



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, October 20, 2020

Zoom – Public Telephone Access: (206) 337-9723 or (253) 215-8782

Meeting ID No. 969 0152 3221

City Council Workshop - 5:00 p.m.

Mayor Lukson called the remote workshop to order at 5:00 p.m.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson were present.

Also remotely present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Fire & Emergency Services Director Huntington, Development Services Director Jensen, Administrative Services Director Koch, Public Works Director Rogalsky, Parks & Public Facilities Director Schiessl, Energy Services Director Whitney, City Clerk Rogers, City of Pasco City Manager Zabell, City of Pasco Administrative & Community Services Director Ratkai, and Consultants David Robison and Kim Harvey.

Agenda Item

1. Tri-Cities Animal Control Authority Shelter Update

City of Pasco City Manager Dave Zabell introduced Administrative & Community Services Director Zach Ratkai, who provided a recap of the status of building a new facility for Tri-Cities Animal Control. Topics discussed included current options and preferred options for the design and construction of a new facility, the current interlocal agreement for design and construction, outside organization options for partnerships, cost estimations, and the benefits to the preferred on-site option.

Throughout the update, Council provided comments and engaged in a question and answer session with city staff, Zach Ratkai, David Robison and Kim Harvey.

COUNCIL ADJOURNED THE WORKSHOP AT 6:01 AND ANNOUNCED A FIVE-MINUTE BREAK BEFORE CALLING THE REGULAR MEETING TO ORDER.

City Council Regular Meeting - 6:06 p.m.

Mayor Lukson called the Council meeting to order at 6:06 p.m.

Welcome and Roll Call

Mayor Lukson welcomed those attending the virtual meeting.

Attendance: Mayor Lukson, Mayor Pro Tem Kent, and Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson were present.

Also remotely present were City Manager Reents, Assistant City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Fire & Emergency Services Director Huntington, Development Services Director Jensen, Administrative Services Director Koch, Public Works Director Rogalsky, Parks & Public Facilities Director Schiessl, Energy Services Director Whitney and City Clerk Rogers.

Pledge of Allegiance

Members of Girl Scout Troop No. 5351 led Council and the audience in the recitation of the Pledge of Allegiance.

Approval of Agenda

PRIOR TO APPROVAL OF THE AGENDA, MAYOR LUKSON PULLED ITEM NO. 24 FROM THE CONSENT CALENDAR DUE TO A POTENTIAL CONFLICT. ITEM NO. 24, RESOLUTION NO. 144-20, AUTHORIZING A GRANT AGREEMENT WITH THE WASHINGTON TRAFFIC SAFETY COMMISSION FOR HIGH VISIBILITY ENFORCEMENT FUNDING, WAS MOVED TO ITEM NO. 2 UNDER ITEMS OF BUSINESS.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO APPROVE THE AGENDA AS AMENDED. THE MOTION CARRIED 7-0.

Presentations

2. "Extra Mile Day" Proclamation

Mayor Lukson read aloud the "Extra Mile Day" Proclamation.

3. COVID-19 Update

City Manager Reents announced that Benton and Franklin Counties have transitioned into Phase 2 of Washington's *Safe Start* reopening plan. Detailed information and guidance regarding allowable activities are outlined on Governor Inslee's website. Ms. Reents briefly described some of the allowable activities and services, and added that Governor Inslee will release additional phasing guidelines in the near future.

City Manager Reents shared some highlights from a recent Benton-Franklin Health District meeting, and reported that Richland has disbursed \$87,618 in CARES Act funds to residents and businesses most affected by the pandemic for utility payment assistance.

The Greater Columbia Accountable Community of Health (GCACH) Organization will form a Community Resiliency Campaign to work with mental health professionals to educate and provide aid to the community relating to the impacts of the pandemic.

The Benton County Board of Commissioners have authorized up to \$1.3 million in CARES Act funding to provide childcare assistance. The grant eligibility requirements, criteria, application and application deadline are available on Benton County's website.

City Manager Reents reported that, as of August, the City has received approximately \$1.08 million in sales tax, and that the City is on target with regard to the anticipated August sales tax revenue.

Councilmember Christensen questioned when in-person council meetings would resume. City Manager Reents advised that in-person meetings are scheduled to resume in Phase 3 of Governor Inslee's *Safe Start* plan. Mayor Lukson spoke favorably of holding in-person meetings since other businesses are open to a certain degree, and added that this topic will be discussed in a meeting with Governor Inslee.

Councilmember Thompson shared his thoughts and voiced frustrations with the inconsistent targets imposed by Governor Inslee. Mayor Lukson replied that it appears that the goal is to reduce transmission rates as much as possible and balance it with the opening industries. Mayor Lukson reiterated that the phases will be revised and will be made available in the near future. In response, Councilmember Thompson shared additional thoughts regarding the impacts of the pandemic.

Public Hearing

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

4. 2020 Budget Amendment in the General Fund, Stormwater Fund, Wastewater Fund and Industrial Development Fund, Ordinance No. 35-20

Public Works Director Pete Rogalsky provided an overview of the proposed budget amendment.

No individuals signed up to provide testimony for this public hearing item. Mayor Lukson opened and closed the public hearing at 6:35 p.m.

5. Proposed 2021 Revenue Sources Including Property Tax, Ordinance Nos. 38-20, 39-20 and 40-20

Finance Director Brandon Allen presented on the estimated revenue sources and property taxes for the 2021 Budget. A question and answer session with Council ensued.

No individuals signed up to provide testimony for this public hearing item. Mayor Lukson opened and closed the public hearing at 7:08 p.m.

6. Proposed Surplus of Equipment, Resolution No.142-20

Administrative Services Director Cathleen Koch presented a list of items surplus to the City's needs.

No individuals signed up to provide testimony for this public hearing item. Mayor Lukson opened and closed the public hearing at 7:11 p.m.

Public Comments

City Clerk Rogers read public comments submitted by the following individuals:

Guy Steen - 126 Cimarron Street, Richland, WA 99352: Mr. Steen stated concerns with Waste Management's plan not to collect bio-material this fall. Mr. Steen requested that a billing adjustment be made to accommodate expenses incurred by residents having to transport the debris to the landfill.

Tim Taylor - 462 Palm Drive, Richland, WA 99352: Mr. Taylor reminded Council that new animal control facility is still needed, and encouraged Council to take action to build a facility to meet the needs of the growing communities.

Charles Robertson, owner of American Cruise Lines, stated that he has been working with the City to increase the number of times the American Cruise Lines cruise ships dock at the city. A proposed agreement to support this effort will be presented in the near future for Council's consideration and approval.

Consent Calendar

City Clerk Rogers read the Consent Calendar.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER THOMPSON SECONDED THE MOTION TO APPROVE THE CONSENT AGENDA AS AMENDED. THOSE IN FAVOR: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN, LEMLEY AND THOMPSON. THOSE OPPOSED: NONE. THE MOTION CARRIED 7-0.

Minutes

7. Approval of the October 6, 2020 City Council Meeting Minutes

Ordinances - First Reading

8. Ordinance No. 35-20, Amending the 2020 Budget to Increase Appropriations in the General Fund, Stormwater Fund, Wastewater Fund, and Industrial Development Fund
9. Ordinance No. 37-20, Amending Richland Municipal Code Section 18.16.080 related to the Restricted Use of Water for Irrigation Purposes

10. Ordinance No. 38-20, Approving the 2021 Ad Valorem Tax and Property Tax Levies
11. Ordinance No. 39-20, Determining Substantial Need in Setting the Limit Factor for the 2021 Tax Levy
12. Ordinance No. 40-20, Approving a Change to the 2021 Ad Valorem Tax over the Prior Year
13. Ordinance No. 41-20, Amending Richland Municipal Code Section 9.26.020 related to Discharging Firearms
14. Ordinance No. 42-20, Amending Chapter 12.16 of the Richland Municipal Code
15. related to Cleaning and Maintenance of Sidewalks and Property within the Public Rights-of-Way
16. Ordinance No. 43-20, Amending Richland Municipal Code Section 7.03.010 related to the Definition of Potentially Dangerous Animal
17. Ordinance No. 44-20, Amending Richland Municipal Code Section 9.06.075 related to Second Degree Criminal Trespass
18. Ordinance No. 45-20, Amending Richland Municipal Code Section 5.36.010 related to Special Lodging Assessments

Ordinances - Second Reading & Passage

19. Ordinance No. 32-20, Authorizing a Franchise Agreement with New Cingular Wireless PCS, LLC d/b/a AT&T Mobility
20. Ordinance No. 33-20, Authorizing the Vacation of a Portion of Robertson Drive
21. Ordinance No. 34-20, Amending Chapter 12.02 of the Richland Municipal Code related to the Street Functional Classification Plan
22. Ordinance No. 36-20, Amending Title 23 and the Official Zoning Map to Change Zoning on 7.4 Acres from Retail Business (C-2) to Limited Business (C-LB)

Resolutions - Adoption

23. Resolution No. 142-20, Approving the Sale of Surplus Property and Equipment
24. Resolution No. 143-20, Authorizing a Purchase Agreement with Myers Power Products, Inc. for Procurement of the Gateway Substation Metalclad Switchgear
25. Resolution No. 144-20, Authorizing a Grant Agreement with the Washington Traffic

Safety Commission for High Visibility Enforcement Funding (PULLED AND RELOCATED TO ITEMS OF BUSINESS AS ITEM NO. 2.)

Items - Approval

None.

Expenditures - Approval

26. Expenditures from September 1, 2020 to September 30, 2020 for \$33,279,719.14 including Check Nos. 282649-283462, Travel Check Nos. 19933-19945, Wire Nos. 8261-8263, 8267-8297, and 8300-8302, Payroll Check Nos. 169110-170181, Payroll Wire/ACH Nos. 11680-11725, and Pension Check Nos. 5597-5625

Items of Business

27. Council Assignments

City Manager Reents stated that former councilmember Brad Anderson's resignation from City Council created council liaison/representative vacancies on several boards, commissions and committees: Arts Commission, Code Enforcement Board, Lodging Tax Advisory Committee, Benton County Mosquito Control Board, and Benton County Solid Waste Advisory Committee.

Councilmember Christensen provided reasoning for his willingness to serve as liaison to the Lodging Tax Advisory Committee. Councilmember Christensen added that he resigned from Tri-Cities Girls Fastpitch Softball Association (TCGFSA), which removes any conflict of interest. Councilmember Thompson asked Councilmember Christensen if he will agree to recuse himself from any actions involving softball if Council reappoints him to the Lodging Tax Advisory Committee. Councilmember Christensen replied in the affirmative.

COUNCILMEMBER THOMPSON MOVED AND COUNCILMEMBER CHRISTENSEN SECONDED THE MOTION TO APPOINT COUNCILMEMBER CHRISTENSEN TO THE LODGING TAX ADVISORY COMMITTEE, CONTINGENT ON COUNCILMEMBER CHRISTENSEN'S COMMITMENT TO RECUSE HIMSELF ON ANY ACTIONS INVOLVING SOFTBALL. THE MOTION CARRIED 7-0.

At the conclusion of Council's action regarding appointment to the Lodging Tax Advisory Committee, Council discussed its intent to transfer all of former Councilmember Brad Anderson's council assignments, excluding the Lodging Tax Advisory Committee, to Councilmember Boring, and to transfer Mayor Pro Tem Kent's TRIDEC assignment to Mayor Lukson. An updated resolution reflecting these appointments will come forward for Council consideration at the next regular meeting.

