



MINUTES

RICHLAND CITY COUNCIL REGULAR MEETING

Tuesday, July 20, 2021

Richland City Hall ~ 625 Swift Boulevard

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

Meeting ID No. 505 625 7380

City Council Regular Meeting - 6:00 p.m.

Mayor Lukson called the Council meeting to order at 6:00 p.m. The meeting was a hybrid of in-person and online attendance via Zoom.

Welcome and Roll Call

Mayor Lukson welcomed those in the audience and those attending remotely.

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

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO EXCUSE COUNCILMEMBER THOMPSON. MOTION CARRIED 6-0.

Also present were Interim City Manager Amundson, City Attorney Kintzley, Chief of Police Bruce, Public Works Director Rogalsky, Development Services Director Jensen, Administrative Services Director Koch, Finance Director Allen, Energy Services Director Whitney, and Parks & Public Facilities Director Schiessl.

Pledge of Allegiance

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

Approval of Agenda

COUNCILMEMBER LEMLEY MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO APPROVE THE AGENDA AS PUBLISHED. MOTION CARRIED 6-0.

Presentations

1 Horn Rapids Real Estate Appraisals

Development Services Director Kerwin Jensen presented on the history of land prices in the Horn Rapids Industrial Park. Staff recommended Council adopt an updated resolution reflecting updated pricing in the Horn Rapids area. More details are available in Development Services Director Jensen's PowerPoint presentation.

Councilmember Christensen encouraged Council to adopt an updated resolution reflecting updated pricing at a future council meeting. Councilmember Alvarez and Councilmember Boring recommended swift acceptance of updated appraisals to stay

aligned with market value of properties. Mayor Lukson concurred.

2. Richland Public Library Board of Trustees Annual Presentation

Parks & Public Facilities Director Joe Schiessl introduced Richland Public Library Board Chair Kurt Maier to provide the 2020 annual Library Board of Trustees presentation required by state law. Chair Maier discussed programming and library use through 2020, especially in light of COVID-19. Digital circulation continues to increase, and cardholders continue to be added (residents and non-residents). Curbside pick-up was hugely successful during the pandemic, and volunteers continue to donate their time to the success of the Richland Public Library. More details are available in Chair Maier's PowerPoint presentation.

Mayor Pro Tem Kent complimented Chair Maier, the current Richland Public Library Board of Trustees, and Acting Library Manager Theresa Barnaby for their hard work and dedication to the Richland Public Library. Councilmember Alvarez asked whether volunteers were returning to the Library now that COVID-19 restrictions have eased. Acting Library Manager Barnaby confirmed that the RPL volunteers are as amazing as ever, and continue to support the Library.

Public Hearing

City Attorney Kintzley read the public hearing and public comment procedures.

3. Proposed Amendment to the 2021 Budget to Include the 2020 Budget Carryovers, Ordinance No. 18-21

Finance Director Brandon Allen provided an overview of the proposed amendment to the 2021 Budget, including 2020 carryovers valued at approximately \$69,000,000. Budget carryover is an annual process necessary to carry funds encumbered in the previous year over to the current year to allow completion of in-progress projects. The COVID-19 pandemic created a higher-than-usual carryover from 2020 to 2021 since many projects were delayed during 2020.

Mayor Lukson opened and closed the public hearing at 6:36 p.m. No public testimony was offered.

4. Proposed Surplus of a Portion of 606 Jadwin Avenue, Resolution No. 90-21

Development Services Director Jensen provided an overview of the proposed surplus action for 606 Jadwin Avenue. The purpose of the surplus and sale of 625 square feet of property on a vacant city lot is to alleviate a long-standing encroachment by the Richland Players Theater. If approved, the parties will negotiate a sale price for the Richland Players to acquire the small 8-foot strip of land, and a boundary line adjustment will correct the encroachment.

Mayor Lukson opened and closed the public hearing at 6:38 p.m. No public testimony

was offered.

5. Proposed Relinquishment of Certain Portions of a Utility Easement lying within 1349 Haupt Avenue, Resolution No. 93-21

Public Works Director Pete Rogalsky presented an overview of the relinquishment request made by property owners of 1349 Haupt Avenue. The utilities protected by the existing easement have been relocated, and for this reason the easement is no longer needed. State law requires a public hearing before conveyance of any property originally acquired for utility purposes, including easements.

Mayor Lukson opened and closed the public hearing at 6:39 p.m. No public testimony was offered.

Public Comments

No in-person public comments were received from the public during the meeting.

