

**CITY OF RUSTON
REGULAR COUNCIL MEETING
Tuesday, June 2, 2020**

The City Council of the City of Ruston met on this date via Virtual Teleconference

MEETING CALLED TO ORDER

At 7:01PM Mayor Hopkins called the regular Council Meeting to order. Councilmembers present were Councilmember Hedrick, Councilmember Holland, Councilmember Syler and Councilmember Huson. Councilmember Hardin was excused. Following the flag salute, Councilmember Hedrick moved to approve the agenda, with a second from Councilmember Holland the agenda passed 4-0.

MINUTES

Councilmember Hedrick moved to approve the minutes for the Regular Council meeting of May 19, 2020, with a second from Councilmember Holland, passed 4-0.

STAFF REPORT – Nothing at this time.

GENERAL PUBLIC COMMENTS – Nothing at this time.

BUSINESS –

ORD 1529 – Temporary Encampment Permits CH25.11 RMC (2nd reading)

ORD 1530 – Amending Zoning Definitions RMC 25.01.02 (2nd reading)

ORD 1531 – Updating Land Use Matrix for Temporary Encampment (2nd reading)

ORD 1532 – Amending RMC 19.01.010 and RMC 19.01.011 Temporary Encampment (2nd reading)

Prior to the 2020 Legislative Session, RCW 35A.21.360 authorized religious organizations to host temporary encampments for homeless persons on property they own or control and likewise permits cities to impose conditions that are necessary to protect public health and safety and do not substantially burden the decisions or actions of a religious organization regarding the location of housing or shelter for homeless persons on their property. However, during the 2020 Legislative Session, the State Legislature passed Engrossed Substitute House Bill 1754 which limited local regulation of temporary encampments. The effective date of ESHB 1754 is June 11, 2020. The terms of ESHB 1754 do not prohibit the effectiveness of any local regulations that exist prior to the effective date of ESHB 1754 provided that the local regulations do not categorically prohibit the hosting of the homeless by religious organizations, and have not been ruled by a Court to violate 42 U.S.C. § 2000cc. A copy of ESHB 1754 is attached. Thus, in order to have local regulations on temporary encampments that differ from ESHB 1754, the City needs to adopt those regulations by the end of May 2020. The adopted regulations need to be consistent with federal limitations. Ordinance #1529 is based on a recently adopted City of Bellevue ordinance regulating temporary encampments.

The Bellevue ordinance was framed on a federal consent decree that followed a lawsuit on earlier encampment regulations approximately 15 years ago. Because that ordinance is expected to pass federal challenge, framing the Ruston ordinance on such standards is also likewise to withstand any federal challenge. This ordinance creates a new chapter 25.11 in the Ruston Municipal Code to establish regulations for temporary encampments. It also amends the definitions section and land use matrix elsewhere in Title 25 Zoning of the RMC and the permit processing sections RMC 19.01.010 and 19.01.011 for consistency. Temporary encampments are encampments hosted by religious institutions on church property for the purpose of providing a temporary place to live for people experiencing homelessness. The use is an outright permitted use in all zones subject to the regulations contained in Ch. 25.11 RMC. Any church desiring to host a temporary encampment must apply for and obtain a temporary encampment permit from the City of Ruston. This permit is administrative, which means it is processed by and issued by the City's Planning Director. The permit requires public notice and a public meeting. (see Section 25.11.050.) The permit also requires adherence to certain performance standards, such as adequate sanitation (drinking water, hand washing, showers, toilets) and food handling facilities with no more than 100 adult residents allowed (no children allowed). The residents of the encampment and the hosts are required to meet certain conduct requirements, such as no alcohol or weapons, no open flames, not littering, etc. (See section 25.11.060(2).) The permit will allow a temporary encampment to be in place for up to 90 days at a time, with no more than one permit in effect at any one time. (Section 25.11.060(4).) Furthermore, it requires screening from nearby neighbors. There are general health and sanitation standards, including control of waste, insects, and rodents, etc. If an applicant fails to comply with the permit conditions, then the City has the right to revoke the permit. Appeals of revocations are heard by the City's hearing examiner. (Section 25.11.100.) Councilmember Hedrick moved to approve Ordinance 1529, Ordinance 1530, Ordinance 1531, Ordinance 1532, with a second from Councilmember Holland, passed 4-0.

RES 711 - Solid Waste Service Agreement - For many years, the City of Ruston has had its own solid waste utility for hauling garbage, recycling and yard waste for the residents and businesses in Ruston. Over the past several years, operational costs have increased, and the long-term sustainability of the services is at risk. Therefore, the City decided to issue an RFP to contract out these services. The City issued a Request for Proposals (RFP) earlier this year for solid waste services and Murrey's Disposal Company, Inc. responded to the RFP and has offered to provide these services in a manner that will provide good services to the customers in Ruston at fair rates. This also brings all Ruston customers into the same system. We have had Tacoma serving some commercial customers due to the lack of Ruston having the proper equipment for providing this service.

Rates. The rates for 2020-2021 under this agreement are as follows:

Residential Rates:

Garbage Cart Service:	Per Month
20 Gallon Cart	\$ 29.69
35 Gallon Cart	\$ 34.45
65 Gallon Cart	\$ 44.84
95 Gallon Cart	\$ 57.90
50' Maximum Walk-in / Drive-in Fee (per cart)	\$ 18.97

Recycling Cart Service:	
2nd Recycling Cart (65 gallon)	\$ 7.29
Occasional Extra Unit	\$ 5.57

Yard Waste Cart Service:	
65 Gallon Cart (Yard Waste)	\$ 17.34
2nd Yard Waste Cart (65 gallons)	\$ 17.34
Occasional extra per unit	\$ 17.34

Commercial Container Services Rates:

Garbage Container Service:	Per Month
35 Gallon Cart Once per Week	\$ 29.28
65 Gallon Cart Once per Week	\$ 36.51
95 Gallon Cart Once per Week	\$ 53.40
1 Yard Once per Week	\$ 161.48
1 Yard Twice per Week	\$ 322.96
1-1/2 Yard Once per Week	\$ 224.60
1-1/2 Yard Twice per Week	\$ 449.20
2 Yard Once per Week	\$ 271.32
2 Yard Twice per Week	\$ 542.64
2 Yard Three Times per Week	\$ 813.96
4 Yard Once per Week	\$ 473.10
4 Yard Twice per Week	\$ 946.20
4 Yard Three Times per Week	\$ 1,419.30
6 Yard Once per Week	\$ 669.29
6 Yard Twice per Week	\$ 1,338.58
6 Yard Three Times per Week	\$ 2,007.87
6 Yard five times per Week	\$ 3,346.45

Commercial Compactor Service (customer owned containers):

1 Yard compactor Once per Week	\$ 893.16
2 Yard compactor Once per Week	\$ 1,147.02
2 Yard compactor Twice per Week	\$ 2,294.04
2 Yard compactor Three Times per Week	\$ 3,441.06
3 Yard compactor Once per Week	\$1,400.88
3 Yard compactor Twice per Week	\$2,801.76
4 Yard compactor Once per Week	\$ 1,654.74
Connect/reconnect fee	\$ 67.00

The rates proposed are well within the market rates for solid waste hauling in Pierce County. We have had some inquiries about the cost of commercial compactor service. This was a service that the City could not provide, so the City provided Tacoma a license to perform these services in Ruston. Tacoma's rates are well below market. For example, the Commercial Compactor Service in the Agreement for a 2 Yard Twice weekly pick up is \$2,294.04 per month. In the City of Milton, that same service is \$3,502.92 and in Puyallup the service costs \$4,200.76. However, Tacoma currently charges approximately \$1,383.33 for this service. So, while the customers who are being served by Tacoma will see a rate increase, the rates under the Agreement are at or below market rate for this service. When spread across the number of units in a residential building, the rate per unit is also well below the average month rates for solid waste services for single family homes. This contract will cover the properties that use commercial compactor services as the City will be terminating Tacoma's license to serve these properties effective July 31st. **Future Pending Work.** The City will need to complete a major overhaul of its solid waste ordinances prior to the date Murrey's will commence service in Ruston (August 1, 2020). These ordinances will come forward in June. In addition, Murrey's will be purchasing the City's trucks and the carts as part of implementing this contract. Those actions will come forward in July with the effective date being July 31st. The City will collect its standard solid waste utility tax on the contract. In addition, Murrey's will pay the City a 2.5 percent administrative fee to the City and will collect the City's solid waste at no additional cost. In addition, Murrey's will be purchasing Ruston's current inventory of carts for \$8,000 and will purchase Ruston's two existing trucks for \$30,000. These transfers will be effective July 31st. Councilmember Hedrick did not know enough about this agreement and still had questions. Councilmember Hedrick requested Resolution 711 be tabled and moved to the June 16, 2020 Council Meeting. This would provide time in getting Councilmember Hedrick's questions answered. Mayor Hopkins asked Project Manager Kevin Moser to send information to all Councilmembers. Councilmember Hedrick moved to place Resolution 711 to the June 16, 2020 Council Meeting, with a second from Councilmember Holland, passed 4-0.