28. Resolution No. 144-20, Authorizing a Grant Agreement with the Washington Traffic Safety Commission for High Visibility Enforcement Funding **(PULLED FROM CONSENT CALENDAR)**

Mayor Lukson recused himself from voting on this matter as he provided legal review on the same agreement for Benton County.

COUNCILMEMBER THOMPSON MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO APPROVE RESOLUTION NO. 144-20. ALL IN FAVOR: MAYOR PRO TEM KENT AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN, LEMLEY AND KENT. MAYOR LUKSON DID NOT VOTE DUE TO HIS RECUSAL. THE MOTION CARRIED 6-0.

Reports and Comments

City Manager

City Manager Reents congratulated Sergeant Henry and Sergeant Florence on their recent promotions to Captain in the Richland Police Department, and also congratulated Officer Murstig to his promotion to Sergeant.

City Manager Reents also shared that, in April 2017, the State of Washington purchased a 40-acre parcel from the City of Richland valued at \$1.6 million in the Horn Rapids Industrial Park for the purpose of constructing a Military Readiness Center. The project pre-application process is scheduled for next week. The Readiness Center will be constructed near the Preferred Freezer project. City Manager Reents provided additional project details, and then answered questions from Council.

City Council

Councilmember Thompson shared his observations regarding what he perceives as the moving targets of the reopening process in Washington. Councilmember Thompson also welcomed Councilmember Boring.

Councilmember Christensen shared his thoughts on the current political use of science as it relates to the pandemic.

Councilmember Alvarez spoke of his desire to advance to Phase 3 for the purposes of resuming in-person council meetings. Councilmember Alvarez also thanked the Girl Scouts for leading the Pledge of Allegiance.

Councilmember Boring thanked the Girl Scouts for leading the Pledge of Allegiance, and encouraged everyone to remain safe and positive during the pandemic.

Mayor Pro Tem Kent shared that she recently participated in Parks & Recreation and Library Board meetings, and offered kudos to staff for continuing to find ways to bring

meaningful and socially distanced programming to the community during the pandemic. Mayor Pro Tem Kent encouraged the public to check the City's website for available services and activities, particularly for children.

Mayor

Mayor Lukson shared his thoughts regarding the moving targets of Washington's *Safe Start* plan. Mayor Lukson advised that City leaders will continue to advocate for the opening of additional businesses and industries.

Mayor Lukson also shared that he recently toured Rattlesnake Mountain with Congressman Newhouse and other local officials to determine how to allow public access to Rattlesnake Mountain throughout the year.

Executive Session

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

Council convened in executive session at 7:48 p.m. for thirty (30) minutes. Those virtually present included Mayor Lukson, Mayor Pro Tem Kent, Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson, City Manager Reents, City Attorney Kintzley, Public Works Director Rogalsky, and retained counsel Ken Harper.

COUNCIL EXITED EXECUTIVE SESSION AT 8:13 P.M.

30. Executive Session Per RCW 42.30.110(1)(i): Discuss Current or Potential Litigation with Retained Legal Counsel

Council convened in executive session at 8:13 p.m. for sixty (60) minutes. Those virtually present included Mayor Lukson, Mayor Pro Tem Kent, Councilmembers Alvarez, Boring, Christensen, Lemley and Thompson, and retained counsel Ann Marie Soto.

***EXTENSION OF THE EXECUTIVE SESSION FOR AN ADDITIONAL 45 MINUTES WAS ANNOUNCED AT 9:13 P.M.**

COUNCIL EXITED EXECUTIVE SESSION AT 9:50 P.M.

***Adjournment**

Mayor Lukson adjourned the meeting at 9:50 p.m.

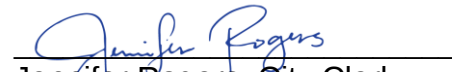
These announcements were made live during the Zoom meeting, but are not included in the City's recorded broadcast of the meeting on the City's website.

APPROVED:



Ryan Lukson, Mayor

ATTEST:



Jennifer Rogers, City Clerk

DATE APPROVED: November 3, 2020

DATE PUBLISHED: November 4, 2020