

**GRANDVIEW CITY COUNCIL
COMMITTEE-OF-THE-WHOLE MEETING MINUTES
MAY 14, 2019**

1. CALL TO ORDER

Mayor Gloria Mendoza 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 Mendoza and Councilmembers David Diaz, Mike Everett, Bill Moore and Javier Rodriguez.

Councilmember Gay Brewer arrived at 6:05 p.m.

Councilmember Joan Souders arrived at 6:10 p.m.

Absent was Councilmember Diana Jennings.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Parks & Recreation Director Gretchen Chronis, Police Chief Kal Fuller and City Clerk Anita Palacios.

3. PUBLIC COMMENT – None

4. NEW BUSINESS

- A. NoaNet Franchise Agreement Request – Chris Walker, Telecommunications Director – Ordinance granting to Northwest Open Access Network, (NoaNet), a Washington non-profit mutual corporation, the nonexclusive right, privilege, authority and franchise to locate, construct, install, own, maintain, repair, replace, extend, operate and use facilities in, upon, over, under, along, and across the franchise area for purposes of the transmission, distribution and sale of telecommunications and communications services**

Chris Walker, Telecommunications Director with Northwest Open Access Network (NoaNet) requested a Franchise Agreement for the purposes of Telecommunications and associated apparatus (fiber optic network) as well as for Distributed Antenna and Small Cell Wireless Systems. He explained that Governor Inslee proposed the creation of a statewide broadband office to facilitate the development of rural broadband in the State of Washington, calling for \$25 million in bonds and grants for approved broadband infrastructure projects. NoaNet would be an authorized applicant for funding and hoped to encourage further development of the \$160 million dollar network constructed from the 2009 American Recovery and Reinvestment Act. Northwest Open Access Network (NoaNet) was a not for profit wholesale telecommunications company formed by several Public utility Districts (PUDs) in Washington to bring high-speed telecommunication services into underserved communities for utility uses and use by their constituents. NoaNet operates a fiber optic network throughout the state, connecting the local PUD communications networks to each other and to the major carrier connection points in Seattle, Spokane and Portland. Their vision was building communities by bridging the digital divide. Their

mission was to develop and operate a reliable public open-access broadband communication network to facilitate member utility operations and rural access to broadband services.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Moore, the C.O.W. moved an ordinance granting to Northwest Open Access Network, (NoaNet), a Washington non-profit mutual corporation, the nonexclusive right, privilege, authority and franchise to locate, construct, install, own, maintain, repair, replace, extend, operate and use facilities in, upon, over, under, along, and across the franchise area for purposes of the transmission, distribution and sale of telecommunications and communications services to the May 28, 2019 regular Council meeting for consideration.

B. Formal request for sidewalk use by downtown establishments – Humberto Rodriguez

Humberto Rodriguez on behalf of the following downtown businesses: Casa de Vino, El Campestre, Javi's Chicken, Casa Tequila and The Happy Watermelon, presented a formal request that the City grant permission to downtown restaurants/taverns/eateries the use of sidewalk seating. He explained that sidewalk usage would create a more approachable and engaging environment in the downtown corridor and better appeal to potential customers as well as offer an inviting atmosphere for economic growth in the community. The City would simply have to make sure businesses were following guidelines that would not cause the City to violate the Americans with Disabilities Act. He presented a sample ordinance from the City of Prosser.

Mayor Mendoza recused herself from the discussion due to being the business owner of Casa de Vino.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Souders, the C.O.W. directed the City Attorney to draft an ordinance providing for sidewalk use by downtown establishments for consideration at the May 28, 2019 C.O.W. meeting.

C. Old Inland Empire Road Improvements Update – HLA Engineering – Resolution authorizing the Mayor to sign Supplemental Agreement Number 3 with HLA Engineering and Land Surveying, Inc., for professional engineering services relating to the Old Inland Empire Highway Improvements and Resolution authorizing the Mayor to sign the Local Agency Agreement Supplemental Number 1 with the Washington State Department of Transportation for the Old Inland Empire Highway Improvements

At the April 9, 2019 C.O.W. meeting, City Engineers Mike Battle and Terry Alapeteri with HLA Engineering and Land Surveying, Inc., provided a timeline and update on the Old Inland Empire (OIE) Road Improvements. Their presentation was tabled to tonight's meeting for further discussion.

City Engineer Battle explained that the City was currently under contract with HLA Engineering for the design of the Old Inland Empire (OIE) Highway Improvements which were funded through

an Surface Transportation Block Grant (STBG). The agreement was executed on January 14, 2014 and the design was to be completed on June 30, 2015. Due to the lack of available construction funding, completion of the design work was extended on May 12, 2015 by Resolution No. 2015-28 to December 31, 2016. On December 13, 2016, the agreement was further extended by Resolution No. 2016-52 to December 31, 2020. Per Yakima Valley Conference of Governments (YVCOG) master Surface Transportation Block Grant (STBG) funding schedule, the anticipated construction funding year for this project was now 2023. HLA completed an updated cost estimate for construction in 2019 and the increase in cost was approximately \$410,000. This increase equated to approximately 19% (about a 3% annual increase over 6 years). The current design would require right-of-way (ROW) acquisition of five property corner clips ROW purchases of \$55,000 and Yakima County Real Estate Service Fees of \$20,000. WSDOT Local Programs confirmed that a ROW Phase could be added to the project, and money could be transferred from the Construction Phase. The Statewide Transportation Improvement Program (STIP) would need to be amended. This would allow the ROW to be acquired using federal funds with a 13.5% City match. HLA updated the City's 6-year Transportation Improvement Program (TIP) to include federal Highway Infrastructure Program (HIP) funding of \$33,300 and submitted those modifications to YVCOG for processing to the State. A Professional Engineering Supplemental Agreement would need to be processed. In order to provide the City with additional time to apply for construction funds, staff recommended Council approve Supplement Agreement Number 3 with HLA Engineering to extend the completion date for design to December 31, 2024. The supplemental agreement does not increase the cost and only extends the completion date.

Discussion took place.

On motion by Councilmember Souders, second by Councilmember Everett, the C.O.W. directed staff to proceed with the right-of-way acquisition phase; moved a resolution authorizing the Mayor to sign Supplemental Agreement Number 3 with HLA Engineering and Land Surveying, Inc., for professional engineering services relating to the Old Inland Empire Highway Improvements; and moved a resolution authorizing the Mayor to sign the Local Agency Agreement Supplemental Number 1 with the Washington State Department of Transportation for the Old Inland Empire Highway Improvements to the May 28, 2019 regular Council meeting for consideration.

5. RECESS & RECONVENE OF C.O.W. MEETING

On motion by Councilmember Everett, second by Councilmember Moore, the Council recessed the Committee-of-the-Whole meeting at 7:00 p.m., to reconvene following the regular Council meeting.

The Committee-of-the-Whole meeting reconvened at 8:00 p.m.

D. Resolution authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Grandview Neptune Rotary Swim Team for the use of the swimming pool – 2019 Swim Team Program

Parks & Recreation Director Chronis explained that the Washington Cities Insurance Authority strongly recommended that the City enter into Recreational Use Permits between those athletic organizations that were utilizing City owned recreational facilities to conduct their respective programs. She presented the Recreational Use Permit between the City and the Grandview

Neptune Rotary Swim Team for the 2019 season. The City Attorney reviewed the permit. Swim Team President Nick Trevino reviewed and signed the permit.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Everett, the C.O.W. moved a resolution authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Grandview Neptune Rotary Swim Team for the use of the swimming pool – 2019 Swim Team Program to the May 28, 2019 regular Council meeting for consideration.

E. Ordinance amending Grandview Municipal Code Section 10.24.025 Speed Limit – Wine Country Road

Police Chief Fuller explained that on April 9, 2019, Council approved Ordinance No. 2019-4 amending Grandview Municipal Code Section 10.24.025 Speed Limit – Wine Country Road. It was discovered that the language adopted by Council on April 9, 2019 did not adequately spell out the speed limit changes and signs could not be posted properly. Wording which spelled out the exact location of the new 35 mph zones was not included. A new ordinance was presented which would change the wording and spelled out exact locations for posting of signs. The corrected language for the new ordinance would read: "The maximum speed for travel by vehicles on Wine Country Road from the west City limits to 2,500 feet east of the west City limits shall be 35 miles per hour and from the 1100 block of East Wine Country Road east to the City limits shall be 35 miles per hour."

Discussion took place.

On motion by Councilmember Everett, second by Councilmember Diaz, the C.O.W. moved an ordinance amending Grandview Municipal Code Section 10.24.025 Speed Limit – Wine Country Road to the May 28, 2019 regular Council meeting for consideration.

F. Ordinance amending Grandview Municipal Code Chapter 5.04 Business Licenses to accommodate suggestions by the Washington State Department of Revenue for the business license conversion

City Clerk Palacios explained that the Washington State Legislature enacted Engrossed House Bill ("EHB") 2005 during the 2017 regular session. EHB 2005 required certain municipalities in Washington, including the City of Grandview, to adopt a model business license ordinance setting forth the legislation no later than January 1, 2019. Council adopted the model business license Ordinance No. 2018-14 on October 9, 2018. EHB 2005 also required all cities with business licenses to administer their business licensing through the Washington State Department of Revenue Business Licensing Service (BLS) by 2027. BLS invited the City to join in the State's Business Licensing Service partnership in 2019. On January 22, 2019, the Council approved a Business Licensing Service Agreement with the Department of Revenue. The Department of Revenue recommended revisions to Grandview Municipal Code Chapter 5.04 Business Licenses to more closely align the City's ordinance with operations of the Department of Revenue for the business license conversion.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Rodriguez, the C.O.W. moved an ordinance amending Grandview Municipal Code Chapter 5.04 Business Licenses to accommodate suggestions by the Washington State Department of Revenue for the business license conversion to the May 28, 2019 regular Council meeting for consideration.

6. **OTHER BUSINESS** – None

7. **ADJOURNMENT**

The C.O.W. meeting adjourned at 8:15 p.m.

Mayor Gloria Mendoza

Anita Palacios, City Clerk