

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 12, 2019**

**1. CALL TO ORDER**

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

Present were: Mayor Mendoza and Councilmembers Gay Brewer, Mike Everett, Diana Jennings, Dennis McDonald, Bill Moore and Joan Souders.

Councilmember Javier Rodriguez was absent.

**On motion by Councilmember Moore, second by Councilmember McDonald, Council excused Councilmember Rodriguez from the meeting.**

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant and City Clerk Anita Palacios.

**2. PLEDGE OF ALLEGIANCE**

Councilmember Moore led the pledge of allegiance.

**3. PRESENTATIONS**

**A. Proclamation – March 2019 People For People 17<sup>th</sup> Annual March for Meals Month**

Mayor Mendoza proclaimed March 2019 as the 17<sup>th</sup> Annual March for Meals Month and urged every citizen to take this month to honor our Meals and Wheels programs, the seniors they serve and the volunteers who care for them.

**4. PUBLIC COMMENT – None**

**5. CONSENT AGENDA**

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

- A. Minutes of the February 26, 2019 Committee-of-the-Whole meeting**
- B. Minutes of the February 26, 2019 Council meeting**
- C. Payroll Check Nos. 10836-10865 in the amount of \$29,874.39**
- D. Payroll Electronic Fund Transfers (EFT) Nos. 60067-60072 in the amount of \$90,785.26**
- E. Payroll Direct Deposit 2/16/19-2/28/19 in the amount of \$110,075.31**
- F. Claim Check Nos. 117118-117238 in the amount of \$132,158.40**

**6. ACTIVE AGENDA**

**A. Closed Record Public Hearing – Petition for Annexation & Rezone – Brett and Teresa Smith dba Quail Run Manufactured Home Park – 301 & 311 Hickory Road, Grandview, WA**

Mayor Mendoza opened the closed record public hearing to consider an annexation and rezone submitted by Brett and Teresa Smith dba Quail Run Manufactured Home Park for 301 and 311 Hickory Road, Grandview, Washington, by reading the public hearing procedure.

There was no one in the audience who objected to his participation as Mayor or any of the Councilmembers' participation in these proceedings. None of the Councilmembers had an interest in this issue nor did any stand to gain or lose any financial benefit as a result of the outcome of this hearing and all indicated they could hear and consider the issue in a fair and objective manner.

The purpose of the hearing was for the Council to review the record and consider the pertinent facts relating to this issue. No new public testimony was allowed.

City Clerk Palacios provided the following review of the record:

- The City received a Letter of Intent and Petition for Annexation and Rezone signed by the Brett and Teresa Smith dba Quail Run Manufactured Home Park requesting annexation of their properties to the City of Grandview. The petitioners elected to request annexation under the 60% petition method of annexation. The 60% petition method required signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition contained sufficient signatures. The proposed annexation and rezone would include the following parcels: 301 Hickory Road, Parcel No. 230927-11428 consisting of 7.87 acres and 311 Hickory Road, Parcel No. 230927-11407 consisting of 1.99 acres.
- The petitioners requested the parcels be annexed with an M2 Manufactured Home Park zoning. The parcels were included in the City's Urban Growth Area and the Comprehensive Future Land Use Map designation was residential for Parcel No.230927-11428 and low density residential for Parcel No. 230927-11407.
- At the December 11, 2018 City Council meeting, Council approved Resolution No. 2018-48 accepting a request from Brett & Teresa Smith dba Quail Run Manufactured Home Park for annexation of Parcel Nos. 230927-11428 and 230927-11407 located at 301 & 311 Hickory Road, Grandview, Yakima County, Washington and directed staff to present the Petition for Annexation to the Hearing Examiner for a public hearing.
- On February 6, 2019, a public hearing was held before the Hearing Examiner to receive comments on the proposed annexation and rezone. A copy of the Hearing Examiner's Recommendation was presented.

Council requested clarification of the record as follows (*transcribed verbatim*):

*Councilmember Brewer – I have a question.*

*Mayor Mendoza – Councilmember Brewer.*

*Councilmember Brewer – Because I'm not an attorney or real estate salesman. Can you tell me is this the time or will we ever have an opportunity to gain a right-of-way within the property for future use?*

*City Administrator Arteaga – Right-of-way for . . .*

*Councilmember Brewer – Well for anything, sewer, water, fire hydrants.*

*City Administrator Arteaga – Well I think right now you're, you're annexing or annexing it in. Once they go to develop it, then you will be approving the development of that project and at that time that will show the street infrastructure, it will show the water and sewer infrastructure, the location of valves, hydrants and that would be at a time that you would approve that. This one here you're just approving the annexation.*

*Councilmember Brewer – So in other words, if we didn't come to an agreement at that time like you say, do we have the option of rezoning it again or making it mandatory. I'm not sure, we have two attorneys here.*

*Councilmember Everett – Okay, are you asking rezoning or annexation. Because we're annexing, we would approve annexation.*

*Councilmember Brewer – Would it make any difference?*

*City Clerk Palacios – You're approving the annexation and you're also approving the zoning that's coming in with that.*

*Councilmember Everett – The zoning in that, but you can, after it's annexed, you can change the zoning. So those are two different things. Do you agree?*

*City Clerk Palacios – But it would be.*

*City Attorney Plant – Yeah.*

*Councilmember Brewer – To just make it simple, is there anyway for us to make sure that we have a right-of-way in the future if we need it, after we . . .*

*Councilmember Everett – It would be by when we went, when they came in with a project.*

*City Administrator Arteaga – When the next step comes in that's when, cause right now you're just adopting this property and rezoning this property, but it's just land. Okay, so now when they come back on their next round and they say were going to build here, here and here. This road is going loop through here, that's when you're going to be dealing with that.*

*Councilmember Brewer – We will be free to do that, there's any restrictions.*

*City Administrator Arteaga – Correct.*

*City Attorney Plant – I think as a sort of a big proposition, the City has the power of eminent domain. The City if it determines and whenever it determines that it needs to acquire property for*

*a specific use has the power to go in and you start the negotiation process, but you have this threat that we have the power to go to court and take your property if we need to. I think what Cus is saying is that we don't have a project and we don't even know what they're going to do with the property. Once we know what they're going to do with the property, we will be able to make an informed decision about that the City might reasonably need in the future and how they're development would affect what the City needs and that's when it's the time to kind of make those decisions.*

*Councilmember Brewer – So in other words, we can't make an addendum to this saying that we reserve the right for a right-of-way if necessary.*

*City Attorney Plant – You can't conditionally annex or attach a condition to the annexation. All we're doing is saying that this real property is now in the City of Grandview.*

*Councilmember Brewer – But we can though in the future. That's my question.*

*Councilmember McDonald – When we do the plans.*

*City Attorney Plant – I think, I guess the point is that this process is just has nothing to do with us acquiring right-of-way. There is no cross connection between them.*

*Councilmember Brewer – Well will we have an opportunity to do.*

*City Attorney Plant – We always do, even if it's not in the City, even if it's not in the City limits.*

*Mayor Mendoza – Councilmember McDonald.*

*Councilmember McDonald – I just have a question. They requested that all of it be classified as an M2, but the proposed action is for one of them to be single family residential.*

*City Clerk Palacios – That's, that's because in our future, so the properties are in County right now and every five years we determine what area we see coming into the City within the next five years and we put a zoning classification on it, a very broad zoning classification. So the one was zoning residential and then the other one was zoning low density residential and so as it comes into the City, it's going to come the one parcel with the lower density residential can't come in as a manufactured home park. They will go through that process the next step to just designate that one little parcel. So, it's coming in as residential, but it's not coming in as manufactured home park.*

*Councilmember McDonald – But they should be able to make it, so if they want to make that all manufactured home park.*

*City Clerk Palacios – Correct, yeah, yeah.*

*Councilmember McDonald – Okay, alright.*

*Mayor Mendoza – Cus, did you want to say something?*

*City Administrator Arteaga – Yeah, I do. Just to follow-up on Councilmember Brewer’s question. The property that they own which is a mobile home court that has been developed, that’s where that transmission line main, that goes through that older section, so the easement for that pipe was put in place back in the 60’s way before this was developed into a court. The section that they’re bringing in, we don’t have anything that we could honestly say we need to have an easement through here in order to justify to establish a right-of-way or an easement just to establish one so I think once the development plan comes in, that will address the width of roads, that will address the pipes, the sewer lines and all the infrastructure that we’ll need to make sure is appropriate for the construction of that additional addition.*

*Councilmember Brewer – So you’re saying this only option is just to up or down approve the plat.*

Following review of the record concerning this issue, Mayor Mendoza advised that the subject was open for decision.

**On motion by Councilmember Souders, second by Councilmember Moore, Council accepted the Hearing Examiner’s conclusions and recommendation that the Petition for Annexation submitted by Brett and Teresa Smith dba Quail Run Manufactured Home Park be approved with MR Manufactured Home Park District zoning for the 7.87 acre Parcel No. 230927-11428 at 301 Hickory Road and with R-1 Single Family Residential District zoning for the 1.99 acre Parcel No. 230927-11407 at 311 Hickory Road.**

- B. Resolution No. 2019-10 authorizing the petition to annex properties known as the Brett and Teresa Smith dba Quail Run Manufactured Home Park that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action**

**On motion by Councilmember Souders, second by Councilmember Moore, Council approved Resolution No. 2019-10 authorizing the petition to annex properties known as the Brett and Teresa Smith dba Quail Run Manufactured Home Park that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action.**

- C. Wine Country Road Grind and Overlay**

This item was previously discussed at the March 12, 2019 C.O.W. meeting.

**On motion by Councilmember Jennings, second by Councilmember Souders, Council authorized staff to prepare bid specifications and advertise the asphalt grind/overlay of Wine Country Road from I-82 north to East Stover Road.**

- D. Resolution No. 2019-11 authorizing the Mayor to sign the Community Development Block Grant (CDBG) Program General Purpose Grant Contract No.18-62210-024 with the Washington State Department of Commerce for the Sanitary Sewer Trunk Main Replacement**

This item was previously discussed at the March 12, 2019 C.O.W. meeting.

**On motion by Councilmember Everett, second by Councilmember Moore, Council approved Resolution No. 2019-11 authorizing the Mayor to sign the Community Development Block Grant (CDBG) Program General Purpose Grant Contract No.18-62210-024 with the Washington State Department of Commerce for the Sanitary Sewer Trunk Main Replacement.**

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

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

Industrial Managers Meeting – City Administrator Arteaga reported that the annual Industrial Managers meeting was scheduled for March 20<sup>th</sup> at Molcajetes Restaurant. Topics of discussion would include: WWTP permit compliance, sanitary sewer main trunk replacement project, WWTP capacity analysis, WWTP groundwater investigation, impacts to industrial wastewater rates.

9. **MAYOR & COUNCILMEMBER REPORTS**

People For People March for Meals – The Council agreed to help serve meals to area senior citizens at the Community Center on March 28<sup>th</sup> at 11 am.

Department Head Meeting – Mayor Mendoza reported that she attended the semi-monthly Department Head meeting today.

10. **ADJOURNMENT**

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

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk