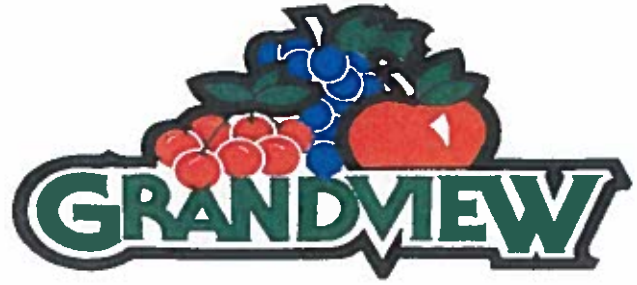


**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, NOVEMBER 12, 2019**



**REGULAR MEETING – 7:00 PM**

**PAGE**

1. **CALL TO ORDER & ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **PRESENTATIONS**
4. **PUBLIC COMMENT** – At this time the public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing.
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 21, 2019 Committee-of-the-Whole special meeting 1-3
  - B. Minutes of the October 21, 2019 Council special meeting 4-6
  - C. Minutes of the October 28, 2019 Budget special meeting 7-9
  - D. Minutes of the November 5, 2018 Budget special meeting 10-16
  - E. Payroll Check Nos. 11334-11365 in the amount of \$29,585.31
  - F. Payroll Electronic Fund Transfers (EFT) Nos. 60214-60219 in the amount of \$92,845.15
  - G. Payroll Direct Deposit 10/16/19-10/31/19 in the amount of \$110,969.09
  - H. Claim Check Nos. 118693-118814 in the amount of \$270,417.81
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. Closed Record Public Hearing – Petition for Annexation & Rezone – John and Jacque LaFever, Parcel No. 230927-14411 located adjacent to Sandhill Road/Monty Python Lane, Grandview, Yakima County, WA 17-35
  - B. Resolution No. 2019-40 authorizing the petition to annex property known as the John and Jacque LaFever Annexation 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 36-39
  - C. Closed Record Public Hearing – Petition for Annexation & Rezone – Charvet Brothers Farms located adjacent to Grandridge Road/Apricot Road, Grandview, Yakima County, WA 40-68
  - D. Resolution No. 2019-41 authorizing the petition to annex properties known as the Charvet Brothers Farms Annexation 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 69-72

E.	Ordinance No. 2019-16 levying the 2020 ad valor property taxes and excess levy taxes	73
F.	Ordinance No. 2019-17 increasing the 2020 property tax levy for the City of Grandview above the "limit factor" up to 101 percent	74
G.	Ordinance No. 2019-18 amending Grandview Municipal Code Section 13.28.050 setting domestic sewer rates – 3% increase	75-82
H.	Ordinance No. 2019-19 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates – 2% increase	83-84

- 7. UNFINISHED AND NEW BUSINESS**
- 8. CITY ADMINISTRATOR AND/OR STAFF REPORTS**
- 9. MAYOR & COUNCILMEMBER REPORTS**
- 10. ADJOURNMENT**

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE SPECIAL MEETING MINUTES  
OCTOBER 21, 2019**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the Committee-of-the-Whole special meeting to order at 6:00 p.m., in the Council Chambers at City Hall.

**2. ROLL CALL**

Present were: Mayor Mendoza and Councilmembers Gay Brewer, David Diaz, Mike Everett, Diana Jennings, Bill Moore, Javier Rodriguez and Joan Souders.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Police Chief Kal Fuller, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios.

**3. PUBLIC COMMENT – None**

**4. NEW BUSINESS**

**A. Ordinance levying the 2020 ad valorem property taxes and excess levy taxes**

City Treasurer Cordray explained that pursuant to legislation RCW 84.52.020, the City's certification for the purpose of levying 2020 property taxes was to be filed with the Board of Yakima County Commissioners on or before November 30, 2019 or the City would receive no funding from this source. As a result of Referendum 47, the City would need to pass an ordinance for the levy amount up to the full 101%. The regular levy request in the amount of \$1,616,000 was a \$15,774 increase from the 2019 levy amount and a 1% increase of that same 2019 levy amount, plus any amount allowed for new construction and increase in state assessed value. He presented an ordinance levying the 2020 ad valorem property taxes and excess levy taxes.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Souders, the C.O.W. moved an ordinance levying the 2020 ad valorem property taxes and excess levy taxes to the November 12, 2019 Council meeting for consideration.**

**B. Ordinance increasing the 2020 property tax levy for the City of Grandview above the "limit factor" up to 101 percent**

City Treasurer Cordray explained that as a result of Referendum 47, the City would also need to pass a second ordinance increasing the property tax levy to the Implicit Price Deflator (IPD) as the City's population was over 10,000.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Jennings, the C.O.W. moved an ordinance increasing the 2020 property tax levy for the City of Grandview above the "limit factor" up to 101 percent to the November 12, 2019 Council meeting for consideration.

C. Resolution authorizing the Mayor to sign Amendment No. 1 to Agreement No. WQC-2019-Grandview-00092 between the State of Washington Department of Ecology and the City of Grandview for the Sewer Trunk Main Replacement Project

Present on behalf of HLA Engineering & Land Surveying, Inc., was City Engineer Terry Alapeteri.

City Engineer Alapeteri explained that the City applied for and was granted a Water Quality Combined Financial Assistance 2019 Agreement between the State of Washington Department of Ecology to fund the sewer trunk main replacement project. The City would need to sign Amendment No. 1 to change the effective date of the Agreement to cover emergency repair costs incurred associated with the project prior to applying for FY19 funding and add tasks to the scope of work and associated funding that Ecology was unable to fund from FY19 funding cycle application, due to lack of funds, but was now funding from the FY20 cycle funds. The total project funding was \$4,589,500; \$4,189,500 million loan and \$400,500 forgivable principal.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Jennings, the C.O.W. moved a resolution authorizing the Mayor to sign Amendment No. 1 to Agreement No. WQC-2019-Grandview-00092 between the State of Washington Department of Ecology and the City of Grandview for the Sewer Trunk Main Replacement Project to the October 21, 2019 special Council meeting for consideration.

D. House Bill 1026 – Breed-Based Dog Regulations – Amending the City's Dangerous Dog Ordinance

Police Chief Fuller, utilizing a memo prepared by City Attorney Plant, explained that during its 2019 regular session, the Washington State legislature passed and the governor signed into law House Bill 1026, concerning breed-based dog regulations. The bill takes effect on January 1, 2020 and would require Grandview to amend its dangerous dog ordinance, codified at Chapter 6.06 of the Grandview Municipal Code. The City's dangerous dog ordinance defines the term "dangerous dog" to include specific breeds of dogs. Specifically, the term "dangerous dog" includes:

*Any dog known by the owner to be a pit bull terrier, which shall herein be defined as any American Pit Bull Terrier or Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog or any mixed breed of dog which contains as an element of its breeding the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier as to be identifiable as partially of the breed of American Pit Bull Terrier, Staffordshire Bull Terrier or American Staffordshire Terrier[.] (GMC § 6.06.010(A)(3)).*

Under the ordinance, dangerous dogs must be registered with the City and the failure to do so was a gross misdemeanor. (GMC §§ 6.06.035 and 6.06.060).

House Bill 1026 prohibits a municipality from imposing "requirements specific to possession of a dog based on its breed, or declar[ing] a dog dangerous or potentially dangerous based on its breed" unless the municipality adopts regulations that provide generally as follows:

- (1) a dog is exempt from the regulation if it passes the American Kennel Club (AKC) canine good citizen test or a reasonably equivalent test;
- (2) a dog that passes such a test is exempt from the regulation for at least two years;
- (3) a dog that passes such a test is given an opportunity to retake the test and maintain their exemption from the breed-based regulation; and
- (4) a dog that fails such a test is given an opportunity to retest within a reasonable period of time.

Staff requested guidance from the Council on how the City should respond to the requirements of House Bill 1026. The City essentially would have two options:

1. The City could simply repeal GMC § 6.06.010(A)(3). The result would be that pit bull terriers would no longer automatically be classified as dangerous dogs under the City's ordinance. The owner of a pit bull terrier would not need to register his or her dog unless the dog did something (bit someone, injured a domestic animal, etc.) that brought it within the "dangerous dog" classification.
2. Alternatively, the City could continue to designate pit bull terriers as "dangerous dog" and amend the ordinance to provide that a pit bull terrier that passes the appropriate testing is exempt from the City's dangerous dog requirements. Some research would be required to determine what type of testing may be "reasonably equivalent" to the American kennel club canine good citizen test.

A copy of the City's current dangerous dog ordinance was presented for reference.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Jennings, the C.O.W. moved to table breed-based dog regulations to the November 12, 2019 C.O.W. meeting and directed staff to research what other cities were doing to comply with the requirements of House Bill 1026 and whether AKC canine good citizen tests were available in the area.**

Councilmember Brewer voted in opposition.

5. **OTHER BUSINESS** – None

6. **ADJOURNMENT**

The C.O.W. meeting adjourned at 6:40 p.m.

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES  
OCTOBER 21, 2019**

**1. CALL TO ORDER**

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

Present were: Mayor Childress and Councilmembers Gay Brewer, David Diaz, Mike Everett, Diana Jennings, Bill Moore, Javier Rodriguez and Joan Souders.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios.

**2. PLEDGE OF ALLEGIANCE**

Paisley McGuinness, 5<sup>th</sup> grader at McClure Elementary, led the pledge of allegiance.

**3. PRESENTATIONS – None**

**4. PUBLIC COMMENT – None**

**5. CONSENT AGENDA**

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

- A. Minutes of the October 7, 2019 Budget special meeting
- B. Minutes of the October 8, 2019 Committee-of-the-Whole meeting
- C. Minutes of the October 8, 2019 Council meeting
- D. Minutes of the October 14, 2019 Budget special meeting
- E. Payroll Check Nos. 11316-11333 in the amount of \$89,827.49
- F. Payroll Electronic Fund Transfers (EFT) Nos. 60209-60213 in the amount of \$83,526.69
- G. Payroll Direct Deposit 10/1/19-10/15/19 in the amount of \$107,533.18
- H. Claim Check Nos. 118574-118693 in the amount of \$223,985.32

**6. ACTIVE AGENDA**

**A. Public Hearing – 2020 Current Expense Fund Revenue Sources**

Mayor Mendoza opened the public hearing for the purpose of receiving comments on the 2020 Current Expense Fund Revenue Sources.

City Treasurer Cordray indicated that the 2020 Current Expense Fund Revenue Sources was previously discussed at the October 7, 2019 special budget meeting. He explained that the operating revenue for the Current Expense Fund in 2020 was estimated to be \$5,562,090. He provided a detail of the Current Expense Fund revenue estimates as follows:

<u>Revenue Type</u>	<u>Amount</u>
Property Taxes	\$1,585,000
Sales Tax	\$ 705,300
Criminal Justice Tax	\$ 175,000
City Utility Taxes	\$1,066,000
Private Utility Taxes	\$1,020,000
Other Taxes	\$ 2,500
Licenses & Permits	\$ 146,000
Intergovernmental Revenues	\$ 349,900
Charges for Service	\$ 160,400
Fines & Forfeits	\$ 167,600
Misc. & Other Revenues	<u>\$ 184,390</u>
Total Revenue	<u>\$5,562,090</u>

Mayor Mendoza requested public comments. There were no public comments received during the hearing or by mail.

The public testimony portion of the hearing was declared closed and no further comments were received.

**B. Resolution No. 2019-38 approving Task Order No. 2019-04 with HLA Engineering and Land Surveying, Inc., for the Sludge Drying Bed Evaluation and Design**

This item was previously discussed at the October 8, 2019 C.O.W. meeting.

On motion by Councilmember Everett, second by Councilmember Diaz, Council approved Resolution No. 2019-38 approving Task Order No. 2019-04 with HLA Engineering and Land Surveying, Inc., for the Sludge Drying Bed Evaluation and Design.

**C. Resolution No. 2019-39 authorizing the Mayor to sign Amendment No. 1 to Agreement No. WQC-2019-Grandview-00092 between the State of Washington Department of Ecology and the City of Grandview for the Sewer Trunk Main Replacement Project**

This item was previously discussed at the October 21, 2019 special C.O.W. meeting.

On motion by Councilmember Moore, second by Councilmember Jennings, Council approved Resolution No. 2019-39 authorizing the Mayor to sign Amendment No. 1 to Agreement No. WQC-2019-Grandview-00092 between the State of Washington Department of Ecology and the City of Grandview for the Sewer Trunk Main Replacement Project.

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

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

**9. MAYOR & COUNCILMEMBER REPORTS**

YVCOG General Membership Meeting – Councilmember Diaz reported that he attended the YVCOG General Membership meeting on October 16<sup>th</sup> in Selah along with Councilmember Moore and City Administrator Arteaga. The program topic was the 2020 Census.

Grandview School District Parent University – Mayor Mendoza attended the Parent University hosted by the Grandview School District on October 24<sup>th</sup>.

Initiative 976 Transportation Benefit District Funding Backfill – Councilmember Moore attended a YVCOG Policy Board meeting on October 21<sup>st</sup>. City Administrator Arteaga led the discussion regarding funding backfill for Initiative 976 should I-976 be approved by the voters. I-976, if approved, would repeal Transportation Benefit District funding. The Policy Board agreed to send a letter to 15<sup>th</sup> District Representative Jeremie Dufault, who supports I-976, urging replacement of lost revenue should I-976 be approved by the voters.

People For People Valley Shuttle – Councilmember Souders reported that she attended a public hearing for the People For People Valley Shuttle.

Rotary Trunk or Treat – Mayor Mendoza reported that Rotary would be hosting their annual Trunk or Treat on October 25<sup>th</sup> from 6:00-8:00 pm in the 100 Block of Division.

**10. ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Jennings, Council adjourned the regular meeting at 7:30 p.m.**

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk



**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES – BUDGET  
OCTOBER 28, 2019**

**1. CALL TO ORDER**

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

Present were: Mayor Mendoza and Councilmembers Gay Brewer, Diana Jennings and Joan Souders.

Councilmember David Diaz arrived at 6:05 p.m.

Councilmembers Mike Everett, Bill Moore and Javier Rodriguez were absent.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Police Chief Kal Fuller and City Clerk Anita Palacios.

**2. 2020 PRELIMINARY BUDGET**

**2020 Expenditure Estimates – Current Expense Fund**

City Treasurer Cordray continued the presentation of the 2020 preliminary budget, as follows:

**Police Administration**

2019 Budget \$307,840

2020 Estimate \$316,250

Notable Changes in 2020 – None

**Police Investigations**

2019 Budget \$289,315

2020 Estimate \$408,320

Notable Changes in 2020 –

- One officer taken from Patrol Services and placed into Investigations Services as a second detective
- Professional Services – Leads Online Subscription \$1,600

**Police Patrol**

2019 Budget \$1,960,380

2020 Estimate \$1,857,200

Notable Changes in 2020 –

- Adding one new patrol officer position in October \$25,000
- Small Tools & Minor Equipment – modem replacements \$2,000
- Part-time help – cleaning, misc \$5,000
- SWAT equipment (outfit SWAT team member) \$5,000
- 2 bullet resistant vests \$2,000
- 1 taser \$1,500

Police Community Programs

2019 Budget \$20,715

2020 Estimate \$30,350

Notable Changes in 2020 – Capital Replacement Item: replace live view camera \$8,500

Police Corrections

2019 Budget \$132,000

2020 Estimate \$141,500

Notable Changes in 2020 – Continue to contract out for most jail services. Grandview jail continues to be a short-term holding facility. Increase Professional Services from \$120,000 to \$132,000.

Police Communications

2019 Budget \$649,575

2020 Estimate \$679,750

Notable Changes in 2020 –

- Call transfer equipment (2019 carryover) \$7,000
- Wiring/cable update \$3,500
- Professional Services – server maintenance contract \$1,000
- Part-time provisional dispatchers \$9,500
- Capital Replacement Items: 3 computer replacements \$3,500 and server replacement \$10,000

Police Chief Fuller explained the challenges of filling vacant dispatch positions in the Communications Department. He would be researching alternatives such as contracting dispatch services with another agency.

Animal Control

2019 Budget \$34,100

2020 Estimate \$38,100

Notable Changes in 2020 – Continue contracting for services with the Yakima Humane Society for animal control (15 hours a week) coverage. Current contract good through 2020 and rate would be \$32,868 annually. Add \$3,500 for additional transport hours (if needed based on employee availability).

Criminal Justice Fund – Yakima County Law & Justice Tax Fund

2019 Budget \$378,030

2020 Estimate \$371,100

Notable Changes in 2020 –

- Small Tools & Minor Equipment – safety wrap \$2,500
- LEAD Task Force continuation of service (carry-over not used in 2019) \$26,500
- Capital Replacement items: Portable Radio (one BCSO) \$3,500; Lower Valley repeater project (carry-over not used in 2019) \$6,000; crime scene investigations equipment – evidence drying chamber \$8,000; UAV drone platform \$5,500; police electric bicycle \$5,000; incident command supplies \$4,000

2020 Revenue Estimates – Yakima County Law & Justice Tax Fund

2019 Budget \$507,610

2020 Estimate \$481,930

The next preliminary budget meeting would be held on Monday, November 4, 2019 at 6:00 p.m.

3. **ADJOURNMENT**

The special meeting adjourned at 7:30 p.m.

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES – BUDGET  
NOVEMBER 4, 2019**

**1. CALL TO ORDER**

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

Present were: Mayor Mendoza and Councilmembers Gay Brewer, David Diaz, Mike Everett, Diana Jennings, Bill Moore, Javier Rodriguez and Joan Souders.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Assistant Public Works Director Todd Dorsett, Wastewater Treatment Plant Superintendent Dave Lorenz and City Clerk Anita Palacios.

**2. 2020 PRELIMINARY BUDGET**

**2020 Water and Sewer Rate Analysis**

Ted Pooler, City Engineer with HLA Engineering and Land Surveying, Inc., presented the 2020 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. Though revenues and expenditures were combined into a single Water/Sewer Fund, each department was tracked separately to ensure revenues collected for each system were enough to offset expenses. Furthermore, a long-term plan was developed to assess future needs, so revenues could be reasonably adjusted to meet capital improvement costs.

This method of analysis has served Grandview well. Modest rate increases were executed in 2015, and no water or sewer rate increases were required in 2016 and 2017. In 2018, no increase in water rates were necessary. However, sewer rates were increased 4% in 2018 and 3% in 2019 in anticipation of a major project to replace the main trunk sewer between the City and the Yakima River, and treatment plant improvements to address Department of Ecology requirements.

Both water and sewer revenues have benefitted from increased industrial demand and the associated increase in user charges. However, the trend of increasing demands appears to have leveled off in 2019. Therefore, the City's control of expenditures remains an important factor. In 2019, year-end water department operating expenses were projected to be \$37,000 below budget, and sewer department operating expenses were projected to be \$125,000 below budget. This control of expenses, and the conservative approach to budgeting, placed the City of Grandview Water/Sewer Fund in a good financial position.

**October 2019 Analysis**

The recent analysis included the following major work items:

- A review of 2018 revenues and expenses;
- Projection of 2019 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 relied on reasonable revenue projections. Year-end 2016 revenues were lower than past revenue projections, but in 2017 the downturn reversed and increases continued in 2018 with higher year-end water and sewer revenues. However, the projected 2019 year-end revenues were showing an end to the two-year upward trend. Therefore, it was assumed increased industrial demand would not continue, which was consistent with the assumptions made in last year's analysis. Cash flow 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 Department of Ecology requested an analysis and report to address groundwater concerns at the wastewater treatment plant. The report was submitted to Ecology and the proposed schedule for improvements were included in a draft Ecology permit. Based on the report findings, improvements to the facility were planned in 2021 and 2022. The estimated cost of those improvements (\$14 million and the associated debt service) was included in the cash flow analysis.
- In late 2017, a major sewer system capital improvement project was identified: replacement of the trunk sewer line between the City and the Euclid Road Pump Station. Failures of the pipeline highlighted the poor condition of the sewer, and the City received a Department of Ecology SRF (State Revolving Fund) loan with principal forgiveness (i.e., grant) for funding the replacement pipeline. Funding of the \$5.34 million project was summarized below:

Ecology Design Loan.....	\$300,500
Ecology Design Grant.....	\$300,500
Ecology Construction Loan.....	\$3,888,500
Ecology Construction Grant.....	\$100,000
CDBG Grant.....	<u>\$750,000</u>
Total Project Funding.....	\$5,339,400

Debt service (20 years at 2% interest) to repay the loan amounts (\$4,189,000) was included in the analysis.

- Another proposed sewer system capital improvement project was construction of additional paved sludge drying beds. Timing of this \$1.2 million project was flexible, and the amount budgeted in the “Large Equipment Replacement” line item was proposed to pay for the improvements. Estimated costs of these improvements would be refined through an engineering study to be completed by the end of 2019.
- The sewer department paid off the PWTF (Public Works Trust Fund) portion of the sewer debt in 2016, reducing annual expenses by about \$240,000. The revenue bond portion of the sewer debt was paid off in 2019, further reducing sewer expenses by \$420,000 per year.
- Future improvements outlined in the Water System Plan were considered in the cash flow analysis, but the dates were adjusted to reflect updated project schedules. Major improvements in 2020 (\$3,284,500) and 2021 (\$6,200,000) were proposed to be funded

from reserves and through DWSRF (Drinking Water State Revolving Fund) loans, with associated debt service in the following years.

- Other smaller water system O&M improvements as recommended in the Water System Plan, funded using City money, were also included in the financial plan.
- 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 2020. 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 recommendations included were incorporated into the draft Ecology NPDES permit in the form of a compliance schedule for the submittal of a detailed Engineering Report by June 2020. The draft NPDES permit was expected to become effective in January 2020. Therefore, the current plan was to construct the future improvements in 2021 and 2022, after the existing debt was retired, to minimize the impact to customers. The financing plan included building reserves to pay for a portion of the project cost to reduce future debt.
- The analysis also included replacement of the City's trunk sewer. Construction was expected to begin in 2020. Therefore, repayment of the \$4,189,000 loan amount would begin in 2021.
- Sewer revenues were projected to increase by only \$40,000 from 2018 to 2019, which was less than estimated based on the 3% rate increase implemented by the City. Industrial revenues have fluctuated in the past, so future revenue increases caused by increased sewer discharges were not considered. Discharges were held at 2019 levels and increases in revenue were due rate increases. Using this conservative revenue projection, and the need to fund anticipated capital improvements, a 3% recommended increase in sewer rates in 2020.
- Additional sewer rate increases would be needed in the future, but the timing and amount of the increase would depend on when capital improvements were completed, as well as the type of financing. Therefore, the City should continue to monitor sewer revenues and update the rate analysis as more information concerning capital improvements was

available. Gradual adjustments to rates could then be made to pay for the proposed year 2021 treatment plant upgrades.

Discussion took place

Following discussion, the following utility rate increases were proposed for 2020:

- Sewer – 3% based on sewer rate analysis
- Irrigation – 2% to account for rate increase from Sunnyside Valley Irrigation District

Councilmember Everett questioned the differences in the sewer rates for wage usage in excess of the first 5,000 gallons per month for the three user groups residential, commercial and grocery stores/restaurants.

Copies of the proposed ordinances increasing utility rates were previously provided to Council for review.

**On motion by Councilmember Jennings, second by Councilmember Moore, Council moved an ordinance amending Grandview Municipal Code Section 13.28.050 setting domestic sewer rates and an ordinance amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates to the November 12, 2019 Council meeting for consideration.**

Councilmembers Everett and Souders voted in opposition.

### **2020 Revenue and Expenditure Estimates**

City Treasurer Cordray continued the presentation of the 2020 preliminary budget, as follows:

#### **Graffiti Removal**

2019 Budget \$4,665

2020 Estimate \$4,705

Notable Changes in 2020 – None

#### **Code Enforcement**

2019 Budget \$88,590

2019 Estimate \$83,880

Notable Changes in 2020 – None

#### **Inspections & Permits**

2019 Budget \$59,950

2020 Estimate \$59,770

Notable Changes in 2020 – None

#### **Parks Maintenance**

2019 Budget \$272,845

2020 Estimate \$273,630

Notable Changes in 2020 –

- Dykstra Park Irrigation Phase 5 - \$5,000
- Playground chips - \$5,000

- Arbor Day Tree planting - \$1,000
- Tree pruning for parks - \$5,000
- Dykstra Park canal landscaping - \$5,000

Transfers Out and Ending Fund Balance

2019 Budget \$95,000

2020 Estimate \$95,000

Notable Changes in 2020 – A \$50,000 transfer to the Street Fund was anticipated in 2020.

Streets

2019 Revenue Budget \$1,438,870

2020 Revenue Estimate \$968,640

2019 Expenditure Budget \$1,294,920

2020 Expenditure Estimate \$843,990

Notable Changes in 2020 –

- Street tree pruning (Higgins Way) - \$10,000
- Forsell tree removal - \$10,000
- Sidewalk repairs - \$15,000
- Complete Streets - \$28,000
- Stormwater Improvement Project - \$88,450

Transportation Benefit District

2019 Revenue Budget \$443,660

2020 Revenue Estimate \$417,685

2019 Budget \$261,745

2020 Estimate \$117,375

Notable Changes in 2020 – None

Cemetery

2019 Revenue Budget \$266,645

2020 Revenue Estimate \$289,280

2019 Budget \$204,790

2020 Estimate \$232,950

Notable Changes in 2020 – Expansion of new area (road entrance, mapping and landscaping) - \$50,000

East Wine Country Plaza Debt Service – SIED Loan

2019 Revenue Budget \$58,675

2020 Revenue Estimate \$58,675

2019 Budget \$58,670

2020 Estimate \$58,670

Notable Changes in 2020 – None

Euclid/Wine Country Road Improvements Debt Service – SIED Loan

2019 Revenue Budget \$25,605

2020 Revenue Estimate \$23,310

2019 Budget \$23,300

2020 Estimate \$23,300

Notable Changes in 2020 – None



Capital Improvements

2019 Revenue Budget \$200,910  
2020 Revenue Estimate \$259,710  
2019 Budget \$140,000  
2020 Estimate \$128,000

Notable Changes in 2020 – The City plans to build a splash pad at the municipal pool. Total cost was approximately \$300,000. In 2019, \$60,000 was put aside for construction. This budget included an additional \$60,000, bringing the total to \$120,000.

Water/Sewer Fund

2019 Revenue Budget \$15,666,780  
2020 Revenue Estimate \$22,071,170

Water

2019 Budget \$2,243,135  
2020 Estimate \$2,068,560

Notable Changes in 2020 –

- Reservoir inspection (3MG) - \$60,000
- Water meter replacements - \$300,000
- Willoughby Property irrigation - \$30,000
- Pump replacement for Balcom and Moe Well - \$30,000

Sewer Collection

2019 Budget \$1,021,475  
2020 Estimate \$5,006,455

Notable Changes in 2020 –

- 1" Sewer Main Design - \$26,250
- 21" Sewer Main Construction - \$4,180,405
- Euclid Road manhole repairs - \$25,000

Sewer Treatment

2019 Budget \$1,983,660  
2020 Estimate \$2,090,150

Notable Changes in 2020 –

- Large equipment replacement fund (metering stations, bio-solid presses and control panels) - \$250,000
- 100' x 200' bio-solid drying beds - \$300,000
- Utility water pump - \$35,000
- Computer (includes software and setup/transfer) - \$1,500

Water/Sewer Debt Service & Operating Transfers

2019 Budget \$636,005  
2020 Estimate \$358,010

Notable Changes in 2020 – Two debt obligations were satisfied in 2019. One was a Public Works Trust Fund Loan for the Well Rehab project and the other was a Yakima County SIED Loan for the Downtown Water Service Improvements. In addition, there would be no transfer of funds to the Bond Redemption Fund since the 2015 Water Sewer Bond debt obligation was satisfied in 2019.

Irrigation

2019 Revenue Budget \$679,345  
2020 Revenue Estimate \$656,255  
2019 Budget \$553,855  
2020 Estimate \$563,640  
Notable Changes in 2020 – Main line replacement - \$5,000

Solid Waste Collection

2019 Revenue Budget \$1,751,905  
2020 Revenue Estimate \$1,846,245  
2019 Budget \$1,108,890  
2020 Estimate \$1,120,340  
Notable Changes in 2020 – None

Neighborhood Clean-up

2019 Budget \$18,335  
2020 Estimate \$18,100  
Notable Changes in 2020 – None

Water/Sewer Bond Debt Service

2018 Revenue Budget \$417,260  
2019 Revenue Estimate \$-0-  
2018 Budget \$417,150  
2019 Estimate \$-0-  
Notable Changes in 2019 – Outstanding bond was paid off in 2019.

Equipment Rental

2019 Revenue Budget \$2,823,505  
2020 Revenue Estimate \$2,448,790  
2019 Budget \$968,155  
2020 Estimate \$843,090  
Notable Changes in 2020 – The following equipment to purchase or replace:

- Replace #216 Patrol (Dodge Charger) - \$50,000
- Replace #217 Patrol (Dodge Charger) - \$50,000
- Garbage Truck Public Works - \$375,000
- City Hall computers and projector - \$12,000

The next preliminary budget meeting would be held on Monday, November 18, 2019 at 6:00 p.m.

**3. ADJOURNMENT**

The special meeting adjourned at 8:05 p.m.

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
ANNEXATION & REZONE APPLICATION**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, November 12, 2019 at 7:00 p.m.**, in the Council Chamber at City Hall, 207 West Second Street, Grandview, Washington.

The purpose of the closed record public hearing is for Council to consider the Hearing Examiner's recommendation that the City Council approve the requested annexation and rezone for the following:

**Applicant(s):** John & Jacque LaFever

**Proposed Project:** Annexation & Rezone

**Location of Project:** Parcel No. 230927-14411 located adjacent to Sandhill Road/  
Monty Python Lane, Grandview, Yakima County, Washington

**Project Description:** Applicants request annexation and rezone to R-1 Low Density Residential

A copy of the Hearing Examiner's recommendation is available at no charge from the City Clerk's Office, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9208.

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – October 16, 2019

**CITY OF GRANDVIEW  
CITY COUNCIL**

**CLOSED RECORD PUBLIC HEARING PROCEDURE**

**THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:**

**MAYOR**

Tonight's closed record public hearing will include the following land use proposal:

- **Petition for Annexation and Rezone signed by John and Jacque LaFever for Parcel No. 230927-14422 consisting of 0.45 acres located adjacent to Sandhill Road and Monty Python Lane, Grandview, Yakima County, Washington. The applicants request annexation and rezone of their property into the City limits of Grandview with an R-1 Low Density Residential zoning designation.**

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:
  - a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
  - b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
  - c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
  - d. Thank you, the hearing will continue.  
(or)  
At this point, Councilmember \*\*\*\*\* will be excusing him/herself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]
2. The purpose of this hearing is for the Council to review the record and consider

the pertinent facts relating to this issue.

3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
  - a. When you address the Council, begin by stating your name and address for the record.
  - b. Speak slowly and clearly.
  - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
  - a. Approve as recommended.
  - b. Approve with conditions.
  - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
    - i. Enlarge the area or scope of the project.
    - ii. Increase the density or proposed building size.
    - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
    - iv. Deny (re-application or re-submittal is permitted).
    - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
    - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

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

**ITEM TITLE:**

Closed Record Public Hearing – Petition for Annexation & Rezone – John and Jacque LaFever, Parcel No. 230927-14411 located adjacent to Sandhill Road/Monty Python Lane, Grandview, Yakima County, WA

Resolution No. 2019-40 authorizing the petition to annex property known as the John and Jacque LaFever Annexation 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

**AGENDA NO.** Active 6 (A) & (B)

**AGENDA DATE:** November 12, 2019

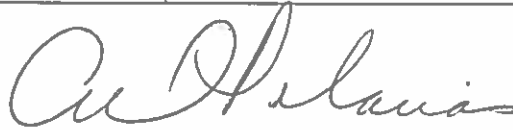
**DEPARTMENT**

Planning/Hearing Examiner

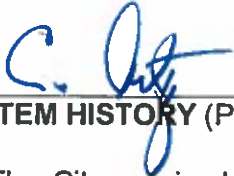
**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

**DEPARTMENT DIRECTOR REVIEW**

Anita Palacios, City Clerk (Planning)



**CITY ADMINISTRATOR**



**MAYOR**



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

The City received a Letter of Intent and Petition for Annexation and Rezone signed by John and Jacque LaFever to annex Parcel No. 230927-14411 located adjacent to Sandhill Road and Monty Python Lane, Grandview, Washington, to the City of Grandview. The petitioners have elected to request annexation under the 60% petition method of annexation. The 60% petition method requires signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition contained sufficient signatures of the assessed value.

The petitioners requested the parcel be annexed with an R-1 Low Density Residential zoning designation as identified on the City's Future Land Use map. The parcel is included in the City's designated Urban Growth Area as residential.

At the August 27, 2019 City Council meeting, Council approved Resolution No. 2019-27 accepting a request from John and Jacque LaFever for annexation of Parcel No. 230927-14411 located adjacent to Sandhill Road and Monty Python Lane, Grandview, Yakima County, Washington and directed staff to present the Petition for Annexation to the Hearing Examiner for a public hearing.

**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.

On October 9, 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 is attached.

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**ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's conclusions and recommendation that the Petition for Annexation submitted by John and Jacque LaFever be approved with R-1 Low Density Residential zoning designation.

Further recommend that Council approve Resolution No. 2019-40 authorizing the petition to annex properties known as the John and Jacque LaFever Annexation 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.

**City of Grandview, Washington  
Hearing Examiner's Recommendation**

**October 23, 2019**

**In the Matter of a Petition for                    )**  
**Annexation of Property with                    )**  
**R-1 Low Density Residential                    )**  
**Zoning Submitted by:                            )**  
**) Annexation Resolution No. 2019-27**  
**John and Jacque LaFever                        )**  
**)**  
**Regarding 0.45 of an Acre Near                )**  
**Sandhill Road/Monty Python Lane            )**

**A. Introduction.** The findings relative to the hearing procedure for this petition are as follows:

(1) The hearing examiner conducted an open record public hearing on October 9, 2019, regarding this petition to annex 0.45 of an acre into the City of Grandview (City) with R-1 Low Density Residential zoning.

(2) A thorough staff report was prepared and was presented by Mike Shuttleworth, Planning Manager of the Yakima Valley Conference of Governments acting as the City's planner. He recommended approval of the proposed annexation with R-1 Low Density Residential zoning for the 0.45-acre parcel adjacent to Sandhill Road/Monty Python Lane.

(3) Petitioner Jacque LaFever testified that the petitioners have improved this parcel over the years as a part of the backyard of their residence, which is within the City, and wish this parcel to also be within the City.



(4) City Clerk Anita Palacios testified that a Department of Ecology letter dated September 23, 2019, relative to toxics clean-up and the handwritten comments of the applicant on the first page of that letter are the only written comments submitted relative to this application which appear on pages 43, 44 and 45 of the record.

(5) No one else testified at the hearing.

(6) This recommendation has been issued within ten working days of the hearing as required by Subsection 2.50.130(A) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The hearing examiner recommends that the Grandview City Council approve the proposed annexation of the 0.45-acre parcel located adjacent to Sandhill Road/Monty Python Lane with the requested R-1 Low Density Residential zoning as recommended by the City's planner in order to be consistent with the current Low Density Residential Comprehensive Plan designation for that parcel.

**C. Basis for Recommendation.** Based upon a view of the site without anyone else present on October 9, 2019; the information contained in the staff report, the exhibits, the testimony, the SEPA Determination of Non-Significance and the other evidence presented at the open record public hearing on October 9, 2019; and a consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance; the hearing examiner makes the following:

## **FINDINGS**

**I. Petitioners/Property Owners.** The petitioners/property owners are John and Jacque LaFever, 1005 Monty Python Lane, Grandview, Washington 98930.

**II. Location.** The 0.45-acre parcel proposed for annexation with R-1 Low Density Residential zoning is located within the City of Grandview Urban Growth Area east of Sandhill Road adjacent to Monty Python Lane approximately 1,450 feet north of the intersection of Sandhill Road and South Euclid Road. The Yakima County Assessor's Parcel Number is 230927-14411, and the legal description is Lot 12, Grandview Heights Tracts, according to the official plat thereof recorded in Volume "T" of Plats, Page 41, records of Yakima County, Washington in Section 27, Township 9, Range 23 East, W.M.

**III. Petition.** The background relative to this annexation petition may be summarized as follows:

(1) The Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington and the 60% Petition Method for Annexation to the City of Grandview, Washington were both signed on July 4, 2019, by John and Jacque LaFever who own 100% of the parcel that is proposed for annexation.

(2) The petition requests annexation of the parcel with assumption of existing City indebtedness and with R-1 Low Density Residential zoning. That zoning would be consistent with the City's "Low Density Residential" Comprehensive Plan designation for the 0.45-acre parcel.

(3) The annexation with zoning consistent with the current Comprehensive Plan designation for the parcel would allow the petitioners to have a parcel that has been improved and utilized as the backyard of their residence for approximately 30 years, which is within the City, to also be within the City limits.

(4) At the City Council's regular meeting of August 27, 2019, the City Council by means of Resolution No. 2019-27 referred the petition for annexation to the hearing examiner to receive and examine available information, conduct a public hearing, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council. The sufficiency of the petition signed by 100% of the property owners was confirmed by a letter from Yakima County Assessor Dave Cook dated September 5, 2019.

The accuracy of the legal description for the proposed annexation which was prepared by a Professional Land Surveyor was confirmed by a letter from Yakima County Engineer Matt Pietrusiewicz, P.E. dated September 9, 2019.

(5) If the City Council agrees with this recommendation, it will authorize the annexation petition to be forwarded to the Boundary Review Board. If it is approved by that Board, it will be returned for the City Council's adoption of an annexation ordinance.

**IV. State Environmental Policy Act.** The main aspects of the City's environmental review process for this petition may be summarized as follows:

(1) The City of Grandview issued a preliminary Determination of Non-Significance (DNS) on September 11, 2019, allowing for a 14-day comment period.

(2) A written comment dated September 23, 2019, was received from the Washington State Department of Ecology (DOE) which indicated that conditions of approval could be imposed prior to issuance of applicable site development permits or the initiation of grading, filling or clearing to the effect that if lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, then in that situation: (i) sellers and realtors of residential structures constructed on the parcel must comply with the real estate disclosure law in RCW Chapter 64.06; (ii) site design should include protective measures to isolate or remove contaminated soils from public spaces, yards and children's play areas; (iii) contaminated soils generated during site construction must be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC); and (iv) the project proponent should develop a soil remediation plan that prevents future residents from being exposed to contaminated soils and meets minimum MTCA requirements to be reviewed and approved by Ecology through the Voluntary Cleanup Program with documentation from Ecology as to compliance and implementation of the plan to be submitted to the local land use permitting agency prior to issuance of occupancy permits.

(3) A final threshold determination was issued on September 26, 2019, which retained the initial Determination of Non-Significance (DNS) to the effect that the proposed annexation with appropriate zoning will not have a probable significant adverse environmental impact.

(4) WAC 197-11-390 provides that the final Determination of Non-Significance (DNS) issued on September 26, 2019, is a final SEPA threshold determination to be considered along with the other criteria relative to this annexation request.

**V. Zoning and Land Uses.** The subject parcel which is adjacent to the City limits on the north, east and south sides is currently zoned as Single-Family Residential (R-1) by Yakima County and has been improved during the last 30 years as the backyard for the petitioners’ residence. The properties near this parcel have the following characteristics:

<i>Location</i>	<i>Zoning</i>	<i>Existing Uses</i>	<i>Jurisdiction</i>
North:	R-1 Low Density Residential	Residential	City of Grandview
South:	Agricultural	Residential	City of Grandview
East:	R-1 Low Density Residential	Residential	City of Grandview
West:	Single-Family Residential (R-1)	Residential/Vacant	Yakima County

**VI. Comprehensive Plan.** The 2016 Grandview Comprehensive Plan Future Land Use Map designation for the 0.45-acre parcel adjacent to Sandhill Road/Monty Python Lane (#230927-14411) is “Low Density Residential.”

**VII. Floodways or Shorelines.** There are no FEMA floodways, floodplains or other flood hazard areas within or near this parcel. Likewise, there are no designated Shoreline Environments regulated by the Yakima County Regional Shoreline Master Program within or near this parcel.

**VIII. Critical Areas.** There are no known critical areas as defined by GMC Chapter 18.06 within this parcel. There is an undetermined stream about 550 feet west of this parcel.

**IX. Concurrency.** This petition is not subject to GMC Chapter 14.10 relative to Transportation Concurrency Management because no development is proposed at this time. A Certificate of Concurrency may be required for future development.

**X. Development Standards.** This petition is likewise not subject to any of the development standards that are contained in the Grandview Municipal Code since no development of the parcel is proposed at this time.

**XI. Infrastructure.** Water and sewer lines are in the area of this proposed annexation. If and when development is proposed for this parcel, the City's sewer and water system extensions and improvements of a type dependent upon the type and size of development will be required to serve this property. This parcel is currently served by Sandhill Road which is unimproved in front of this parcel and which per the County's preference will remain under County jurisdiction. Future development may require road improvements and additional right-of-way.

**XII. Hearing Examiner Jurisdiction.** Annexation procedures are governed by Chapter 17.96 of the Grandview Municipal Code (GMC) and Chapter 35A.14 of the Revised Code of Washington (RCW). The hearing examiner has jurisdiction to make a recommendation regarding annexation with appropriate zoning to the City Council based on the findings set forth in GMC §17.96.030 and GMC §17.96.040 after a public hearing with prior notice described in RCW 35A.14.130.

**XIII. Notices of Hearing.** Notices of the hearing examiner's open record public hearing of October 9, 2019, were provided as follows:

John and Jacque LaFever  
Annex/Rezone 0.45 of an Acre  
Sandhill Road/Monty Python Lane  
Annexation Resolution No. 2019-27

(1) The type of notice required for annexations by GMC §2.50.120(B) to be provided at least 10 working days prior to the hearing is not specified by GMC Chapter 17.96 or GMC Chapter 2.50. But RCW 35A.14.130 requires the City to “cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city” and requires that “The notice shall also be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation.”

(2) Notice of the public hearing of October 9, 2019, was published in the City’s official newspaper, the Grandview Herald, on September 11, 2019, at least 10 working days prior to the hearing in accordance with RCW 35A.14.130 and GMC §2.50.120(B).

(3) Notice of the public hearing before the hearing examiner was posted on September 11, 2019, in three places on the property proposed for annexation.

(4) Additional notice for the requested rezone for the parcels proposed for annexation was provided on September 11, 2019, in the manner required for permit or development applications such as rezones by mailing the notice of the public hearing to property owners within 300 feet of the parcel proposed for annexation and for rezoning, and by posting the notice of the public hearing at City Hall, the Library, the Community Center and Police Department.

**XIV. Comments.** No written comments from members of the public were received relative to this petition. The only written comments that were submitted were the SEPA comments of the Department of Ecology and the applicant described above in the introduction and in the section relative to the environmental review process.

