

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
JULY 24, 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, Bill Moore, Jesse Palacios and Javier Rodriguez. Councilmembers Diana Jennings and Joan Souders were absent.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, Library Director Elizabeth Jahnke, Assistant Librarian Ruth Dirk and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

Councilmember Palacios led the pledge of allegiance.

3. PRESENTATIONS

A. 25 Year Service Award – Ruth Dirk

Mayor Childress presented the 25 Year Service Award to Assistant Librarian Ruth Dirk.

B. 2011 Wastewater Treatment Plant Outstanding Performance Award

Representatives with the Washington State Department of Ecology presented the 2011 Wastewater Treatment Plant Outstanding Performance award to the Wastewater Treatment Plant employees. Present on behalf of the WWTP staff were Dave Lorenz, Nick Suarez, Jeff Cochran and Kim Endicott.

4. PUBLIC COMMENT

Daniel Youngs, d/b/a Thunder Fireworks, Inc., 811 Snow Avenue, Richland, WA 99352, advised that he had gathered approximately 600 signatures on a petition for Council to repeal the fireworks ban which would take effect July 4, 2013. He would be compiling the information in a database and upon completion would submit the petition to the City for consideration.

5. CONSENT AGENDA

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

- A. Minutes of the July 10, 2012 regular meeting**
- B. Claim Check Nos. 101723-101826 in the amount of \$551,105.62**
- C. Payroll Check Nos. 6179-6203 in the amount of \$90,189.24**
- D. Electronic Payroll Fund Transfers (EFT) in the amount of \$65,428.10**
- E. Payroll Direct Deposit 7/1/12 - 7/15/12 in the amount of \$100,886.32**
- F. Firearms Bid Award**

6. ACTIVE AGENDA

A. Ordinance No. 2012-15 amending Grandview Municipal Code Section 5.22.020(C) regarding permission for alcoholic beverages in Country Park

Grandview Municipal Code (GMC) Chapter 5.22 Regulation of Alcoholic Beverages allowed for beer and/or wine to be served at approved events. Over the past several years, the Yakima Valley Fair & Rodeo event generated supporting funds from a beer garden in conjunction with the annual rodeo. The Fair & Rodeo Board continued to do an exceptional job in meeting and/or exceeding the requirements of GMC Chapter 5.22. Currently, the provisions of the ordinance allowed for serving of alcohol between 2:00–11:00 p.m. The Fair & Rodeo Board requested that the City consider amending GMC Section 5.22.020 (C) permission for alcoholic beverages in Country Park to extend the serving hours from 2:00–11:00 p.m. to 2:00–11:30 p.m. The additional half hour would allow time for the workers, volunteers and contestants of the rodeo an opportunity to patronize the beer garden before it was closed.

On motion by Councilmember Horner, second by Councilmember Moore, Council unanimously approved Ordinance No. 2012-15 amending Grandview Municipal Code Section 5.22.020(C) regarding permission for alcoholic beverages in Country Park.

B. Resolution No. 2012-41 authorizing the Mayor to sign the Local Agency Agreement and Local Agency Federal Aid Project Prospectus with the Washington State Department of Transportation for the Bonnieview Road Improvements from Wilson Highway to Elm Street

The City was awarded a Surface Transportation Program grant in the amount of \$98,073 for design only of the Bonnieview Road Improvements from Wilson Highway to Elm Street. The design for the proposed construction project would include roadway widening, sidewalk, curb, gutter and storm drainage improvements. In order to obligate the federal funds, the City would need to approve the Local Agency Agreement and Local Agency Federal Aid Project Prospectus with the Washington State Department of Transportation.

On motion by Councilmember Palacios, second by Councilmember Horner, Council unanimously approved Resolution No. 2012-41 authorizing the Mayor to sign the Local Agency Agreement and Local Agency Federal Aid Project Prospectus with the Washington State Department of Transportation for the Bonnieview Road Improvements from Wilson Highway to Elm Street.

C. Resolution No. 2012-42 authorizing the separation of the combined Water and Sewer Fund by the year 2020

At the February 28, 2012 meeting, Council authorized staff to apply for a \$1.9 million loan through USDA Rural Development for the improvements to the Euclid Lift Station and the Primary Clarifier Pump Station. Staff had been trying to secure funding assistance for the Euclid Lift Station and Primary Clarifier Pump Station improvements through USDA Rural Development. One of the requirements for qualifying was for the City to separate the combined water/sewer fund into individual funds by the year 2020. The City Engineer reported that he did not see any problems with the City completing this task by the 2020 timeframe, and no additional rate increases would be necessary by separating the two funds.

On motion by Councilmember Horner, second by Councilmember Moore, Council unanimously approved Resolution No. 2012-42 authorizing the separation of the combined Water and Sewer Fund by the year 2020.

D. Resolution No. 2012-43 authorizing the Mayor to obligate USDA Rural Development funding for improvements to the Euclid Lift Station and Primary Clarifier Pump Station

At the February 28, 2012 meeting, Council authorized staff to apply for a \$1.9 million loan through USDA Rural Development for the improvements to the Euclid Lift Station and the Primary Clarifier Pump Station. Staff was contacted by USDA Rural Development's Yakima Office and informed that USDA was reorganizing their funding and any unobligated money to date needed to be returned to the main office in Washington D.C. for redistribution. In order to reserve the funds needed for the improvements to the Euclid Lift Station and Primary Clarifier Pump Station, the City was required to demonstrate its intent to obligate the USDA Rural Development funding assistance.

On motion by Councilmember Horner, second by Councilmember Moore, Council unanimously approved Resolution No. 2012-43 authorizing the Mayor to obligate USDA Rural Development funding for improvements to the Euclid Lift Station and Primary Clarifier Pump Station.

E. Ordinance No. 2012-16 establishing Chapter 2.77 of the Grandview Municipal Code adopting standards for the delivery of public defense services

RCW 10.101.030 required cities to adopt standards for the delivery of public defense services. On June 15, 2012, the Washington State Supreme Court adopted new Standards for Indigent Defense Services. The new standards would be effective September 1, 2012, except Standard 3.4 regulating caseload limit guidelines which would take effect September 1, 2013. The new standards included guidelines for caseload limits and types of cases; administrative costs, limitations on private practice, qualifications of attorneys, appellate representation and use of legal interns.

On motion by Councilmember Moore, second by Councilmember Horner, Council unanimously approved Ordinance No. 2012-16 establishing Chapter 2.77 of the Grandview Municipal Code adopting standards for the delivery of public defense services.

7. UNFINISHED AND NEW BUSINESS

A. Indigent Defense Services Report

City Attorney Plant explained that over the past several years, the City generally prosecuted between 420 and 450 misdemeanor criminal cases per year. Indigent defense services have been provided by Michael Everett, d/b/a Everett Law Offices. The City initially entered into a contract with Mr. Everett in 2007. That contract was extended for several terms, but had now expired. Since 2011, Mr. Everett had been providing these services to the City and the City had been paying for these services without a formal contract. The cost varies each year depending on the number of cases, but the City generally paid approximately \$50,000/year for these

services. On June 15, 2012, the Washington Supreme Court promulgated new standards for attorneys providing indigent defense. Most significant, beginning September 2013, a full time attorney may handle no more than 400 cases per year. This would have a significant impact on attorneys who provide these services. Over the past two weeks, City Attorney Plant requested informal proposals from several attorneys, including Mr. Everett, for the provision of indigent defense services, for the purpose of ascertaining whether the City might achieve cost savings from formally soliciting proposals. He received two proposals, one at \$132,000 and the other at \$48,000 for handling 400 cases per year. In a discussion with Dan Fessler of the Yakima County Department of Assigned Counsel, he indicated that his department might be able to provide such services for between \$80,000 and \$100,000. He was also contacted by at least one attorney who did not provide a proposal. Because of the difference in cost of the two proposals he received (\$132K and \$48K), he recommended formally soliciting proposals for indigent defense services which may attract a larger number of proposals. City staff could interview those attorneys with the most attractive proposals. The downside of formally soliciting proposals was that the City would not have an indigent contract in place by August 1, 2012, which was the deadline for applying for a state grant for indigent defense services. However, there was no guarantee the City would actually obtain grant funds, or that these funds would offset potential cost savings by formally going to bid.

On motion by Councilmember Palacios, second by Councilmember Rodriguez, Council unanimously directed the City Attorney to solicit proposals for public defense services.

8. **CITY ADMINISTRATOR AND/OR STAFF REPORTS** – None

9. **MAYOR & COUNCILMEMBER MEETING REPORTS**

Downtown Landscaping – Councilmember Bren commended Mary Barrett for her diligent work on the flower pots and planters in the downtown business core. He had received many positive comments.

10. **EXECUTIVE SESSION – PROPERTY MATTERS**

Mayor Childress adjourned the meeting to an executive session at 7:35 p.m., for approximately 10 minutes to discuss property matters with the aforementioned Mayor, Councilmembers, City Attorney, City Administrator and City Clerk present. The meeting resumed at 7:40 p.m.

11. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Rodriguez, Council unanimously adjourned the regular meeting at 7:40 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk