

Court allows recall effort to proceed against Mabton Mayor Rachel Ruelas over budget, ethical violations

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Rachel Ruelas, left, sits next to attorney James Arsenault during the hearing at the Yakima courthouse on a petition to recall her from office as the Mayor of Mabton, Aug. 14.

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YAKIMA — The case against Mabton Mayor Rachel Ruelas will proceed following a review on Wednesday, August 14.

A petition filed in June by Mabton City Council members Sophia Sotelo, Mary Alvarado, Vera Zavala, and Arturo De La Fuente seeks a recall of Ruelas, citing gross incompetence and alleging violations of state laws, local ordinances, and her oath of office.

Judge Richard Bartheld of the Yakima Superior Court determined that two of the allegations in the petition factually and legally constituted malfeasance, misfeasance, or violation of the oath of office.

The first specific grievance outlined in the petition regards Ruelas's refusal to provide public notice for a final budget hearing and to provide the council with a final budget for review and adoption that should have occurred in December 2023 as required by RCW 35A.33.075.

A notice to the public was published in the Sunnyside Sun for four weeks in November of last year stating that two preliminary budget hearings were set for Nov. 14 and 28, 2023.

Minutes for the Nov. 14 council meeting were provided to the court but the minutes for the Nov. 28 meeting were not provided.

According to the petition, Mabton City Council requested to view the final budget for the past several months but has been turned away by the Mayor because it was not ready for review, despite being more than halfway through the 2024 budget year.

As of the August 14 court proceeding, the city of Mabton had yet to adopt its 2024 budget. "A final budget was never adopted, which violates that statute. And that statute goes on to provide for criminal charges and criminal penalties for persons that fail to follow the law in that case," said Bartheld.

"It also stands to reason, that the city is without lawful authority to spend any moneys in 2024 without having even adopting a 2024 budget."

Both attorney Don Anderson representing the petitioners and attorney James Arsenault representing Ruelas were allowed to give opening statements.

"We would point out that under RCW 35A.33.075 the ownness for passing a final budget is on the legislative body, in what ever form that takes, not necessarily on the mayor or the other executive in charge," said Arsenault.

Judge Bartheld found this allegation regarding the budget adoption was factually and legally sufficient to support the recall petition.

Another item in the petition claimed that Ruelas uses the City of Mabton website to promote her personal business, Forever Bridal and Decorating.

The City of Mabton's website home page features a photo of the Mayor standing behind a sign which reads: "Neighborhood Home of the Month, Sponsored by Forever Bridal & Decorating and the City of Mabton."

Judge Bartheld also found this allegation regarding sufficient to support the recall petition.

The other grievances outlined in the petition were not sufficient to support the recall petition. Items included delayed delivery of meeting packets, lack of due diligence in hiring city personnel, and inaccuracies in council minutes.

The court authorized the recall petition because the Mayor failed to adopt a final budget and used her position to secure special privileges by advertising her personal business on the official city website.

At the end of the court proceeding Judge Bartheld mentioned that a second recall petition had recently been filed on August 12. A motion hearing for this new petition is set to be heard at 9 a.m. on August 27 at the Yakima County Courthouse.

Council members began the process of attempting to remove Ruelas from her position of city mayor in June with council members taking a vote on Tuesday, June 28, for her to resign from her position though at that time Ruelas refused to step down.

Ruelas was elected during the 2021 general election and is expected to serve until the end of 2025. She ran as a write-in candidate and won with more than 65% of the vote.