



Charles R. Ross
Yakima County Auditor

CR Ross

Elections Division

Kathy A Fisher, Manager

128 N 2nd St Rm 117; Yakima WA 98901
PO Box 12570; Yakima WA 98909

509.574.1340
1.800.833.0569

ivote@co.yakima.wa.us
www.yakimacounty.us/vote

October 29, 2019

copy

Elizabeth Hallock
3402 Roosevelt Ave
Yakima WA 98902

Elizabeth Hallock
420 S 72nd Ave PMB 345
Yakima WA 98908

Dear Ms. Hallock:

Your voter registration has been challenged by Lisa Anne Homer, based on the belief that you do not live at the address where you are registered to vote. The challenge process is established in the law RCW 29A.08.810 through RCW 29A.08.850. Voter registration records show your residential address as:

3402 Roosevelt Ave
Yakima WA 98902

If this is incorrect, you may update your information by contacting our office at 509-574-1340.

A hearing regarding this challenge has been scheduled for Thursday, November 7, 2019 at 10 a.m. at the Yakima County Courthouse / Auditor's Office, 128 N 2nd St Room 117, Yakima WA 98901. A voter registration challenge hearing is an administrative hearing, not a court proceeding, and will be open to the public. The County Auditor will preside over the hearing.

You may provide evidence that you live at the address where you are registered, update your residential address at www.myvote.wa.gov, or prove that you meet one of the exceptions allowed in law. You do not lose your residency if you are:

- absent while in government service;
- attending school;
- confined in a public prison; or
- live at a non-traditional residential address. State law allows you to list the address of a shelter, park, motor home, marina, or other identifiable location that you consider to be your residence.

You may respond by appearing at the hearing in person, or by submitting written testimony. A sample declaration is enclosed. If you decide to respond in writing, it must be received by our office prior to the hearing. If you do not participate in the hearing, a decision will be made based on available information and you will be contacted regarding the outcome of the hearing.

Copies of the documents filed by the challenger are enclosed. If you have questions, please contact our office at 509-574-1340.

Sincerely,

Kathy A Fisher
Yakima County Elections Manager

cc: Lisa Anne Homer
enclosure

Declaration

I, _____ am at least eighteen years old and
please print
competent to make this declaration. I have actual knowledge of the following:

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct and that I executed this declaration at:

city / ZIP

sign
here

date
here

RECEIVED
NOV 06 2019

Declaration

Yakima County
Election Division

I, Elizabeth Hallock am at least eighteen years old and
please print
competent to make this declaration. I have actual knowledge of the following:

I own two cannabis businesses in Washington State. My primary residence is 3402 Roosevelt, near my primary cannabis business, Sweet Relief Yakima.

At times I travel to my other business in Port Angeles, WA, where I maintain a rental home.

I also am an attorney. My office is cycling distance from my home and located at 1115 Whincoln. I frequently travel to Seattle for business. I purchased my Yakima home from Kat Urlacher, who ran it as an unoccupied rental. She had bookings that came with the purchase.

Because I travel for work, especially in July's peninsula tourist season, this was a good fit. Except the city of Yakima is still working on rules for owner-occupied VRBOs. I appear before council on this

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct and that I executed this declaration at:

Yakima WA 98902
city / ZIP

sign here

Elizabeth Hallock

date
here

11/1/2019

March 5, 2019, as re-aired on Yakima Public Access around minute 17. Because I lock my belongings in the garage when I'm away and renting, groups cannot access my personal items. Cleaning and renting with small children was not particularly easy, and you can see in one review I mention this is my full-time home.

After my burglary, another car on the street was broken into. I did not move, but I did spend time at my Port Angeles business while the street neighbors had a community watch.

I chose the street for privacy, as it's by a Domestic Violence shelter. I have only one true neighbor. The complainant neighbor does not have a direct view of my back door, front door, or garage. I started driving a new car in July, and [Ex. 249] park in the garage.

The hazy testimony from one neighbor is not enough to prove by the preponderance of the evidence that 3402 Roosevelt is not my residence. Complainant could have hired a private investigator, who would have told her I definitely do not live at the address she provides.

As a DV survivor and marijuana retailer, I keep the blinds closed and limit exposure.

Voter Registration Challenge Form

who are you?

HOMER LISA ANNE
last name first middle
609 BEACON AVE. YAKIMA 98901
address city / ZIP
(509) 759-4654 lisannehomer@gmail.com
phone email

who are you challenging?

HALLOCK ELIZABETH A.
last name first middle
420 S 72ND AVE YAKIMA 98908
address (as registered to vote) city / ZIP
3402 ROOSEVELT AVE. YAKIMA 98902

basis of challenge provide evidence to support your challenge

The challenged voter:

- is not a U.S. Citizen
- will not be at least 18 years old by the next election
- was convicted of a felony and has not yet had his or her rights restored
- has been judicially declared ineligible to vote due to mental incompetency
- does not reside at the address listed on his or her voter registration. *Provide voter's actual residential address if known.*

205 S. 70TH AVE YAKIMA 98908
address city / ZIP

oath

I, LISA A. HOMER, declare under penalty of perjury under the laws of the State of Washington
that I:

- am a registered voter in the State of Washington;
- have personal knowledge and belief that the person named above is not qualified to vote for the reason or reasons indicated in this affidavit;
- have exercised due diligence to personally verify the evidence that accompanies this affidavit;
- believe that the challenged voter is not qualified to vote or does not live at the address listed on his or her voter registration.

sign here

Lisa A. Homer

date here

10/28/2019

RECEIVED
OCT 28 2019

Yakima County
Election Division

How to Challenge a Voter Registration

general information

A voter registration is presumptive evidence of a person's right to vote. A challenge may be dismissed if proper evidence isn't supplied. A challenge may only be filed for the reasons listed on this form. Any other reason is not considered to be legitimate grounds for a challenge.

The challenge process is established in RCW 29A.08.810 through RCW 29A.08.850.

filing a challenge

Registered voters and county prosecuting attorneys may file a voter registration challenge. A challenge must be based on the challenger's personal knowledge.

Submit a completed challenge form, and supporting documentation, to the county elections department where the challenged voter is registered. Determination of the challenge is based entirely on evidence provided.

deadlines

In order to affect the validity of a ballot, challenges must be filed at least 45 days before an election.

If the challenged voter registered or moved less than 60 days before an election, a challenge must be filed at least 10 days before the election or 10 days after the voter registered, whichever is later.

address based challenges

If you don't know the voter's actual residential address, provide evidence that you've taken **ALL** steps below to verify his or her residential address is incorrect.

- Send a letter with 'return service requested' to all known addresses for the voter;
- Search local telephone directories to determine whether the voter maintains a telephone listing at any address in the county;
- Search the county auditor property records to determine whether the voter owns property in the county;
- Search the statewide voter registration database to determine if the voter is registered at any other address in the state; and
- Visit the voter's listed residential address. As proof that the voter doesn't live there submit a signed affidavit from anyone who owns, manages, resides, or is employed at the address stating that, to his or her personal knowledge, the voter does not reside at the address.

A voter can maintain residency if he or she is absent due to government service, school, in prison, or because he or she is registered at a non-traditional address such as a shelter, park, motor home or marina.

challenge process

Upon receipt of a challenge form, the county elections department will:

- review the form for completeness and factual basis;
- notify the challenged voter and interested parties of the challenge;
- post the challenge documents on the county elections department's website; and
- set a hearing time and date.

A voter registration challenge hearing is an administrative hearing, not a court proceeding, and is open to the public. The county elections official or County Canvassing Board will preside over the hearing. Final determination of the challenge may be appealed in Superior Court.

Declaration

I, LISA A. HOMER
please print
am at least eighteen years old and
competent to make this declaration. I have actual knowledge of the following:

ELIZABETH HALLOCK IS RUNNING FOR CITY COUNCIL DISTRICT 5,
WHEN SHE CURRENTLY RESIDES ON 205 S. 78TH AVE, DISTRICT 6.
MS. HALLOCK ADVERTISES HER VRBO ON 3402 ROOSEVELT AVE.
FOR HER RESIDENCE SHE IS RUNNING FOR COUNCIL AT. THE
NEIGHBORS STATE SHE DOESN'T LIVE THERE AND MOVED OUT
SINCE IT WAS STATED UNSAFE NEIGHBORHOOD BY HALLOCK. MS.
HALLOCK LIVED THERE MAYBE 2 WEEKS TOTAL. BY THE COMMENTS
ON VRBO WEBSITE, DATING BACK TO FEBRUARY 2019, SHE HAS BEEN
USING THE WHOLE ENTIRE HOUSE AS A RENTAL TO LARGE GROUPS.
MS. HALLOCK IS SEEN TO PICK UP MAIL, PAPER AND CLEAN AFTER
RENTED. MS. HALLOCK'S CHILD YUKI, ATTENDS APPLE VALLEY ELEMENTARY
ON 88TH, THIS WOULD ALSO REFLECT LIVING IN DISTRICT 6 TO BE
ACCURATE. ALSO THE ADDRESS MS. HALLOCK USES FOR PDC IS IN DISTRICT 6,
420 S. 72ND AVE., WHICH STATES ITS A UPS STORE.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing
is true and correct and that I executed this declaration at:

YACIMA 98901
city / ZIP

sign
here

Lisa Homer

date
here

10/28/2019

Liz Hallock

Residence: 6014 So 30th Ave

Co-owners = Hallock, White
Purchased - 6/28/17

SEEMS TO BE
VACANT

Residence: 205 So 78th Ave

Co-owners = Hallock, White
Purchased - 5/31/18

DISTRICT 6

-LIVES HERE

? Business: ~~Sweet Relief Cannabis Company~~
2 N. 11th Ave

DISTRICT 5

? can't
Find

? Business: Sweet Relief CBD and Gifts
57 W Nob Hill Blvd

DISTRICT 4

Residence: 3402 Roosevelt Ave

Co-owners = Hallock, White
Purchased - 1/18/19

DISTRICT 5

VRBO

SWEET RELIEF
BUSINESS: 1009 EAST YACUMA ST.

in 2015 and thereafter, provided that the City of Yakima may revise those districts based on annexations, de-annexations, and population changes reflected in the decennial census and at appropriate times in the future when necessary to conform to state and federal law.

D. In order to preserve the staggered election plan for members of the City Council, in elections held for the City Council in 2015 the odd numbered districts were set for a four-year election cycle and even numbered districts were set initially for a two-year term and are set thereafter for a four-year election cycle.

E. Future redistricting shall be done in a manner that complies with the terms and intent of the Final Injunction and Judgment and the Court's August 22, 2014 Order in Case No. 12-CV-3108-TOR, continues to provide for single-member districts, and complies with Section 2 of the Voting Rights Act.

F. At the primary election, each qualified voter of each district may cast only one vote for a candidate. The names of the two candidates from each district for whom the largest number of votes are cast at the primary election shall appear on the general election ballot for that district.

→ G. In the event any Council member elected or appointed to a district position moves that member's place of residence outside the district boundary from which that member was nominated or appointed, then that Council member shall forfeit the office of Council member and the position held by the member shall be deemed to be vacant. In the event a vacancy occurs for any reason in the Council, the vacancy in the district shall be filled by the appointment of some qualified person who is a resident of that district by a majority vote of the remaining members of the Council, but such appointee shall hold office only until the next regular municipal election, at which time a qualified person who is a resident of that district shall be elected to serve for the remainder of the unexpired term for that position.

SECTION 2. The Council shall constitute the legislative branch and authority of the City government and shall have power to adopt rules of order and regulations for the conduct of its business.

SECTION 3. The Council shall choose its own chairman at its first meeting and at the first meeting after the subsequent biennial elections. The chairman shall have the title of Mayor during the biennium for which chosen. The Mayor shall preside at all meetings of the Council and shall also have the powers and perform the duties conferred and imposed by this charter and the ordinances of the City. The Mayor shall be recognized as the head of the City for all ceremonial purposes and by the Governor for purposes of military law. The Mayor shall have no regular administrative duties but in time of public danger or emergency shall, if so authorized and directed by a majority vote of the Council, take command of the police, maintain order and enforce the law. The Mayor shall also have the rights, privileges and immunities of a member of the Council with the right to vote as another member thereof. If a vacancy occurs in the office of Mayor, or in case of

→ **Residence.**

"Residence" for the purpose of registering and voting means a person's permanent address where he or she physically resides and maintains his or her abode. However, no person gains residence by reason of his or her presence or loses his or her residence by reason of his or her absence:

- (1) While employed in the civil or military service of the state or of the United States;
- (2) While engaged in the navigation of the waters of this state or the United States or the high seas;
- (3) While a student at any institution of learning;
- (4) While confined in any public prison.

Absence from the state on business shall not affect the question of residence of any person unless the right to vote has been claimed or exercised elsewhere.

RCW 29A.08.010

Minimum information required for voter registration.

(1) The minimum information provided on a voter registration application that is required in order to place a voter registration applicant on the voter registration rolls includes:

- (a) Name;
- (b) Residential address;
- (c) Date of birth;
- (d) A signature attesting to the truth of the information provided on the application; and
- (e) A check or indication in the box confirming the individual is a United States citizen.

(2) The residential address provided must identify the actual physical residence of the voter in Washington, as defined in RCW 29A.04.151, with detail sufficient to allow the voter to be assigned to the proper precinct and to locate the voter to confirm his or her residence for purposes of verifying qualification to vote under Article VI, section 1 of the state Constitution. A residential address may be either a traditional address or a nontraditional address. A traditional address consists of a street number and name, optional apartment number or unit number, and city or town, as assigned by a local government, which serves to identify the parcel or building of residence and the unit if a multiunit residence. A nontraditional address consists of a narrative description of the location of the voter's residence, and may be used when a traditional address has not been assigned or affixed to the voter's residence or when a voter resides on an Indian reservation or Indian lands, pursuant to the conditions in RCW 29A.08.112.

(3) All other information supplied is ancillary and not to be used as grounds for not registering an applicant to vote.

(4) Modification of the language of the official Washington state voter registration form by the voter will not be accepted and will cause the rejection of the registrant's application.

Yolanda Arellano <Yolanda.Arellano@co.yakima.wa.us>
Mon 10/7/2019 8:34 AM
Dave,

Per your public records request, the physical address she is registered to vote at is 3402 Roosevelt Ave in Yakima, which is in District 5.

Have a nice day,

Yolanda

From: Kit News <Kit.News@townsquaremedia.com>
Sent: Friday, October 4, 2019 2:49 PM
To: Yolanda Arellano <Yolanda.Arellano@co.yakima.wa.us>
Cc: Kit News <Kit.News@townsquaremedia.com>
Subject: Re: Attention: Dave Ettl

CAUTION : This email originated from outside of this organization. Please exercise caution with links and attachments.

Kit News
Re: Attention: Dave Ettl
Fri 10/4/2019 2:49 PM
This is excellent information, thank you very much. Awesome public service! But, (there is always a but, right? :-)) I still don't know from the information from the County or from the Public Disclosure Commission website what is her District #5 RCW29A.04.151
REPLYREPLY ALLFORWARD
CONTINUE EDITINGDISCARD
Mark as unread

Yolanda Arellano <Yolanda.Arellano@co.yakima.wa.us>
Thu 10/3/2019 4:50 PM
To:
Kit News;
...
You replied on 10/4/2019 2:49 PM.
A voter has a physical address (which determines what they vote on) and a mailing address. Her declaration of candidacy and voter registration would list both. There are no percentage requirements for residency, at least not under election law.

Here are the RCW's defining residency and the minimum information required for voter registration.

RCW 29A.04.151

In order to run for office in a specific district, the voter has to be registered to vote within that district at the time of submitting their declaration.

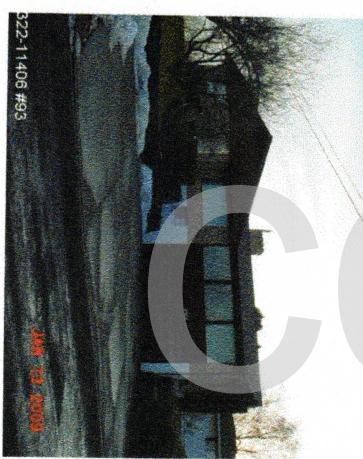
Hope this helps,

Yolanda

copy

1:59  82%[Aggregations](#) [Tax Information](#) [Values](#) [Photos](#)[Parcel Search](#)[Parcel Number:](#)181322-11406 [View Map](#)[View Printable Version](#) | [Print Page](#)[Parcel Address:](#)
3402 Roosevelt Ave Yakim[Parcel Owners:](#)
Elizabeth Hallock

Steve White

181322-11406
2/02

322-11406 #93

MM-10 2003

2:54 ... 73%



Yakima • Oct 25 - Oct 28

A-Z SORT

FILTER

MAP

9

2 BR • 1 BA • Sleeps 6

4 Instant Book

Premier Partner



Viewed 7 times in the last 48 hours

Very Good! 4.1/5

 9
\$350 per night

6 BR • 2 BA • Sleeps 12

Saved to

change



Yakima

|||

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[←](#) Reviews [Share](#)

and also large areas for us to be together. The house was very clean and ready for our stay. We would definitely stay here again!

Super nice house Sean O.

Mar 2019

This house is very nice. Perfect for big groups but affordable for even smaller ones. Very comfortable, nice beds! Without a doubt my first choice for future trips.

Comfortable House & Responsive Owners

Feb 2019

Our group of ten had a lovely stay at this house for a girls' wine tasting weekend. It was clean and comfortable with plenty of beds and bedrooms and several places to gather together as a group, or to get away for alone time. The hosts were very responsive and stocked up the house with plenty of towels, shampoo, and coffee. There were even lots of spices in the kitchen, which was helpful for all the cooking that we did. Thank you!

← Reviews

**Great house for a big group, but needs a little work**

Caitlin M.

Oct 2019

This house was great for a big group of people and we had no issue with feeling crammed. The interior is very cute, however, needs some more attention directed to cleaning. We found garbage in drawers downstairs in one of the rooms, shower was not very clean, stains on furniture upstairs and outdoor patio area had miscellaneous junk. All beds were clean however and there will plenty of towels. Biggest issue was we arrived and the home was supposed to have 4 TVs and all mounts were empty, asked about it and received little response from owner. Not a big deal but would have liked some communication on the matter before we had arrived. The thermostat is broken and could not adjust, certain rooms were very hot and others freezing cold. Overall, great home for a big group and the hot tub was a nice surprise, just needs a little more up-keep cleaning wise.

House was open and spacious. The yard needed work, not a lot of kitchen cooking supplies.

Joel B.

← Reviews



House was open and spacious. The yard needed work, not a lot of kitchen cooking supplies.

★★★★★ Joel B.

Jun 2019

It was fine for our large group. But would like something a litter higher end next time

Very enjoyable stay for our large group!

★★★★★ Tom B.

Jun 2019

Two family members were graduating from CWU, and we couldn't find lodging for our ~10 people in Ellensburg, so we came to Yakima. This was a great house for a large group - plenty of beds and plenty of space. The hot tub was unfortunately out of order when we were there (apparently a timing issue, but somewhat disappointing to find out the day of our arrival). We also inexplicably had a towel shortage, which was QUICKLY and very kindly remedied by our hosts (thank you again - this made a huge difference). The kitchen was well-stocked and good size, and we appreciated the large dining table. The outdoor gas grill was excellent. Plenty of TV's with Roku boxes, too. Wi-Fi was solid and easy. Other than (I assume) the tennis club, there really isn't anything to walk



 [Reviews](#)

the tennis club, there really isn't anything to walk to, but there was plenty of easy parking for our group. We REALLY appreciated the small size of the checkout to-do item list. Great property for a large group.

Family gathering

★★★★★ Sharon B.

May 2019

Enjoyed our stay. It seems they are updating the property. It was clean, well supplied and great for a large group of people. Kinda hard to find at first. Would stay there again.

Worked perfect for our needs

★★★★★ Mandy H.

May 2019

We loved the location for the tennis tournament we were involved with.

Fun stay

★★★★★ Richard P.

May 2019

Beautiful home with plenty of space. Loved the hot



← Reviews

**Fun stay** Richard P.

May 2019

Beautiful home with plenty of space. Loved the hot tub. Very helpful that we were able to check in a couple of hours early.

Not clean - Unfortunately Not enough space for review area for description of all issues Tina S.

May 2019

About an hour after arriving did quick walk through. Took pict's of damage & lack of cleaning. Texted Steve & provided info. Steve apologized & said he appreciated the feedback. Later received text from Liz, says she cleans the house - no concern about cleaning issues. Next day Steve brought light bulbs, gave small gift & said sorry! I was not going to review, but 5 nights after our stay, I received this message from Liz. "Thank you for communicating with Steve while I was on mother daughter wknd. There were lipstick stains in two rooms and menstrual stains on the upstairs silk sheets and under sheets. I appreciate your feedback and just wanted to share this with you. This is my fulltime home and my sincere apologies for the kid pants, that was embarrassing. I hope you



← Reviews



This is my fulltime home and my sincere apologies for the kid pants, that was embarrassing. I hope you have a nice weekend and hope you will visit Yakima again!" WOW! The woman who slept in the room had a hysterectomy years ago - sheets were dirty before hand (gross). I walked house before we left & did not find lipstick. ISSUES WE FOUND: Kitchen: Fridge was full of expired condiments, spoiled milk & containers of butter Microwave tray had chunks of food on it
Oven was very dirty. Garbage & dead bugs in various drawers (bunny fruit snack empty broken down box, plastic ends from gogurt in silverware bin & plastic piece from a garment tag). Hood over the stove full of dust. Dirty plates & silverware - dried on food. Two swivel bar stools filthy & stained. Bedrooms: Beds - sloppily made. One twin bed had a piece of toddler clothing in it. 1 or 2 beds clearly were not cleaned. Ceiling fans would not turn on with remotes. Heater would not shut off until turned to 60. Lamp did not work. Sink in room had toothpaste splatter on the faucet & mirror. Dining room: Front leg on bench was broke - move the bench it falls off. High back chairs were stained & filthy. Living room - The couch & ottoman stained/dirty. Ottoman was written on with a pen. Moved ottoman to take photo & found garbage/ misc items underneath. Back Yard/Hot tub not usable water was green. Grass about 6 inches long. Patio and furniture filthy with bird poop/debris. Bathrooms



[←](#) Reviews

guests should use a towel or a washable floor mat. Ants in downstairs bathroom. Dirty towels. We were charged a cleaning fee & the house was not clean! I have never been contacted by an owner to say that they found a menstrual stain on the sheet. This was extremely unprofessional for Liz to even say.

Everything We Hoped It Would Be!

★★★★★ Sean C.

Mar 2019

This was such a great home for us during our stay! I loved that there was ample space for us all to sleep, and also large areas for us to be together. The house was very clean and ready for our stay. We would definitely stay here again!

Super nice house

★★★★★ Sean O.

Mar 2019

This house is very nice. Perfect for big groups but affordable for even smaller ones. Very comfortable, nice beds! Without a doubt my first choice for future trips.



2:58 ... 72%

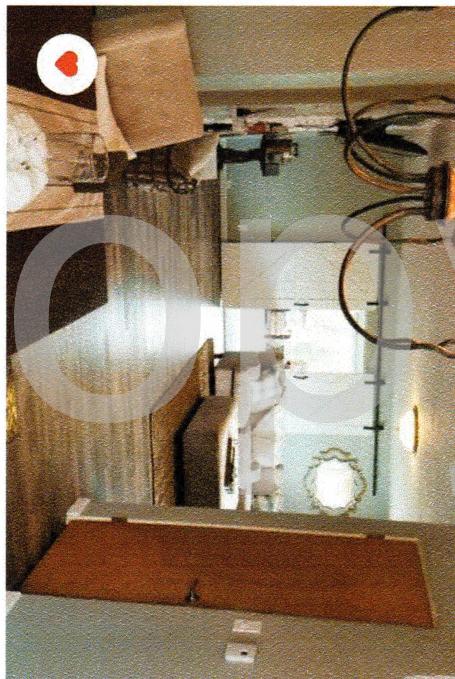
← Yakima • Oct 25 - Oct 28

A-Z SORT FILTER MAP

★ ★ ★ ★ ★ 9

2 BR • 1 BA • Sleeps 6

↳ Instant Book Premier Partner



Viewed 7 times in the last 48 hours

Very Good! 4.1/5

\$350 per night

★ ★ ★ ★ 9

6 BR • 2 BA • Sleeps 12

||| O <

2.58  ...  71%



Yakima • Oct 25 - Oct 28

A-Z SORT

≡ FILTER

MAP

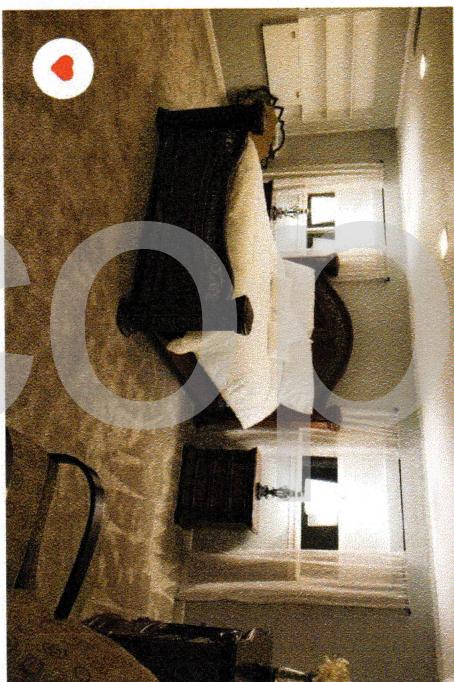
\$112 per night

★★★★★ 9

2 BR • 1 BA • Sleeps 6

↳ Instant Book

Premier Partner



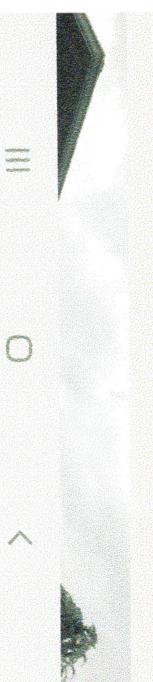
🕒 Viewed 7 times in the last 48 hours

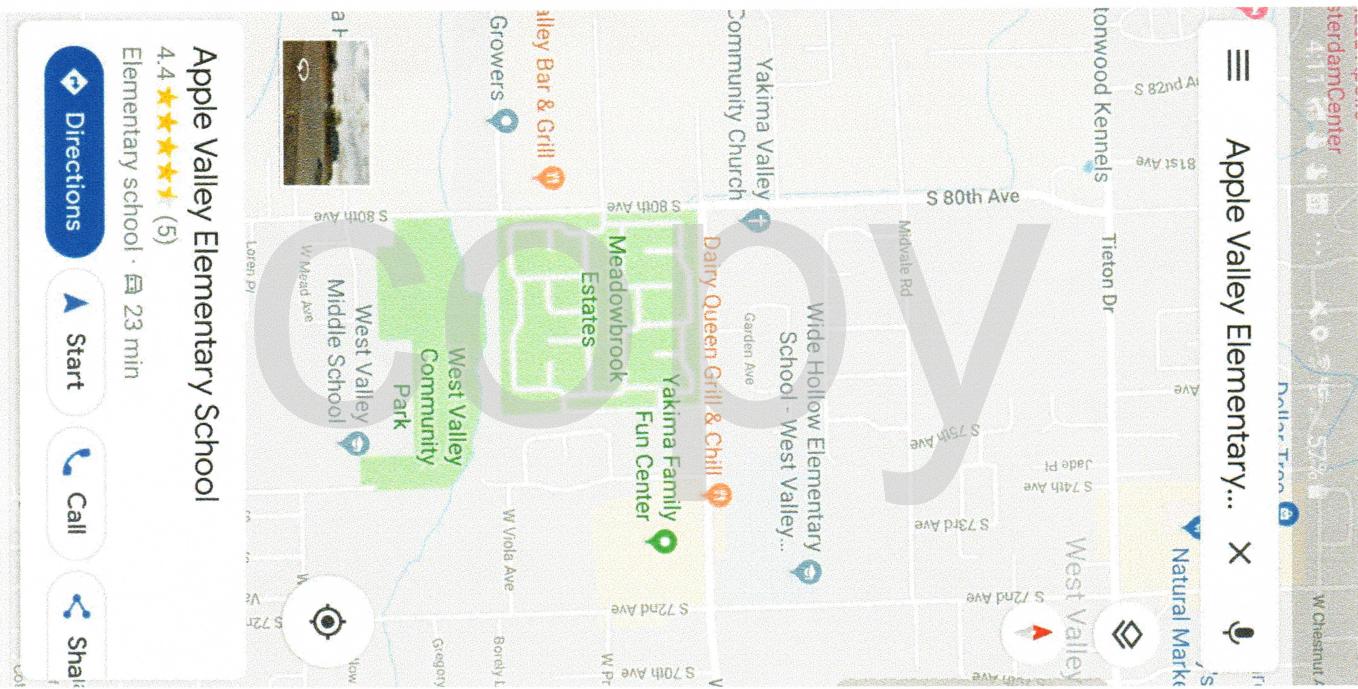
Very Good! 4.1/5

\$350 per night

★★★★★ 9

6 BR • 2 BA • Sleeps 12





3:24 69% 

Property Detail Lookup

[Property Details](#) [Other Details](#) [Excise Transactions](#)

[Segregations](#) [Tax Information](#) [Values](#) [Photos](#)

[Parcel Search](#)

Parcel Number:

[181320-33502](#) [View Map](#) | Prop

[Tax](#) | [View Printable Version](#) | [Print Page](#)

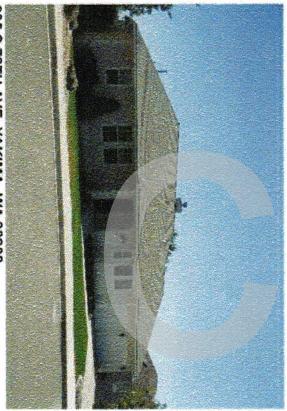
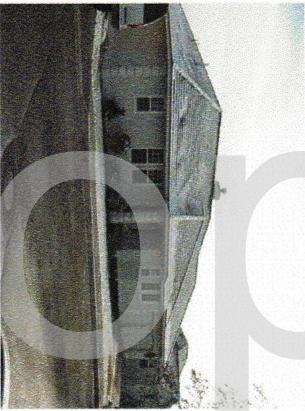
Situs Address:

205 S 78Th Ave Yakima

Owners:

Elizabeth Halllock

Stephen White



205 S 78TH AVE YAKIMA, WA 98908

3:24 31 69%

Home > Government > Departments & Offices
A-M > Assessor's Office > Parcel Search

Property Detail Lookup

Parcel Number: 181320-33502 [View Map](#) | [Property](#)

[Tax](#) | [View Printable Version](#) | [Print Page](#)

Situs Address: 205 S 78th Ave Yakima

Property Use: 11 Single Unit

Tax Code Area: 586

Property Size: 0.19

Neighborhood: 3041

Owners: Elizabeth Hallock

Stephen White

Abbreviated Legal Description: PARKWOOD HEIGHTS, LOT 2

Details for Residence #1 [View Sketch](#)

Building Style:	Custom
Quality:	Very-Good
Condition:	Good
Year Built:	1991
Stories:	1.00
Bedrooms:	3
Main Floor:	1,662
Upper Floor:	
Addl. Area:	
Full Baths:	3
3/4 Baths:	
Half Baths:	
Fixtures:	14
Basement:	1,604
Finished Bsmnt:	1,604
Attached Garage:	576
Built in Garage:	
Wood Deck:	164
Patio:	
Cover:	
Macaroni Trim:	

Select Language

Parcel Search | Yakima...



181320- 23483	Sophia Trevino	204 N 78Th Ave, Yakima(View Map)
181320- 33514	Marjorie Greenwood	204 S 78Th Ave, Yakima(View Map)
181320- 23498	Michael E & Kelly L Hedrick	205 N 78Th Ave, Yakima(View Map)
181320- 33502	Stephen White	205 S 78Th Ave, Yakima(View Map)
181320- 33502	Elizabeth Hallock	205 S 78Th Ave, Yakima(View Map)
181320- 23484	Gayle M & Jerry S Schimpf	206 N 78Th Ave, Yakima(View Map)
181320- 33513	Everardo & Leticia R Garza	206 S 78Th Ave, Yakima(View Map)

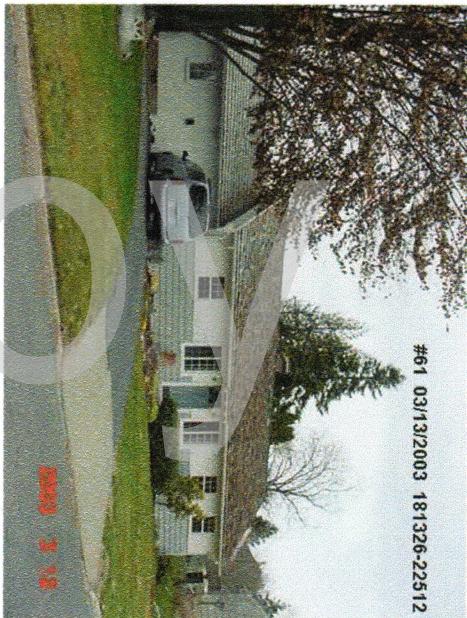
3:43 31 64%                                          

Parcel Search | Yakima...                                                 <img alt="Print icon" data-bbox="855 7075 875 7

3:43      64% 

Stephen J Wh

#61 03/13/2003 181326-22512



614 S 30TH AVE YAKIMA, WA 98902

Hey Lisa. Good question!
Whoever does seems to
rotate the cars in their
driveway every few days.
Really odd. No one seems to
live there.

3:32 PM

So your on 78th?

3:32 PM

No. I'm on Shelton and 27th.
Her place is on 30th.

3:33 PM



Lisa Homer <lisannehomer@gmail.com>

Re: Visit

1 message

Soneya Lund <soneya4council@gmail.com>
To: "lisannehomer@gmail.com" <lisannehomer@gmail.com>

Mon, Oct 28, 2019 at 10:39 AM

On Mon, Oct 28, 2019 at 9:16 AM Chris Carter <vbref711@gmail.com> wrote:

Very busy during the day.

Just a couple of questions for you:

1) Do you know which address your opponent lists for her residence? We did a property search for her and pulled multiple addresses that are used as Vac Rental By Owner. We know for a fact that the one at 34th and Roosevelt is a VRBO that she claims was her "home" when it was broken into in the summer. She claimed on the news that she lost over \$30k worth of property from there. She bought it in January and we only see her after it has been rented out and she cleans it.

2) As a council member, would you be able to put pressure on the school board to fund upgrades to Davis HS football/track facil (Kumler Field) and the baseball stadium. They are a disgrace and unsafe. The district wants to spend who know how much on a new video scoreboard at Zaepfel but has its students practicing in substandard environments.

Chris Carter
509-961-3373
vbref711@gmail.com

On Mon, Oct 28, 2019, 7:37 AM Soneya Lund <soneya4council@gmail.com> wrote:

Hi Chris! When would be a good time to chat?

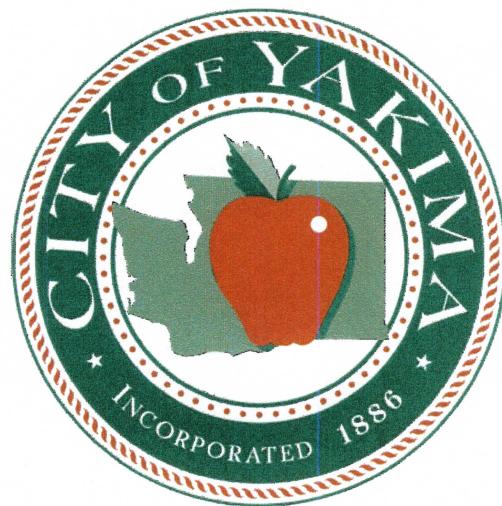
On Sun, Oct 27, 2019 at 6:00 PM Chris Carter <vbref711@gmail.com> wrote:

You stopped by our home on 35th and Roosevelt (had the skeletons on front porch). We were gone but would like to talk with you about some issues.

Chris Carter
509-961-3373
vbref711@gmail.com

copy **CHARTER**

OF THE
CITY OF YAKIMA



Effective July 5, 2016

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ARTICLE I

Name, Boundaries, Powers, Rights and Liabilities

SECTION 1. The people of the City of Yakima, within the boundaries as now established, or as hereafter established, shall continue to be the body politic and corporate by name of City of Yakima, and under that name shall have perpetual succession; shall use a corporate seal; may sue and be sued; may acquire property within or without its boundaries for municipal purposes by purchase, gift, devise, lease, or condemnation, and may sell, lease, hold, manage and control such property as its interests may require, except that property purchased for park purposes shall be within the city limits; and except as prohibited by the constitution of the State of Washington, or restricted by this charter, the City of Yakima shall have all municipal powers, functions, rights, privileges and immunities of every name and nature whatsoever pertaining to cities of the first class within the State of Washington.

SECTION 2. The enumeration of particular powers by this charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied hereby or appropriate to the exercise thereof, the City of Yakima shall have, and may exercise, all powers which under the constitution and laws of the State of Washington it would be lawful for said charter specifically to enumerate. All powers of the City, whether express or implied, shall be exercised in the manner prescribed by this charter, or if not prescribed herein, then in the manner provided by law, ordinance or resolution of the City Council.

ARTICLE II

Officers -- Council-Manager Form of Government

SECTION 1. A. Beginning with the elections for the Yakima City Council to be held in 2015, and including the August 4, 2015 primary election and the November 3, 2015 general election, all elections for the Yakima City Council will be conducted using a system in which each of the seven members of the City Council is elected from a single-member district. Each Council member must reside in his or her district, and only residents of a given district may vote for the Council member position for that district.