Telephonic testimony was received from the following individuals:

- Maureen Anderson – 202 Barth Avenue, Richland, WA: Ms. Anderson stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Colleen Somes – 562 Sedgwick Place, Richland, WA: Ms. Somes stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

Written comments from the following individuals were read into the record by City Attorney Kintzley and are summarized as follows:

- Jeremy Morgan – 1527 Desert Springs Avenue, Richland, WA: Mr. Morgan stated his support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Erik Patchett – 4707 Jodie Street, Richland, WA: Mr. Patchett stated his support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Connie Pattison – 419 George Washington Way, Richland, WA: Ms. Pattison stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Khaylia Ruiz – 1521 Alder Avenue, Unit A, Richland, WA: Ms. Ruiz stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

- Aoife Santos – 1488 Oxford Avenue, Richland, WA: Ms. Santos stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Tiffany Suarez – 680 Big Sky Drive, Richland, WA: Ms. Suarez stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.
- Pamela Thornton – 100 Timmerman Drive, Richland, WA: Ms. Thornton stated her support for the IBEW line crews and encouraged City Council to provide a comparable wage during labor negotiations.

Immediately following public comment, Mayor Lukson read a prepared statement related to IBEW negotiations.

Consent Calendar

City Attorney Kintzley read the Consent Calendar. Councilmember Boring pulled Item No. 11 from the Consent Calendar. Item No. 11 was moved to Item No. 3 under Items of Business on the same agenda.

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO APPROVE THE CONSENT CALENDAR AS AMENDED. THOSE IN FAVOR ON ROLL CALL VOTE: MAYOR LUKSON, MAYOR PRO TEM KENT, AND COUNCILMEMBERS ALVAREZ, BORING, CHRISTENSEN AND LEMLEY. THOSE OPPOSED: NONE. THE MOTION CARRIED 6-0.

Minutes

6. Approval of the July 6, 2021 Richland City Council Regular Meeting Minutes

Ordinances - First Reading

7. Ordinance No. 15-21, Amending Richland Municipal Code Sections 23.22.030 and 23.22.040 related to Commercial Use Districts
8. Ordinance No. 18-21, Amending the 2021 Budget to Include the 2020 Budget Carryovers

Ordinances - Second Reading & Passage

None.

Resolutions – Adoption

9. Resolution No. 85-21, Approving a Purchase and Sale Agreement with Logan Properties, LLC

10. Resolution No. 86-21, Approving the Final Plat of BMS 4-Plexes
11. Resolution No. 87-21, Approving a Purchase and Sale Agreement with Columbia Basin College for Property Located at 840 Northgate Drive (**Note: RESOLUTION NO. 87-21 WAS PULLED BY COUNCILMEMBER BORING AND RELOCATED TO ITEMS OF BUSINESS AS ITEM NO. 3)**)
12. Resolution No. 88-21, Approving a Fifth Amendment to Contract No. 230-15 with Shannon & Wilson
13. Resolution No. 89-21, Authorizing a Financial Consulting Services Agreement with PFM Financial Advisors LLC
14. Resolution No. 90-21, Declaring Certain Real Property Located at 606 Jadwin Avenue Surplus to the City's Needs
15. Resolution No. 92-21, Authorizing a Street Construction Latecomer Agreement with Nor Am Investment, LLC for Bella Coola Lane
16. Resolution No. 93-21, Relinquishing Certain Portions of a Utility Easement lying within 1349 Haupt Avenue
17. Resolution No. 94-21, Authorizing a Third Amendment to the Professional Services Agreement with Bell Brown & Rio, PLLC

Items - Approval

None.

Expenditures - Approval

Expenditures from June 1, 2021 to June 30, 2021 for \$28,924,314.97 including Travel Check Nos. 19997-19998, Accounts Payable Check Nos. 290506- 291331, Accounts Payable Wire Nos. 8587-8645, Payroll Wires & ACH Nos. 12143-12187, Payroll Direct Deposit & Check Nos. 179811-180937 and Pension Check Nos. 5861-5887.

Items of Business

1. Resolution No. 91-21, Authorizing the 2021 Byrne Justice Grant Interlocal Agreement

Chief of Police John Bruce provided an overview of the FY 2021 Edward Byrne Memorial Justice Assistance Grant (JAG) Program award for the Tri-Cities region. The City of Kennewick is the designated applicant on behalf of Kennewick, Richland and Benton County, and \$13,870 has been awarded for the 2021 fiscal year. \$7,968 will be awarded to the City of Richland after execution of the proposed interlocal agreement. The funds will be used to purchase bicycles for patrol and ballistic shields for visors.

Councilmember Christensen inquired as to why this item was listed as an Item of Business since it appeared straightforward and noncontroversial. Mayor Lukson briefly explained his conflict of interest arising from his employment with Benton County and the legal review he gave to this same agreement. To ensure that Mayor Lukson did not participate in the vote, the matter was required to be placed on Items of Business.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER BORING SECONDED THE MOTION TO ADOPT RESOLUTION NO. 91-21, AUTHORIZING THE 2021 BYRNE JUSTICE GRANT INTERLOCAL AGREEMENT. MOTION CARRIED 5-0. MAYOR LUKSON ABSTAINED.

2. Resolution No. 95-21, Accepting a Request for Annexation of 300.1 Acres in North Richland (U.S. Department of Energy)

Development Services Director Jensen presenting on the proposed U.S. Department of Energy annexation. The property is generally located north of the intersection of Horn Rapids Road and George Washington Way, east of Stevens Drive, west of the Columbia River, with the northern boundary being the south fence line of the 300 Area. This item reflects the proponents' meeting with Council to discuss the proposed annexation as required by state law. Council is authorized to accept, reject, or modify the annexation proposal. No modifications were raised or discussed by Council.

COUNCILMEMBER CHRISTENSEN MOVED AND COUNCILMEMBER ALVAREZ SECONDED THE MOTION TO ADOPT RESOLUTION NO. 95-21, ACCEPTING A REQUEST FOR ANNEXATION OF 300.1 ACRES IN NORTH RICHLAND (U.S. DEPARTMENT OF ENERGY). THE MOTION PASSED 6-0.

3. Resolution No. 87-21, Approving a Purchase and Sale Agreement with Columbia Basin College for Property Located at 840 Northgate Drive (**Note: FORMERLY ITEM NO. 11 ON THE CONSENT CALENDAR**)

Councilmember Boring recommended holding onto the property to use for a homeless shelter or drug treatment facility in the wake of *Blake v. State of Washington*. Development Services Director Jensen gave a brief overview of the location of the property, and its previous use as a city facility housing Development Services, Energy Services, and Public Works. Development Services Director Jensen also referenced the existing restrictive covenants that limit the use of the property to public non-commercial use.

Councilmember Christensen appreciated Councilmember Boring's suggestion, and shared that this particular property is not suitable for the support services described by Councilmember Boring based on the age of the building and the extensive cost to rehabilitate the facility. Mayor Pro Tem Kent agreed with Councilmember Christensen's statements.

COUNCILMEMBER CHRISTENSEN MOVED AND MAYOR PRO TEM KENT SECONDED THE MOTION TO ADOPT RESOLUTION NO. 87-21, APPROVING A

PURCHASE AND SALE AGREEMENT WITH COLUMBIA BASIN COLLEGE FOR PROPERTY LOCATED AT 840 NORTHGATE DRIVE. THE MOTION PASSED 5-1.

Reports and Comments

City Manager

Interim City Manager Amundson shared the draft agenda for the July 27, 2021 workshop, and reminded Council that the first regular meeting in August will be held on Monday, August 2, 2021 to accommodate National Night Out. Interim City Manager Amundson also reminded the public and Council of the many ways to enjoy the parks and other city programming.

City Council

Councilmember Boring and Councilmember Alvarez had no comments. Councilmember Lemley shared his opinion on the possible loss of 16% of revenue from Ben Franklin Transit to support a drug treatment and/or mental health facility. Councilmember Lemley encouraged City Council to decide, as a body, what its position is on the proposal to strip funding from Ben Franklin Transit. Interim City Manager Amundson advised that the topic could possibly be added to the July 2021 workshop agenda.

Councilmember Christensen spoke about the City of Battle Ground's recent resolution in opposition to a state income tax. Councilmember Christensen would like Council to consider a similar local resolution to make a statement in favor of economic development, and queried Council's interest. No comments were offered for or against the suggestion.

Mayor Pro Tem Kent spoke about interesting community conversations related to space exploration, and encouraged everyone to be educated on the topic. Mayor Pro Tem Kent then favorably commented on a recent park tour organized by Parks & Public Facilities Director Schiessl for the Parks & Recreation Commission. Numerous interesting sites were visited, including Howard Amon Park, Leslie Groves Park, the BMX facility, and certain portions of the shelterbelt. Mayor Pro Tem Kent also shared about the well-attended ribbon-cutting at Tri-Cities Cider House. Mayor Pro Tem closed her comments by reminding everyone to stay safe and shop local.

Mayor

Mayor Lukson shared that local COVID-19 numbers have been climbing, and vaccination rates for those under age 40 are very low. Mayor Lukson encouraged everyone to get vaccinated, or to talk to a medical professional for advice about vaccination. There is a real possibility of being shut down again by Governor Inslee if the delta variant spreads and numbers continue to climb.

Adjournment

Mayor Lukson adjourned the meeting at 7:30 p.m.

APPROVED:



Ryan Lukson, Mayor

ATTEST:



Jennifer Rogers, City Clerk

DATE APPROVED: August 2, 2021

DATE PUBLISHED: August 3, 2021