

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
JULY 10, 2012**

1. CALL TO ORDER

Mayor Norm Childress called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Mike Bren, Pam Horner, Diana Jennings, Bill Moore, Jesse Palacios, Javier Rodriguez and Joan Souders.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Attorney Tony Menke, Parks & Recreation Director Mike Carpenter, Assistant Public Works Director Santos Trevino, Public Works Maintenance Technician Dan Lopez, Police Chief David Charvet and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

Mayor Childress led the pledge of allegiance.

3. PRESENTATIONS

A. 25 Year Service Awards – Mike Carpenter & Dan Lopez

Mayor Childress presented 25 Year Service Awards to Parks & Recreation Director Mike Carpenter and Public Works Maintenance Technician Dan Lopez.

4. PUBLIC COMMENT

Mary Barrett, 301 Douglas, Grandview, commended the City on the beautification efforts in downtown Grandview.

Gail Boose, 1310 Stassen Way, Grandview, thanked the Council for allowing the local P.E.O. Chapter and the Friends of the Library to utilize the former Library building for their annual fundraising sales. She also thanked the Public Works Department for their assistance in moving the Friends of the Library storage building to its new location.

5. CONSENT AGENDA

On motion by Councilmember Horner, second by Councilmember Souders, Council unanimously approved the Consent Agenda consisting of the following:

- A. Minutes of the June 26, 2012 regular meeting
- B. Claim Check Nos. 101622-101722 in the amount of \$164,786.31
- C. Payroll Check Nos. 6152-6178 in the amount of \$20,915.51
- D. Electronic Payroll Fund Transfers (EFT) in the amount of \$71,955.42
- E. Payroll Direct Deposit 6/16/12 - 6/30/12 in the amount of \$95,844.17
- F. Ordinance No. 2012-13 amending the 2012 Annual Budget

6. ACTIVE AGENDA

A. Public Hearing – Disposal of Surplus Property Library and Museum

Mayor Childress opened the public hearing to receive comments on the disposal of surplus city property in accordance with RCW 39.33.020 by reading the public hearing procedure. The property involved, the Library and Museum, was located at 311 Division Street, Grandview, WA, Parcel No. 230923-13468.

City Administrator Arteaga explained following the construction and move to the new Grandview Library, the former Library building located at 311 Division Street was vacant. The City had no anticipated plans or need to utilize the building for any municipal purposes. Staff recommended Council surplus the property and contents in the Library for lease or sell.

The following comments were received during the public hearing:

Mary Barrett, 301 Douglas, Grandview, questioned whether the items in the Museum were being surplused.

City Clerk Palacios explained that only the items in the Library, primarily library shelving, were being surplused. The items in the Museum were not being surplused.

No comments were received by mail and the hearing was closed.

B. Resolution No. 2012-40 declaring certain real and personal property owned by the City at 311 Division Street to be surplus and authorizing the Mayor to lease or sell the same

On motion by Councilmember Souders, second by Councilmember Rodriguez, Council unanimously approved Resolution No. 2012-40 declaring certain real and personal property owned by the City at 311 Division Street to be surplus and authorizing the Mayor to lease or sell the same.

C. Ordinance No. 2012-14 granting to Benton Rural Electric Association and to its successors and assigns, a non-exclusive right and franchise for a period of twenty five (25) years to construct, maintain and operate in and on the present and future streets, alleys, bridges, highways and public places within the City of Grandview, electric light and power lines and appurtenances for the purpose of supplying electricity and electric service to a portion of the City of Grandview, the inhabitants thereof and others subject to the terms and conditions specified in the ordinance

On April 6, 1992, the City adopted Ordinance No. 1318 granting to Benton Rural Electric Association (REA) a non-exclusive franchise agreement for electrical power distribution within the City for a 20 year period. Benton REA currently did not provide service to any electric accounts within the City. The purpose of implementing a franchise agreement was to have a franchise in place in case the City should happen to expand into Benton REA's electrical service territory. The 20 year franchise agreement with Benton REA had expired and they requested to renew their franchise with the City for an additional 25 year period under the same terms and conditions as the previous franchise agreement.

On motion by Councilmember Palacios, second by Councilmember Moore, Council unanimously approved Ordinance No. 2012-14 granting to Benton Rural Electric Association and to its successors and assigns, a non-exclusive right and franchise for a period of twenty five (25) years to construct, maintain and operate in and on the present and future streets, alleys, bridges, highways and public places within the City of Grandview, electric light and power lines and appurtenances for the purpose of supplying electricity and electric service to a portion of the City of Grandview, the inhabitants thereof and others subject to the terms and conditions specified in the ordinance.

7. **UNFINISHED AND NEW BUSINESS** – None

8. **CITY ADMINISTRATOR AND/OR STAFF REPORTS**

Council Retreat – The Council Retreat was scheduled for Tuesday, July 24th from 1:00 to 4:00 p.m., at the Grandview Library.

Euclid Road Improvement Project from Groom Lane to south City Limits – At the June 26th meeting, Council approved the Local Agency Agreement, Local Agency Federal Aid Project Prospectus, Consultant Agreement for Engineering Services and amended the Six Year TIP for design of Euclid Road. The project design was being fast-tracked to meet WSDOT deadlines to have STP construction funds obligated by September 15, 2012. Design plans and specifications would be delivered to the WSDOT by July 20, 2012. The Supplemental to the WSDOT Local Agency Agreement would need to be submitted to WSDOT Local Programs on or before August 3, 2012. Construction should begin in the spring of 2013.

North Birch Neighborhood Improvement Project – The North Birch Street Neighborhood Improvement Project was approximately one week behind schedule. The water and sewer lines were installed. It was estimated that the project would be complete in August.

Indigent Defense Services – City Attorney Plant advised that on June 15th, the Washington Supreme Court adopted new Standards for Indigent Defense Services. The new standards would be effective September 1, 2012. The new standards include guidelines for caseload limits and types of cases; administrative costs, limitations on private practice, qualifications of attorneys, appellate representation and use of legal interns. He explained that the new caseload regulations would have a significant financial impact on the City. Currently, the City had an indigent defense service contract with Everett Law Firm who handles approximately 400 to 450 cases per year. Under the new standards, one attorney could handle up to 400 cases in a year. In discussions with Mr. Everett, he anticipated the new regulations would result in him having to double the fees he was currently charging the City to perform these services. City Attorney Plant noted some alternatives for the City to consider were contracting with the County for indigent defense or going out to bid for a new contract. Council directed staff to review options for discussion at the next Council meeting.

Critical Areas Ordinance/Critical Aquifer Recharge Area – At the June 12th meeting, Council adopted the Critical Areas Ordinance. The Port of Grandview voiced concerns regarding the Critical Aquifer Recharge Area (CARA) data that was mapped and adopted as part of the ordinance. Specifically, the Port was concerned about the designation of areas of “High” critical aquifer recharge on Port property and its potential effect on marketing and future development

of the site. In particular, the Port noticed that the map showed a canal going through the "High" area. Believing this was used as a criterion for the CARA designation, Port representatives pointed out that the canal had been piped more than five years ago. As a result of the Port's concerns, staff directed Senior Planner Shawn Conrad with YVCOG to research the criteria that Yakima County used to designate CARAs and when the data was created. As discussed at the June 12th Council meeting, Yakima County was required by the Growth Management Act to base their designation of CARAs on Best Available Science (BAS), which was defined by statute. Staff reviewed Yakima County's BAS review and discussed the CARA data development with Yakima County. The mapped CARA data was developed in 2004 and finalized in 2006 after a public review process. According to both the BAS review and Yakima County, the CARAs identified were not based on current existing surface water such as streams or canals. Instead, current CARAs were based on precipitation and the application of irrigation, along with soils and geomorphology (the shape of the land). City Administrator Arteaga recommended that the Port could conduct a site-specific analysis of the property at their cost. Council concurred.

Yakima County Development Association Board Meeting – The Yakima County Development Association would be holding their monthly board meeting on Thursday, July 12th at the Grandview Community Center.

9. **MAYOR & COUNCILMEMBER MEETING REPORTS** – None

10. **EXECUTIVE SESSION – PROPERTY MATTERS, POTENTIAL LITIGATION AND UNION NEGOTIATIONS**

Mayor Childress adjourned the meeting to an executive session at 7:30 p.m., for approximately 10 minutes to discuss property matters and 10 minutes to discuss potential litigation with the aforementioned Mayor, Councilmembers, City Attorneys, City Administrator and City Clerk present. The meeting resumed at 7:50 p.m. The Mayor adjourned the meeting to another executive session at 7:50 p.m., for approximately 30 minutes to discuss union negotiations with the aforementioned Mayor, Councilmembers, City Attorneys, City Administrator and Police Chief present. Councilmember Palacios and City Clerk Palacios recused themselves from the executive session during the discussion of union negotiations. An additional 20 minutes was requested at 8:20 p.m. The meeting resumed at 8:40 p.m., with the aforementioned Mayor, Council and staff present.

11. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Rodriguez, Council unanimously adjourned the regular meeting at 8:40 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk