland, WA, stated the sale of cannabis is not a positive influence when located near a home and she applauds the Council's decision to hold a workshop to consider their options regarding cannabis.

A Kennewick citizen said he invites everyone to Denny's after the Council meeting to meet and continue the discussion.

Mayor Thompson closed Public Comments period at 8:41 p.m.

Consent Calendar

City Clerk Hopkins read the Consent Calendar.

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

Minutes

9. Approve the City Council Meeting Minutes for November 20, 2018

Ordinances - First Reading

10. Ordinance No. 63-18, Amending Richland Municipal Code Title 17: Sewers, related to Maintenance of Building Sewers
11. Ordinance No. 67-18, Approving the 2022 Council Compensation Plan
12. Ordinance No. 68-18, Amending Chapter 2.12 of the Richland Municipal Code related to the Library Board
13. Ordinance No. 69-18, Amending Chapter 2.17 of the Richland Municipal Code related to the Arts Commission

Ordinances - Second Reading/Passage

14. Ordinance No. 64-18, Amending Richland Municipal Code Section 3.24.900 related to Criminal Justice Sales Tax
15. Ordinance No. 65-18, Ordering Dedication of the Falconcrest Loop Right-of-Way
16. Ordinance No. 66-18, Approving Amendments to the 2018 Budget

Resolutions – Adoption

17. Resolution No. 110-18, Authorizing a Power Purchase Agreement with Potelco, Inc. for Horn Rapids Solar, Storage and Training Project Site
18. Resolution No. 148-18, Authorizing a Street Latecomer Agreement with Richland 132, LLC for segments of Bellerive Drive and Center Parkway
19. Resolution No. 166-18, Authorizing Submission of a Grant Application to the Washington State Recreation and Conservation Office
20. Resolution No. 167-18, Approving an Application for Funding from the Business License Reserve Fund to Construct ADA-Compliant Traffic Signal Improvements
21. Resolution No. 168-18, Approving a Purchase and Sale Agreement with JJA Properties, LLC
22. Resolution No. 169-18, Authorizing the Purchase of 1.75 Acres from Del Rey Development Company, Inc. for a Future Fire Station
23. Resolution No. 170-18, Authorizing Submission of Grant Forms to the U.S. Department of Housing and Urban Development (HUD) for the HOME Investment Partnerships Program for 2019
24. Resolution No 171-18, Authorizing Submission of Grant Forms to the U.S. Department of Housing and Urban Development for Community Development Block Grant (CDBG) Funds for 2019
25. Resolution No. 172-18, Authorizing an Agreement with Energy Incentives for Residential Energy Efficiency Program Support

Items for Approval

26. Appointment to the Planning Commission: Phillip Keuhlen

Expenditures - Approval

27. Expenditures from November 12, 2018 - November 23, 2018 for \$7,142,498.90 including Check Nos. 262428-262737, Wire Nos. 7208-7225, Payroll Check Nos. 140908-141443, and Payroll Wire/ACH Nos. 10733-10747

Items of Business

28. Resolution No. 173-18, Authorizing an Agreement with McKay & Sposito for the Wayfinding Signage Capital Improvement Project

Mr. Schiessl said in 2017, the Tri-Cities Visitor and Convention Bureau (TCVCB) facilitated a branding effort for the Tri-Cities that was endorsed by the region and included a recommendation to create informational wayfinding signage. In 2018, the TCVCB, in coordination with local city, county and port jurisdictions, developed of an informational wayfinding signage plan known as the Merje Plan.

The Merje plan is conceptual and ready to be engineered for implementation. Richland and its partners are aligned with regard to project investment and schedule. McKay and Sposito, Inc. was recently selected through a competitive selection process to complete the engineering, oversee procurement, and provide construction administration services relative to the City's wayfinding signage capital improvement project.

Council had a question and answer period with Mr. Schiessl.

COUNCILMEMBER KENT MOVED AND MAYOR THOMPSON SECONDED A MOTION TO ADOPT RESOLUTION NO. 173-18. THE MOTION CARRIED MOTION 7-0.

City Manager

Ms. Reents had no comments.

City Council

Councilmember Kent thanked the public for giving respectful comments.

Councilmember Alvarez thanked Mr. Ott for his efforts and said he will weigh all sides of the cannabis issue and will seek more education on the topic.

Councilmember Lemley said he looks forward to the process of discussing the cannabis issue and becoming more educated on the topic.

Councilmember Lukson said he appreciated the hard work that went into the petition and obtaining the engagement of citizens. He supports going with the majority of citizen's opinions regarding the cannabis issue.

Mayor Pro Tem Christensen said he appreciated the citizen participation and their respectfulness. He pointed out that it would cost \$90,000-\$100,000 to put the cannabis issue on the February ballot, if no other topics are added. He said placing it on the November General Election would cost considerably less.

Mayor

Mayor Thompson said over time, the culture changes and culture is what sets policy. He said he also looks forward to more education on the cannabis issue.

Adjournment

Mayor Thompson adjourned the meeting at 8:58 p.m.

Respectfully Submitted,



Marcia Hopkins, City Clerk

FORM APPROVED:



Robert J. Thompson, Mayor

DATE APPROVED:

February 5, 2019

DATE PUBLISHED

February 6, 2019