

**WALLA WALLA CITY COUNCIL**  
**Regular Meeting Minutes**  
**May 28, 2014**

**1. CALL TO ORDER**

Mayor Cummins called the meeting to order at 7:00 p.m.

Present: Councilmembers Jim Barrow, Barbara Clark, Dick Morgan, Chris Plucker, and Mayor Jerry Cummins.

Absent: Councilmembers Mary Lou Jenkins and Allen Pomraning.

City staff in attendance: City Manager Nabel Shawa, City Attorney Tim Donaldson, Public Works Director Ki Bealey, Finance Manager Jean Teasdale, and City Clerk Kammy Hill.

**2. PLEDGE OF ALLEGIANCE/MOMENT OF SILENCE**

Councilmember Plucker led the pledge of allegiance followed by a moment of silence.

**3. PRESENTATIONS**

- A. Presentation of scholarship certificates to Daniel Butler and Catherine Feistner.

Jake Hollopeter, Vice President of Anderson-Perry & Associates, commented that the presentation of these two scholarships gives him a great deal of personal pleasure. Both recipients are outstanding individuals. Mayor Cummins and Mr. Hollopeter presented scholarship certificates to Daniel Butler and Catherine Feistner.

Ms. Feistner and Mr. Butler thanked Anderson-Perry & Associates and the City for the scholarships and provided a brief explanation of their educational plans.

Councilmember Morgan provided a brief description of the ad hoc scholarship committee process and caliber of the scholarship applicants.

Mayor Cummins thanked Anderson-Perry & Associates for their generosity and contributing back to the community through these scholarships.

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- B. Proclamation declaring May 30 and May 31, 2014 as "Relay for Life in Walla Walla Days."

Mayor Cummins read and presented the proclamation to Kimberly Keller, 2014 Relay for Life of Walla Walla event chair.

**4. PUBLIC COMMENTS**

No one in the audience chose to address the City Council at this time.

**5. CONSENT AGENDA**

City Clerk Hill introduced the Consent Agenda, Items A through I, as follows:

- A. Washington State Liquor Control Board: New application for Jumpin Jellybeanz, 16 E. Poplar Street.
- B. Washington State Liquor Control Board: Special occasion license for Wee Willy's Music Enterprise in enclosed area at 3<sup>rd</sup> and Main Street on June 21 and June 22, 2014 in conjunction with the Sweet Onion Festival.
- C. Washington State Liquor Control Board: Change of location application for Castillo De Feliciana Vineyard and Winery, from 1115 W. Rose Street, Suite B, to 1491 W. Rose Street, Suite B.
- D. Resolution No. 2014-55 approving the issuance of a revenue bond by the Housing Authority of the City of Walla Walla in the principal amount of not to exceed \$5,000,000, to finance the rehabilitation and construction of a 43-unit apartment complex known as Lariat Gardens to provide housing for low-income persons in the City of Walla Walla.
- E. Resolution No. 2014-56 awarding the bid for the 2014 wastewater capital improvement project to Accelerated Construction & Excavating, LLC.
- F. Resolution No. 2014-57 approving and authorizing the City Manager to execute an amendment to a professional services agreement with HDR Engineers, Inc. for the solid waste management plan.

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- G. Resolution No. 2014-58 authorizing the City Manager to execute a professional services agreement with Brown and Caldwell, to execute amendments, modifications, and change orders thereto, and taking such further action needed therewith. (City's owner advisor to lead efforts to select a contractor for the water treatment plant LT2 slow sand filtration project.)
- H. Resolution No. 2014-59 adopting a capital asset policy and authorizing the City Manager to adopt rules and procedures and take other action in connection therewith.
- I. Resolution No. 2014-60 authorizing investment of City of Walla Walla monies in the local government investment pool (LGIP).

Council requested that Items A, D, E, G, H, and I be removed from the Consent Agenda for separate consideration.

Mayor Cummins invited public input. No one in the audience chose to address the City Council on any of these items.

**Councilmember Plucker moved to adopt Consent Agenda Items B, C and F. Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

- A. Washington State Liquor Control Board: New application for Jumpin Jellybeanz, 16 E. Poplar Street.

Council expressed concerns with a business catering to children serving alcohol to adults. Staff indicated that the City Council can provide input for consideration to the Washington State Liquor Control Board.

**Councilmember Barrow moved to recommend denial to the Washington State Liquor Control Board of the liquor license for Jumpin Jellybeanz, 16 E. Poplar Street, based on concerns with this being an inappropriate location for alcohol consumption since the business caters to children. Councilmember Clark seconded the motion.**

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

There was brief discussion on the proposed recommendation for denial.

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**The motion to recommend denial to the Washington State Liquor Control Board of the liquor license for Jumpin Jellybeanz, 16 E. Poplar Street, based on concerns with this being an inappropriate location for alcohol consumption since the business caters to children unanimously carried with 5 yes votes and 0 no votes.**

- D. Resolution No. 2014-55 approving the issuance of a revenue bond by the Housing Authority of the City of Walla Walla in the principal amount of not to exceed \$5,000,000, to finance the rehabilitation and construction of a 43-unit apartment complex known as Lariat Gardens to provide housing for low-income persons in the City of Walla Walla.

City Manager Shawa reported these will be tax-exempt bonds for the Lariat Gardens housing project. Internal Revenue Service regulations require the City to authorize the bond issuance but there is no financial obligation for the City.

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

**Councilmember Barrow moved to adopt Resolution No. 2014-55. Councilmember Plucker seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

- E. Resolution No. 2014-56 awarding the bid for the 2014 wastewater capital improvement project to Accelerated Construction & Excavating, LLC.

City Manager Shawa reported the engineer's estimate for this project was \$350,000 so this bid is substantially less than the estimate. The City is diligently televising its sewer system to identify the areas in greatest need for repair. This project will fix three areas where the sewer lines are located in alleys. The alley surface will be restored to its current condition (either paved or graveled).

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

**Councilmember Clark moved to adopt Resolution No. 2014-56. Councilmember Morgan seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

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G. Resolution No. 2014-58 authorizing the City Manager to execute a professional services agreement with Brown and Caldwell, to execute amendments, modifications, and change orders thereto, and taking such further action needed therewith. (City's owner advisor to lead efforts to select a contractor for the water treatment plant LT2 slow sand filtration project.)

City Manager Shawa reported the LT2 slow sand filtration project at the water treatment plant is estimated at \$20,000,000. Staff had discussed with Council using a different approach to this project than the standard design build. At the conclusion of the Council Work Session, it was the consensus of Council that there was no interest in privatizing services at the water treatment plant, so staff advised Council the alternate general contractor/construction management (GC/CM) delivery method would be used for this project. This project delivery method requires approval from the State Capital Projects Advisory Review Board (CPARB). The team at Brown and Caldwell have the capacity and experience to guide the City through the GC/CM process.

Public Works Director Bealey commented that this is a completely different process and described the role in selecting a contractor and designer, in addition to keeping the plant operating while the new treatment component is constructed.

There was discussion on:

- The State CPARB requires a demonstration of experience before allowing the GC/CM process.
- The money for this contract is included as part of the overall project costs.
- Reasons why the City is not using the more traditional design, bid, build approach.
- The necessity of hiring a consultant with the experience for this type of project.
- Contractors must be qualified and it is necessary to keep on schedule for the funding sources.
- Frustration with the unfunded mandate requiring this project.

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

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**Councilmember Morgan moved to adopt Resolution No. 2014-58.  
Councilmember Plucker seconded the motion. The motion carried with 4  
yes votes and 1 no vote by Councilmember Barrow.**

- H. Resolution No. 2014-59 adopting a capital asset policy and authorizing the City Manager to adopt rules and procedures and take other action in connection therewith.

City Manager Shawa reported the City has an existing capital assets policy and procedures. This resolution will separate the policy from the procedures so changes to procedures will not require action by the City Council. This proposal was reviewed by the Finance Committee. Any changes to procedures will be reported back to the Finance Committee.

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

**Councilmember Plucker moved to adopt Resolution No. 2014-59.  
Councilmember Clark seconded the motion. The motion carried with 4  
yes votes and 1 no vote by Councilmember Barrow.**

- I. Resolution No. 2014-60 authorizing investment of City of Walla Walla monies in the local government investment pool (LGIP).

City Manager Shawa reported the LGIP allows governments to pool their excess funds for investment by the State Treasurer. The goals of the State Treasurer are 1) safety of principal, 2) maintaining adequate liquidity to meet cash flows, and 3) providing a competitive interest rate relative to other comparable investment alternatives. The LGIP is requiring a resolution affirming continuation in the program.

There was discussion on current interest rates; administrative fees; and other options for investing City funds.

**Councilmember Barrow moved to adopt Resolution No. 2014-60.  
Councilmember Clark seconded the motion. The motion unanimously  
carried with 5 yes votes and 0 no votes.**

**6. ACTIVE AGENDA**

- A. Ordinance No. 2014-10 relating to electric utility franchises; authorizing and ratifying an extension of the PacifiCorp franchise

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granted pursuant to City Ordinance No. 94-15; providing for severability; and establishing an effective date.

City Attorney Donaldson reported the existing twenty-year franchise expires mid-June. Franchise negotiations with PacifiCorp are ongoing. This ordinance will extend the existing franchise until August.

Mayor Cummins invited public input. No one in the audience chose to address the City Council on this issue.

**Councilmember Morgan moved to adopt Ordinance No. 2014-10. Councilmember Barrow seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

**7. COUNCIL MEMBER MEETING REPORTS**

Councilmember Morgan reported attendance at a meeting with City Manager Shawa and Assistant Development Services Director Walker regarding zoning and annexations held May 14; the Valley Transit Board meeting held May 14; the Tourism Walla Walla meeting held May 22; the Port of Walla Walla Economic Development Committee meeting held May 27; and the Hearing Examiner meeting held May 22. There was brief discussion on the timeline for consideration of the conditional use permit for a marijuana growing and processing facility on Melrose.

Councilmember Barrow reported attendance at the Blue Mountain Action Council Board meeting held May 15; the Downtown Walla Walla Foundation Board meeting held May 20; the Youth Alliance Coalition meeting held May 21; and the Blue Mountain Action Council Board meeting held May 27.

Councilmember Plucker reported attendance at the Valley Transit Board meeting held May 15; the agenda setting meeting held May 21; and reported participation in the Onion Man Triathlon over the Memorial Day weekend.

Councilmember Clark reported attendance at the Borleske Stadium Association board meeting held May 19; a meeting of the Georgetown University Energy Prize group held May 19; the Civil Service Commission meeting held May 21; and the Port of Walla Walla Economic Development Committee meeting held May 27.

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Mayor Cummins reported attendance at the Valley Transit Board meeting held May 15; the Borleske Stadium Association Board meeting held May 19; a meeting regarding the Blue Star Banner program held May 23; and the Memorial Day celebration held May 26.

**8. UNFINISHED AND NEW BUSINESS**

Councilmember Clark requested that agenda items be placed on the Active Agenda unless they are clearly routine.

Mayor Cummins indicated that the City Council needs to select three voting delegates for the Association of Washington Cities annual conference and there are four Councilmembers attending.

**Mayor Cummins moved to select Councilmembers Barrow, Morgan and Pomraning as the voting delegates at the Association of Washington Cities conference with Mayor Cummins as the first alternate. Councilmember Clark seconded the motion. The motion unanimously carried with 5 yes votes and 0 no votes.**

There was brief discussion on recreational marijuana businesses and various policy issues with the potential to impact the City. City Attorney Donaldson reported the City Council will have to address policy questions through zoning. No moratorium has been proposed.

City Manager Shawa reported the Battle of the Badges baseball game is scheduled for Saturday, May 31.

City Attorney Donaldson was commended for receiving the outstanding service award from the Washington State Association of Municipal Attorneys and for also serving as President of the organization for the coming year.

**9. ADJOURNMENT**

**There being no further business, Councilmember Plucker moved to adjourn at 8:41 p.m. Councilmember Morgan seconded the motion. The meeting adjourned at 8:41 p.m.**