

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
SEPTEMBER 23, 2014**

**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, Councilmembers Gloria Mendoza Bill Moore, Jesse Palacios, Javier Rodriguez and Joan Souders. Excused from the meeting were Councilmembers Mike Bren, Diana Jennings and Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Assistant Public Works Director Santos Trevino, Code Enforcement Officer Cory Taylor, Parks & Recreation Director Mike Carpenter and City Clerk Anita Palacios.

**2. PLEDGE OF ALLEGIANCE**

City Treasurer Cordray led the pledge of allegiance.

**3. PRESENTATIONS**

**A. 2013 Wastewater Treatment Plant Outstanding Performance Award**

The Washington State Department of Ecology presented the City of Grandview Wastewater Treatment Plant with the 2013 Wastewater Treatment Plant Outstanding Performance award. Present on behalf of the Wastewater Treatment Plant personnel were Superintendent Dave Lorenz and Operators Jeff Cochran and Nick Suarez.

**B. Walmart/Rotary Grant Award – Swimming Pool Bicycle Rack**

The Grandview Rotary Club received a \$1,000 grant from the Walmart Foundation and Facility #7021 Local Facility Giving Program to purchase a new commercial grade bicycle rack for the municipal swimming pool. Walmart DC General Manager Cathlin Schmitke and Rotary President Gloria Mendoza presented a check in the amount of \$1,000 to Parks & Recreation Director Carpenter.

**4. PUBLIC COMMENT – None**

**5. CONSENT AGENDA**

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

- A. Minutes of the September 9, 2014 regular meeting**
- B. Payroll Electronic Fund Transfers (EFT) Nos. 5255 – 5259 in the amount of \$63,587.03**
- C. Payroll Check Nos. 7674 – 7695 in the amount of \$82,803.82**
- D. Payroll Direct Deposit 9/1/14 – 9/15/14 in the amount of \$86,336.30**
- E. Claim Check Nos. 106569 – 106657 in the amount of \$586,858.15**

- F. **Resolution No. 2014-48 authorizing application to the Yakima County Supporting Investments in Economic Development (SIED) for \$1 million to help fund public street and infrastructure improvements at the East Wine Country Plaza located on East Wine County Road**

6. **ACTIVE AGENDA**

- A. **Resolution No. 2014-49 authorizing the Mayor to execute an Amendment to the Lease Agreement with Grandview School District No. 200 relating to the Museum property**

On February 12, 2013, the Grandview School District and City entered into a lease agreement that allowed the City to continue to utilize the old museum facility at 315 Division to house museum exhibits through February 12, 2015. There was a desire to amend the lease agreement to extend the term from February 12, 2015 to August 31, 2015. This would allow the City more time to determine and implement options for another location.

**On motion by Councilmember Palacios, second by Councilmember Souders, Council unanimously approved Resolution No. 2014-49 authorizing the Mayor to execute an Amendment to the Lease Agreement with Grandview School District No. 200 relating to the Museum property.**

- B. **Resolution No. 2014-50 adding Section 10.10 Unpaid Leave for Reasons of Faith or Conscience within the City of Grandview Personnel Policy Manual**

Legislation (SSB 5173) passed during the 2014 session entitled local and state government employees to two unpaid holidays per calendar year “for reasons of faith or conscience or for an organized activity conducted under the auspices of a religious denomination, church, or religious organization.” The legislation went into effect on June 12, 2014. The local government employee may select the specific days to take as unpaid holidays under the new law after consulting with his or her employer and under guidelines adopted by local ordinance or resolution. The employer must allow the employee to take these specific days as unpaid leave unless his or her absence on these days would impose an undue hardship on the employer or the employee was necessary to maintain public safety. The Office of Financial Management (OFM) was given the task to define what constitutes an “undue hardship” and issued an emergency rule (WAC 82-56-010) defining “undue hardship” and addressing the process to use when a request was made by an employee covered by a collective bargaining agreement.

**On motion by Councilmember Moore, second by Councilmember Mendoza, Council unanimously approved Resolution No. 2014-50 adding Section 10.10 Unpaid Leave for Reasons of Faith or Conscience within the City of Grandview Personnel Policy Manual.**

- C. **Resolution No. 2014-51 authorizing the Mayor to sign a Public Defender Agreement with the Law Offices of Beck and Phillips, PLLC**

On September 25, 2012, Council passed Resolution No. 2012-48 authorizing the Mayor to sign a Public Defender Agreement with the Law Offices of Beck and Phillips, PLLC. In response to *Wilbur v. City of Mt. Vernon* (W.D. Wash. 2013), the City assessed the current system of providing indigent defense services and the Public Defender Agreement with the Law Firm of Beck and Phillips, PLLC was renegotiated from \$58,200 per year in 2014 to \$69,000 per year in

2015, \$69,000 in 2016 and \$73,000 in 2017 payable in equal monthly installments. In addition, the renegotiated Public Defender Agreement reflected a caseload limit, the reimbursement of costs for investigators and experts, warranty of public defender and quarterly reporting requirements.

**On motion by Councilmember Palacios, second by Councilmember Moore, Council unanimously approved Resolution No. 2014-51 authorizing the Mayor to sign a Public Defender Agreement with the Law Offices of Beck and Phillips, PLLC.**

**D. Resolution No. 2014-52 authorizing the Mayor to enter into a Representation and Fee Agreement for attorney services with the Law Firm of Menke Jackson Beyer, LLP**

At the November 9, 2010 meeting, Council confirmed the Mayor's appointment of Anthony F. Menke, Attorney at Law, with the firm of Menke Jackson Beyer, LLP as the new City Attorney. A new Representation and Fee Agreement with the Law Firm of Menke, Jackson, Beyer, LLP was renegotiated to reflect a rate increase effective January 1, 2015 from \$3,500 per month to \$4,000 per month for general counsel services.

**On motion by Councilmember Mendoza, second by Councilmember Souders, Council unanimously approved Resolution No. 2014-52 authorizing the Mayor to enter into a Representation and Fee Agreement for attorney services with the Law Firm of Menke Jackson Beyer, LLP.**

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

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

CDBG Grant Award - East Fourth Street Improvements – The City was selected by the Department of Commerce to receive up to \$750,000 in federal Community Development Block Grant funds for water, sewer, street and sidewalk improvements in the East Fourth Street neighborhood.

300 Block of Birch – City Administrator Arteaga reported that in conjunction with the East Fourth Street improvements, the City would also be reconstructing the 300 block of Birch.

2013 Financial Statement and Federal Grant Compliance Audit – City Treasurer Cordray reported that the exit conference with the Washington State Auditor for the financial statement audit and federal grant compliance audit was held on September 22<sup>nd</sup>. The City received no deficiencies on the federal grant compliance audit. On the financial statement audit, the City received one deficiency with respect to ensuring federal expenditures were accurately reported on the Schedule of Expenditures of Federal Awards (SEFA). In 2013, the Wastewater Pumping Facility Improvements were funded through an interim financing loan with U.S. Bank. The City omitted this amount from the SEFA since the funds were not received from a federal agency. The project was to be completed in 2014 and the loan paid off by USDA. The City was planning to include all expenditure amounts in the SEFA on the 2014 annual report.

Garbage Truck Refurbished – Assistant Public Works Director Trevino reported that the garbage truck being refurbished was taken to Spokane and should be completed and back in

service in four weeks. In the meantime, the City borrowed a garbage truck from the City of Toppenish.

**9. MAYOR & COUNCILMEMBER MEETING REPORTS**

Carriage Square Neighborhood Block Watch Party – Councilmember Souders would be hosting a block watch party at her residence for the Carriage Square Neighborhood on September 24<sup>th</sup> from 6:30 to 7:30 p.m.

Euclid Park Property Sale – Mayor Childress reported that the School District had submitted an offer to purchase Euclid Park in the amount of \$201,514 and he directed staff to proceed with the sale.

Yakima Valley Office of Emergency Management – The City received their 2015 assessment from the Yakima Valley Office of Emergency Management (YVOEM) in the amount of \$12,544. With the withdrawal of the City of Yakima from YVOEM, the City's assessment increased \$4,304 from last year's assessment of \$8,239. The Valley Mayors met and decided to continue for the time being with YVOEM, but would be discussing the transition of emergency management to the Yakima Valley Conference of Governments.

Councilmember Jennings Resignation – Mayor Childress reported that Councilmember Diana Jennings submitted a letter of resignation dated September 20, 2014. He read her letter of resignation into the record.

Council Vacancy – With the resignation of Councilmember Jennings, the vacant position would need to be filled by appointment of the Council. The Clerk was directed to advertise the vacant position. Applications would be received through October 24<sup>th</sup>.

**10. EXECUTIVE SESSION** – None

**11. ADJOURNMENT**

On motion by Councilmember Mendoza, second by Councilmember Moore, Council unanimously adjourned the regular meeting at 7:45 p.m.

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Mayor Norm Childress

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Anita Palacios, City Clerk