

**GRANDVIEW CITY COUNCIL
REGULAR MEETING AGENDA
TUESDAY, OCTOBER 25, 2016**



REGULAR MEETING – 7:00 PM

PAGE

1. **CALL TO ORDER & ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **PRESENTATIONS**
 - A. Pacific Power Foundation Grants – Toby Freeman, Regional Business Manager
4. **PUBLIC COMMENT** – The public may address the Council on items on the agenda.
5. **CONSENT AGENDA** – Items on the Consent Agenda will be voted on together by the Council, unless a Councilmember requests that items be removed from the Consent Agenda and discussed and voted upon separately. An item removed from the Consent Agenda will be placed under Unfinished and New Business.

A.	Minutes of the October 10, 2016 Special Council meeting – Budget	1-6
B.	Minutes of the October 11, 2016 Committee-of-the-Whole meeting	7-11
C.	Minutes of the October 11, 2016 Council meeting	12-15
D.	Minutes of the October 17, 2016 Special Council meeting – Budget	16-20
E.	Payroll Electronic Fund Transfers (EFT) Nos. 5645-5649 in the amount of \$72,628.57	
F.	Payroll Check Nos. 9182-9199 in the amount of \$81,113.73	
G.	Payroll Direct Deposit 10/01/16-10/15/16 in the amount of \$89,989.22	
H.	Claim Check Nos. 111521-111608 in the amount of \$249,967.20	
6. **ACTIVE AGENDA** – Notice: Items discussed at the 6:00 pm Committee-of-the-Whole meeting of an urgent or time sensitive nature may be added to the active agenda pursuant to City Council Procedures Manual Section 3.18(c).

A.	Public Hearing – 2017 Current Expense Fund Revenue Sources	21-23
B.	Resolution No. 2016-43 fixing the time and date for a public hearing to vacate that Portion of West Main Street adjacent to property owned by Yakima Valley College as petitioned by Yakima Valley College	24-27
C.	Resolution No. 2016-44 waiving the requirements of the State bid law to allow the purchase of pool slide from a sole source distributor	28-29
D.	Resolution No. 2016-45 authorizing the Mayor to sign a Professional Services Contract for Hearing Examiner Services with Gary M. Cuillier	30-34
E.	Ordinance No. 2016-21 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates	35-37
F.	Ordinance No. 2016-22 amending Grandview Municipal Code Section 13.28.085 setting garbage rates	38-40
7. **UNFINISHED AND NEW BUSINESS**
8. **CITY ADMINISTRATOR AND/OR STAFF REPORTS**
9. **MAYOR & COUNCILMEMBER MEETING REPORTS**
10. **ADJOURNMENT**

**GRANDVIEW CITY COUNCIL
SPECIAL MEETING MINUTES – BUDGET
OCTOBER 10, 2016**

1. CALL TO ORDER

Mayor Norm Childress called the special meeting to order at 6:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Gaylord Brewer, Mike Everett, Dennis McDonald, Bill Moore and Joan Souders. Councilmember Gloria Mendoza arrived at 6:10 p.m. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Fire Chief Pat Mason, Parks & Recreation Director Mike Carpenter, Library Director Elizabeth Jahnke, Assistant Public Works Director Santos Trevino and City Clerk Anita Palacios.

2. 2017 PRELIMINARY BUDGET

City Treasurer Cordray presented the 2017 preliminary budget, as follows:

2017 REVENUE ESTIMATES

Current Expense Fund

Taxes

2016 Budget \$4,165,500

2017 Proposed \$4,205,700

Licenses and Permits

2016 Budget \$138,500

2017 Proposed \$126,250

Intergovernmental Revenues

2016 Budget \$341,250

2017 Proposed \$333,000

Charges for Goods and Services

2016 Budget \$156,500

2017 Proposed \$155,450

Fines and Penalties

2016 Budget \$191,700

2017 Proposed \$190,100

Miscellaneous Revenues

2016 Budget \$104,440

2017 Proposed \$149,910

Total Current Expense Fund Revenues

2016 Budget \$6,960,915

2017 Proposed \$6,575,630

2017 EXPENDITURE ESTIMATES

Current Expense Fund

Fire Administration Services

2016 Budget \$153,810

2017 Proposed \$166,290

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.
- Small tools increased to provide for replacement of office computers.
- Miscellaneous increased \$2,800 to provide for member organization dues increases (\$300) and Lexipol subscription (\$2,500).

Fire Suppression Services

2016 Budget \$300,690

2017 Proposed \$373,360

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.
- Additional FTE for a training captain (removed – to be reconsidered).
- Pension and disability payment increased to reflect an increased number of volunteers.
- Small tools increased for replacement of radio equipment.
- Increase of \$0.79 per call dispatch fees as reflected in “Communications.” Dispatch fees were split between Fire Suppression (25%) and EMS (75%).
- Increase in Public Utility Services to reflect possible rate increases.
- Increase of \$400 to Uniform and Clothing to cover increases in turnout gear costs.
- Increase of \$500 to Travel to provide for personnel to attend State Fire Training Academy.
- Increase of \$33,000 to Machinery & Equipment for self-contained breathing apparatuses (SCBA).
- Increase of \$20,000 for future purchase of fire engine.

Emergency Medical Services Fund

2016 Budget \$317,650

2017 Proposed \$306,005

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.
- Pension and disability payment increased to reflect an increased number of volunteers.
- Increase of \$0.79 per call dispatch fees as reflected in “Communications.” Dispatch fees were split between Fire Suppression (25%) and EMS (75%).
- Increase of \$400 to Uniforms and Clothing to cover increases in turnout costs.

Legislative Services

2016 Budget \$64,360

2017 Proposed \$60,750

Notable Changes in 2017 –

- New Council chairs \$3,000 (to be reconsidered).
- Travel fund increase \$1,000

Community Support Services

2016 Budget \$36,090

2017 Proposed \$36,675

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Municipal Court Services

2016 Budget \$253,250

2017 Proposed \$272,600

Notable Changes in 2017 –

- Yakima County District Court costs increased from \$176,000 in 2016 to \$187,000 in 2017. District Court costs are based on filings over a four year period.
- Annual public defender costs with the Law Firm of Beck and Phillips, PLLC was \$73,000 in 2017 payable in equal monthly installments. The Public Defender Agreement reflects a caseload limit, the reimbursement of costs for investigators and experts, warranty of public defender and quarterly reporting requirements.
- The City also contracts with other defense attorneys in the case of public defender conflicts.

General Management Services – Mayor/City Administrator

2016 Budget \$98,710

2017 Proposed \$101,570

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Clerk Services – City Clerk

2016 Budget \$52,030

2017 Proposed \$54,700

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Accounting Services – City Treasurer

2016 Budget \$105,970

2017 Proposed \$111,235

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Risk Management Services

2016 Budget \$170,500

2017 Proposed \$165,060

Notable Changes in 2017 –

- The City's liability assessment with WCIA increased from \$153,509 in 2016 to \$154,852 in 2017. The assessment formula was based on two factors: worker hours multiplied by the assessment rate. The assessment rate was determined by an actuarial review of the City's last five years loss history and successful completion of WCIA's COMPACT requirements. Property and boiler and machinery rates remained the same for 2017. Crime/fidelity rates increased 5% or \$36 for 2017.

Legal Services

2016 Budget \$155,700

2017 Proposed \$138,200

Notable Changes in 2017 –

- The Police Support Union contract expires December 31, 2016. \$10,000 was budgeted for City Attorney Services labor negotiations.

Human Resource Services

2016 Budget \$60,075

2017 Proposed \$60,600

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

General Facilities Services

2016 Budget \$31,095

2017 Proposed \$32,890

Notable Changes in 2017 – None

Graffiti Removal

2016 Budget \$7,360

2017 Proposed \$6,720

Notable Changes in 2017 – None

Code Enforcement Services

2016 Budget \$70,410

2017 Proposed \$69,300

Notable Changes in 2017 – None

Senior Citizen Services

2016 Budget \$12,500

2017 Proposed \$12,860

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Planning & Community Development Services

2016 Budget \$43,645

2017 Proposed \$38,110

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Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.

Economic Development Services

2016 Budget \$72,880

2017 Proposed \$28,030

Notable Changes in 2017 – None

Inspections & Permitting Services

2016 Budget \$54,790

2017 Proposed \$54,760

Notable Changes in 2017 – None

Library Services

2016 Budget \$275,055

2017 Proposed \$286,180

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.
- Increase of both page positions from 13.5 hours per week to 20 hours per week (removed – to be reconsidered).
- Increase of the on-line periodical database, OCLC bibliographic database, and the e-books/e-audio subscription costs due to federal funding decreased. YVC contributed to “out of pocket cost” for the OCLC bibliographic database.
- Friends of Grandview Library pay for four newspaper subscriptions.
- Combined catalog with YVC would change workload dynamics.

Recreation Services

2016 Budget \$134,300

2017 Proposed \$133,040

Notable Changes in 2017 –

- Salaries and benefits increased to reflect changes made for non-union employees by Council in 2016.
- Regular wages – part time increased to \$15,000 to absorb anticipated increase in minimum wage and additional part-time hours for site rentals and events (additional part-time hours removed – to be reconsidered).

Aquatics Services

2016 Budget \$112,200

2017 Proposed \$131,620

Notable Changes in 2017 –

- Regular salary and wages increased to reflect the anticipated minimum wage increase and additional staffing requirements for increased amenities and expanded supervisory area.
- Small tools and minor equipment increased \$2,000 for a defibrillator unit and life jackets.
- Capital expenditure included \$5,600 for the installation of an on-demand water heater to replace the 30 plus year old hot water heater.

Museum

2016 Budget \$20,050

2017 Proposed \$25,620

Notable Changes in 2017 –

- Hire part-time caretaker for 8 hours per week.
- Capital expenditure buildings – add a commercial gutter system at the back of the renovated facility for \$1,500.
- A new roof was not included in the museum renovation. Includes the first allocation of \$5,000 for five years to install a new roof in 2021.

Community Center

2016 Budget \$44,750

2017 Proposed \$51,250

Notable Changes in 2017 –

- Professional services increased \$6,000 to add an additional day of custodial services. This was required due to increased usage of the facility.
- Capital expenditure – improvements other than buildings included \$2,700 to replace the old copy machine at the office site.

Parks Maintenance Services

2016 Budget \$276,490

2017 Proposed \$242,310

Notable Changes in 2017 –

- Irrigation system for Dykstra Park (Phase 4) \$10,000
- Playground surfacing chips \$7,000
- Country Park irrigation control upgrades \$3,500

Transfers Out & Ending Fund Balance

2016 Budget \$310,250

2017 Proposed \$250,000

Notable Changes in 2017 –

- \$200,000 transfer to the Street Fund
- \$110,000 transfer to the Capital Improvement Fund

Ending Fund Balance

2016 Budget \$1,029,495

2017 Proposed \$528,090

3. ADJOURNMENT

The special meeting adjourned at 8:00 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk

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**GRANDVIEW CITY COUNCIL
COMMITTEE-OF-THE-WHOLE
MEETING MINUTES
OCTOBER 11, 2016**

1. CALL TO ORDER

Mayor Norm Childress called the Committee-of-the-Whole meeting to order at 6:00 p.m. in the Council Chambers at City Hall.

2. ROLL CALL

Present were: Mayor Childress and Councilmembers Gaylord Brewer, Mike Everett, Dennis McDonald and Bill Moore. Councilmember Joan Souders arrived at 6:05 p.m. Councilmember Gloria Mendoza arrived at 6:20 p.m. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, Parks & Recreation Director Mike Carpenter, Library Director Elizabeth Jahnke, WWTP Superintendent Dave Lorenz and City Clerk Anita Palacios.

Present on behalf of the Planning Commission were: Commissioner Don Olmstead, Jr., Chair and Commissioner Lois Chilton.

3. CITIZEN PARTICIPATION

Ron Anderson, candidate for Yakima County Commissioner Position 2, introduced himself to the Council and provided a brief bio.

4. NEW BUSINESS

A. Yakima Valley College Petition for Vacation of that portion of West Main Street

Teresa Holland Rich, Vice President for Administrative Services with Yakima Valley College (YVC), presented a petition for Council to consider vacating the section of West Main Street adjacent to YVC property that currently divides Parcel Nos. 230923-21403, 21405, 21406 and 21418 that was owned by the State Board for Community and Technical Colleges/Yakima Valley College. She explained that this portion of West Main Street falls within College's Master Plan and if the Council supports the vacation it would allow for the development of an entrance off of Wine Country Road and expansion of the Grandview Campus thus allowing YVC to continue serving the educational needs of the Yakima Valley. The College's plan for this parcel calls for future construction of additional college buildings, landscaped entrance, new signage, and parking to the north of West Main Street as shown on the 2015 Master Plan Update. Vacation of the subject portion of West Main Street was necessary to allow the college to proceed with its plans for this parcel.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved a resolution fixing the time and date for a public hearing to vacate the section of West Main Street adjacent to Yakima Valley College Grandview Campus property to a regular Council meeting agenda for consideration.

B. Growth Management Update: Development Regulations, Critical Area Ordinance, Comprehensive Plan Updates

Shawn Conrad, Senior Planner with the Yakima Valley Conference of Governments presented the City's Growth Management Update to include development regulations, Critical Areas Ordinance, and Comprehensive Plan updates as follows:

Background

The Growth Management Act (GMA) required fully planning jurisdictions to review and update their comprehensive plans, development regulations, and critical areas ordinance (CAO), every eight years as established by RCW 36.70A.130(5)(c). Grandview's next GMA periodic update was due June 30, 2017. After this date, without a completed update, Grandview would be unable to access Washington State road and water/wastewater infrastructure grants and loans.

All of the GMA update elements mutually complement one another. The Comprehensive Plan established the community's desirable character and physical pattern of growth and preservation during the next 20 years. The development regulations update provided land use regulations that implement the Comprehensive Plan; as part of the development regulations, the Critical Areas Ordinance provided environmental protection during development review processes.

Staff and Planning Commission reviewed proposed updates to the Comprehensive Plan, development regulations, and critical areas ordinance as part of the City's GMA Update, during public meetings held on May 27, 2015; June 24, 2015; August 26, 2015; October 28, 2015; January 27, 2016; April 27, 2016; and August 31, 2016.

SEPA Review

The City of Grandview distributed a Notice of Application and Determination of Non-Significance, the proposal, and a SEPA checklist on May 19, 2016, using the optional DNS process authorized by WAC 197-11-355. The comment period ended on June 2, 2016. One comment letter was received from the Department of Ecology regarding the Critical Areas Ordinance update. Ecology's comments related to definitions and the role of the Administrative Official. Revisions contained in the current Critical Areas Ordinance draft reflect these comments.

Department of Commerce 60-Day Review

The City of Grandview submitted the proposal and a Notice of Intent to Adopt Amendment to the Department of Commerce on May 19, 2016. Grandview received a letter from Commerce acknowledging receipt of the materials on May 19, 2016, with Material ID # 22424.

Grandview received a comment letter from Department of Commerce on July 13, 2016. Comments related to the Comprehensive Plan update, specifically:

- The timeframe of the 20-year planning period used for Grandview's analysis associated with land and housing needs and their consistency with Yakima County.

- The timeframe of the six-year capital facilities plan.
- The timeframe of the capital facilities information presented from facility plans such as the 2015 Grandview Water System Plan and the 2009 General Sewer Plan.

After consideration of these comments, Grandview staff elected to retain the Comprehensive Plan as submitted to Department of Commerce.

Transportation Element Certification

YVCOG, as the lead agency for the Metropolitan Transportation Organization (MPO) and the Regional Transportation Planning Organization (RTPO) for Yakima County, was required to certify transportation elements under GMA to ensure that they were consistent with the Yakima Valley Metropolitan and Regional Transportation Plan 2012-2040 (MRTP) and GMA requirements.

After review of the City of Grandview's Transportation Element, YVCOG determined that it was consistent with the MRTP and the GMA, as follows:

- The plan was submitted for consideration on May 19, 2016 and reviewed by YVCOG Staff.
- The MPO/RTPO Technical Advisory Committee reviewed the completed Transportation Element Review Checklist on June 9, 2016 and recommended approval to the MPO/RTPO Policy Board.
- The Policy Board considered the recommendation of the Technical Advisory Committee on June 20, 2016 and approved the City of Grandview's Transportation Element.
- A formal Transportation Element Consistency Certification Report was signed by YVCOG's Executive Director on June 21, 2016.

Planning Commission Recommendation

After review of all of the above items at their August 31, 2016 regular meeting, Planning Commission voted to recommend approval of the GMA update, as presented.

Port District Revision

Subsequent to the Planning Commission recommendation, the Grandview Port District requested a revision to the Land Use Element of the Comprehensive Plan. The purpose of this revision was to provide for recognition of the Port's planning efforts in the Grandview Comprehensive Plan, which would allow the Port to apply for certain grants. The proposed revision was as follows:

Land Available for Economic Development

In the City of Grandview, the Port of Grandview owns approximately 100 acres of property that is zoned and available for light industrial development. The Port of Grandview works to broaden and strengthen Grandview's economic base and is an important partner with the City of Grandview in economic development. The Port of Grandview's Strategic Goals and Objectives, adopted February 2016, are hereby incorporated by reference, as amended.

Complete Streets Revision

Subsequent to the Planning Commission recommendation, Complete Streets goal and policies were added to the Transportation Element. Grandview requested a nomination to the Washington State Complete Streets Award Program, administered by the Transportation Improvement Board. One of the considerations that TIB would look at in evaluating nominations was how the City planned for Complete Streets implementation. Adding a Complete Streets goal and policies to the Comprehensive Plan may help the City to obtain funding through the Complete Streets Award Program in the current and future award cycles. Grandview staff believed that the proposed language reflected the direction that the City has already been taking for some time regarding improving City roadways for all users.

Wetlands/Hydrology Map Revision

Subsequent to the Planning Commission recommendation, a correction was made to the Grandview Hydrology and Wetlands Map. At the September 27, 2016 City Council meeting, City Administrator/Public Works Director Cus Arteaga presented a staff report regarding, in part, a wetland contained within parcels 230924-13012 and 230924-13018. Staff investigated the wetland and consulted with the Yakima County Planning Department Environmental and Natural Resources Planning Section. It was determined that due to the nature of the wetland, the wetland was not subject to the Grandview Critical Areas Ordinance. The City requested that Yakima County remove the wetland from their critical areas GIS database as a correction. This was completed and the Grandview Hydrology and Wetlands Map was corrected with the wetland removed.

City Clerk Palacios added that at the September 13, 2016 C.O.W. meeting, staff presented the Growth Management Update including the updated Development Regulations, Critical Area Ordinance, and Comprehensive Plan Updates to Council for review. The C.O.W. was advised that following review the next step would be to schedule a public hearing before the Council to receive comments on the Growth Management Update.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Brewer, the C.O.W. continued the review and discussion of the City's Growth Management update, development regulations, Critical Area Ordinance, and Comprehensive Plan updates to the October 25th C.O.W. meeting.

Councilmember Souders abstained from the vote.

C. Resolution waiving the requirements of the State bid law to allow the purchase of pool slide from a sole source distributor

Parks & Recreation Director Carpenter explained that the Grandview Pool Committee was working with the City regarding improvements in phases at the municipal pool. Phase 2 included a double flume water slide. HLA Engineering submitted specifications of the commercial grade double flume water slide to the Washington State Department of Health. The Department of Health approved this specific slide which was determined as a sole source. Since this specific slide was determined as a sole source, there were State provisions to waive the bidding requirements for the purchase of the slide.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Brewer, the C.O.W. moved a resolution waiving the requirements of the State bid law to allow the purchase of the municipal pool water slide from a sole source distributor to a regular Council meeting agenda for consideration.

5. **OTHER BUSINESS** – None

6. **ADJOURNMENT**

The study session adjourned at 6:55 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk

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**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
OCTOBER 11, 2016**

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 Gaylord Brewer, Mike Everett, Dennis McDonald, Gloria Mendoza, Bill Moore and Joan Souders. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, Parks & Recreation Director Mike Carpenter, WWTP Superintendent Dave Lorenz and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

Councilmember Everett led the pledge of allegiance.

3. PRESENTATIONS

On motion by Councilmember Everett, second by Councilmember Souders, Council agreed to move the following item from the Committee-of-the-Whole New Business Agenda 4(B) to the Council Presentations Agenda 3(B):

- **Professional Services Contract for Hearing Examiner Services**

A. Swim Pool Improvements Update – Justin Bellamy w/HLA Engineering

Justin Bellamy, PE with HLA Engineering & Land Surveying, Inc., provided an update of the project cost-savings revisions for the Phase 2 Pool Improvements:

- City Public Works employees would complete all demolition work possible (fence, existing lights, existing drain, etc.). City would assist with installation of pipe sleeves for new utilities (water, drain, and electrical) to avoid digging under new fencing and mow strips.
- Double swing gates would be used for site access instead of slide gates. The City confirmed that 12'-0" wide gates would be adequate.
- The City would like to keep the concrete mow strips for maintenance purposes rather than remove the mow strips from the project. HLA would confirm with fencing contractors, but installing mow strip by fencing contractor prior to chain link fabric installation would likely be the most economical.
- Vinyl coated fencing materials would be bid as an alternate to standard galvanized chain link materials.
- The pre-sloped trench drain at the sidewalk/deck edge would be replaced with a more economical flat-bottomed drain. Additional drain pipe connections would be necessary. The grating was removable, so City could still flush/clean out the drain as needed.
- The City confirmed there was at least 10" of water in the pool overflow trough at all times, so the over-the-deck intake sump could be eliminated and circulation water can be withdrawn directly from the trough. The slide would be moved back as close to the pool edge as possible to avoid an obstruction during swim meets/lap swimming. This

would require additional deck material to be cut at the slide flume locations so that the slide could still enter below the water surface. City Public Works employees would install the slide structure with assistance from the manufacturer. The City confirmed the availability of storage space to preorder the slide structure for installation in the spring of 2017.

- The requirement for spare site lighting fixtures would be removed from the specifications. Exposed aggregate finish would be removed from the light pole base details to allow for precast pole bases to be installed.

Discussion took place. No action taken.

B. Professional Services Contract for Hearing Examiner Services

City Clerk Palacios explained that pursuant to Grandview Municipal Code Section 2.50, the City entered into a Professional Services Contract for Hearing Examiner Services with Gary M. Cuillier from January 15, 2008 through December 31, 2010. The contract with Mr. Cuillier was extended for an additional three year term from January 1, 2011 through December 31, 2014. On December 9, 2014, staff recommended an additional three year term, but due to a typo, the contract was only extended an additional year through December 31, 2015. Fortunately in 2016 to date, there had not been a need for hearing examiner services. She noted that the City's Senior Risk Management Representative with Washington Cities Insurance Authority, along with two legal opinions from WCIA's legal counsel, strongly recommended the use of a hearing examiner for quasi-judicial land use matters. She added that Mr. Cuillier agreed to continuation of the contract at the same compensation and other provisions of the previous contract. Staff recommended Council consider continuation of the contract for Hearing Examiner Services with Mr. Cuillier effective November 1, 2016 through December 31, 2019.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Souders, the Council moved a resolution authorizing the Mayor to sign a Professional Services Contract for Hearing Examiner Services with Gary M. Cuillier to a regular Council meeting for consideration.

4. PUBLIC COMMENT

Eric Geary, candidate for Yakima County Commissioner District #1, commented on the pool water slide proposal.

5. CONSENT AGENDA

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

- A. Minutes of the September 27, 2016 Committee-of-the-Whole meeting**
- B. Minutes of the September 27, 2016 Council meeting**
- C. Minutes of the October 4, 2016 Special Council meeting – Budget**
- D. Payroll Electronic Fund Transfers (EFT) Nos. 5637-5642 in the amount of \$83,902.78**
- E. Payroll Check Nos. 9143-9181 in the amount of \$26,423.83**
- F. Payroll Direct Deposit 09/16/16 – 09/30/16 in the amount of \$96,803.20**

- G. **Claim Check Nos. 111408-111520 in the amount of \$237,720.77**

6. **ACTIVE AGENDA**

- A. **Ordinance No. 2016-20 amending Grandview Municipal Code Chapter 15.54 International Property Maintenance Code to adopt the 2015 Edition of the International Property Maintenance Code**

This item was previously discussed at the September 13, 2016 and September 27, 2016 C.O.W. meetings.

On motion by Councilmember Souders, second by Councilmember Mendoza, Council approved Ordinance No. 2016-20 amending Grandview Municipal Code Chapter 15.54 International Property Maintenance Code to adopt the 2015 Edition of the International Property Maintenance Code.

Councilmember Brewer voted in opposition.

- B. **Resolution No. 2016-41 accepting the Old Inland Empire Highway DWSRF Water System Improvements as complete**

This item was previously discussed at the September 27, 2016 C.O.W. meeting.

City Administrator Arteaga distributed a worksheet identifying the items and costs within the force account summary.

On motion by Councilmember Everett, second by Councilmember Souders, Council approved Resolution No. 2016-41 accepting the Old Inland Empire Highway DWSRF Water System Improvements as complete.

- C. **Resolution No. 2016-42 authorizing the Mayor to enter into a Representation and Fee Agreement for attorney services with the law firm of Menke Jackson Beyer, LLP**

This item was previously discussed at the September 27, 2016 C.O.W. meeting.

On motion by Councilmember Brewer, second by Councilmember Mendoza, Council approved Resolution No. 2016-42 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**

IACC Conference – Mayor Childress and City Administrator Arteaga would be attending the Infrastructure Assistance Coordinating Council (IACC) conference on October 18-20, 2016 in Wenatchee.

- 9. **MAYOR & COUNCILMEMBER MEETING REPORT** – None

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10. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Souders, Council adjourned the meeting at 7:50 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL
SPECIAL MEETING MINUTES – BUDGET
OCTOBER 17, 2016**

1. CALL TO ORDER

Mayor Norm Childress called the special meeting to order at 6:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Gaylord Brewer, Mike Everett, Dennis McDonald, Gloria Mendoza, Bill Moore, Javier Rodriguez and Joan Souders. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Police Chief Kal Fuller, Library Director Elizabeth Jahnke, Wastewater Treatment Plant Superintendent Dave Lorenz and City Clerk Anita Palacios.

2. 2017 PRELIMINARY BUDGET

2017 Water and Sewer Rate Analysis

Ted Pooler, City Engineer with HLA Engineering and Land Surveying, Inc., presented the 2017 Water and Sewer Rate Analysis, as follows:

Project Background

Revenues and expenditures for Grandview's water and sewer fund were reviewed annually as part of the budget planning process. The analysis process began in earnest in 2008 to evaluate the loss of revenue caused by the Wild River Foods fire. Had Wild River Foods remained in operation, they would have generated an estimated \$130,000 in annual water charge revenue and \$750,000 in annual sewer charge revenue. As a result of this significant loss of revenue, a long-term plan was developed to bring water and sewer revenues back to the level where each department was self-sufficient.

Over the ensuing years, annual rate increases were implemented. In 2014, the sewer department fund balance became positive, and the water department was no longer supporting cash flow in the sewer department. Significant increases in industrial wastewater discharges from 2012 through 2015 led to this favorable revenue picture in the sewer department. In 2015, increases of 2% for water and 1% for sewer were recommended by HLA and adopted by Council. With the improved revenues in both the water department and sewer department, no rate increases were necessary in 2016.

While increased revenues were noteworthy, the City's control of expenditures was also an important factor. In 2016 alone, year-end water department operating expenses were projected to be \$190,000 below budget, and sewer department operating expenses were projected to be \$290,000 below budget. This control of expenses, and the conservative approach to budgeting, has placed Grandview in a good financial position.

October 2016 Analysis

The recent analysis included the following major work items:

- A review of 2016 revenues and expenses;
- Projection of 2016 year-end revenues and expenses using historical seasonal distribution of water consumption, sewer discharges, and expenditures;

- Examination of current and proposed capital improvements; and
- Preparation of a cash flow analysis to review projected revenue needs.

The cash flow analysis relies on reasonable revenue projections. Year-end 2015 revenues were in line with past revenue projections. However, a downturn in revenues in 2016 were being seen. This downturn was probably due to decreased water consumption and decreased industrial wastewater discharges. To be conservative, the lower revenues were used as the base to estimate future revenues. The cash flow analysis was then updated to reflect the revised revenue projections and to account for adjustments in planned capital improvements. A few key items in the analysis were worth noting:

- The sewer department balance was negative through 2013, but in 2014 the year-end balance in the sewer department was positive for the first time since 2007, and sewer revenues continued to exceed expenses in 2015. Even though sewer revenues were down by approximately \$150,000, both the projected 2016 year-end balance and the 2017 budget show a positive balance. Therefore, no sewer rate increase was proposed for 2017.
- Upgrades to the wastewater pumping stations (Euclid Road and Primary Clarifier Pump Stations) were included as sewer expenses in 2014 and 2015 (project construction). Debt service for this improvement was included in 2015 (interim financing interest) with principal and interest payments beginning in 2016.
- The Department of Ecology requested an analysis and report to address groundwater concerns at the wastewater treatment facility. A draft report was prepared recommending improvements at the facility in 2020. The estimated cost of those improvements (\$14 million and the associated debt service) was included in the cash flow analysis.
- The sewer department would pay off the Public Works Trust Fund (PWTF) portion of the sewer debt in 2016, reducing annual expenses by about \$240,000. The revenue bond portion of the sewer debt would be paid off in 2019, further reducing sewer expenses by \$540,750 per year.
- Water department expenses included 2016 capital expenditures for the remaining portion of the Old Inland Empire (OIE) Road water system improvements, and rehabilitation of the Asahel Curtis Well (S17). In 2017, capital improvement expenses were included for telemetry system upgrades, water meters, and the remaining costs for rehabilitation of the Asahel Curtis Well.
- Future improvements outlined in the Water System Plan were considered in the future cash flow analysis. Major improvements in 2018 (\$1,425,000), 2020 (\$1,773,000), and 2021 (\$6,200,000) were proposed to be funded by Drinking Water State Revolving Fund (DWSRF) loans, with associated debt service in the following years.
- Ending fund balances were adequate to provide a typical minimum balance of at least 50% of annual expenditures, which provided more than six months of reserve.

Results

Water Department

- Future water system capital improvements were consistent with the recommendations found in the City's Water System Plan. Capital improvements should be re-examined each year as part of the budget process, and the long-term financial plan should be updated accordingly.
- Since projected water revenues and expenditures continue to show a positive Water Department fund balance, no water rate increase was recommended for 2017. Based on the current timing of future capital improvements, rate increases may not be needed for several years.

Sewer Department

- The rate analysis included future improvements to the wastewater treatment plant needed to address potential groundwater contamination. The report, required by the City's NPDES permit and outlining recommended improvements, had not been approved by the Department of Ecology, so timing of the future improvements may change. The current plan was to construct the future improvements after the existing debt was retired to minimize the impact to customers. The financing plan also included building reserves to pay for a portion of the project cost to reduce future debt.
- Sewer revenues have decreased an estimated \$150,000 from 2015 to 2016, and sewer operating expenses were increasing about \$290,000 from 2016 to 2017. (A significant portion of this increase was offset by a reduction in debt service costs.) However, projected revenues were still expected to exceed expenses for the next several years, which would allow a reserve to grow and provide funding of future improvements. Therefore, no rate increase was required in 2017. However, the projected decrease in revenues and increase in expenditures should be monitored to see if the trend continues. Gradual adjustments to rates could then be made to pay for the proposed year 2020 treatment plant upgrades.

2017 Proposed Utility Rate Increases

City Administrator/Public Works Director Arteaga explained that staff was proposing the following utility rate increases:

- Water – 0%
- Sewer – 0%
- Garbage – 1% to account for tipping fee increase from Yakima County Solid Waste Department
 - 2016 Rate – \$13.64
 - 2017 Rate – \$13.78
- Irrigation – 1% to account for rate increase from Sunnyside Valley Irrigation District
 - 2016 Rate – \$11.17
 - 2017 Rate – \$11.28

On motion by Councilmember Moore, second by Councilmember Souders, Council directed staff to draft ordinances increasing 2017 garbage rates 1% and 2017 irrigation rates 1% for consideration at the October 25th Council meeting.

2017 Current Expense Fund Revenue Sources

City Treasurer Cordray explained that the operating revenue for the Current Expense Fund in 2017 was estimated to be \$5,163,410. The Current Expense Fund revenue estimates were as follows:

<u>Revenue Type</u>	<u>Amount</u>
Property Taxes	\$1,455,000
Sales Tax	\$ 604,500
Criminal Justice Tax	\$ 155,000
City Utility Taxes	\$ 985,000
Private Utility Taxes	\$1,005,000
Other Taxes	\$ 1,200
Licenses & Permits	\$ 126,250
Intergovernmental Revenues	\$ 330,000
Charges for Service	\$ 155,450
Fines & Forfeits	\$ 190,100
Misc. & Other Revenues	<u>\$ 152,910</u>
Total Revenue	\$5,163,410

A public hearing to consider the revenue sources for the 2017 Current Expense Fund budget would take place at the October 25, 2016 Council meeting.

2017 Expenditure Estimates – Current Expense Fund

City Treasurer Cordray continued the presentation of the 2017 preliminary budget, as follows:

Police Administration Services

2016 Budget \$286,580

2017 Proposed \$288,800

Notable Changes in 2017 –

- Filling the open Administrative Assistant position \$81,000 for wages and benefits (removed – to be reconsidered).
- Replace Police Chief’s vehicle \$50,000 (Equipment Rental)

Police Investigation Services

2016 Budget \$276,950

2017 Proposed \$283,800

Notable Changes in 2017 –

- Wage increase \$2,400 (This represents specialty pay of \$200 per month. This would allow the appointment of a currently employed patrol officer to detective duties.)

Police Patrol Services

2016 Budget \$1,598,200

2017 Proposed \$1,661,700

Notable Changes in 2017 –

- 1 Mobile Data Terminal replacement \$2,500 (Capital Replacement item)
- 6 Bullet Resistant Vests \$7,000 (Capital Replacement item)
- 2 TASER \$2,000 (Capital Replacement item)
- 2 Rifles \$2,500 (Capital Replacement item)
- Range Maintenance (outfit classroom) \$1,000
- Increase Travel Training (academy cost x2 officers) \$5,500

- Increase Misc Training for Ammunition \$1,000
- Uniforms (new reserves/officers) \$2,000
- Reserves Pension Fund \$2,000
- 2 new Patrol Officer positions \$180,000 (removed – to be reconsidered)

Police Community Programs

2016 Budget \$15,400

2017 Proposed \$16,350

Notable Changes in 2017 –

- Crime Prevention supplies \$500 increase (school student/Halloween handouts)

3. ADJOURNMENT

The special meeting adjourned at 8:00 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk



**CITY OF GRANDVIEW
NOTICE OF PUBLIC HEARING
2017 CURRENT EXPENSE FUND REVENUE SOURCES**

NOTICE IS HEREBY GIVEN that the City Council of the City of Grandview, Washington will conduct a public hearing on Tuesday, October 25, 2016, 7:00 p.m., at Grandview City Hall, 207 West Second Street, Grandview, WA, to consider the revenue sources for the 2017 Current Expense Fund budget which will include consideration of possible increases in property tax revenues together with the proposed ordinance levying taxes in the amount of \$1,511,770.00 for the regular levy and the proposed Operating Revenue for the Current Expense Fund is \$5,160,410.00.

The public is invited to attend this hearing and provide written and oral comments on the proposed revenue sources, to include property tax revenues for the 2017 Current Expense Fund budget. If you are unable to attend this public hearing, written comments will be received until 5:00 p.m. the day of the hearing.

If you have a disability for which you will need reasonable accommodations, please contact the City Clerk, at the preceding address or telephone (509) 882-9208 one week prior to the meeting.

CITY OF GRANDVIEW

Anita G. Palacios, MMC
City Clerk

Publish: Daily Sun News - Wednesday, October 12 & 19, 2016

**CITY OF GRANDVIEW
CITY COUNCIL**

PUBLIC HEARING PROCEDURE

THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS:

MAYOR

1. The public hearing for the purpose of receiving comments on the **2017 Current Expense Fund Revenue Sources** is now open.
2. Before hearing from the public, City Treasurer Matt Cordray will present the staff report.
3. Public comments will now be received. When you address the Council, begin by stating your name and address for the record.
4. Comments received by mail will now be entered in the record. The City Clerk will read any received.
5. The public testimony portion of this hearing is now closed. No further comments will be received.

2017 Current Expense Fund Revenue Sources

The operating revenue for the Current Expense Fund in 2017 was estimated to be \$5,165,910. The Current Expense Fund revenue estimates are as follows:

<u>Revenue Type</u>	<u>Amount</u>
Property Taxes	\$1,455,000
Sales Tax	\$ 604,500
Criminal Justice Tax	\$ 155,000
City Utility Taxes	\$ 987,500
Private Utility Taxes	\$1,005,000
Other Taxes	\$ 1,200
Licenses & Permits	\$ 126,250
Intergovernmental Revenues	\$ 333,000
Charges for Service	\$ 155,450
Fines & Forfeits	\$ 190,100
Misc. & Other Revenues	<u>\$ 152,910</u>
Total Revenue	\$5,165,910

RESOLUTION NO. 2016-43

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
FIXING THE TIME AND DATE FOR A PUBLIC HEARING TO VACATE THAT
PORTION OF WEST MAIN STREET ADJACENT TO PROPERTY OWNED BY
YAKIMA VALLEY COLLEGE AS PETITIONED BY YAKIMA VALLEY COLLEGE**

WHEREAS, the City of Grandview has received a petition from Yakima Valley College requesting vacation of a portion of West Main Street adjacent to Parcel Nos. 230923-21403, 21405, 21406 and 21418 owned by the State Board for Community and Technical Colleges, Yakima Valley College in the City of Grandview; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON, as follows:

The City Council will conduct a public hearing pursuant to RCW 35.79 on Tuesday, November 22, 2016 at 7:00 p.m., in the Council Chambers at 207 West Second Street, Grandview, Washington, to consider a petition requesting vacation of a portion of West Main Street adjacent to Parcel Nos. 230923-21403, 21405, 21406 and 21418 owned by the State Board for Community and Technical Colleges, Yakima Valley College in the City of Grandview.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on October 25, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Vice President for Administrative Services

South 16th Avenue & Nob Hill Boulevard • P.O. Box 22520, Yakima, Washington 98907-2520
Phone 509.574.4667 • Fax 509.574.6868 • www.yvcc.edu

September 6, 2016

City Council
City of Grandview
207 West Second Street
Grandview, WA 98930



RE: Petition for Vacation of that portion of West Main Street adjacent to property owned by YVC,
Parcel Nos. 230923-21403, 21405, 21406, 21418.

Dear City Council Members:

The purpose of this letter is to request that the Grandview City Council consider vacating the section of West Main Street adjacent to Yakima Valley College property that currently divides Parcel Nos: 230923-21403, 21405, 21406, 21418, that are owned by the State Board for Community and Technical Colleges, Yakima Valley College, map attached.

This portion of West Main Street falls within the college's Master Plan and if the Grandview City Council supports this vacation it will allow for the development of an entrance off of Wine Country Road and expansion of the Grandview campus thus allowing YVC to continue serving the educational needs of the Yakima Valley. The college's plan for this parcel calls for future construction of additional college buildings, landscaped entrance, new signage, and parking to the north of West Main Street as shown on the attached 2015 Master Plan Update. Vacation of the subject portion of West Main Street is necessary to allow the college to proceed with its plans for this parcel.

Thank you for your consideration of this request.

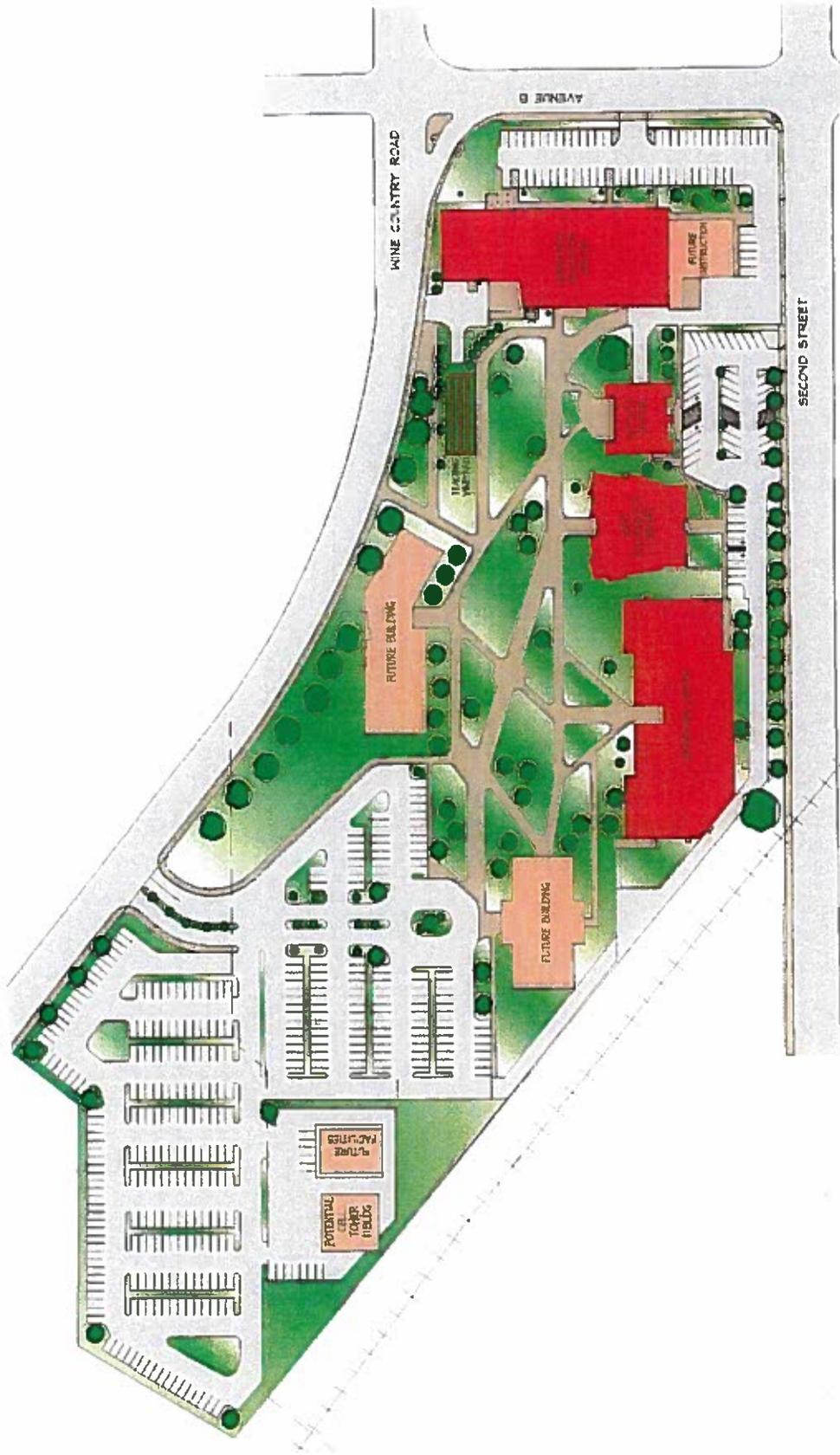
Sincerely,

Teresa Holland Rich, Ph.D.
Vice President for Administrative Services

Enc.

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Grandview Campus - Tomorrow



MASTER CAMPUS SITE PLAN



27

RESOLUTION NO. 2016-44

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
WAIVING THE REQUIREMENTS OF THE STATE BID LAW TO ALLOW
THE PURCHASE OF THE MUNICIPAL POOL WATER SLIDE FROM
A SOLE SOURCE DISTRIBUTOR**

WHEREAS, the City is in the process of completing Phase 2 of the Grandview Municipal Pool Improvements; and,

WHEREAS, Phase 2 includes the installation of a new water slide feature; and,

WHEREAS, the City cannot install a slide without prior approval of the Washington State Department of Health; and,

WHEREAS, the Department of Health has approved the installation of Pool Slide Model 9113 and has not approved the installation of any other slide for the Grandview Municipal Pool Improvements; and,

WHEREAS, said water slide is available only through Natural Structures; and

WHEREAS, RCW 39.04.280(1)(a) provides an exception to the state bidding requirements when "the purchase is clearly and legitimately limited to a single source or supply."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:

The Parks and Recreation Department is authorized to purchase Pool Slide Model 9113 from Natural Structures for the Grandview Municipal Pool Improvements without going to competitive bid.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on October 25, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY



Pool Slide Model 9113

Specifications

Description: Double 30" I.D. flume slide, one 90 ° curve, one straight.

Centerline Run: 23' 9" and 17' 11"

Entry Height: 6' 6"

Platform Size: 4' x 4'

Deck Space Requirement: 19' 0" x 20' 10" *

Features

- 30" inside diameter polyethylene flumes.
- Flume: color impregnated UV stabilized.
- Deck: Aqua-Plast coated textured aluminum surface.
- Stairs: 8" rise, 8" tread, 24" wide; Aqua-Plast coated textured aluminum surface.
- Multiple stair locations & configurations.
- Stainless steel base plates, hardware and anchor bolts.
- Designed with flexibility to allow for sloping pool decks.
- 14-20 gpm water flow (each flume) recommended; 8 to 40 gpm required.
- Splash down dimension 21' x 20'
- Minimum water depth: 3' (within 6" of water level)
- USA Made

Options

- **Deluxe Series:** Complete package is stainless steel polyester powder coated except the stair treads and deck which are textured Aqua-Plast coated aluminum.
- **North Star Series:** Mild steel with chemical resistant Aqua-Kote undercoating with polyester powder coat topcoat, except stair treads and deck which are textured Aqua-Plast coated aluminum.
- Hot dipped galvanized.
- **Stairs:** (a) 7" rise, 11" tread, 36" wide; textured aluminum; closed risers; (b) Inner handrails (if applicable).
- **Gates:** Locking gate to flume entrance.
- Flag and banner holders.
- **Tower Roof:** Polyethylene plastic roof.
- Factory installation or on-site technical assistance.
- Water pumps & covers



PO Box 270, Baker City, OR 97814 (541) 523-0224 (800) 252-8475 www.naturalstructures.com - info@naturalstructures.com

*Space requirements may vary with options chosen.

RESOLUTION NO. 2016-45

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,
AUTHORIZING THE MAYOR TO SIGN A PROFESSIONAL SERVICES CONTRACT
FOR HEARING EXAMINER SERVICES WITH GARY M. CUILLIER**

WHEREAS, Gary M. Cuillier has been selected by the City to provide Hearing Examiner services; and,

WHEREAS, a Professional Services Contract has been prepared setting forth the services, duties and responsibilities of the Hearing Examiner,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON, as follows:

The Mayor is hereby authorized to sign a Professional Services Contract for Hearing Examiner services with Gary M. Cuillier, in the form as is attached hereto and incorporated herein by reference.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on October 25, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

**PROFESSIONAL SERVICES CONTRACT
CITY OF GRANDVIEW HEARING EXAMINER**

PARTIES:

The Parties to this contract are the **CITY OF GRANDVIEW**, 207 W. 2nd Street, Grandview, Washington 98930 ("City" herein), and **GARY M. CUILIER**, Attorney at Law, 314 N. 2nd Street, Yakima, Washington 98901 ("Cuillier", "Hearing Examiner" herein).

RECITALS:

- 1) The City of Grandview has adopted a hearing examiner system for certain land use matters, at Ch. 2.50, GMC.
- 2) Cuillier has experience in land use matters, including as a hearing examiner for the City of Grandview and other municipalities, and has advised numerous municipalities concerning land use matters.

AGREEMENT:

1. Engagement of Hearing Examiner. The City hereby hires Cuillier, and Cuillier agrees to serve, as hearing examiner for the purposes set forth in the City's various ordinances and land use regulations as may be determined by the City Council pursuant to Chapter 2.50 of the Grandview Municipal Code.

2. Character and Extent of Services. Cuillier shall perform the services of hearing examiner for the City of Grandview as required in the City's ordinances, as well as other duties as may be assigned by the City Council from time to time.

3. Pro Tem Hearing Examiner. It is not contemplated that the City Council will have to appoint a pro term hearing examiner to serve in the event of absence or inability of the hearing examiner to act until such time as such a need arises.

4. Case Assignment. If a pro term hearing examiner is appointed in the future, the City Administrator, or his designee, shall assign cases.

5. Additional Duties. If a pro term hearing examiner is appointed in the future, the examiner shall coordinate with the pro term hearing examiner in order to insure consistency of analysis and efficient decision making. The examiner's duty to determine matters efficiently shall include the duty to issue written findings and conclusions for all matters coming before the examiner within ten (10) working days of the conclusion of the hearing on each matter unless a longer period is agreed to in writing by the applicant.

6. Liaison. The City Administrator, or his representative, shall serve as the City's liaison with the examiner.

7. Independent Contractor.

- a. Cuillier's services shall be furnished as an independent contractor and not as an agent, employee or servant of the City. Cuillier specifically has the right to direct and control his own activities in providing the agreed services in accordance with the specifications set out in this agreement.
- b. Cuiller acknowledges that the entire compensation set forth for this contract is set forth herein, and neither he nor his employees are entitled to any City benefits, including, but not limited to: vacation pay, holiday pay, sick leave pay, medical, dental, or other insurance benefits, fringe benefits, or any other rights or privileges afforded to City employees.
- c. Cuillier shall have and maintain complete responsibility and control over his subcontractors, employees, agents and representatives.
- d. Cuillier shall pay for all taxes, fees, licenses, or payments required by federal, state or local laws which are now or may be enacted during the term of this contract.

8. Professional Fees. The examiner shall be paid by the City for professional services rendered under this contract at the rate of One Hundred Forty Dollars (\$140) per hour. Unless requested or approved otherwise by the city administrator, the examiner will view the sites of any proposed land use actions on the day of the applicable hearings prior to the hearings. The City will pay for the examiner's round-trip travel time from the examiner's office in Yakima to hearings in the City – which will include the time to view the sites of the proposed land use actions prior to the hearings on the day of the hearings – at the rate of Seventy Five Dollars (\$75) per hour. The Examiner will not be reimbursed by the City for expenses such as training costs, specialized reference materials and planning-related memberships. The payment specified in this section shall be full compensation for services rendered, including all labor, materials, supplies, equipment and necessary incidentals.

9. Itemized Statements. By the 5th day of each month, the examiner will provide to the City an itemized statement for his services rendered during the previous month.

10. Payment Schedule. Payments will be made within twenty-five (25) days of the City's receipt of the examiner's statements.

11. Facilities to be Furnished by Hearing Examiner. The examiner shall furnish and maintain an office, equipment, library and clerical staff suitable and adequate for performing the services to be rendered pursuant to this contract. The City shall provide at its expense a hearing room, recording equipment and related supplies.

12. Ownership of Documents. The record developed before the examiner, including the examiner's decision or recommendation, shall be the property of the City.

The examiner's work product, consisting of notes, research and preliminary drafts, shall be the property of the examiner.

13. Termination. If the examiner shall decide to resign prior to the termination date of this contract, he shall first give written notice not less than ninety (90) days prior to the date of his resignation. The City may terminate this contract for cause or without cause upon giving the examiner thirty (30) days written notice. For purposes of this paragraph, "cause" shall include, but not be limited to, a determination by the City Administrator that the examiner is not giving due consideration to proper procedures or is not conducting hearings in a prudent manner, giving due regard to the Appearance of Fairness Doctrine, laws regarding conflicts of interest, and/or other laws, procedures, and regulations dealing with the subject matter under consideration.

14. Indemnification. The City, to the extent of its coverage by the Washington Cities Insurance Authority for acts and omissions of public officials, shall indemnify, defend and hold the examiner harmless from all liability, loss or damage, including costs of defense that he may suffer as a result of claims, demands, actions, damages, costs or judgments which result from any negligent or other actions or omissions not excluded by said coverage.

15. Non-Assignment. This contract is personal to the examiner and is not assignable by the examiner to any other individual.

16. Amendment. This contract can only be amended by the written agreement of both parties.

17. Nondiscrimination. Cuillier, his assignees, delegates, or subcontractors shall not discriminate against any person in the performance of any obligation hereunder on the basis of age, sex, marital status, sexual orientation, race, creed, religion, color, national origin, honorably discharged veteran or military status, disability, or any other protected status.

18. Interest of Public Officials. No member of the governing body of the City and no officer, employee or agent of the City shall have any personal financial interest, direct or indirect, in this contract. The examiner shall take appropriate steps to assure compliance.

19. Interest of Hearing Examiner. The examiner covenants that he presently has no interest and shall not acquire an interest, direct or indirect, in any property which is the subject of a proceeding before the examiner which would conflict in any manner or degree with the performance of his services hereunder.

20. Term. This contract shall commence November 1, 2016 and terminate December 31, 2019 unless prior to said date it is renewed for an additional period on terms agreeable to the City and the examiner.

EXECUTED this ____ day of _____, 2016.

CITY OF GRANDVIEW

HEARING EXAMINER

By: _____
Norm Childress, Mayor

Gary M. Cuillier
Gary M. Cuillier, Hearing Examiner
Date Signed: October 3, 2016

APPROVED AS TO FORM:

By: _____
Quinn N. Plant, City Attorney

**CITY OF GRANDVIEW
AGENDA ITEM HISTORY/COMMENTARY
CITY COUNCIL MEETING**

<p>ITEM TITLE</p> <p>Ordinance No. 2016-21 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates</p> <p>And</p> <p>Ordinance No. 2016-22 amending Grandview Municipal Code Section 13.28.085 setting garbage rates</p>	<p>AGENDA NO.: Active 6 (E) & (F)</p> <p>AGENDA DATE: October 25, 2016</p>
<p>DEPARTMENT</p> <p>Public Works Department</p>	<p>FUNDING CERTIFICATION (City Treasurer) (If applicable)</p>

DEPARTMENT DIRECTOR REVIEW

Cus Arteaga, City Administrator/Public Works Director

CITY ADMINISTRATOR

MAYOR

ITEM HISTORY (Previous council reviews, action related to this item, and other pertinent history)

At the October 17, 2016 special Council meeting regarding the budget, City Administrator/Public Works Director Arteaga explained that staff was proposing the following utility rate increases for 2017:

- Water – 0%
- Sewer – 0%
- Garbage – 1% to account for tipping fee increase from Yakima County Solid Waste Department
- Irrigation – 1% to account for rate increase from Sunnyside Valley Irrigation District

On motion by Councilmember Moore, second by Councilmember Souders, Council directed staff to draft ordinances increasing 2017 garbage rates 1% and 2017 irrigation rates 1% for consideration at the October 25th Council meeting.

ITEM COMMENTARY (Background, discussion, key points, recommendations, etc.) Please identify any or all impacts this proposed action would have on the City budget, personnel resources, and/or residents.

The 1% garbage rate increase would increase the 2016 garbage rate from \$13.65 to \$13.80 in 2017, a difference of 15 cents.

The 1% irrigation rate increase would increase the 2016 irrigation rate from \$11.17 to \$11.28 in 2017, a difference of 11 cents.

ACTION PROPOSED

Approve Ordinance No. 2016-21 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates and Ordinance No. 2016-22 amending Grandview Municipal Code Section 13.28.085 setting garbage rates.

ORDINANCE NO. 2016-21

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,
AMENDING GRANDVIEW MUNICIPAL CODE SECTION 13.28.060(B)
SETTING IRRIGATION WATER RATES**

WHEREAS, irrigation water service provided by the City of Grandview ("City") is critical to the health and welfare of the citizens of the City; and,

WHEREAS, rate adjustments are necessary from time to time to ensure that sufficient revenues exist in the Irrigation Fund to properly maintain the citizens' utilities and provide adequate services to City residents and businesses; and,

WHEREAS, Grandview Municipal Code subsection 13.28.060(B) provides for irrigation water rates;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, as follows:

Section 1. Grandview Municipal Code subsection 13.28.060(B), which reads as follows:

13.28.060(B) Irrigation Rates.

2016 irrigation rates shall become effective commencing January 1, 2016, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.017306 per square foot and the minimum charge per property shall be the sum of \$103.92 per year.
2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.003935 per square foot or \$171.37 per acre, and the minimum charge per property shall be the sum of \$68.82 per year.
3. For lands served by gravity flow, where the city is not responsible for maintenance or where no water is delivered, the service rate shall be \$0.002002 per square foot or \$87.17 per acre per year or \$36.44 minimum charge per year per property owner.

is hereby amended to read as follows:

13.28.060(B) Irrigation Rates.

2017 irrigation rates shall become effective commencing January 1, 2017, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.017479 per square foot and the minimum charge per property shall be the sum of \$104.96 per year.
2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.003974 per square foot or \$173.08 per acre, and the minimum charge per property shall be the sum of \$69.51 per year.
3. For lands served by gravity flow, where the city is not responsible for maintenance or where no water is delivered, the service rate shall be \$0.002022 per square foot or \$88.04 per acre per year or \$36.80 minimum charge per year per property owner.

Section 2. This Ordinance shall be in full force and effect five (5) day after its passage and publication as required by law.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on October 25, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLICATION: 10/26/16
EFFECTIVE: 10/31/16

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ORDINANCE NO. 2016-22

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,
AMENDING GRANDVIEW MUNICIPAL CODE SECTION 13.28.085
SETTING GARBAGE RATES**

WHEREAS, garbage collection service provided by the City of Grandview ("City") is critical to the health and welfare of the citizens of the City; and,

WHEREAS, rate adjustments are necessary from time to time to ensure that sufficient revenues exist in the Garbage Fund to properly adequate services to City residents and businesses; and,

WHEREAS, Grandview Municipal Code subsection 13.28.085 provides for garbage rates;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, as follows:

Section 1. Grandview Municipal Code subsection 13.28.085, which reads as follows:

13.28.085 Garbage Rates. Rates for solid waste are hereby set as follows:

A. The monthly solid waste charge for the different-sized containers picked up one time per week shall be as follows:

90-Gallon Containers

1 can	\$13.65
2 cans	\$27.30
3 cans	\$40.95
4 cans	\$54.60

300-Gallon Containers

1 can	\$45.00
2 cans	\$90.00
3 cans	\$135.00
4 cans	\$180.00

B. All users sharing one-third of a 300-gallon container shall be charged at the rate of \$13.65 per monthly billing period for one pick-up per week.

C. Multiple-family residences using 300-gallon containers shall be charged at the rate of \$13.65 per billing period per dwelling unit.

D. All users who have multiple pick-ups per week shall be charged per month by multiplying the number of pick-ups per week by the number of containers picked up.

E. Other service charges are as follows:

Return call-out all size containers, per container	\$28.65
Overfilled container charge	\$3.55
Replace damaged/destroyed container	\$143.50
Dumpster drop-off at public works shop per pickup size load	\$8.60

is hereby amended to read as follows:

13.28.085 Garbage Rates. Rates for solid waste are hereby set as follows:

A. The monthly solid waste charge for the different-sized containers picked up one time per week shall be as follows:

90-Gallon Containers

1 can	\$13.80
2 cans	\$27.60
3 cans	\$41.40
4 cans	\$55.20

300-Gallon Containers

1 can	\$45.50
2 cans	\$91.00
3 cans	\$136.50
4 cans	\$182.00

B. All users sharing one-third of a 300-gallon container shall be charged at the rate of \$13.80 per monthly billing period for one pick-up per week.

C. Multiple-family residences using 300-gallon containers shall be charged at the rate of \$13.80 per billing period per dwelling unit.

D. All users who have multiple pick-ups per week shall be charged per month by multiplying the number of pick-ups per week by the number of containers picked up.

E. Other service charges are as follows:

Return call-out all size containers, per container	\$28.95
Overfilled container charge	\$3.60
Replace damaged/destroyed container	\$145.00
Dumpster drop-off at public works shop per pickup size load	\$8.70

Section 2. This Ordinance shall be in full force and effect five (5) day after its passage and publication as required by law.

PASSED by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on October 25, 2016.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

CITY ATTORNEY

PUBLICATION: 10/26/16
EFFECTIVE: 10/31/16

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