B. In the Final Injunction and Remedial Districting Plan ("Final Injunction") entered by the Court in United States District Court for the Eastern District of Washington Case No. 12-CV-3018-TOR ("Case No. 12-CV-3018-TOR") on February 15, 2015, maps and tables showing the boundaries of the seven single-member districts and their populations were attached as Exhibit A to the Final Injunction.

C. The City shall take all steps necessary to implement the seven single-member district plan attached as Exhibit A to the Final Injunction in Case No. 12-CV-3018-TOR in order to allow single-member district based elections to proceed

in 2015 and thereafter, provided that the City of Yakima may revise those districts based on annexations, de-annexations, and population changes reflected in the decennial census and at appropriate times in the future when necessary to conform to state and federal law.

D. In order to preserve the staggered election plan for members of the City Council, in elections held for the City Council in 2015 the odd numbered districts were set for a four-year election cycle and even numbered districts were set initially for a two-year term and are set thereafter for a four-year election cycle.

E. Future redistricting shall be done in a manner that complies with the terms and intent of the Final Injunction and Judgment and the Court's August 22, 2014 Order in Case No. 12-CV-3108-TOR, continues to provide for single-member districts, and complies with Section 2 of the Voting Rights Act.

F. At the primary election, each qualified voter of each district may cast only one vote for a candidate. The names of the two candidates from each district for whom the largest number of votes are cast at the primary election shall appear on the general election ballot for that district.

G. In the event any Council member elected or appointed to a district position moves that member's place of residence outside the district boundary from which that member was nominated or appointed, then that Council member shall forfeit the office of Council member and the position held by the member shall be deemed to be vacant. In the event a vacancy occurs for any reason in the Council, the vacancy in the district shall be filled by the appointment of some qualified person who is a resident of that district by a majority vote of the remaining members of the Council, but such appointee shall hold office only until the next regular municipal election, at which time a qualified person who is a resident of that district shall be elected to serve for the remainder of the unexpired term for that position.

SECTION 2. The Council shall constitute the legislative branch and authority of the City government and shall have power to adopt rules of order and regulations for the conduct of its business.

SECTION 3. The Council shall choose its own chairman at its first meeting and at the first meeting after the subsequent biennial elections. The chairman shall have the title of Mayor during the biennium for which chosen. The Mayor shall preside at all meetings of the Council and shall also have the powers and perform the duties conferred and imposed by this charter and the ordinances of the City. The Mayor shall be recognized as the head of the City for all ceremonial purposes and by the Governor for purposes of military law. The Mayor shall have no regular administrative duties but in time of public danger or emergency shall, if so authorized and directed by a majority vote of the Council, take command of the police, maintain order and enforce the law. The Mayor shall also have the rights, privileges and immunities of a member of the Council with the right to vote as another member thereof. If a vacancy occurs in the office of Mayor, or in case of

the Mayor's absence or disability, a Mayor pro tem shall be elected by the Council from its members to act as Mayor for the unexpired term or during the continuance of the absence or disability.

SECTION 4. Except as otherwise provided in this charter, all powers of the City shall be vested in the Council. The Mayor and each member of the Council shall receive compensation as established by Ordinance. Members of the Council shall be qualified electors of the City and any member ceasing to possess any of the qualifications specified in general law or in this charter or convicted of crime involving moral turpitude while in office shall immediately forfeit his office.

SECTION 5. The Council shall meet at the times and places fixed by ordinance, but must hold at least two regular meetings each month. The Clerk shall call special meetings of the Council upon request of the Mayor or any two members. Requests for special meetings shall state the subjects to be considered and no other subject shall be considered at a special meeting except by consent of all members of the Council. All meetings of the Council and of committees thereof shall be open to the public, and the rules of the council shall provide that citizens of the City shall have a reasonable opportunity to be heard at any meetings in regard to any matter being considered thereat.

SECTION 6. The Council shall choose such employees of its own body, as it may deem necessary. Employees of the Council shall not be chosen for a definite term but shall continue to serve during the pleasure of the Council.

SECTION 7. The Council shall appoint an officer whose title shall be City Manager and who shall be the chief executive officer and the head of the administrative branch of the City government. The City Manager shall be chosen upon the basis of character and ability with special reference to actual experience in, or knowledge of, accepted practice in respect to the duties of the office as hereinafter outlined. Choice shall not be limited by any residence or political qualification. No person elected to membership on the Council shall, subsequent to such election, be eligible for appointment as City Manager until one year has elapsed following the expiration of the term for which elected. Before entering upon the duties of the office, such City Manager shall take the official oath for the support of the National and State Governments and the faithful performance of duties, and shall execute a bond in favor of the City in such sum as may be fixed by the Council.

SECTION 8. The City Manager shall be appointed for an indefinite term and may be removed by a majority vote of the Council. At least thirty days before the effective date of removal, the City Manager must be furnished with a formal statement in the form of a resolution passed by a majority vote of the City Council stating the Council's intention to remove the City Manager and the reasons

therefor. Upon passage of the resolution stating the Council's intention to remove the City Manager, the Council may by a similar vote suspend the City Manager from duty, but compensation shall continue until the removal becomes effective. The City Manager may, within thirty days from the date of service upon the City Manager of a copy thereof, reply in writing to the resolution of intent for removal. In the event no reply is timely filed, the resolution shall upon the thirty-first day from the date of such service constitute the final resolution removing the City Manager, and the City Manager's services shall terminate upon that day. If a reply shall be timely filed with its Clerk, the Council shall fix a time for a public hearing upon the question of the City Manager's removal and a final resolution removing the City Manager shall not be adopted until a public hearing has been held. The action of the Council in removing the City Manager shall be final. In case of the absence or disability of the City Manager, the Council may designate some qualified person to perform the duties of the office during such absence or disability.

SECTION 9. The powers and duties of the City Manager shall be:

- (1) To have general supervision over the administrative affairs of the municipality;
- (2) To appoint and remove at any time all department heads, officers and employees of the City, except members of the Council, but the appointment and removal of those department heads, officers and employees who are subject to Civil Service or merit systems of the City of Yakima shall be pursuant to the Civil Service laws, rules and regulations of such City in existence at the effective date hereof: provided, that the Council may cause an audit to be made of any department or office of the City government and may select the persons to make it, without the advice or consent of the City Manager;
- (3) To attend all meetings of the Council at which his attendance may be required by that body;
- (4) To see that all laws and ordinances are faithfully executed, subject to the authority which the Council may grant the Mayor to maintain law and order in times of emergency;
- (5) To recommend for adoption by the Council such measures as he may deem necessary or expedient;
- (6) To prepare and submit to the Council such reports as may be required by that body or as he may deem it advisable to submit;
- (7) To keep the Council fully advised of the financial condition of the City or town and its future needs;
- (8) To prepare and submit to the Council a tentative budget for the fiscal year;
- (9) To perform such other duties as the Council may determine by ordinance or resolution.

SECTION 10. Administrative departments shall be created by the City Council as the public business may demand. Pending further action by the City Council, the administrative departments now in existence shall be continued. The

rights, powers and duties of the departments shall be prescribed, distributed, assigned, established or discontinued by ordinance.

SECTION 11. The City Manager may authorize the head of the department or office responsible to the City Manager to appoint and remove subordinates in such department or office. Any officer or employee who may be appointed by the City Manager or by the head of a department or office, except one who holds a position subject to Civil Service, may be removed by the City Manager or other such appointing officer at any time. Subject to the provisions of SECTION 9 herein, the decision of the City Manager or other appointing officer shall be final and there shall be no opportunity for administrative appeal.

SECTION 12. Appointments made by or under the authority of the City Manager shall be on the basis of executive and administrative ability and of the training and experience of the appointees in the work, which they are to perform. Residence within the City shall not be a requirement.

SECTION 13. Neither the Council, nor any of its committees or members shall direct or request the appointment of any person to, or removal from, office by the City Manager or any of the City Manager's subordinates. Except for the purpose of inquiry, the Council and its members shall deal with the administrative service solely through the City Manager and neither the Council nor any committee or member thereof shall give orders to any subordinate of the City Manager, either publicly or privately: Provided, however, that nothing herein shall be construed to prohibit the Council, while in open session, from fully and freely discussing with the City Manager anything pertaining to appointments and removals of City officers and employees and City affairs.

SECTION 14. The City Manager and other officers, assistants and employees, shall receive such salary or compensation as the Council shall fix by ordinance and it shall be payable at such times as the Council shall determine.

SECTION 15. Nothing in this Article shall affect the pension or Civil Service or merit system of the City of Yakima in existence at the effective date hereof.

ARTICLE III

Elections

SECTION 1. Elections shall be general, primary or special. The manner and method of holding and calling municipal elections, both general and special, shall be according to State law. All municipal elections shall be non-partisan and by the qualified electors of the City.

ARTICLE IV

Legislation by the People

SECTION 1. The people of Yakima, in addition to the method of legislation herein before provided, shall have direct legislation by the initiative and referendum.

SECTION 2. The initiative shall be exercised in the following manner:

(a) A petition signed by registered and qualified electors of the City, accompanied by the proposed legislation in the form of a proposed ordinance and requesting that such ordinance be submitted to a vote of the people shall be filed with the City Clerk.

(b) Within two days from the filing of such petition the City Clerk shall certify the number of votes cast at the last general City election and the number of signers of such petition, and shall present such certificate, petition and proposed ordinance to the City Council.

(c) If such petition be signed by qualified electors in number equal to twenty per centum of the total number of votes cast at the last preceding general city election, the City Council, within twenty days after receipt thereof, except as otherwise provided in this Charter, shall either pass such ordinance without alteration, or refer it to a popular vote at a special election which must be held at the first available opportunity in accord with the provisions of State law for special municipal elections: Provided, however, that if any other municipal election is to be held more than thirty days but within ninety days after the filing of the petition, said proposed ordinance shall be submitted without alteration to be voted upon at such election.

SECTION 3. If, prior to the date when any ordinance shall take effect, a petition signed by qualified electors equal in number to ten per centum of the entire vote cast at the last preceding general city election shall be filed with the City Clerk, protesting against the enactment of such ordinance, it shall be suspended from taking effect. Immediately upon the filing of the petition the City Clerk shall do all things required in SECTION 2 (a) and (b) of this article. Thereupon the City Council shall immediately reconsider such ordinance, and, if it does not entirely repeal the same, shall submit it to popular vote at the next municipal election; or, the City Council may call a special election for that purpose in accord with the provisions of State law for special municipal elections; and such ordinance shall not take effect, unless a majority of the qualified electors voting thereon at such election shall vote in favor thereof.

SECTION 4. The City Council may submit to popular vote for adoption or rejection at any election any proposed ordinance in the same manner and effect as provided in this article for submission on petition.

SECTION 5. There shall not be held under this article more than one special election in any period of six months.

SECTION 6. The City Council, by ordinance, shall make further regulations for carrying out the provisions of this article not inconsistent herewith.

ARTICLE V The Recall

SECTION 1. The holder of any elective office, whether elected or appointed thereto, may be removed from such office by recall proceedings as provided by the laws of the State of Washington for elective officers

SECTION 2. An officer removed from office by recall election or who shall resign from such office pending recall proceedings against him shall not be eligible to hold any city office or employment within two years after such removal or resignation.

ARTICLE VI Additional Powers and Limitations on Officers

SECTION 1. At all meetings of the City Council every resolution and ordinance shall be in writing and read aloud by title before a vote is taken thereon; provided, at the request of a majority of Council members present, a resolution and ordinance shall be read aloud in its entirety before a vote is taken thereon. Upon every vote the yeas and nays shall be called and recorded. All ordinances, except ordinances making appropriations or codifying or rearranging existing ordinances, shall be confined to one subject, which shall be clearly expressed in the title. Ordinances making appropriations shall be confined to the subject of appropriations. The enacting clause of all ordinances shall be, "Be it ordained by the City of Yakima."

SECTION 2. Ordinances making the annual tax levy or relating to local improvements or assessments therefore, or making appropriations, emergency ordinances, or ordinances adopted by vote of the electors shall take effect at the time indicated therein; all other ordinances shall take effect 30 days after the date of the publication thereof as herein provided. An emergency ordinance is one to provide for the immediate preservation of the public peace, property, health or safety. The unanimous vote of the Council shall be necessary for the passage of an emergency ordinance. No measure making or amending a grant, renewal or extension of a franchise or other special privilege shall ever be passed as an emergency measure.

SECTION 3. Upon its final passage, each ordinance or resolution shall be authenticated by the signature of the Mayor and attested by the City Clerk and recorded in a book kept for that purpose. The number and title of each ordinance passed by the City Council, with certificate as herein provided, attached thereto shall be published once in the official newspaper of the city. Said certificate shall be signed by the City Clerk and shall be in substantially the following form: "Ordinance No. _____ bearing above title, was duly and regularly passed by the City Council of the City of Yakima, Washington, on the _____ day of _____ 20____, and is now on file with the undersigned at the office of the City Clerk, where the same is open to the public inspection. Dated . City Clerk."

SECTION 4. Members of the City Council shall be qualified electors of the City, and shall not hold any other public office except that of Notary Public or member of the military branch of the state or federal government. A member of the City Council ceasing to possess any of the qualifications specified in this SECTION, or who may be convicted of a crime involving moral turpitude while in office shall immediately forfeit his office. A certified copy of the judgment of conviction filed in the office of the City Clerk shall be *prima facie* evidence of forfeiture as above provided.

SECTION 5. No elective official, officer or employee of the City shall solicit or receive any pay, commission, money or thing of value, or derive any benefit, profit or advantage, directly or indirectly from or by reason of any improvement, alteration or repair, or purchase of materials required by the City, or any contract to which the City shall be a party, except his lawful compensation or salary as such officer or employee. A violation of any of the provisions of this SECTION shall disqualify the offender to continue in office or employment and he shall be forthwith removed.

SECTION 6. Any purchase of supplies, material, equipment or services, except for public work or improvement, where the cost thereof exceeds a specific sum to be set by ordinance within the limits established by State law shall be made upon call for bids in the same method and under the same conditions as required herein on a call for bids for public work or improvement. This monetary limit for the purchase of supplies, material, equipment and services may be increased from time to time, but no more often than one time in any twenty-four month period, by ordinance enacted by the vote of no less than a two-thirds majority of the City Council members, up to, but in no case to exceed any amount allowed by State law. In the event of an emergency declared by resolution of the City Council, any purchase of supplies, material, equipment or service may be made without calling for bids.

SECTION 7. In addition to the provisions of the general law the City Council may by ordinance create and establish special funds into which all monies received

for a special or specific purpose may be placed: Provided, however, that such fund or funds shall be other than those deriving revenue from taxation.

SECTION 8. There shall be a dedicated street overlay and reconstruction fund, reserved for the enhancement in quality and value of City street infrastructure, of no less than Two Million Dollars annually in the City's General Fund budget. This dedicated fund base amount of Two Million Dollars shall be adjusted annually in accord with the annual change in the June U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) West Region. The City Council shall make no other use of this fund than as is provided in this Section.

SECTION 9. There shall be a dedicated public parks and recreation capital fund, reserved for the construction and rehabilitation of City public parks and recreation facilities, of no less than Seven Hundred Fifty Thousand Dollars annually in the City's General Fund budget. This dedicated fund base amount of Seven Hundred Fifty Thousand Dollars shall be adjusted annually in accord with the annual change in the June U.S. Department of Labor, Bureau of Labor Statistics Consumer Price Index for All Urban Consumers (CPI-U) West Region. The City Council shall make no other use of this fund than as is provided in this Section.

ARTICLE VII

Limitation of Taxation

SECTION 1. The fiscal year of the City shall commence on the first day of January and end on the last day of December each year.

SECTION 2. The City Council shall have power and authority to assess, levy and collect taxes upon all the real and personal property (not exempt from taxation) within the City for the corporate uses and purposes thereof and provide for the payment of the debts and expenses of the City; provided that after January 1, 2014, any new councilmanic tax may be assessed, levied or increased only by a minimum affirmative vote of five members of the City Council.

SECTION 3. The aggregate of all the property taxes levied or appropriated for City purposes including funds for the parks and playgrounds, police and firemen's relief shall be taken and apportioned by the City Council from the current expense fund which for any one year shall not exceed the statutory limits established by State law on each dollar of assessed valuation of the property within the City except as follows:

(a) The levies for redemption of and interest on the bonded debt of the City heretofore or hereafter authorized in the manner provided by law;

- (b) The levy for local improvement district assessment guaranty fund as required by law;
- (c) Such other levies as may have been heretofore or which may hereafter be required by general law.

SECTION 4. No special levies shall be made for other purposes than those above specified except those, which may be authorized at an election.

SECTION 5. All City funds shall be administered by the City Council; and boards or committees selected by the City Council to assist in the management of any municipal activities, if any are selected, shall act in an advisory capacity only.

SECTION 6. The City Council shall make no appropriation in aid of any corporation, person or society not expressly authorized by this charter.

ARTICLE VIII **Special Boards**

SECTION 1. The City Council may appoint advisory boards, committees and commissions as may be deemed helpful and necessary to the City Council to assist in administering the City's operation and programs, including but not limited to parks, playgrounds and city planning. The City Council shall have full charge of the budgets for such purposes and shall by ordinance regulate the organization and duties of such boards, and may provide that any monies acquired by donation, bequest or from leases or concessions, fines, or penalties shall be used in addition to the amount set aside in the annual budget out of the tax levy.

ARTICLE IX **Public Utilities**

SECTION 1. The City Council shall provide by ordinance rules and regulations and make provisions for the control, management and operation of all public utilities owned and operated by the City, or which may hereafter be acquired by the City in the manner provided by law, or which the City may by law govern, control or regulate.

SECTION 2. The City Council shall have power to arrange by ordinance for the financing and repair, replacement, rehabilitation or extension of any public utility owned and operated by the City, provided, however, that such financing shall be arranged upon the credit of the utility itself and not upon the issuance of general obligation bonds of the City.

ARTICLE X

Claims

SECTION 1. Claims for damages and the filing of such claims against the City, its officers, employees or volunteers acting in such capacity, are governed by State law.

ARTICLE XI

Franchises

SECTION 1. No exclusive franchise shall ever be granted.

SECTION 2. No franchise or right to occupy or use the streets, highways, bridges, or public places of the City shall be granted, renewed or extended except by ordinance

SECTION 3. No franchise shall be granted unless there be inserted therein a provision that the City may acquire the public utility for the exercise of which the franchise is granted, either by agreement or by condemnation, and that upon such purchase by the City, either by agreement or condemnation, no value of the franchise itself shall be taken into account in fixing the price to be paid by the City for such utility.

SECTION 4. No franchise shall be granted by the City for a longer term than twenty-five years.

SECTION 5. No franchise shall be renewed or extended earlier than three years prior to its expiration.

SECTION 6. No franchise shall be granted without provision for proper compensation to the City. Such compensation shall when feasible be a percentage upon the gross earnings of the person or corporation to whom such franchise is granted arising from the exercise of such franchise. When the determination of the gross earnings by the exercise of the franchise is not feasible the ordinance granting said franchise shall prescribe such other mode of determining the compensation to be paid the City by the grantee as shall be deemed reasonable and just.

SECTION 7. The grantee or assignee of any franchise granted by the City shall submit to the City Council within sixty days after the first day of January of each year, an annual report verified by the oath of such person or the president, treasurer or general manager of such corporation, which shall contain such detailed information as may be prescribed by the City Council to enable it to determine the amount of compensation to be paid to the City for the use of said

franchise during the preceding year. Any such person, persons, or corporations which shall refuse or fail to make any such report within the time specified shall be liable to a penalty established in accord with State law, ordinance and specific franchise agreements for each and every day during which he or it shall fail to file such report, such penalty to be sued for and recovered by the City in any court having jurisdiction thereof.

SECTION 8. No franchise granted by the City shall ever be leased, assigned or otherwise alienated without the express consent of the City Council by ordinance passed for that purpose, and no rule of estoppel shall ever be invoked against the City in case it shall assert the invalidity of any attempted transfer in violation of this SECTION.

SECTION 9. The grant of every franchise for a street, suburban, or interurban railroad or bus line shall provide that all United States mail carriers, city officials, policemen and firemen shall at all time while in the actual discharge of their duties be allowed to ride upon such cars or buses under said franchise without paying therefore, and with all rights of other passengers.

SECTION 10. No franchise, right, privilege, or license shall be considered as granted by any ordinance except when expressed therein in plain and unambiguous terms, and if any ambiguity appears therein it shall be construed in favor of the city and against the claimant under said ordinance.

ARTICLE XII **Power to Incur Indebtedness**

SECTION 1. The City may borrow money and become indebted in any legal way, subject, as to the amount and manner of incurring indebtedness, to the provisions and limitations of the constitution and laws of the state and this charter; and subject to the same provisions and limitations, the City may issue bonds to secure any existing or contemplated indebtedness.

SECTION 2. When a popular vote is not required by law, the City Council by ordinance may authorize any indebtedness and the issuance of bonds.

ARTICLE XIII **Amendments**

SECTION 1. This charter may be amended in the manner provided by the laws of the State of Washington. Special elections for amending this charter may be called by the City Council or shall be called upon petition of qualified voters of the City of a number not less than fifteen percent of the total number of votes cast at the last preceding general state election, and otherwise as set forth in State law.

ARTICLE XIV

Schedule

SECTION 1. Upon the taking effect of this charter all title, right and interest of the former corporation in and to any and all property, real or personal, of whatever kind of character, shall vest in and be owned by the corporation created by this charter.

SECTION 2. All ordinances and resolutions in force at the time this charter shall go into effect and not inconsistent herewith, shall remain in force until amended or repealed or until they expire by limitation. All rights and obligations in favor of or against the City existing at the time this charter shall go into effect shall continue without modification. All street and other improvements, all vacations of public streets, alleys or places, all assessments for improvements, all suits and actions in court, all fines, penalties and forfeitures and all other matters relating to the City that may have been begun and not completed, shall be completed according to the law and ordinances existing prior to the time this charter shall go into effect, and all taxes and assessments levied and remaining unpaid when this charter shall go into effect shall be collected as provided by the law existing and in effect at the time the same were levied.

SECTION 3. At the election to be held for the purpose of adopting or rejecting this charter amendment, articles numbered I to XIV, inclusive, shall be submitted upon the ballot as a complete charter and shall be included in the vote "For the Charter" and "Against the Charter," and in the event that a majority of all votes cast thereon, shall be "For the Charter" said charter shall be adopted.

ARTICLE XV

Civil Service

SECTION 1. The general purpose of this charter amendment is to establish for the City of Yakima a system of personnel administration based on merit principles and governing the appointment, promotion, transfer, layoff, removal, discipline and welfare of its employees, and other incidents of city employment.

SECTION 2. The following terms, whenever used in this Article, shall be construed as follows:

- (a) "Commission" means the civil service commission herein created, and "Commissioner" means any one of the three members of any such commission.
- (b) "Appointing power" -- Appointing power means the officer or person, board or committee who is empowered to make appointments for employment in the city civil service.
- (c) "Appointment" includes all means of selecting, appointing, or employing any person to any office, place, position, or employment in civil service.

- (d) "City" means the City of Yakima, Washington.
- (e) "Employees" mean all persons regularly employed by the City of Yakima, Washington, either on a part-time or full-time basis with the exception of those persons listed in SECTION 6.

SECTION 3. There is created a city civil service commission, which shall be composed of three persons. The commission members shall be appointed by the City Council in the following manner:

- (a) One member shall be appointed by the City Council.
- (b) The second member shall be appointed by the City Council from a list of three names submitted to the Council chosen by a referendum of city employees, excluding police and firemen. The City Clerk shall conduct the referendum and shall formulate proper rules and regulations for said referendum.
- (c) The third shall be appointed by the City Council from a list of three names submitted to the council by the other two civil service commissioners.
- (d) The term of office of the commissioners shall be for six years or until a successor is selected and qualified, except that the first three members of the commission shall be appointed for different times, as follows: The appointee from the employee referendum list shall serve for a period of six years, the appointee at large as designated in subsection (a) above to serve for a period of four years, and the third appointee to serve for two years. All commissioners must be registered voters of Yakima County. Any member of the commission may be removed from office for incompetence, incompatibility, or dereliction of duty, or malfeasance of office, or other good cause; provided, that no member of the commission shall be removed until charges have been preferred, in writing, due notice, and a full hearing held before the City Council. Any vacancy in the commission shall be filled in the same manner as provided for selecting the commissioner previously filling the vacancy. Two members of the commission shall constitute a quorum and the votes of any two members concurring shall be sufficient for the decision of all matters and the transaction of all business to be decided by the commission. No member of the civil service commission shall engage in active partisan or non-partisan politics and hold any salaried public office or engage in city employment, other than his commission duties. The members of the commission shall serve without compensation.

SECTION 4. Immediately after appointment the commission shall organize by electing one of its members chairman and shall hold regular meetings at least once a month, and such additional meetings as may be required for the proper discharge of its duties. All meetings of the commission shall be open to the public. It shall appoint a chief examiner who shall also serve as secretary of the commission and such assistants as may be necessary. The chief examiner shall keep the records for the commission, preserve all reports made to it, superintend and keep a record of all examinations held under its direction and perform such other duties as the commission may prescribe. The chief examiner shall be

appointed as a result of competitive examination, which examination may be either original and open to all properly qualified persons, or promotional and limited to persons already in the service of the City of Yakima, Washington. The chief examiner shall be subject to suspension, reduction, or discharge in the same manner and subject to the same limitations as are provided in the case of members of the classified service. A pay and classification plan with job descriptions providing equal pay for equal work shall be devised by the chief examiner with the cooperation and approval of the civil service commission which shall be submitted in ordinance form to the City Council for passage.

SECTION 5. It shall be the duty of the civil service commission:

- (a) To make suitable rules and regulations not inconsistent with the provisions hereof. Such rules and regulations shall provide in detail the manner in which examinations may be held, and appointments, promotions, transfers, reinstatements, demotions, suspensions, and discharges shall be made, and may also provide for any other matters connected with the general subject of personnel administration, and which may be considered desirable to further carry out the general purposes of this Article, or which may be found to be in the interest of good personnel administration. The rules and regulations and any amendments thereof shall be printed, mimeographed, or multigraphed for free public distribution. Such rules and regulations may be changed from time to time. Prior to adoption of new rules or changes in existing rules all interested parties shall be given an opportunity to express opinions concerning the proposed rules at the regular public meetings of the commission.
- (b) To give practical tests which shall consist only of subjects which will fairly determine the capacity of persons examined to perform duties of the position to which appointment is to be made. Such tests may include tests of physical fitness or manual skill or both.
- (c) To make investigations and report upon all matters concerning the enforcement and effect of the provisions of this Article, and the rules and regulations prescribed hereunder; to inspect all departments, offices, places, positions, and employment affected by this Article, and ascertain whether this Article and all such rules and regulations are being obeyed. Such investigations may be made by the commission or by any commissioner designated by the commission for that purpose. Not only must these investigations be made by the commission as aforesaid, but the commission must make like investigation on petition of any citizen, duly verified, stating that irregularities or abuses exist, and setting forth in concise language, in writing, the necessity for such investigation. In the course of such investigation the commission, or the chairman or chief examiner when authorized by a majority vote of the commission, may issue subpoenas to compel the attendance at such place as may be designated in this City of witnesses and the production of books and papers pertinent to any inquiry or investigation authorized by this Article; or may take depositions of witnesses. Subpoenas shall also be used at the request of the parties to the proceedings other than the

commission and the chairman. The commission or any member thereof, or the chief examiner, when authorized by the commission, may administer oaths and take testimony. The commission or the chief examiner may examine such public records, as they require in relation to any matter, which they have authority to investigate.

(d) To conduct hearings and investigations in accordance with this Article and by the rules of practice and procedure adopted by the commission, and in the conduct thereof neither the commission, nor designated commissioner shall be bound by technical rules of evidence. No informality in any proceedings or hearing, or in the manner of taking testimony before the commission or designated commissioner, shall invalidate any order, decision, rule, or regulation made, or confirmed by the commission; provided, that no order, decision, rule or regulation made by any designated commissioner conducting any hearing or investigation alone shall be any force or effect whatsoever unless and until concurred in by at least one of the other two members.

(e) To hear and determine appeals or complaints respecting the allocation of positions, the rejection of an examinee, and such other matters as may be referred to the commission.

(f) To provide for, formulate, and hold competitive tests to determine the relative qualifications of persons who seek employment in any class or position, and as a result thereof establish eligible lists for the various classes of positions, and provide that persons laid off because of curtailment of expenditures, reduction in force, and for like causes, head the list in the order of their seniority, to the end that they shall be the first to be reemployed.

(g) It shall be the duty of the Civil Service Commission to certify to the appointing authority, when a vacant position is to be filled, on written request, the names of the three persons highest on the eligible list for the class. Any one of the three persons so certified may be appointed. If there is no such list, to authorize a provisional or temporary appointment list for such class. Such temporary provisional appointment(s) shall not continue for longer than five months in any one fiscal year.

(h) To keep such records as may be necessary for the proper administration of this Article.

As amended by vote of the people November 8, 1983.

SECTION 6. The classified civil service and provisions of this Article shall be applicable to and shall include all employees of the city except the following:

- (a) Officers elected by the people and persons appointed to fill vacancies in elective offices.
- (b) Members of boards and commissions and the City Manager;
- (c) Employees under civil service coverage within the police and fire departments;
- (d) All department heads; one confidential secretary and one administrative assistant for the City Manager;

- (e) Judges, City Attorney and all assistant city attorneys;
- (f) Persons employed in a professional or scientific capacity to make or conduct a temporary and special inquiry, investigation, or examination on behalf of the City Council or a committee thereof, or by authority of the City Manager.

SECTION 7. All appointments to and promotions to positions in the classified civil service of the City of Yakima shall be made solely on merit, efficiency, and fitness, which shall be ascertained by open competitive examination and impartial investigation. No person in the classified civil service shall be reinstated in or transferred, suspended, or discharged from any such place, position, or employment, contrary to the provisions of this Article.

SECTION 8. For the benefit of the public service and to prevent delay, injury, or interruption therein by reason of the enactment hereof, all persons holding a position which is deemed classified under SECTION 6 for a continuous period of six months prior to the effective dates of this Article, and still currently employed, are eligible for permanent appointment under civil service to the offices, places, positions or employment which they then held without examination or other act on their part, and not on probation; and every such person is automatically adopted and inducted permanently into civil service, into the office, place, position or employment which he then held as completely and effectual to all intents and purposes as if such person had been permanently appointed thereto under civil service after examination and investigation.

SECTION 9. The tenure of every person holding an office, place, position or employment under the provisions of this Article shall be only during good behavior, and any such person may be removed or discharged, suspended without pay, demoted or reduced in rank, for any of the following reasons:

- (a) Incompetency, inefficiency, or inattention to, or dereliction of duty;
- (b) Dishonesty, intemperance, immoral conduct, insubordination, discourteous treatment of the public, or a fellow employee, or any other act of omission or commission tending to injure the public service; or any other willful failure on the part of the employee to properly conduct himself; or any willful violation of the provisions of this Article or of the rules and regulations to be adopted hereunder;
- (c) Mental or physical unfitness for the position which the employee holds;
- (d) Dishonest, disgraceful, or prejudicial conduct;
- (e) Drunkenness or use of intoxicating liquors, narcotics, or any other habit forming drug, liquid, or preparation to such extent that the use thereof interferes with the efficiency or mental or physical fitness of the employee or which precludes the employee from properly performing the function and duties of any position under civil service;
- (f) Conviction of a felony, or a misdemeanor involving moral turpitude;
- (g) Any other act or failure to act which in the judgment of the civil service

commission is sufficient to show the offender to be an unsuitable and unfit person to be employed in the public service.

SECTION 10. No person in the classified civil service who has been permanently appointed or inducted into civil service under provisions of this Article, shall be removed, suspended, or demoted except for cause, and only upon written accusation of the appointing power or any citizen or taxpayer; a written statement of which accusation, in general terms, shall be served upon the accused; and a duplicate filed with the commission. Any person so removed, suspended, or demoted may within ten days from the time of his removal, suspension, or demotion, file with the commission a written demand for an investigation, whereupon the commission shall conduct such investigation. The investigation shall be confined to the determination of the question of whether the removal, suspension, or demotion was made in good faith for cause. After such investigation the commission may affirm the removal, or if it finds that removal, suspension or demotion was not made in good faith or cause, shall order the immediate reinstatement or reemployment of such person in the office, place, position, or employment from which he was removed, suspended, or demoted, which reinstatement shall, if the commission so provides be retroactive, and entitle such person to pay or compensation from the time of the removal, suspension, or demotion. The commission upon such investigation in lieu of affirming a removal, may modify the order by directing a suspension without pay, for a given period, and subsequent restoration to duty, or demotion in classification, grade, or pay. The findings of the commission shall be certified, in writing to the appointing power, and shall be forthwith enforced by such officer. All investigations made by the commission pursuant to this SECTION shall be by public hearing, after reasonable notice to the accused of the time and place thereof, at which hearing the accused shall be afforded an opportunity of appearing in person and by counsel, and presenting his defense. The subpoena provisions of SECTION 5 of this Article shall apply to all such hearings. If the order of removal, suspension, or demotion is concurred in by the commission or a majority thereof, the accused may appeal therefrom to the superior court of the county wherein he resides. Such appeal shall be taken by serving the commission, within thirty days after the entry of its order, a written notice appeal, stating the grounds thereof, and demanding that a certified transcript of the record and of all papers on file in the office of the commission affecting or relating to its order, be filed by the commission with the court. The commission shall, within ten days after the filing of the notice, make, certify, and file such transcript with the court. The court shall thereupon proceed to hear and determine the appeal in a summary manner. Such hearing shall be confined to the determination of whether the order of removal, suspension, or demotion made by the commission, was or was not made in good faith for cause, and no appeal shall be taken except upon such ground or grounds. The decision of the superior court may be appealed to the Supreme Court.

SECTION 11. Whenever a position in the classified service becomes vacant, the appointing power, if it desires to fill the vacancy, shall requisition the commission for the names and addresses of persons eligible for appointment thereto. The commission shall certify the names of three persons highest on the eligible list for the class to which the vacant position has been allocated, who are willing to accept employment. In case of more than one vacancy in a particular class one additional name shall be certified for each additional vacancy. If there is no appropriate eligible list for the class, the commission shall certify the name of three persons standing highest on the list held appropriate for such class. The appointing power shall forthwith make is appointment to the vacant position from the list of person so certified. To enable the appointing power to exercise a choice in the filling of positions, no appointment, employment, or promotion in any position in the classified service shall be deemed complete until after the expiration of a period of six months' probationary service, as may be provided in the rules of the civil service commission, during which the appointing power may terminate the employment of the person certified to him, if during the performance test thus afforded, upon observation or consideration of the performance of duty, the appointing power deems him unfit or unsatisfactory for employment by the City of Yakima. Thereupon the appointing power shall select from the three persons certified as standing next highest on any such list and such person shall likewise enter upon said duties for the probationary period, until some person is found who is deemed fit for appointment, employment, or promotion whereupon the appointment, employment, or promotion shall be deemed complete.

SECTION 12. All offices, places, positions, and employment coming within the purview of this Article shall be filled by the appointing power; nothing herein contained shall infringe upon the authority that the City Council may have to fix the salaries and compensation of all employees employed hereunder.

SECTION 13. No treasurer, clerk or other officer, or employee of the City subject to this Article shall approve the payment of or be in any manner concerned in paying, auditing, or approving any salary, wage, or other compensation for services, to any person subject to the jurisdiction and scope of this Article, unless a payroll, estimate, or account for such salary, wage, or other compensation, containing the names of the persons to be paid, the amount to be paid, and any other information which, in the judgment of the civil service commission, should be furnished on such payroll, bears the certificate of the civil service commission, or of its chief examiner or other duly authorized agent, that the persons named therein have been appointed or employed in compliance with the terms of this Article and the rules of the commission, and that the payroll, estimate, or account is, insofar as known to the commission, a true and accurate statement. The commission shall refuse to certify the pay of any public officer or employee whom it finds to be illegally or improperly appointed, and may further refuse to certify the pay of any

public officer or employee who willfully or through culpable negligence, violates or fails to comply with this Article or with the rules of the commission.

SECTION 14. The commission shall begin and conduct all civil suits, which may be necessary for the proper enforcement of this Article and rules of the commission. The commission shall be represented in such suits by the city attorney.

SECTION 15. The right of any person to an appointment or promotion or to any position in classified service of the City shall not be withheld because of his race, color, religion, national origin, political affiliation or belief, nor shall any person be dismissed, demoted, transferred or reduced in grade for such reason.

SECTION 16. No public officer, whether elected or appointed, shall discharge, promote, demote, or in any manner change the official rank, employment, or compensation of any person under civil service or promise or threaten so to do for giving or withholding, or neglecting to make any contribution of money, or services, or any other valuable thing, for any political purpose.

SECTION 17. All officers and employees of the City shall aid in all proper ways in carrying out the provisions of this Article, and such rules and regulations as may, from time to time, be prescribed by the commission and afford the commission, its members, and employees, all reasonable facilities and assistance in the inspection of books, papers, documents, and accounts applying or in any way appertaining to any and all offices, places, positions, and employment, subject to civil service, and also shall produce such books, papers, documents, and accounts, and attend and testify, whenever required so to do by the commission or any commissioner.

SECTION 18. The City Council shall provide in the city budget for each fiscal year a sum equal to one half of one per cent of the preceding year's total payroll of those included under the scope of this Article. The funds so provided shall be used for the support of the commission. The City Council may provide additional funds for such purpose; any part of the funds so provided and not expended shall be placed in the current expense fund on the first day of January following the close of such fiscal year.

SECTION 19. This Article shall be full force and effect on and after the first Monday in June, 1959.

SECTION 20. If any SECTION, sentence, clause, or phrase of this Article should be held to be invalid or unconstitutional, the validity or constitutionality thereof shall not affect the validity or constitutionality of any other SECTION, sentence, clause, or phrase of this Article.