

**BOARD OF YAKIMA COUNTY COMMISSIONERS**  
**Weekly Agenda Meeting**  
**Tuesday, May 19, 2009 at 10:00 AM**  
**City Council Chambers, 129 North 2<sup>nd</sup> Street, Yakima, Washington**

- **PRESENT:** Chairman J. Rand Elliott, Commissioner Michael D. Leita, Commissioner Kevin J. Bouchey, Legal Counsel Terry Austin, Clerk of the Board Christina S. Steiner.
- **PROCLAMATION:** Public Services: Declaring May 17 through May 23, 2009 as National Public Works Week "Revitalize, Reinvest, Renew" – presented by Don Gatchalian. (See Attached)
- **PRESENTATION:** Employee Monthly Wage Increases for April 2009 – presented by Judy Kendall. (See Attached).
- **PUBLIC COMMENT:** None.
- **CONSENT ITEMS:** Approved as presented.

DEPARTMENT	ITEM	DESCRIPTION	ACTION
<b>PUBLIC SERVICES</b> Vern Redifer, Director	Reso 233-2009	In the Matter of Accepting as Complete Contract No. 1572 for Scenic Crest Drive Improvements, Hubbard Ditch; C3242:	APPROVED
	Reso 234-2009	In the Matter of Accepting as Complete Contract No. 1570 for Chaffee Road Irrigation and Tree Removal, from Maple Grove Road to Williamson Road; C2701 – Phase 1:	APPROVED
	Reso 235-2009	In the Matter of Setting a Date for Public Hearing on Notice of Intention to Sell Surplus County Real Property:	APPROVED
	Agreement	Execute Amendment No. 2 to Interagency Agreement No. C0800028 with Washington State Department of Ecology for Litter Pickup and Illegal Dump Cleanup:	APPROVED
	Agreement	Execute the Local Agency Agreement with Washington State Department of Transportation for Preliminary Engineering Services for Beaudry Road Crossing and Pathway Project Phase I:	APPROVED
	Agreement	Execute the Purchase and Sale Contract with Cando Contracting, Inc. for the Naches Rail Line Salvage Purchase:	APPROVED
	Agreement	Execute Contract Renewal with Sun Valley Electric for Electrical Repair Services at Sunnyside Maintenance Shop:	APPROVED
	Agreement	Execute the Contract with TTC Construction, Inc. for the Lewis Road Realignment Project; FC3122:	APPROVED
<b>COMMISSIONERS</b> J. Rand Elliott, Chairman	Reso 237-2009	In the Matter of Appointing Ignacio Marquez to the South Central Workforce Development Council, Board of Directors Position #24:	APPROVED
	Voucher/Warrant	Certification of Claims Clearing Warrant No. 522169 through 523739 in the Amount of \$3,961,409.75:	APPROVED
	Minutes	Approve Public Hearing Minutes of 4/21/09 regarding Off-Road Vehicles Ordinance:	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
COMMISSIONERS	Minutes	Approve Regular Agenda Minutes of 4/28/09:	APPROVED
	Minutes	Approve Regular Agenda Minutes of 5/5/09:	APPROVED
	Minutes	Approve Regular Agenda Minutes of 5/12/09:	APPROVED
HUMAN RESOURCES Linda Dixon, Director	Reso 238-2009	In the Matter of Additions/Changes to Budgeted Positions in Fund 153, Aging and Long Term Care:	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Reso 239-2009	In the Matter of Settlement of Disputes Between Yakima County and the City of Renton and Authorizing Commissioners to Sign Settlement Agreement:	APPROVED
	Lease	Executing Third Extension to Tower Lease for Yakima County Prosecuting Attorney – Narcotics Division:	APPROVED
FACILITIES SERVICES Brad Songhurst, Director	Agreement	Execute Contract with Industrial Services and Electric dba ISE for Yakima Bear's Stadium Lighting Upgrade:	APPROVED
HUMAN SERVICES Steve Hill, Director	Agreement	Execute Community Development Block Grant Program Closeout; #08-64008-012:	APPROVED
	Agreement	Execute Supportive Housing Agreement Renewal with HUD McKinney for 904 New Hope Project; #SHA 904 09:	APPROVED
	Agreement	Execute Supportive Housing Agreement Modification with Office of Rural & Farmworker Housing; #SHI ORFH 08 Mod 1:	APPROVED
	Agreement	Execute Agreement Modification with United Way of Yakima County to Reduce Hours; #YC UW 07 Mod 1:	APPROVED
PURCHASING Rhonda Counts, Interim Agent	Agreement	Execute Renewal with ABM for Food Services:	APPROVED
	Agreement	Execute Renewal with Bullock Trane Service Co., Inc. for Chiller Services:	APPROVED
JUVENILE COURT Ken Trull	Agreement	Execute Agreement with Detention of Kittitas County Juvenile for Housing Agreement:	APPROVED
COURTS Paula Davis	Agreement	Execute Personal Services Agreement with Kun Park for Interpreter Services:	

• **REGULAR AGENDA:** Approved as presented.

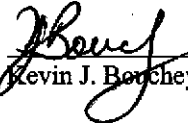
DEPARTMENT	ITEM	DESCRIPTION	ACTION
PUBLIC SERVICES Vern Redifer, Director	Reso 236-2009	In the Matter of Waiving the Competitive Bidding Requirements for the Purchase of a Communications Building for the Elephant Mountain Communication Site: <i>Gary Ekstedt presented.</i>	APPROVED

DEPARTMENT	ITEM	DESCRIPTION	ACTION
HUMAN SERVICES Steve Hill, Director	Agreement	Execute SIED Contract with City of Grandview for Infrastructure for the Downtown Revitalization Initiative; #YC DRI 09: \$250,000 loan and \$250,000 grant.	APPROVED
CORPORATE COUNSEL Terry Austin, Chief Civil Deputy Prosecuting Atty	Reso 240-2009	In the Matter of Settlement of Claim 56-2008 as Filed by Kevin Swart: Approves payment of \$264.10 for windshield replacement.	APPROVED
	Reso 241-2009	In the Matter of Settlement of Claim 67-2008 as Filed by Kenneth Wesselius: Denies payment of \$1,030 for dog authorization due to no part of the county liability.	APPROVED
	Reso 242-2009	In the Matter of Settlement of Claim 15-2009 as Filed by Catherine Hoppis: Approves payment of \$938.65 for repair to vehicle due to collision with County vehicle.	APPROVED

Approved this 26<sup>th</sup> day of May 2009.

  
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 J. Rand Elliott, Chairman

  
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 Michael D. Leita, Commissioner

  
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 Kevin J. Bouchey, Commissioner

  
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 Christina S. Steiner, Clerk of the Board

**BOARD OF YAKIMA COUNTY COMMISSIONERS  
PUBLIC HEARING**

Date: May 19, 2009  
Re: **FRANCHISE 13-2009: YAKAMA POWER**  
Time: 10:30 A.M.  
Location: City Council Chambers, 129 North Second St, Yakima, Washington  
Present: Chairman J. Rand Elliott  
Commissioner Michael D. Leita  
Commissioner Kevin J. Bouchey  
Legal Counsel Terry Austin  
Clerk of the Board Christina S. Steiner

Record of Proceedings

**Alan Adolf, Senior Transportation Planner** – On April 15, 2009, Yakama Power, an enterprise of the Yakama Nation submitted a franchise request. The Yakama Nation Power Program is beginning to expand its power distribution system. They will be crossing county right-of-ways and roadways throughout the open area of the Yakama Nation to provide initially power to several of their interests within the Yakama Nation. To move this project forward they are now requesting a franchise to expand their services. Yakima County has reviewed their application; this includes either underground conduit, aerial conduit or other standard power distribution devices. Yakima County has reviewed the application and recommends approval of the franchise.

**Rand Elliott** – This is a public hearing and this is the opportunity to come forward and comment on this issue. Seeing no public comment I will close the public hearing.

Mike Leita – Alan, reviewing the franchise agreement, there is multiple locations involved here in the Yakama Nation only?

Alan Adolf – At this time, all the project areas on the maps submitted were well within the Yakama Nation boundaries running parallel to County right-of-way and crossing County right-of-way to tribal properties.

Mike Leita – So these locations are within County right-of-way areas and we are not taking action upon any areas outside county right-of-way?

Alan Adolf – That is correct. This would just be for those areas where there would be a crossing of their utility over County right-of-ways.

Mike Leita – County staff has reviewed the multiple locations and is recommending approval of this franchise?

Alan Adolf – Correct.

Rand Elliott – Are these crossings, for the lack of a better word, specified or is this sort of a blanket franchise agreement?

Alan Adolf – As a area wide effort, this will be a system franchise, which covers basically the boundary of the Yakama Nation area. As they get to specific work locations over County right-of-way, they will be required to submit a right-of-way use permit, which is reviewed to ensure that it is built to appropriate safety standards and

requirements while impacting traffic flow. If traffic control plans, flaggers and signage need to be placed out during construction that would be done and coordinated with County staff. This is a similar procedure that would be handled with any other power or fiber optic business within Yakima County.

Kevin Bouchey – This is really no different than any other utility requesting such a franchise?

Alan Adolf – That is correct.

Kevin Bouchey – I did review those maps with you and at this point in time they're really focusing on areas of Yakama Nation properties.

Alan Adolf – That is correct; housing developments, tribal enterprises, so they can bring power directly to their facilities.

Mike Leita – I think it is interesting to note, having had past experience about the importance of franchises in the eyes of some individuals in the community, that franchises are a formality process, if you will, acknowledging an activity that will be taking place as defined. But they still will have to go through the specific process of permitting for each individual crossing with staff. Franchise agreements are approved by the Board for a couple of reasons from my perspective. To just make the community aware of those activities, to make the commissioners aware of those activities taking place among county holdings, be they right-of-ways or whatever. Our approval here does not give them carte blanche permission to do what they want to do where they want to do it. It is staff's responsibility to make sure they meet appropriate terms for installation.

Alan Adolf – That is correct, whether it is a water line where water is being transported between two parcels to any other degree of material or conveyance there are still the local, state, and federal laws and requirements on the transport of that material whether it be benign materials or just water for irrigation or at the other end of the spectrum of some kind of hazardous waste is being transported then those federal and state laws governing that kind of conveyance is implied. Depending on what conveyance is, there are those other layers of guidance that the applicants must meet.

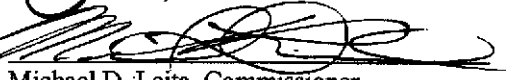
Kevin Bouchey – Just as a franchise is granted, a franchise can actually be revoked if the case of a pipeline is not properly maintained or not used in its intended use so a franchise, in essence, could be revoked in that point in time?

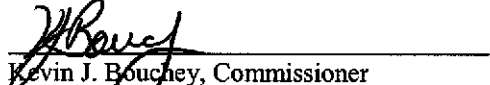
Alan Adolf – There is a time limit on a franchise that either the applicant or the county wishes not to renew that is an option at that time. I have not personally addressed an issue of revoking a franchise but within the requirements of the agreement of the franchise I would state that it could be a possibility.

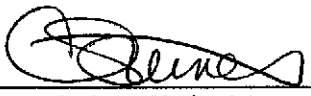
All three commissioners in favor of approval of Franchise 13-2009 for Yakama Power.

Approved this 26<sup>th</sup> day of May 2009.

  
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J. Rand Elliott, Chairman

  
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Michael D. Leita, Commissioner

  
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Kevin J. Bouchey, Commissioner

  
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Christina S. Steiner, Clerk of the Board

## Employee Monthly Wage Increase Report for April 2009

Step Increases				
Number of Employees	Total Monthly Amount	Average Monthly Increase	Average Value of Increase	Annualized Cost of Increase
77	\$ 8,440	\$ 110	3.12%	\$ 101,275

Longevity Increases				
Number of Employees	Total Monthly Amount	Average Monthly Increase	Average Value of Increase	Annualized Cost of Increase
0	\$ -	#DIV/0!	0.00%	\$ -
77	\$ 8,440	\$ 110	3.12%	\$ 101,275

Reclassification
Number of Employees
0

Projected Budgetary Impact Effective April 2009				
Salary				75,956
Benefits				12,158
<b>Total Projected Budgetary Impact for April 2009</b>				<b>88,115</b>
<b>Prior Months Projected Budgetary Impact</b>				<b>581,145</b>
<b>Total Projected Budgetary Impact for 2008</b>				<b>669,260</b>

Benefits Include:	1/1/09-6/30/09	7/1/09-12/31/09
SSN	6.20%	6.20%
Medicare	1.45%	1.45%
Retirement	6 months 8.31%	6 months 7.93%
Unemployment	0.30%	0.30%
<b>Total Benefits</b>	<b>16.26%</b>	<b>15.88%</b>

## PROCLAMATION

WHEREAS, public works services provided in our community are an integral part of our citizens' everyday lives; and,

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as roads and bridges, water, sewers, public buildings, and solid waste collection and disposal; and,

WHEREAS, the health, safety, and comfort of this community greatly depend on public works facilities and services; and,

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, construction, maintenance and operation, is vitally dependent upon the efforts and skills of public works officials; and,

WHEREAS, the efficiency of the qualified and dedicated personnel who staff public works departments is materially influenced by the public's attitude and understanding of the importance of the work these people perform; and,

WHEREAS, the theme for this year is "Public Works: Revitalize, Reinvest, Renew", and reflects the all encompassing nature of public works' contributions to our community; now, therefore,

BE IT HEREBY PROCLAIMED by the Board of County Commissioners of Yakima County, Washington, that the week of May 17 through May 23, 2009 be and hereby is,

### NATIONAL PUBLIC WORKS WEEK


The Board of Yakima County Commissioners urges all citizens and civic organizations to acquaint themselves with the problems involved in providing our public works services and to recognize the contributions that public works officials make every day toward our health, safety, and comfort.

Done this 19<sup>th</sup> day of May, 2009.

BOARD OF YAKIMA COUNTY COMMISSIONERS

  
I. Rand Elliott, Chairman

  
Michael D. Leita, Commissioner

  
Kevin J. Bouchey, Commissioner