MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING
Richland City Hall ~ 505 Swift Boulevard
Tuesday, March 3, 2015

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

Attendance:
Mayor Rose, Mayor Pro Tem Lemley, Council Members Anderson, Christensen and Kent, were present.

Also present were City Manager Johnson, Assistant City Manager Amundson and City Attorney Kintzley.

Executive Session:

1. Executive Session - RCW 42.30.110(1)(ii) - Discuss Current or Pending Litigation (10 min)

MAYOR PRO TEM LEMLEY MOVED AND COUNCIL MEMBER KENT SECONDED A MOTION TO MOVE INTO EXECUTIVE SESSION AT 7:00 P.M. TO DISCUSS PER RCW 42.30.110(1)(II) –CURRENT OR PENDING LITIGATION FOR 10 MINUTES. THE MOTION CARRIED 5-0.

MAYOR PRO TEM LEMLEY MOVED AND COUNCIL MEMBER KENT SECONDED A MOTION TO MOVE OUT OF EXECUTIVE SESSION AT 7:00 P.M. THE MOTION CARRIED 5-0.

Discussion of Meeting Agenda Items:
Public Works Director Rogalsky, Deputy City Manager King, Human Resources Director Jubb, and Deputy City Clerk Barham joined those already present. for the pre-meeting.

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

Staff clarified the insertion of the last-minute updated resolutions on the state transportation package and a budget adjustment issue.

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

Welcome and Roll Call:
Mayor Rose welcomed those in the audience and expressed appreciation for their attendance.

Mayor Rose, Mayor Pro Tem Lemley, Council Members Anderson, Christensen and Kent were present.

Also present were City Manager Johnson, Assistant City Manager Amundson, Deputy City Manager King, City Attorney Kintzley, Human Resources Director Jubb, Fire and Emergency Services Director Huntington, Police Services Director Skinner, Public Works Director Rogalsky, Energy Services Director Hammond, Parks and Public Facilities Director Schiessl, and Deputy City Clerk Barham.

MAYOR PRO TEM LEMLEY MOVED AND COUNCIL MEMBER CHRISTENSEN SECONDED A MOTION TO EXCUSE COUNCIL MEMBERS JONES AND THOMPSON. THE MOTION CARRIED 5-0.

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

Approval of Agenda:

MAYOR PRO TEM LEMLEY MOVED AND COUNCIL MEMBER CHRISTENSEN SECONDED A MOTION TO APPROVE THE AGENDA AS PUBLISHED. THE MOTION CARRIED 5-0.

Presentations:

1. 2014 Visit Tri-Cities Annual Report (5 minutes)
   - Kris Watkins, Visit Tri-Cities President and CEO

Ms. Watkins gave a detailed report on the 2014 accomplishments of the Visit Tri-Cities and the 2015 goals.

2. Tri-City Regional Hotel Motel Tourism Commission's Request to Use Reserve Funds for 2015 Special Projects (5 minutes) (on Consent Calendar, Item for Approval)
   - Kris Watkins, Visit Tri-Cities President and CEO

Ms. Watkins detailed the 2015 projects planned with the available budget in the reserve fund of the Tourism Promotion Area.

3. Proposed 2015 Electric Rates Communication and Outreach (5 minutes)
   - Sandi Edgemon, Energy Services Business Services Manager

Ms. Edgemon described the community outreach and education efforts of the Energy Services to the meet the energy customer's needs and promote their understanding of the proposed 2015 electric rates.

Public Hearing:
Deputy City Clerk Barham read the Public Hearing and Public Comments Procedures.

1. Proposed Amendments to the Master Agreement and Land Use and Development Regulations Governing the Badger Mountain South Master Planned Community - Resolution No. 29-15
   - Rick Simon, Development Services Manager

Mr. Simon said the purpose of the public hearing was to accept comments regarding the proposed amendments to the Master Agreement and Land Use and Development Regulations (LUDR) governing the Badger Mountain South planned community. The Master Agreement and the LUDR were originally put into place in 2010 when the Badger Mountain South Master Planned Community was annexed into the City of Richland. Nor Am Investments LLC, the developer of the master planned community, has proposed a number of changes to both documents to reflect some changes that have occurred over the past five years and to stimulate development of the project.

The Planning Commission reviewed the proposed LUDR amendments and has recommended approval of them. Staff has prepared Resolution No. 29-15 to adopt the proposed changes to the LUDR; however; additional time is needed to evaluate the proposed amendments to the master agreement. Staff will bring forward recommended changes to the master agreement in the near future.

Mayor Rose opened the public hearing at 7:58 p.m. and closed the hearing at 7:58:15, as there were no public comments.

2. Proposed Vacation of Short Plat No. 2115, in the Horn Rapids Business Park - Resolution No. 39-15
   - Rick Simon, Development Services Manager

Mr. Simon said the purpose of the public hearing was to receive comments on the proposed vacation of Short Plat No. 2115, per RCW 58.17.212. The short plat is City-owned property located west of Logston Boulevard and north of SR 240 in the Horn Rapids Business Park. The property was divided into four parcels in 1994 and has remained in an undeveloped condition since then. Recently, staff has identified that a different configuration of lots, easements and access would be beneficial, not only for the development of the subject property, but for those properties further west of the site. Vacation of the short plat would eliminate the lot boundaries and easements and is the first step needed in order for the re-division of the property to take place. Resolution No.

39-15, has been prepared for Council's consideration, should it wish to move ahead with the proposed vacation of Short Plat No. 2115.

Mayor Rose opened the public hearing at 8:01 p.m. and closed the hearing at 8:01:15, as there were no public comments.

3. Proposed Increase in Appropriation to the Industrial Development Fund - Ordinance No. 13-15
   - Bill King, Deputy City Manager

Mr. King said the purpose of the public hearing was to provide an opportunity for the public to comment on the proposed increase to the appropriation to the Industrial Development fund. City staff is currently negotiating to purchase a small parcel in the Horn Rapids Industrial Park. Because this opportunity only recently became available, the adopted 2015 budget did not include funding for this purchase; however, there are sufficient dollars in the Industrial Development Fund unappropriated beginning fund balance to cover all costs associated with the purchase.

Mayor Rose opened the public hearing at 8:04 p.m. and closed the hearing at 8:04:15, as there were no public comments.

Proposed 2015-2017 Collective Bargaining Agreement with the International Brotherhood of Electrical Workers (IBEW), Local Union No. 77 - Resolution No. 45-15
   - Allison Jubb, Human Resources Director

Ms. Jubb said the purpose of the public hearing was to allow for input on the 2015-2017 Collective Bargaining Agreement with International Brotherhood of Electrical Workers (IBEW), Local Union No. 77. Resolution No. 45-15 is being presented for Council consideration and approval.

Mayor Rose opened the public hearing at 8:07 p.m. and closed the hearing at 8:07:15, as there were no public comments.

Public Comments:
No comments were given.

Consent Calendar:
Deputy City Clerk Barham read the Consent items.

<u>Minutes:</u>

1. Approve the Minutes of the February 17 and 24, 2015 Council Meetings
   - Heather Kintzley, City Attorney

Ordinances - First Reading:

2. Ordinance No. 07-15, Establishing and Dedicating the Rights-of-Way for Polar Way, 1st Street, Logston Boulevard and Robertson Drive
   - Pete Rogalsky, Public Works Director
3. Ordinance No. 13-15, Amending the 2015 Budget to Increase Appropriations to the Industrial Development Fund
   - Bill King, Deputy City Manager

Ordinances - Second Reading/Passage:

4. Ordinance No. 04-15, Amending RMC Section 14.24.060: Electricity, Relating to Retail Rates
   - Bob Hammond, Energy Services Director
5. Ordinance No. 05-15, Increasing Capital Improvement Fund and Streets Capital Construction Fund Budgets
   - Pete Rogalsky, Public Works Director
6. Ordinance No. 06-15, Amending the Effective Date of Ordinance No. 25-14, Related to Adopting a New Shoreline Master Program
   - Heather Kintzley, City Attorney
7. Ordinance No. 08-15, Rezoning of Property at 1788 and 1790 Fowler Street (Gauntt NW, LLC)
   - Rick Simon, Development Services Manager
8. Ordinance No. 09-15, Amending the 2015 Budget and Providing for Additional Appropriations from Unanticipated Revenue in the Parks and Public Facilities Department and Parks Project Fund
   - Joe Schiessl, Parks and Public Facilities Director
9. Ordinance No. 10-15, Amending RMC Section 2.20, Code Enforcement Board
   - Heather Kintzley, City Attorney
10. Ordinance No. 11-15, Amending RMC Section 2.17.020, Arts Commission Created, Related to the Size and Structure of Membership
   - Joe Schiessl, Parks and Public Facilities Director

Resolutions – Adoption:

11. Resolution No. 29-15, Amending the Land Use and Development Regulations Governing the Badger Mountain South Master Planned Community
   - Rick Simon, Development Services Manager

12. Resolution No. 34-15, Authorizing the City Manager to Sign and Execute an Agreement with Accelerated Construction and Excavating LLC for Construction of the Hains Avenue Water Service Replacement Project
    - Pete Rogalsky, Public Works Director

13. Resolution No. 36-15, Authorizing the Preparation and Submittal of an Application to the Department of Natural Resources (DNR) for an Urban and Community Forestry Program Grant
    - Phil Pinard, Planning and Capital Projects Manager

14. Resolution No. 39-15, Vacating Short Plat No. 2115 in the Horns Rapids Business Park
    - Rick Simon, Development Services Manager

15. Resolution No. 40-15, Approving Phase 1 of the Clearwater Creek Final Plat
    - Rick Simon, Development Services Manager

16. Resolution No. 41-15, Establishing a Meeting Date to Meet with the Proponents of the Whitfield Annexation
    - Rick Simon, Development Services Manager

17. Resolution No. 42-15, Expressing Appreciation to Rick Jansons for Service on the Richland Public Facilities District Board
18. Heather Kintzley, City Attorney

19. Resolution No. 45-15, Proposed 2015-2017 Collective Bargaining Agreement with the International Brotherhood of Electrical Workers (IBEW), Local Union No. 77
    - Allison Jubb, Human Resources Director

20. Resolution No. 47-15, Authorizing the Circulation of a Petition for the Westchester Annexation
    - Rick Simon, Development Services Manager

21. Resolution No. 48-15, Awarding Bid to Circle H Construction, Inc. for the City of Richland Fiber Build 2015 Project
    - Jon Amundson, Assistant City Manager

22. Resolution No. 49-15, Approving the 2015 Interlocal Cooperation Agreement for Multi-Agency Three Rivers Information & Communications Services (MATRICS)
    - Chris Skinner, Police Services Director

Items for Approval:

23. Approve the Transfer of $241,945 from the Tourism Promotion Area Reserve Account to be used for 2015 Tourism Related Projects
    - Cindy Johnson, City Manager

Expenditures - Approval:

24. Expenditures from February 9, 2015 - February 20, 2015 for $4,528,036.89 including Check Nos. 220247- 220585, Wire Nos. 5834-5843, Payroll Check Nos. 99878-99892, and Payroll Wire/ACH Nos. 8856-8881
    - Cathleen Koch, Administrative Services Director

COUNCIL MEMBER KENT MOVED AND COUNCIL MEMBER CHRISTENSEN SECONDED A MOTION TO APPROVE THE CONSENT CALENDAR AS PUBLISHED. THE MOTION CARRIED 5-0.

Items of Business:

1. Resolution No. 37-15, Expressing Support for Washington State Senate Transportation Revenue and Reform Package
    - Pete Rogalsky, Public Works Director

Mr. Rogalsky gave the following report: A Washington State Transportation revenue and reform package is working its way through the legislative process. This is the third legislative session in a row in which a transportation revenue package has been considered. The City has two primary interests in the package, both of which are addressed in a far better manner in the current package than in previous versions.

The first interest is additional funding capacity dedicated to maintenance and preservation of existing streets. The package addresses this by providing a direct distribution of a fraction of new gas tax revenues and by enabling a local option car tab fee of up to $40 per year by Council action.

The second interest is funding for the Duportail Bridge. The current proposal would fully fund the bridge project. Washington State's transportation funding model functions in a similar fashion to the City's enterprise funds, in that user-derived revenues fund the operation without support from general tax revenues.

The package proposes to raise the gas tax by 11.7 cents per gallon over a three year period. Staff believes that the proposed package represents the best value likely available to Richland residents and believes that legislators representing our area would serve the City's interest best by supporting the package so that the features described above can be preserved in a package that is ultimately approved.

Council Members expressed their reasons for supporting this topic and stressed the importance of citizens being involved by contacting their legislators to express support of this transportation package.

COUNCIL MEMBER ANDERSON MOVED AND MAYOR PRO TEM LEMLEY SECONDED A MOTION TO. THE MOTION CARRIED 5-0.

Reports and Comments:

1. City Manager Johnson thanked Council for their positive vote on the Transportation Revenue and Reform Package and for approving the MATRICS Interlocal agreement.

2. Council Members:
   Council Member Anderson said the MATRICS is important for the entire area and thanked Senator Sharon Brown for voting for the transportation package.

   Council Member Christensen thanked Ms. Johnson for her hard work on the MATRICS. He said he attended a media event for Lincoln Landing featuring a new Fairchild movie theater and a new extended stay hotel. He said he also attended a Badger Mountain South Planned community event.

   Mayor Pro Tem Lemley said he attended meetings in Olympia, WA regarding the elderly and disabled last week. He also encouraged citizens to contact their legislators expressing their support of the transportation package.

3. Mayor Rose noted volume of commercial buildings going on throughout Richland this spring and recommended that citizens look up the commercial permits on the City's website to get more information.

Adjournment:
Mayor Rose adjourned the meeting at 8:53 p.m.

Respectfully Submitted,

Debby Barham

Debby Barham, Deputy City Clerk

FORM APPROVED: David W Rose

David W. Rose, Mayor

DATE APPROVED: March 17, 2015