Six Year TIP Discussion: State law mandates all local jurisdictions to annually adopt and submit to the state a six-year program of transportation improvements, known as the Local TIP. To be eligible to seek federal and state funding, the City must comply with state law and adopt an annual TIP. **Background.** The six-year Local TIP serves as a general work plan for the development of local transportation systems and, as such, represents an important planning component under the State's Growth Management Act. The Washington State Department of Transportation (WSDOT) and Puget Sound Regional Council (PSRC) use Local TIPs as a tool for coordinating the transportation programs of local jurisdictions with those of regional agencies. PSRC monitors Local TIPs for projects of regional significance (to be modeled for air quality conformity) and projects supported by federal funds. These projects are incorporated into the Regional TIP, which is then forwarded for inclusion in the State TIP. In most instances, projects must be included on a Local TIP to be eligible for state and federal grant programs. Local TIPs need not be revenue constrained, jurisdictions can include projects they would choose to implement within the timeframe, if funding were available. The TIP that Council adopted last June was amended during the intervening 12 months at least twice to move projects onto the list as grant funding was made available. The updated TIP reflects those revisions as well as the movement of projects which have been funded. **Discussion.** The draft TIP was being presented to the Council for consideration and discussion but not for action. Action cannot be taken until *after* the required Public Hearing has been held. The Council will hold the required Public Hearing on the proposed City of Ruston 2021-2026 TIP project list on June 16, 2020 after which time the Council may adopt the updated TIP. The deadline for adoption is June 30, 2020. There was no direct fiscal impact of adopting the 2021-2026 Transportation Improvement Program. However, the projects listed on the TIP become eligible for federal and state grant funding.

CLAIMS/PAYROLL – Councilmember Hedrick moved to approve Claims and Payroll, with a second from Councilmember Holland, passed 4-0.

MAYOR'S TIME – Councilmember Hardin asked Mayor Hopkins to elaborate upon Building 3-A and Building 3-B which is the Baker Building at Point Ruston. City of Tacoma has not issued a permanent Certificate of Occupancy. There are mitigation conditions which have not been met. Baltimore Street improvements are currently outstanding, and City of Tacoma has extended their required finish date to year 2021. City of Ruston reminded the City of Tacoma that Point Ruston had not met their mitigation obligations and a Certificate of Occupancy for the Baker Building should not be issued until Point Ruston has met these obligations. Mayor Hopkins has been in daily contact with Ruston Police Chief Nestor Bautista who was monitoring current events surrounding George Floyd. Chief Bautista instructed all Ruston Police Officers to patrol Ruston and not assist on calls in the City of Tacoma as they do not have peace keeping training.

COUNCIL TIME –

Councilmember Hedrick – Wanted to officially give notice that the Ruston Annual 4th of July Bicycle Parade was cancelled this year and requested an announcement be placed to the June 2020 City of Ruston newsletter.

Councilmember Hardin – Excused.

Councilmember Holland – Nothing at this time.

Councilmember Syler – Nothing at this time.

Councilmember Huson – Wanted clarification on the disposition of the annual Freedom Fair and Taste of Tacoma. Mayor Hopkins noted these events were cancelled this year.

MEETING AJOURNED – At 7:38PM Councilmember Hedrick moved to adjourn, with a second from Councilmember Holland, passed 4-0.

Mayor Bruce Hopkins

ATTEST:

Judy Grams