**XV. Annexation Review Criteria.** The annexation review criteria include the following requirements prescribed in State statutes and City ordinances:

(1) 60% Petition (RCW 35A.14.120). This annexation petition satisfies the requirements of RCW 35A.14.120 because 100% of the owners of the two parcels

of property in the proposed annexation have submitted the petition even though only 60% rather than 100% is required.

(2) Annexation Review Criteria (GMC §17.96.030). GMC §17.96.030 provides that “At the time of the official public hearing on any proposed annexation to the city, the hearing examiner shall recommend a district classification of the area to be annexed in accordance with Chapter 2.50 GMC, which recommendation shall be in keeping with the overall comprehensive plan for the urban area, and the best arrangement of land uses to promote public health, safety, morals, and general welfare.”

(3) Zoning District Classification in Keeping with the Comprehensive Plan. The requested R-1 Low Density Residential zoning is in keeping with the Comprehensive Plan’s “Low Density Residential” designation for the 0.45-acre parcel #230927-14411. Low density residential development defined for the R-1 Low Density Residential zoning district in GMC §17.30.010 consists of single-family conventional dwellings with smaller lots and useful yard spaces. Since GMC §17.96.040 requires the establishment of zoning for annexed areas to be governed by the land use designations and the policies of the Comprehensive Plan, the zoning of the 0.45-acre parcel is recommended by the petitioners, the City’s planner and the City’s hearing examiner to be the R-1 Low Density Residential zoning district. That zoning would also be consistent with the following goals and policies of the 2016 Comprehensive Plan:

GOAL 4: To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

Policy 4.2: Provide residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet future demand.

Policy 4.3: Ensure that new residential development makes efficient use of the existing transportation network and provides adequate access to all lots.

(4) Zoning District Classification in Keeping with the Best Arrangement of Land Uses (GMC §17.96.030): GMC §17.96.030 also requires a recommendation regarding the zoning district classification for an area to be annexed to be in keeping with the best arrangement of land uses to promote public health, safety, morals, and general welfare. The proposed annexation area is within the City’s Urban Growth Area and is contiguous to the current City limits on the north, east

and south sides. Approval of the proposed annexation would result in a natural and expected expansion of the City's boundaries. The recommended zoning for the annexed area would allow for additional residential uses in the future that would be compatible with nearby zoning and land uses even though none are proposed at this time. This general criterion as to the best arrangement of land uses to promote the public health, safety, morals and general welfare can also be determined through a consideration of the more specific rezone criteria in the following section that apply here since this petition requests a change of the zoning from the current Yakima County Single-Family Residential (R-1) zoning to the City's R-1 Low Density Residential zoning as part of this annexation process.

**XVI. Standards and Criteria for Rezones.** GMC §14.03.035 provides that a hearing examiner may make land use decisions as determined by the City Council at the request of either the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.09.030(A)(4) and GMC §17.88.020(A)(2) provide that a recommendation is to be made to the City Council regarding rezones in accordance with GMC Title 14. GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4) provide applicable procedures. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the hearing examiner is not to recommend approval of a proposed development such as a rezone without making the following findings and conclusions:

**(1) The development (proposed rezone) is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** As explained above in Subsection XV(3) of this recommendation, the zoning of the 0.45-acre parcel is recommended by the City's planner and the hearing examiner to be the R-1 Low Density Residential District in order to be consistent with the intent of the Low Density Residential 2016 Comprehensive Plan designation and to be consistent with the policies of the 2016



Comprehensive Plan. The rezone to that district would also meet the requirements and intent of the City's zoning ordinance so long as that zone satisfies all of the following criteria for approval of a rezone.

**(2) The development (proposed rezone) makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The parcel is accessed by Sandhill Road. It can be improved in the future. Existing utilities which are available in the area and which are adequate for R-1 Low Density Residential zoning district uses can be extended to the parcel.

**(3) The development (proposed rezone) adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The proposed annexation has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Non-Significance that was issued pursuant to GMC Title 18 on September 26, 2019, as the final threshold determination.

**(4) The development (proposed rezone) is beneficial to the public health, safety, morals and welfare and is in the public interest.** The requested rezone is beneficial to the public health, safety, morals and welfare and is in the public interest because it currently serves as the improved backyard for a residence and because it could serve in the future as a site for additional residential uses within the City that would be compatible with nearby land uses.

**(5) The development (proposed rezone) does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development.** For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. No development is proposed at this time and any future development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10. Here there is no indication in the record that uses in the R-1 Low Density Residential District on the parcel would lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development would result in a level of service lower than those shown in the Comprehensive Plan, the development could be

approved subject to incorporating improvements or strategies concurrent with the development that would raise the level of service. The term “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** Here this criterion is not applicable because there is no land proposed for dedication.

In addition, Section 17.88.060 of the Grandview Municipal Code provides that the hearing examiner shall enter findings for a rezone indicating whether the following additional criteria are satisfied:

**(1) Whether the proposal is in accord with the goals and policies of the Comprehensive Plan.** The rezone of the 0.45-acre parcel to the R-1 Low Density Residential zoning district would be in accord with the goals and policies of the 2016 Comprehensive Plan set forth above in Subsection XV(3) of this recommendation.

**(2) Whether the effect of the proposal on the immediate vicinity will be materially detrimental.** The proposed annexation with R-1 Low Density Residential zoning for the 0.45-acre parcel will not be materially detrimental to the immediate vicinity and will have merit and value for the community as a whole. The parcel is currently used as the backyard for a residence in the immediate vicinity and can possibly be utilized in the future, if desired, for other residential uses in an area currently zoned and utilized for residential uses.

**(3) Whether there is merit and value in the proposal for the community as a whole.** There is merit and value in the recommended zoning of this parcel for the community as a whole because it serves as an area enhancing the residential use of a nearby residence and because it could possibly help the City meet its future growth projections without impacting critical areas through the addition of other uses allowed in the recommended zoning district.

**(4) Whether conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** There is no need for conditions to be imposed in order to mitigate significant adverse impacts from the proposed

annexation and recommended zoning. The City's SEPA Determination of Non-Significance determined that no likely significant adverse environmental impacts will result.

**(5) Whether a development agreement should be entered into between the City and the petitioner and, if so, the terms and conditions of such an agreement.** There is no need for a development agreement between the City and the petitioners for the proposed annexation with the recommended zoning because there is no proposal to develop the property or use it in any way other than as the existing backyard for a residence.

## CONCLUSIONS

Based on the foregoing findings, the hearing examiner reaches the following conclusions:

(1) The hearing examiner has jurisdiction under GMC §17.96.030 and GMC §2.50.080(C)(1) to make a recommendation to the Grandview City Council regarding this petition for annexation with appropriate zoning.

(2) A Final SEPA Determination of Non-Significance (DNS) was issued on September 26, 2019.

(3) The parcel proposed for annexation is located within the City of Grandview Urban Growth Area and is contiguous to the City limits on the north, east and south sides.

(4) The annexation petition has met the signature requirements for the 60% petition method authorized by RCW 35A.14.120 by being signed by 100% of the property owners.

(5) The City of Grandview has sufficient water and sewer lines in the area that could be extended to the parcel.

(6) The 0.45-acre parcel proposed for annexation should upon annexation be zoned R-1 Low Density Residential.

(7) The requested annexation with the recommended zoning satisfies the applicable requirements and criteria in the Grandview Municipal Code needed to recommend its approval by the Grandview City Council.

## RECOMMENDATION

The hearing examiner recommends to the Grandview City Council that this petition for annexation of the parcel described in the documentation submitted for this request be **APPROVED** with R-1 Low Density Residential zoning for the 0.45-acre parcel #230927-14411 adjacent to Sandhill Road/Monty Python Lane. The legal description of the annexation area prepared by a Professional Land Surveyor and confirmed as accurate by the Yakima County Engineer, which does not include any of the road right-of-way of Sandhill Road adjacent to the parcel, is as follows:

Lot 12, Grandview Heights Tracts, according to the official plat thereof recorded in Volume "T" of Plats, Page 41, records of Yakima County, Washington in Section 27, Township 9, Range 23 East, W.M.

Situate in Yakima County, State of Washington.

(Yakima County Assessor's Parcel #230927-14411)

**DATED** this 23<sup>rd</sup> day of October, 2019.

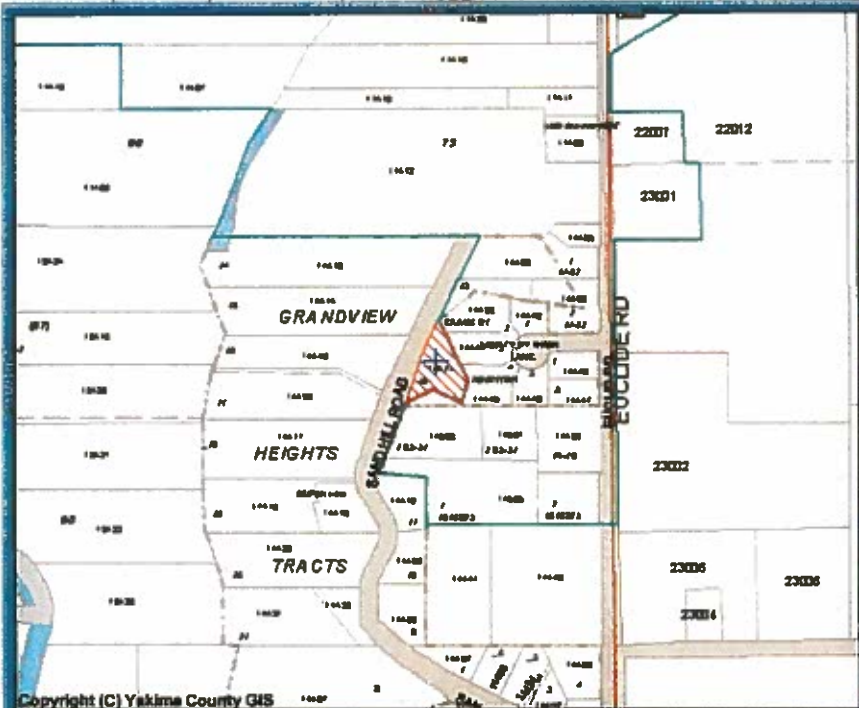
  
\_\_\_\_\_  
**Gary M. Cuillier, Hearing Examiner**

**Yakima County GIS - Washington Land Information Portal**

 Yakima County Assessor  
 Yakima County GIS  
 Yakima County
 

  
**First American Title**  
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 509.248.7550

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Search By: Parcel Number    
 Parcel #:   
 Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be at least 8 characters. Click the Search button to continue.

MapScale: 1 inch = 400 ft.  
 Overlays: Aerial Photography:  FEMA  Critical Areas  Contours  Utilities  
 MapSize: Small (800x600)

Maps brought to you by:  
  
 Title Insurance & Escrow Service  
[www.vtgc.com](http://www.vtgc.com)  
 (509) 248-4442

Easting(N) | Northing(N)  
 Longitude(E) | Latitude(N)  
 One Inch = 400 Feet  
 Feet 200 400 600

PROPERTY PHOTOS		PROPERTY INFORMATION AS OF 9/3/2019 11:01:25 PM				PRINTING				
	Parcel Address:	UN-ASSIGNED, WA				<input type="button" value="Printer-Friendly Page"/>				
	Parcel Owner(s):	JOHN P & JACQUE C LA FEVER								
	Parcel Number:	23092714411	Parcel Size:	0.46 Acre(s)		<input type="button" value="Detailed Report"/>				
	Property Use:	91 Undeveloped Land								
<b>TAX AND ASSESSMENT INFORMATION</b>										
Tax Code Area (TCA):	440	Tax Year:	2019							
Improvement Value:	\$0	Land Value:	\$11700							
Current Use Value:	\$0	Current Use Improvement:	\$0							
New Construction:	\$0	Total Assessed Value:	\$11700							
<b>RESIDENTIAL INFORMATION</b>										
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4, 1/2)	Garage (bsmt/att/other)	Carport	<input type="button" value="Section Map 1in=400ft"/>
No Residence information Found.										
<b>SALE INFORMATION</b>							<b>Qtr SECTION MAPS</b>			
Excise	Sale Date	Sale Price	Grantor	Portion			NW-Qtr 1"=200ft	NE-Qtr 1"=200ft	SW-Qtr 1"=200ft	SE-Qtr 1"=200ft
No Sales information Found.										
<b>DISCLAIMER</b>										
While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or <a href="mailto:small.us">small.us</a> .										

OVERLAY INFORMATION			
Zoning:	R-1	Jurisdiction:	County
Urban Growth Area:	Grandview	Future Landuse Designation:	Urban Residential (Yakima County Plan 2015)
FEMA 100 Year:	FEMA Map	FIRM Panel Number:	53077C2281D <input type="button" value="Download Map"/>

LOCATION INFORMATION			
+ Latitude:	46° 14' 19.550"	+ Longitude:	-119° 55' 02.741"
Range:	23	Township:	09
Section:	27		
Narrative Description: GRANDVIEW HEIGHTS TRACTS: LOT 12			

**DISCLAIMER**

MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION

**RESOLUTION NO. 2019-40**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE PETITION TO ANNEX PROPERTIES KNOWN AS THE  
JOHN AND JACQUE LAFEVER ANNEXATION 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**

**WHEREAS**, the City of Grandview, Washington received a petition for annexation commonly known as the John and Jacque LaFever Annexation of certain real property pursuant to RCW 35A.14.120, a legal description of which is attached hereto as Exhibit "A";

**WHEREAS**, that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed;

**WHEREAS**, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation;

**WHEREAS**, petitioners further understood the zoning of said area proposed for annexation would be R-1 Single Family Residential for Parcel No. 230927-14411;

**WHEREAS**, notices of hearings before the Hearing Examiner and the City Council were published in the manner as provided by law;

**WHEREAS**, all property within the territory so annexed shall be subject to and is a part of the Urban Growth Area of the City of Grandview as presently adopted or as is hereafter amended;

**WHEREAS**, the Council of the City of Grandview has determined that the best interests and general welfare of the City would be served by the annexation; and

**WHEREAS**, prior to the City Council taking final action on this annexation, the "Notice of Intention" is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation and submitted to the Yakima Boundary Review Board for a 45-day review period,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW**, that the Notice of Intention to annex property described on Exhibit "A", be completed by the City Clerk of the City of Grandview and thereafter forwarded to the Yakima Boundary Review Board for a 45-day review period.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

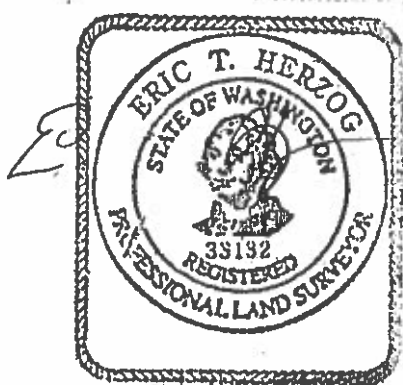
**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

City of Grandview  
LaFever Annexation  
HLA Project no. 19007  
September 4, 2019

Annexation Description

Lot 12, GRANDVIEW HEIGHTS TRACTS, according to the official plat thereof, recorded in Volume "T" of Plats, Page 41, records of Yakima County, Washington.



9-4-19



GRANDVIEW HEIGHTS TRACTS

"T"-41



YAKIMA COUNTY

PROPOSED CITY LIMITS

LOT 16

SOUTHEAST CORNER OF LOT 16

SAND HILL RD.

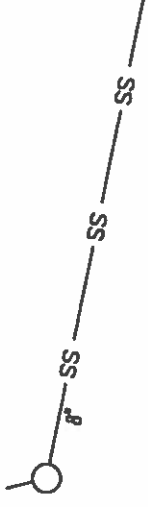
LOT 12

PARCEL NO.  
230927-14411

SOUTHWEST CORNER OF LOT 12

EXISTING CITY LIMITS

CITY OF GRANDVIEW



2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.blacivil.com

**HILA**  
Engineering and Land Surveying, Inc.

JOB NO: 19007  
DRAWING:  
LAFEVER\_ANNEX.dwg  
DATE: 9-4-19  
DRAWN BY: TDF

ANNEXATION EXHIBIT  
for, CITY OF GRANDVIEW  
LAFEVER ANNEXATION  
YAKIMA COUNTY, WASHINGTON



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
ANNEXATION & REZONE APPLICATION**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, November 12, 2019 at 7:00 p.m.**, in the Council Chamber at City Hall, 207 West Second Street, Grandview, Washington.

The purpose of the closed record public hearing is for Council to consider the Hearing Examiner's recommendation that the City Council approve the requested annexation and rezone for the following:

**Applicant(s):** Charvet Brothers Farms, a partnership composed of Matthew & Lydia Charvet and Terry & Leslie Charvet, and Kyle & Cyndi Charvet

**Proposed Project:** Annexation & Rezone

**Location of Project:** Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009, and 230926-24004, located adjacent to Grandridge Road/Apricot Road, Grandview, Yakima County, Washington

**Project Description:** Applicants request annexation and rezone to R-1 Low Density Residential

A copy of the Hearing Examiner's recommendation is available at no charge from the City Clerk's Office, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9208.

**CITY OF GRANDVIEW**  
Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – October 16, 2019

**CITY OF GRANDVIEW  
CITY COUNCIL**

**CLOSED RECORD PUBLIC HEARING PROCEDURE**

**THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:**

**MAYOR**

Tonight's closed record public hearing will include the following land use proposal:

- **Petition for Annexation and Rezone signed by Matthew & Lydia Charvet and Terry & Leslie Charvet, and Kyle & Cyndi Charvet to annex Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009 and 230926-24004 consisting of 118.05 acres located adjacent to Grandridge Road/Apricot Road, Grandview, Yakima County, Washington. The applicants request annexation and rezone of their properties into the City limits of Grandview with an R-1 Low Density Residential zoning designation.**

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:
  - a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
  - b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
  - c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
  - d. Thank you, the hearing will continue.  
(or)  
At this point, Councilmember \*\*\*\*\* will be excusing him/herself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this issue.
3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
  - a. When you address the Council, begin by stating your name and address for the record.
  - b. Speak slowly and clearly.
  - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
  - a. Approve as recommended.
  - b. Approve with conditions.
  - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
    - i. Enlarge the area or scope of the project.
    - ii. Increase the density or proposed building size.
    - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
    - iv. Deny (re-application or re-submittal is permitted).
    - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
    - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

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

**ITEM TITLE:**

Closed Record Public Hearing – Petition for Annexation & Rezone – Charvet Brothers Farms located adjacent to Grandridge Road/Apricot Road, Grandview, Yakima County, WA

Resolution No. 2019-41 authorizing the petition to annex properties known as the Charvet Brothers Farms Annexation 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

**AGENDA NO.** Active 6 (C) & (D)

**AGENDA DATE:** November 12, 2019

**DEPARTMENT**

Planning/Hearing Examiner

**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

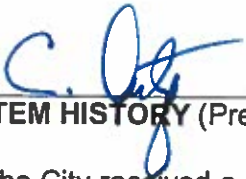
**DEPARTMENT DIRECTOR REVIEW**

Anita Palacios, City Clerk (Planning)



**CITY ADMINISTRATOR**

**MAYOR**



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

The City received a Letter of Intent and Petition for Annexation and Rezone signed by Charvet Brothers Farms, a partnership comprised of Matthew & Lydia Charvet and Terry & Leslie Charvet, and Kyle & Cyndi Charvet to annex Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009 and 230926-24004 located adjacent to Grandridge Road/Apricot Road, Grandview, Washington, consisting of 118.05 acres to the City of Grandview. The petitioners elected to request annexation under the 60% petition method of annexation. The 60% petition method requires signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition contained sufficient signatures of the assessed value.

The petitioners requested the parcels be annexed with an R-1 Low Density Residential zoning designation as identified on the City's Future Land Use map. The parcels are included in the City's designated Urban Growth Area as residential.

At the August 27, 2019 City Council meeting, Council approved Resolution No. 2019-29 accepting a request from the Charvet Brothers Farms and Kyle & Cyndi Charvet for annexation of Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009 and 230926-24004 located adjacent to Grandridge Road/Apricot Road, Grandview, Yakima County, Washington and directed staff to present the Petition for Annexation to the Hearing Examiner for a public hearing.

**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.

On October 9, 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 is attached.

---

## **ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's conclusions and recommendation that the Petition for Annexation submitted by Charvet Brothers Farms be approved with R-1 Low Density Residential zoning designation.

Further recommend that Council approve Resolution No. 2019-41 authorizing the petition to annex properties known as the Charvet Brothers Annexation 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.

**City of Grandview, Washington  
Hearing Examiner’s Recommendation**

**October 23, 2019**

**In the Matter of a Petition for )  
Annexation of Property with )  
R-1 Low Density Residential )  
Zoning Submitted by: )  
 ) Annexation Resolution No. 2019-29  
**Charvet Brothers Farms )  
 )  
Relative to 118.05 Acres at the )  
Northwest Corner of Grandridge )  
Road/Apricot Road Intersection )****

**A. Introduction.** The findings relative to the hearing procedure for this petition are as follows:

(1) The hearing examiner conducted an open record public hearing on October 9, 2019, regarding this petition to annex 118.05 acres into the City of Grandview (City) with R-1 Low Density Residential zoning.

(2) A thorough staff report was prepared and was presented by Mike Shuttleworth, Planning Manager of the Yakima Valley Conference of Governments acting as the City’s planner. He recommended approval of the proposed annexation with R-1 Low Density Residential zoning for the 118.05-acre area located northwest of the intersection of Grandridge Road with Apricot Road.

(3) Petitioner’s attorney Rick Kimbrough testified in favor of the application and indicated that the 118.05 acreage amount includes the property to the centerlines of the adjacent roads, that the property is contiguous to the City limits on the north and that there are no immediate plans to change the existing

agricultural use of the property which has a single-family residence owned by a family member located at the southeast corner of the area proposed for annexation.

(4) City Clerk Anita Palacios testified that a Department of Ecology letter dated September 23, 2019, relative to toxics cleanup included as pages 75 and 76 of the record is the only written comment submitted relative to this application.

(5) No one else testified at the hearing.

(6) This recommendation has been issued within ten working days of the open record public hearing in accordance with Subsection 2.50.130(A) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The hearing examiner recommends that the Grandview City Council approve the proposed annexation of the 118.05-acre area consisting of 8 parcels located at the northwest corner of the Grandridge Road/ Apricot Road intersection with the requested R-1 Low Density Residential zoning as recommended by the City's planner in order to be consistent with the Low Density Residential Comprehensive Plan designation for those parcels.

**C. Basis for Recommendation.** Based upon a view of the site without anyone else present on October 9, 2019; the information contained in the staff report, the exhibits, the testimony, the SEPA Determination of Non-Significance and the other evidence presented at the open record public hearing on October 9, 2019; and a consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance; the hearing examiner makes the following:

## **FINDINGS**

**I. Petitioner/Property Owner.** The petitioner and property owner is Charvet



Brothers Farms, a Washington state partnership consisting of Matthew and Lydia Charvet, Terry and Leslie Charvet, and Kyle and Cyndi Charvet, 50 Grey Road or 501 Appleway Road, Grandview, Washington 98930.

**II. Location.** The 118.05-acre area proposed for annexation with R-1 Low Density Residential zoning is located within the City of Grandview Urban Growth Area at the northwest corner of the intersection of Grandridge Road and Apricot Road west of Grandridge Road, north of Apricot Road and east of Euclid Road. It includes the property to the centerlines of Grandridge Road and Apricot Road. The Yakima County Assessor's Parcel Numbers are 230926-21002, 21003, 22010, 22011, 23008, 23009, 24003 and 24004. The metes and bounds legal description for the area proposed for annexation located in the Northwest Quarter of Section 26, Township 9, Range 26 East, W.M. and prepared by a Professional Land Surveyor is set forth at page 73 of the record.

**III. Petition.** The background relative to this annexation petition may be summarized as follows:

(1) The Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington was signed by the Charvet Brothers Farms partners Matthew/Lydia Charvet and Terry/Leslie Charvet on August 1, 2019, and Kyle/Cyndi Charvet on August 29, 2019. The 60% Petition Method for Annexation to the City of Grandview, Washington was signed by the Charvet Brothers Farms partners Matthew/Lydia Charvet and Terry/Leslie Charvet on August 16, 2019, and Kyle/Cyndi Charvet on August 29, 2019. The Charvet Brothers Farms partnership owns 100% of the area that is proposed for annexation.

(2) The petition requests annexation of the 8 parcels with assumption of existing City indebtedness and with the City's R-1 Low Density Residential zoning. That R-1 Low Density Residential zoning would be consistent with the

City's "Low Density Residential" Comprehensive Plan designation for the 118.05-acre area proposed for annexation.

(3) The annexation with zoning consistent with the Comprehensive Plan designation for the parcel would allow the petitioner to have an area available for possible sale in the future for the purpose of residential development as is stated in the SEPA Environmental Checklist.

(4) At the City Council's regular meeting of September 10, 2019, the City Council by means of Resolution No. 2019-29 referred the petition for annexation to the hearing examiner to receive and examine available information, conduct a public hearing, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council. The sufficiency of the petition signed by 100% of the property owners was confirmed by a letter from Yakima County Assessor Dave Cook dated September 13, 2019. The accuracy of the legal description for the proposed annexation which was prepared by a Professional Land Surveyor was confirmed by a letter from Yakima County Engineer Matt Pietrusiewicz, P.E. dated September 17, 2019.

(5) If the City Council agrees with this recommendation, it will authorize the annexation petition to be forwarded to the Boundary Review Board. If it is approved by that Board, it will be returned for the City Council's adoption of an annexation ordinance.

**IV. State Environmental Policy Act.** The main aspects of the City's State Environmental Policy Act (SEPA) review process conducted by the City for this petition may be summarized as follows:

(1) The City of Grandview issued a preliminary Determination of Non-Significance (DNS) on September 11, 2019, allowing for a 14-day comment period.

(2) A written comment dated September 23, 2019, was received from the Washington State Department of Ecology (DOE) which indicated that conditions of approval could be imposed prior to issuance of applicable site development permits or the initiation of grading, filling or clearing to the effect that if lead, arsenic and/or other contaminants are found at concentrations above MTCA cleanup levels, then in that situation: (i) sellers and realtors of residential structures constructed on the parcel must comply with the real estate disclosure law in

RCW Chapter 64.06; (ii) site design should include protective measures to isolate or remove contaminated soils from public spaces, yards and children’s play areas; (iii) contaminated soils generated during site construction must be managed and disposed of in accordance with state and local regulations, including the Solid Waste Handling Standards regulation (Chapter 173-350 WAC); and (iv) the project proponent should develop a soil remediation plan that prevents future residents from being exposed to contaminated soils and meets minimum MTCA requirements to be reviewed and approved by Ecology through the Voluntary Cleanup Program with documentation from Ecology as to compliance and implementation of the plan to be submitted to the local land use permitting agency prior to issuance of occupancy permits.

(3) A final threshold determination was issued on September 26, 2019, which retained the initial Determination of Non-Significance (DNS) to the effect that the proposed annexation with appropriate zoning will not have a probable significant adverse environmental impact.

(4) WAC 197-11-390 provides that the final Determination of Non-Significance (DNS) issued on September 26, 2019, is a final SEPA threshold determination to be considered along with the other criteria relative to this annexation request.

**V. Zoning and Land Uses.** The area proposed for annexation which is adjacent to the City limits on the north side is zoned by Yakima County as Agriculture (AG) on the south and east sides and as Single-Family Residential (R-1) on the west side. The agricultural uses to the east and south are separated from the area proposed for annexation by Grandridge Road and by Apricot Road. Properties that are adjacent to the area proposed for annexation have the following zoning and current use characteristics:

<i>Location</i>	<i>Zoning</i>	<i>Existing Uses</i>	<i>Jurisdiction</i>
North:	R-1 Low Density Residential	Agricultural/Residential	City of Grandview
South:	Agriculture (AG)	Agricultural	Yakima County
East:	Agriculture (AG)	Agricultural	Yakima County
West:	Single-Family Residential (R-1)	Agricultural/Residential	Yakima County

**VI. Comprehensive Plan.** The 2016 Grandview Comprehensive Plan Future Land Use Map designation for the 118.05-acre area proposed for annexation is “Low Density Residential.”

**VII. Floodways or Shorelines.** There are no FEMA floodways, floodplains or other flood hazard areas within or near these parcels. Likewise, there are no designated Shoreline Environments regulated by the Yakima County Regional Shoreline Master Program within or near these parcels.

**VIII. Critical Areas.** There are no known critical areas as defined by GMC Chapter 18.06 within or near these parcels.

**IX. Concurrency.** This petition is not subject to GMC Chapter 14.10 relative to Transportation Concurrency Management because no development is proposed at this time. A Certificate of Concurrency may be required for future development.

**X. Development Standards.** This petition is likewise not subject to any of the development standards that are contained in the Grandview Municipal Code since no development of the area proposed for annexation is proposed at this time.

**XI. Infrastructure.** Water and sewer lines are in the area of this proposed annexation. If and when development is proposed for these parcels, the City’s sewer and water system extensions and improvements of a type dependent upon the type and size of development will be required to serve this property. The area proposed for annexation is served by Grandridge Road and by Apricot Road

respectively on the east and south sides which are paved and which are included in this annexation to their respective centerlines. Future development in the area may require improvements to those roads and additional right-of-way.

**XII. Hearing Examiner Jurisdiction.** Annexation procedures are governed by Chapter 17.96 of the Grandview Municipal Code (GMC) and Chapter 35A.14 of the Revised Code of Washington (RCW). The hearing examiner has jurisdiction to make a recommendation regarding annexation with appropriate zoning to the City Council based on the findings that are set forth in GMC §17.96.030 and GMC §17.96.040 after a public hearing with prior notice as is described in RCW 35A.14.130.

**XIII. Notices of Hearing.** Notices of the hearing examiner's open record public hearing of October 9, 2019, were provided as follows:

(1) The type of notice required for annexations by GMC §2.50.120(B) to be provided at least 10 working days prior to the hearing is not specified by GMC Chapter 17.96 or GMC Chapter 2.50. But RCW 35A.14.130 requires the City to "cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city" and requires that "The notice shall also be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation."

(2) Notice of the public hearing of October 9, 2019, was published in the City's official newspaper, the Grandview Herald, on September 11, 2019, at least 10 working days prior to the hearing in accordance with RCW 35A.14.130 and GMC §2.50.120(B).

(3) Notice of the public hearing before the hearing examiner was posted on September 11, 2019, in three places on the property proposed for annexation.

(4) Additional notice for the requested rezone for the parcels proposed for annexation was provided on September 11, 2019, in the manner required for

permit or development applications such as rezones by mailing the notice of the October 9, 2019, public hearing to property owners within 300 feet of the property proposed for annexation and for rezoning, and by also posting the notice of the October 9, 2019, public hearing at City Hall, the Library, the Community Center and Police Department.

**XIV. Comments.** No written comments from members of the public were received relative to this petition. The only written comments that were submitted were the SEPA comments of the Department of Ecology described above in the section relative to the environmental review process.

**XV. Annexation Review Criteria.** The annexation review criteria include the following specific requirements that are prescribed in State statutes and in City ordinances:

(1) 60% Petition (RCW 35A.14.120). This annexation petition satisfies the requirements of RCW 35A.14.120 because 100% of the owners of the 8 parcels of property in the proposed annexation have submitted the petition even though only 60% rather than 100% is required.

(2) Annexation Review Criteria (GMC §17.96.030). GMC §17.96.030 provides that “At the time of the official public hearing on any proposed annexation to the city, the hearing examiner shall recommend a district classification of the area to be annexed in accordance with Chapter 2.50 GMC, which recommendation shall be in keeping with the overall comprehensive plan for the urban area, and the best arrangement of land uses to promote public health, safety, morals, and general welfare.”

(3) Zoning District Classification in Keeping with the Comprehensive Plan. The requested R-1 Low Density Residential zoning is in keeping with the Comprehensive Plan’s “Low Density Residential” designation for the 118.05-acre area proposed for annexation. Low density residential development defined for the R-1 Low Density Residential zoning district in GMC §17.30.010 consists of single-family conventional dwellings with smaller lots and useful yard spaces. Since GMC §17.96.040 requires the establishment of zoning for annexed areas to be governed by the land use designations and the policies of the Comprehensive

Plan, the zoning of the 118.05-acre area proposed for annexation is recommended by the petitioner partnership, the City's planner and the City's hearing examiner to be the R-1 Low Density Residential zoning district. That zoning would also be consistent with the following goals and policies of the 2016 Comprehensive Plan:

GOAL 4: To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

Policy 4.2: Provide residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet future demand.

Policy 4.3: Ensure that new residential development makes efficient use of the existing transportation network and provides adequate access to all lots.

(4) Zoning District Classification in Keeping with the Best Arrangement of Land Uses (GMC §17.96.030): GMC §17.96.030 also requires a recommendation regarding the zoning district classification for an area to be annexed to be in keeping with the best arrangement of land uses to promote public health, safety, morals, and general welfare. The proposed annexation area is within the City's Urban Growth Area and is contiguous to the current City limits on the north side. Approval of the proposed annexation would result in a natural and expected expansion of the City's boundaries. The recommended zoning for the annexed area would allow for additional residential uses in the future that would be compatible with nearby zoning and land uses even though none are proposed at this time. This general criterion as to the best arrangement of land uses to promote the public health, safety, morals and general welfare can also be determined through a consideration of the more specific rezone criteria in the following section that apply here since this petition requests a change of the zoning from the existing Yakima County Single-Family Residential (R-1) zoning to the City's R-1 Low Density Residential zoning as part of this annexation process.

**XVI. Standards and Criteria for Rezones.** GMC §14.03.035 provides that a hearing examiner may make land use decisions as determined by the City Council at the request of either the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication,

mailing and posting. GMC §14.03.040(A)(4), GMC §14.09.030(A)(4) and GMC §17.88.020(A)(2) provide that a recommendation is to be made to the City Council regarding rezones in accordance with GMC Title 14. GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4) provide applicable procedures. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the hearing examiner is not to recommend approval of a proposed development such as a rezone without making the following findings and conclusions:

**(1) The development (proposed rezone) is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** As explained above in Subsection XV(3) of this recommendation, the zoning of the 118.05-acre area proposed for annexation is recommended by the City's planner and the hearing examiner to be the R-1 Low Density Residential District in order to be consistent with the intent of the Low Density Residential 2016 Comprehensive Plan designation and to be consistent with the policies of the 2016 Comprehensive Plan. The rezone to that district would also meet the requirements and intent of the City's zoning ordinance so long as that zone satisfies all of the following criteria for approval of a rezone.

**(2) The development (proposed rezone) makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The parcel is accessed by Grandridge Road and by Apricot Road. Those roads may have to be improved in the future with the dedication of additional right-of-way. Existing utilities which are available in the area proposed for annexation and which are adequate for R-1 Low Density Residential zoning district uses can be extended to the parcels.

**(3) The development (proposed rezone) adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The proposed annexation with the proposed R-1 Low Density Residential zoning has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Non-Significance that was issued pursuant to GMC Title 18 on September 26, 2019, as the final threshold determination.



**(4) The development (proposed rezone) is beneficial to the public health, safety, morals and welfare and is in the public interest. The requested rezone is beneficial to the public health, safety, morals and welfare and is in the public interest because it will allow additional residential uses within the City that will be compatible with nearby land uses.**

**(5) The development (proposed rezone) does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. No development is proposed at this time and any future development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10. Here there is no indication in the record that uses in the R-1 Low Density Residential District within the area proposed for annexation would lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development would result in a level of service lower than those shown in the Comprehensive Plan, the development could be approved subject to incorporating improvements or strategies concurrent with the development that would raise the level of service. The term “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development.**

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development. Here there is no land proposed for dedication.**

In addition, Section 17.88.060 of the Grandview Municipal Code provides that the hearing examiner shall after completion of an open record public hearing enter findings from the record indicating whether the following additional criteria are satisfied:

**(1) Whether the proposal is in accord with the goals and policies of the Comprehensive Plan.** The rezone of the 118.05-acre area proposed for annexation to the R-1 Low Density Residential zoning district would be in accord with the goals and policies of the 2016 Comprehensive Plan set forth above in Subsection XV(3) of this recommendation which pertains to the criteria for consideration of a proposed annexation. The pertinent Comprehensive Plan Goal is Goal 4 and the pertinent Comprehensive Plan Policies are Policy 4.1, Policy 4.2 and Policy 4.3.

**(2) Whether the effect of the proposal on the immediate vicinity will be materially detrimental.** The proposed annexation with R-1 Low Density Residential zoning for the 118.05-acre area proposed for annexation will not be materially detrimental to the immediate vicinity and will have merit and value for the community as a whole. Part or all of the area can be utilized in the future, if desired, for residential uses in an area which can accommodate uses permitted in the R-1 Low Density Residential zoning district.

**(3) Whether there is merit and value in the proposal for the community as a whole.** There is merit and value in the recommended zoning of the area proposed for annexation for the community as a whole because it will be available in the future to help the City meet its future growth projections without impacting critical areas through the possible addition of residential uses allowed in the recommended zoning district.

**(4) Whether conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** There is no need for conditions to be imposed in order to mitigate significant adverse impacts from the proposed annexation and recommended zoning. The City's SEPA Determination of Non-Significance determined that no likely significant adverse environmental impacts will result from the requested annexation with R-1 Low Density Residential zoning of the area proposed for annexation since no type of change whatsoever is currently being proposed to change the existing agricultural and single-family residential use of the property and since the type of development of R-1 Low Density Residential uses of the property that might cause significant adverse impacts will be subject to further SEPA environmental review in the future when they are proposed.

**(5) Whether a development agreement should be entered into between the City and the petitioner and, if so, the terms and conditions of such an**

**agreement.** There is no need for a development agreement between the City and the petitioner partnership for the proposed annexation with the recommended zoning because no development or change of use of the property is proposed at this time.

## CONCLUSIONS

Based on the above findings, the hearing examiner reaches the following conclusions:

(1) The hearing examiner has jurisdiction under GMC §17.96.030 and GMC §2.50.080(C)(1) to make a recommendation to the Grandview City Council regarding this petition for annexation with appropriate zoning.

(2) A Final SEPA Determination of Non-Significance (DNS) was issued on September 26, 2019.

(3) The area proposed for annexation is located within the City of Grandview Urban Growth Area and is contiguous to the City limits on the north side.

(4) The annexation petition has met the signature requirements for the 60% petition method authorized by RCW 35A.14.120 by being signed by 100% of the property owners.

(5) The City of Grandview has sufficient water and sewer lines in the area that could be extended to the 8 parcels included within this annexation petition and there are two paved roads that are adjacent to two sides of the area requested for annexation.

(6) The 118.05-acre area proposed for annexation should upon annexation be zoned R-1 Low Density Residential.

(7) The requested annexation with the recommended R-1 Low Density Residential zoning satisfies the applicable requirements and the criteria in the Grandview Municipal Code that are needed in order to recommend its approval by the Grandview City Council.

## RECOMMENDATION

The hearing examiner recommends to the Grandview City Council that this petition for annexation of the area described in the documentation relative to this request be **APPROVED** with R-1 Low Density Residential zoning for the 118.05-acre area proposed for annexation. The legal description of the annexation area prepared by a Professional Land Surveyor and confirmed as accurate by the Yakima County Engineer, which includes the road rights-of-way of Grandridge Road and of Apricot Road to their respective centerlines where they are adjacent to the area proposed for annexation, is that part of Section 26, Township 9 North, Range 23 East, W.M., described as follows:

Commencing at the North quarter corner of said Section 26;  
Thence Westerly along the North line of said Section 26 to the Westerly right of way line of Grandridge Road and the Point of Beginning;  
Thence Southerly along said Westerly right of way line to a point that is 371.36 feet Southerly of the North line of said Section 26 as measured perpendicular thereto;  
Thence Easterly parallel with said North line to the Easterly right of way line of said Grandridge Road;  
Thence Southerly along said Easterly right of way line to the Southerly right of way line of Apricot Road;  
Thence Westerly along said Southerly right of way line to the Southerly extension of the West line of the East half of the Southwest quarter of the Northwest quarter of said Section 26;  
Thence Northerly along said West line to the Southwest corner of the East half of the Northwest quarter of the Northwest quarter of said Section 26;  
Thence Northerly along said West line to the Southerly right of way line of said Matthieson Lateral;  
Thence Easterly along said Southerly line to the Southeasterly extension of the Northeasterly line of that Short Plat recorded under

Auditor's File Number 7716057, records of Yakima County,  
Washington;

Thence Northwesterly along said line to the North line of said  
Section 26;

Thence Easterly along said North line to the Point of Beginning;

Situate in Yakima County, State of Washington.

(Yakima County Assessor's Parcel Numbers 230927-21002, 21003,  
22010, 22011, 23008, 23009, 24003 and 24004.)

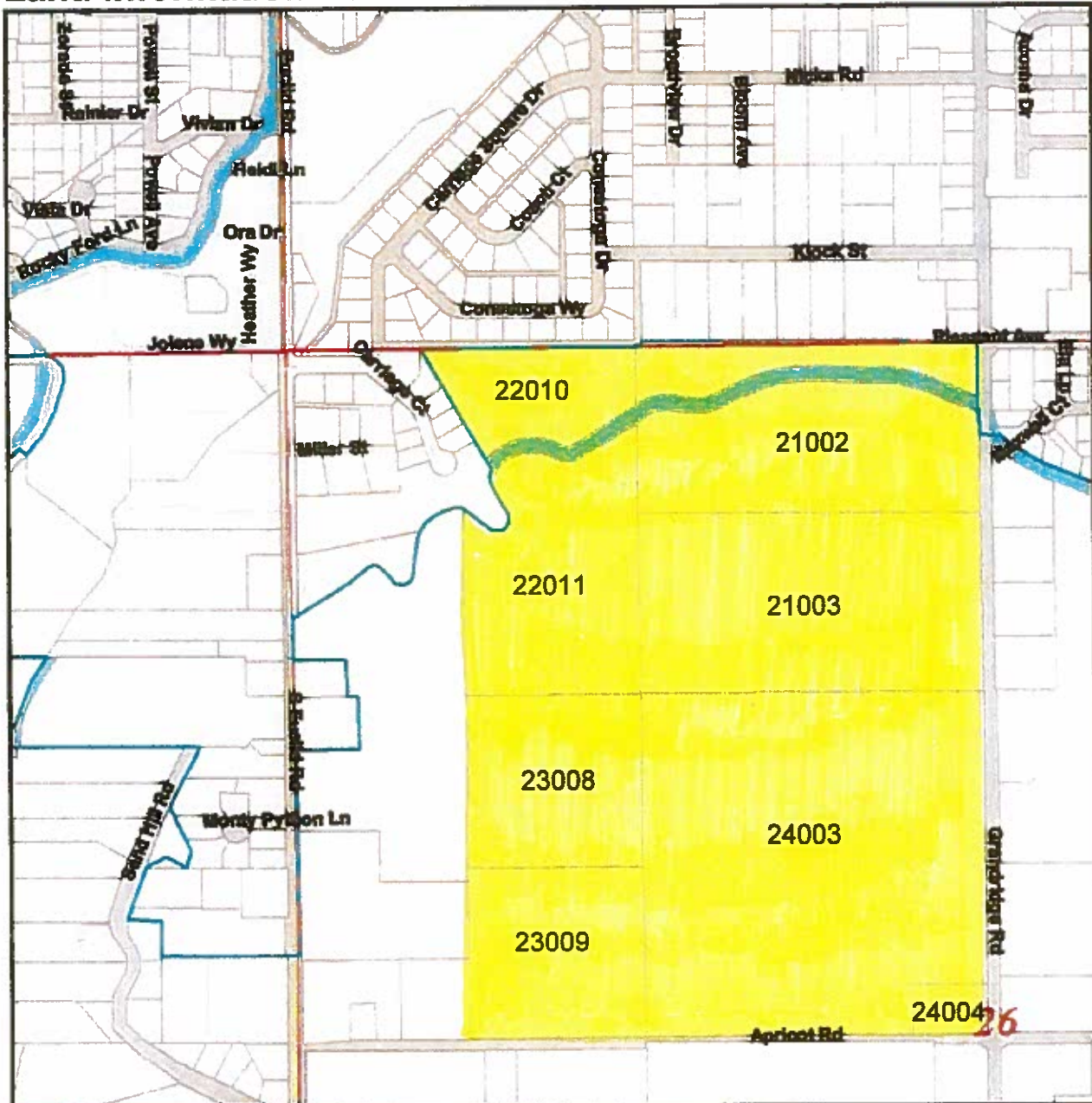
**DATED** this 23<sup>rd</sup> day of October, 2019.

  
\_\_\_\_\_  
**Gary M. Cuillier, Hearing Examiner**

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Parcel Address: EUCLIDE/CHERRY, WA  
 Parcel Owner(s): CHARVET BROTHERS FARMS  
 Parcel Number: 23082821002 Parcel Size: 17.89 Acre(s)  
 Property Use: 83 Current Use Agricultural

TAX AND ASSESSMENT INFORMATION

Tax Code Area (TCA): 441 Tax Year: 2019  
 Improvement Value: \$46300 Land Value: \$62300  
 Current Use Value: \$45110 Current Use Improvement: \$46300  
 New Construction: \$0 Total Assessed Value: \$91410

RESIDENTIAL INFORMATION

Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms	Garage	Carport
No Residence Information Found.									

SALE INFORMATION

No Sales Information Found.

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OVERLAY INFORMATION

Zoning: R-1 Jurisdiction: County  
 Urban Growth Area: Grandview Future Landuse Designation: Urban Residential (Yakima County Plan 2015)  
 FEMA 100 Year: FEMA Map FIRM Panel Number: 83077C2281D [Download Map](#)

LOCATION INFORMATION


Latitude: 48° 14' 34.145" Longitude: -119° 54' 26.755" Range: 23 Township: 09 Section: 26  
 Narrative Description: N1/2 NE1/4 NW1/4 EX CO RD ON E

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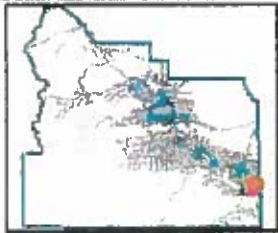
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Parcel Address: EUCLIDE/CHERRY, WA  
 Parcel Owner(s): CHARVET BROTHERS FARMS  
 Parcel Number: 23092821003 Parcel Size: 20.9 Acre(s)  
 Property Use: 83 Current Use Agricultural

**TAX AND ASSESSMENT INFORMATION**

Tax Code Area (TCA): 441 Tax Year: 2019  
 Improvement Value: \$47700 Land Value: \$66900  
 Current Use Value: \$50320 Current Use Improvement: \$47700  
 New Construction: \$0 Total Assessed Value: \$98820

**RESIDENTIAL INFORMATION**

Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms	Garage	Carport
No Residence Information Found.									

**SALE INFORMATION**

Excise	Sale Date	Sale Price	Grantor	Portion
No Sales Information Found.				

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Section Map 1in=400ft

Qtr SECTION MAPS

NW Qtr 1"=200ft	NE Qtr 1"=200ft
SW Qtr 1"=200ft	SE Qtr 1"=200ft

**OVERLAY INFORMATION**

Zoning: R-1	Jurisdiction: County
Urban Growth Area: Grandview	Future Landuse Designation: Urban Residential (Yakima County Plan 2016)
FEMA 100 Year: FEMA Map	FIRM Panel Number: 63077C2281D

**LOCATION INFORMATION**

+ Latitude: 46° 14' 28.253" + Longitude: -119° 54' 27.580" Range: 23 Township: 09 Section: 26

Narrative Description: S1/2 NE1/4 NW1/4 EX CO RD ON E


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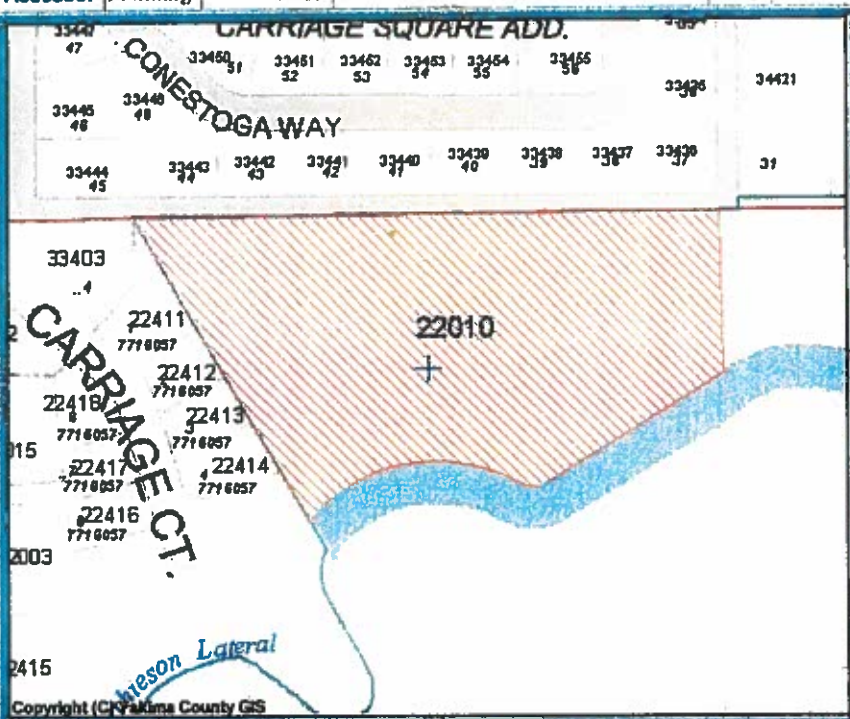
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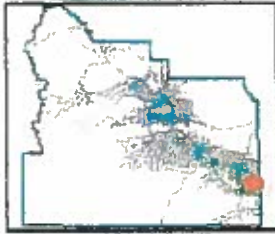
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PROPERTY PHOTOS		PROPERTY INFORMATION AS OF 8/13/2019 11:01:43 PM				PRINTING				
	Parcel Address:	EUCLIDE/CHERRY, WA		Parcel Owner(s):	CHARVET BROTHERS FARMS		<a href="#">Printer-Friendly Page</a>			
	Parcel Number:	23082622010		Parcel Size:	6.8 Acres(s)		<a href="#">Detailed Report</a>			
	Property Use:	83 Current Use Agricultural					<a href="#">Print Detailed MAP</a>			
<b>TAX AND ASSESSMENT INFORMATION</b>										
Tax Code Area (TCA):	441	Tax Year:	2019							
Improvement Value:	\$13800	Land Value:	\$24700							
Current Use Value:	\$13960	Current Use Improvement:	\$13800							
New Construction:	\$0	Total Assessed Value:	\$27760							
<b>RESIDENTIAL INFORMATION</b>										
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms	Garage	Carport	Section Map
No Residence Information Found.										
<b>SALE INFORMATION</b>								<b>SECTION MAPS</b>		
No Sales Information Found.										
<b>DISCLAIMER</b>								<b>Qtr SECTION MAPS</b>		
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<b>OVERLAY INFORMATION</b>										
Zoning:	R-1		Jurisdiction:		County					
Urban Growth Area:	Grandview		Future Landuse Designation:		Urban Residential (Yakima County Plan 2015)					
FEMA 100 Year:	FEMA Map		FIRM Panel Number:		53077C2281D		<a href="#">Download Map</a>			
<b>LOCATION INFORMATION</b>										
Latitude: 48° 14' 35.953"		Longitude: -119° 54' 42.773"		Range: 23		Township: 09		Section: 26		
Narrative Description: BEG 505 FT E OF NW COR OF SEC THN 89 D 69° E AL N LN 832.3 FT TH S 0 D 01° W 245.4 FT TH WLY AL NLY R-W OF LAT AS FOL S 89 D 27° W 300 FT THN 72 D 20° W 100 FT TH N 85 D 12° W 100 FT TH S 66 D 03° W 70 FT TH S 45 D 07° W 78.3 FT TH N 30 D 29° W 812 FT TO POB										
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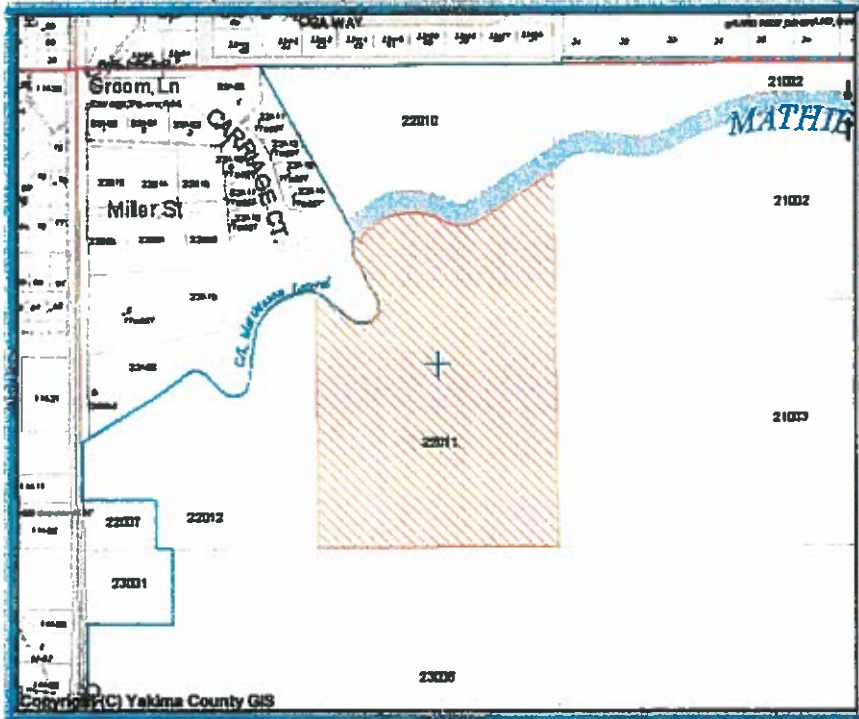


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PROPERTY PHOTOS		PROPERTY INFORMATION AS OF 8/14/2019 11:01:43 PM				PRINTING					
	Parcel Address:	EUCLIDE/CHERRY, WA				Printer Friendly Page					
	Parcel Owner(s):	CHARVET BROTHERS FARMS				Detailed Report					
	Parcel Number:	23082622011	Parcel Size: 13.49 Acre(s)								
	Property Use:	63 Current Use Agricultural									
<b>TAX AND ASSESSMENT INFORMATION</b>											
Tax Code Area (TCA):		441	Tax Year: 2019		Print Detailed MAP						
Improvement Value:		\$31300	Land Value: \$54000								
Current Use Value:		\$32480	Current Use Improvement: \$31300								
New Construction:		\$0	Total Assessed Value: \$63780								
<b>RESIDENTIAL INFORMATION</b>											
Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms	Garage	Carport	SECTION MAPS	
No Residence Information Found.										Section Map 1in=400ft	
<b>SALE INFORMATION</b>								Qtr SECTION MAPS			
Excise	Sale Date	Sale Price	Grantor		Portion		No Sales Information Found.				
<b>DISCLAIMER</b>											
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<b>OVERLAY INFORMATION</b>											
Zoning:	R-1		Jurisdiction:		County						
Urban Growth Area:	Grandview		Future Landuse Designation: Urban Residential (Yakima County Plan 2015)								
FEMA 100 Year:	FEMA Map		FIRM Panel Number: 53077C2281D				Download Map				
<b>LOCATION INFORMATION</b>											
Latitude: 46° 14' 29.985"			Longitude: -119° 54' 41.862"			Range: 23		Township: 09		Section: 26	
Narrative Description: TH PT OF E1/2 NW1/4 NW1/4 LY 5'LY OF MATHIESON LAT											
<b>DISCLAIMER</b>											
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Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be at least 8 characters. Click the Search button to continue

MapScale: 1 Inch = 400 ft.

Overlays: Aerial Photography:  FEMA  Critical Areas  Contours  Utilities

MapSize: Small (800x600)

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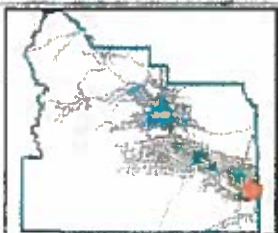
Map

Easting(W) : Northing(N)  
 Longitude(W) : Latitude(N)

Click Map to: [Get Information](#)

One Inch = 400 Feet  
 Feet 200 400 600

PROPERTY PHOTOS PROPERTY INFORMATION AS OF 8/14/2019 11:01:43 PM PRINTING



Parcel Address: **EUCLIDECHERRY, WA**  
 Parcel Owner(s): **CHARVET BROTHERS FARMS**  
 Parcel Number: **23092623008** Parcel Size: 10.24 Acre(s)  
 Property Use: **83 Current Use Agricultural**

**TAX AND ASSESSMENT INFORMATION**

Tax Code Area (TCA): **441** Tax Year: 2019  
 Improvement Value: **\$32200** Land Value: **\$47100**  
 Current Use Value: **\$24650** Current Use Improvement: **\$32200**  
 New Construction: **\$0** Total Assessed Value: **\$56850**

**RESIDENTIAL INFORMATION**

Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms	Garage	Carport
No Residence Information Found.									

**SECTION MAPS**

Section Map 1in=400ft

**SALE INFORMATION**

Excise	Sale Date	Sale Price	Grantor	Portion
No Sales Information Found.				

**DISCLAIMER**

While the information is intended to be accurate, any manifest errors are unintentional and subject to correction. Please let us know about any errors you discover and we will correct them. To contact us call either (509) 574-1100 or (800) 572-7354, or [email us](#).

**OVERLAY INFORMATION:**

Zoning:	IR-1	Jurisdiction:	County
Urban Growth Area:	Grandview	Future Landuse Designation:	Urban Residential (Yakima County Plan 2015)
FEMA 100 Year:	FEMA Map	FIRM Panel Number:	53077C2281D <input type="button" value="Download Map"/>

**LOCATION INFORMATION**

Latitude: 46° 14' 21.664" Longitude: -119° 54' 41.664" Range: 23 Township: 09 Section: 28  
 Narrative Description: NE1/4 SW1/4 NW1/4

**DISCLAIMER**

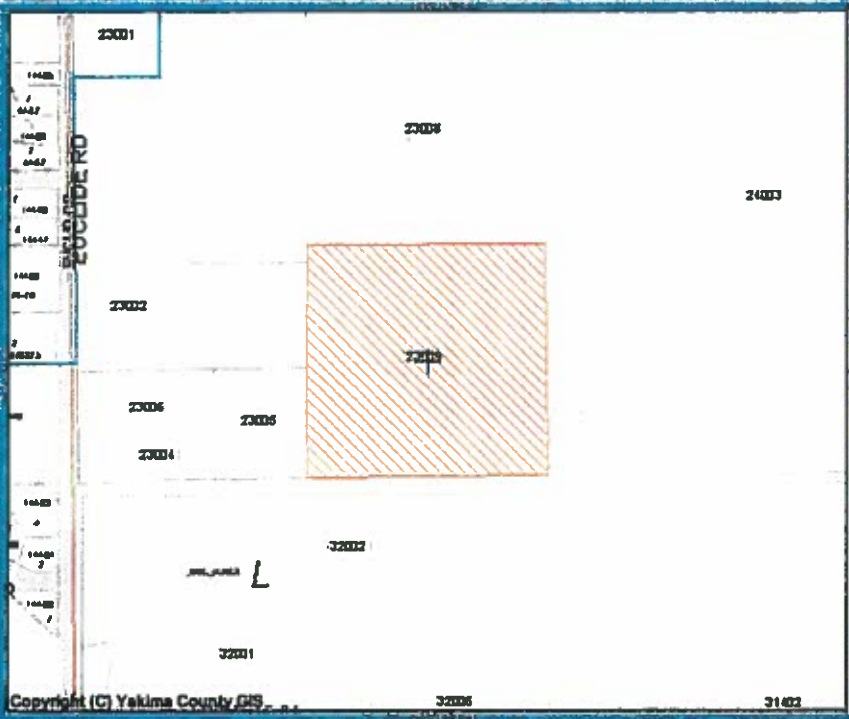
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Search By: Parcel Number

Parcel #:

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MapScale: 1 inch = 400 ft.

Overlays: Aerial Photography

FEMA  Critical Areas

Contours  Utilities

MapSize: Small (800x600)

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Map Report

Easting(N) | Northing(N) | Longitude(E) | Latitude(N)

One Inch = 400 Feet  
 Feet 200 400 600

Click Map to: [Get Information](#)

PROPERTY PHOTOS: 

PROPERTY INFORMATION AS OF 8/15/2019 11:01:36 PM

Parcel Address: 221 APRICOT RD, GRANDVIEW, WA 98930

Parcel Owner(s): CHARVET BROTHERS FARMS

Parcel Number: 23092623009 Parcel Size: 10.07 Acre(s)

Property Use: 83 Current Use Agricultural

**TAX AND ASSESSMENT INFORMATION**

Tax Code Area (TCA): 441 Tax Year: 2019

Improvement Value: \$176000 Land Value: \$32500

Current Use Value: \$24040 Current Use Improvement: \$176000

New Construction: \$0 Total Assessed Value: \$200040

**RESIDENTIAL INFORMATION**

Quality	Year Built	Stories	Main SqFt	Upper SqFt	Bsmt SqFt	Bedrooms	Bathrooms (full/3/4, 1/2)	Garage (bsm/att/bilin)	Carport
AVERAGE	1910	2.00	1147	888	0/938	4	1/0/1	0/0/0	

**SALE INFORMATION**

Excise	Sale Date	Sale Price	Grantor	Portion
No Sales Information Found.				

**DISCLAIMER**

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**OVERLAY INFORMATION**

Zoning: R-1 Jurisdiction: County

Urban Growth Area: Grandview Future Landuse Designation: Urban Residential (Yakima County Plan 2016)

FEMA 100 Year: FEMA Map FIRM Panel Number: 53077C2281D Download Map

**LOCATION INFORMATION**

Latitude: 46° 14' 15.028" Longitude: -119° 54' 41.644" Range: 23 Township: 09 Section: 26

Narrative Description: Section 26 Township 09 Range 23 Quarter NW: SE1/4 SW1/4 NW1/4 EX CO RD ON S

**DISCLAIMER**

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Search By: Parcel Number  
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 Enter a complete or partial PARCEL NUMBER. Parcel Numbers must be at least 8 characters. Click the Search button to continue. **Search**


MapScale: 1 inch = 300 ft.

Overlays: Aerial Photography:  FEMA  Critical Areas  
 Contours  Utilities

MapSize: Small (600x600)

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Map | Report



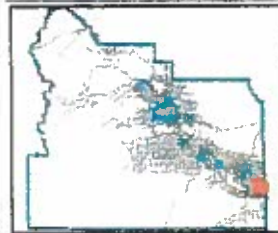
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Eastings (E) : Northing (N)  
 Longitude (W) : Latitude (N)

Click Map to: [Get Information](#)

One Inch = 300 Feet  
 Feet 200 400

PROPERTY PHOTOS | PROPERTY INFORMATION AS OF 8/14/2019 11:01:43 PM | PRINTING



Parcel Address: EUCLIDE/CHERRY, WA  
 Parcel Owner(s): CHARVET BROTHERS FARMS  
 Parcel Number: 23092824003 Parcel Size: 38.45 Acre(s)  
 Property Use: 83 Current Use Agricultural

**TAX AND ASSESSMENT INFORMATION**

Tax Code Area (TCA): 441 Tax Year: 2019  
 Improvement Value: \$94300 Land Value: \$123000  
 Current Use Value: \$92570 Current Use Improvement: \$94300  
 New Construction: \$0 Total Assessed Value: \$186570

**RESIDENTIAL INFORMATION**

Quality	Year Built	Stories	Main SqFt	Upper SqFt	Basmt SqFt	Bedrooms	Bathrooms	Garage	Carport
No Residence Information Found.									

**SECTION MAPS**

Section Map 1in=400ft

**SALE INFORMATION**

No Sales Information Found.

**DISCLAIMER**

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**OVERLAY INFORMATION**

Zoning: R-1 Jurisdiction: County  
 Urban Growth Area: Grandview Future Landuse Designation: Urban Residential (Yakima County Plan 2015)  
 FEMA 100 Year: FEMA Map FIRM Panel Number: 53077C2281D [Download Map](#)

**LOCATION INFORMATION**

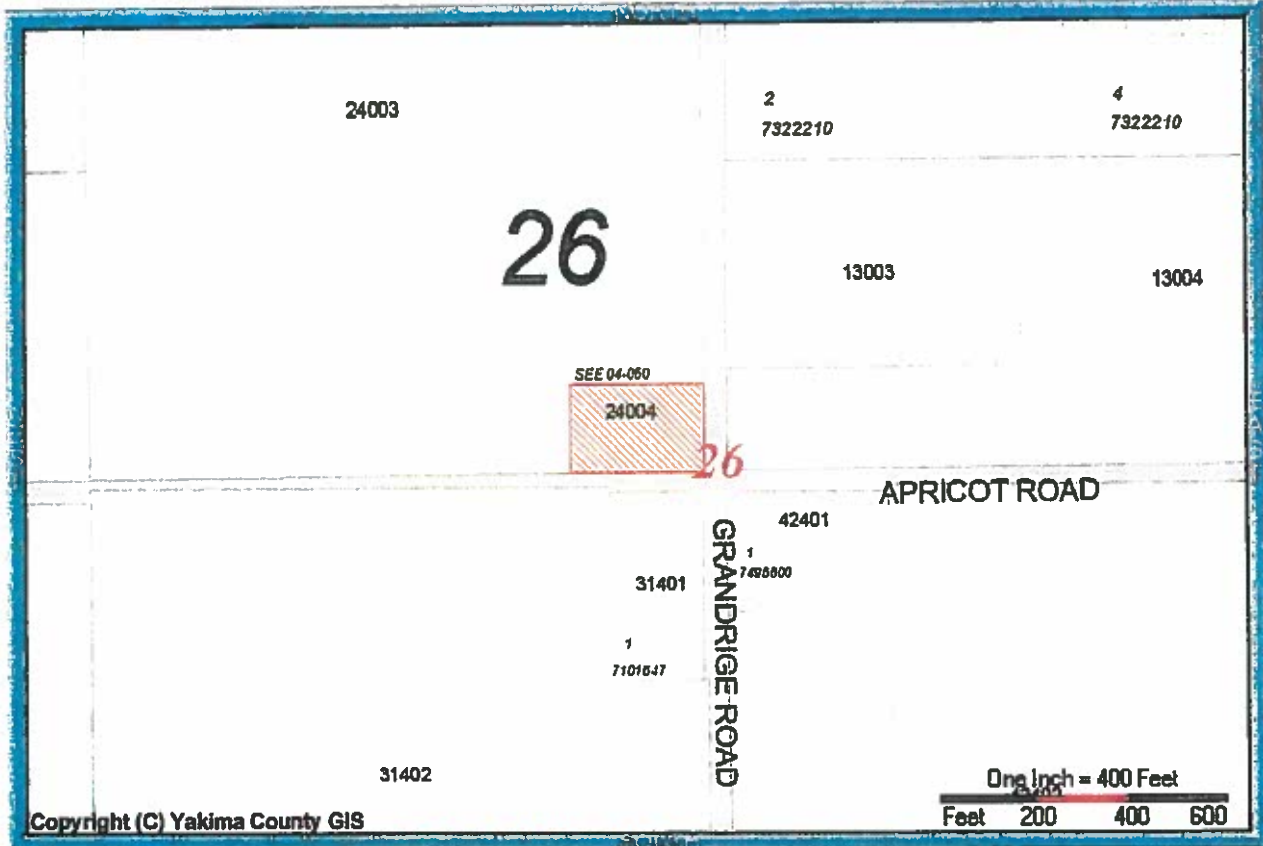
Latitude: 48° 14' 18.351" Longitude: -119° 54' 27.602" Range: 23 Township: 09 Section: 26  
 Narrative Description: Section 26 Township 09 Range 23: SE1/4 NW1/4 EX S 200 FT OF E 300 FT

**DISCLAIMER**

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[\[Print Map\]](#) [\[Close Map\]](#)

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PROPERTY PHOTO	PROPERTY INFORMATION	
	Parcel Address: 481 APRICOT RD, GRANDVIEW, WA 98930	
	Parcel Owner(s): KYLE ANDREW & CYNDI M CHARVET	
	Parcel Number: <u>23092624004</u>	Parcel Size: 1.21 Acre(s)
	Property Use: 11 Single Unit	
TAX AND ASSESSMENT INFORMATION		
Tax Code Area (TCA): <u>441</u>		Tax Year: 2019
Improvement Value: \$180100		Land Value: \$31200
Current Use Value: \$0		Current Use Improvement: \$0
New Construction: \$0		Total Assessed Value: \$211300
OVERLAY INFORMATION		
Zoning: R-1	Jurisdiction: County	
Urban Growth Area: Grandview	Future Landuse Designation: (Yakima County Plan 2015)	
FEMA:	FIRM Panel Number: 53077C2282D	
<a href="#">FEMA Map</a>		
LOCATION INFORMATION		
+ Latitude: 46° 14' 12.778"	+ Longitude: -119° 54' 20.286"	Range: 23 Township: 09 Section: 26
Narrative Description: Section 26 Township 09 Range 23: S 200 FT OF E 300 FT OF SE1/4 NW1/4		
DISCLAIMER		
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION		

**RESOLUTION NO. 2019-41**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE PETITION TO ANNEX PROPERTIES KNOWN AS THE  
CHARVET BROTHERS FARMS ANNEXATION 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**

**WHEREAS**, the City of Grandview, Washington received a petition for annexation commonly known as the Charvet Brothers Farms Annexation of certain real property pursuant to RCW 35A.14.120, a legal description of which is attached hereto as Exhibit "A";

**WHEREAS**, that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed;

**WHEREAS**, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation;

**WHEREAS**, petitioners further understood the zoning of said area proposed for annexation would be R-1 Single Family Residential for Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009 and 230926-24004;

**WHEREAS**, notices of hearings before the Hearing Examiner and the City Council were published in the manner as provided by law;

**WHEREAS**, all property within the territory so annexed shall be subject to and is a part of the Urban Growth Area of the City of Grandview as presently adopted or as is hereafter amended;

**WHEREAS**, the Council of the City of Grandview has determined that the best interests and general welfare of the City would be served by the annexation; and

**WHEREAS**, prior to the City Council taking final action on this annexation, the "Notice of Intention" is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation and submitted to the Yakima Boundary Review Board for a 45-day review period,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW**, that the Notice of Intention to annex property described on Exhibit "A", be completed by the City Clerk of the City of Grandview and thereafter forwarded to the Yakima Boundary Review Board for a 45-day review period.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**



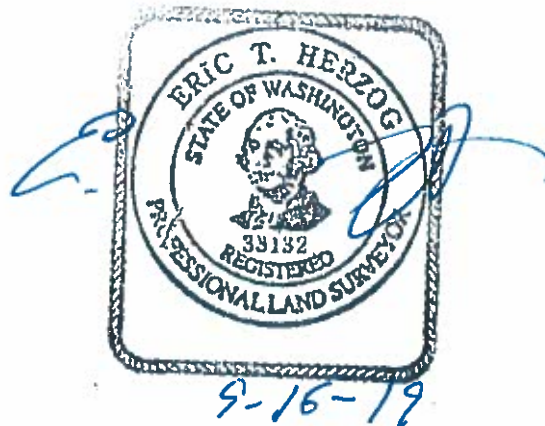
City of Grandview  
Charvet Annexation – Legal Description  
HLA Project No. 19007G  
September 10, 2019 (REVISED September 16, 2019)

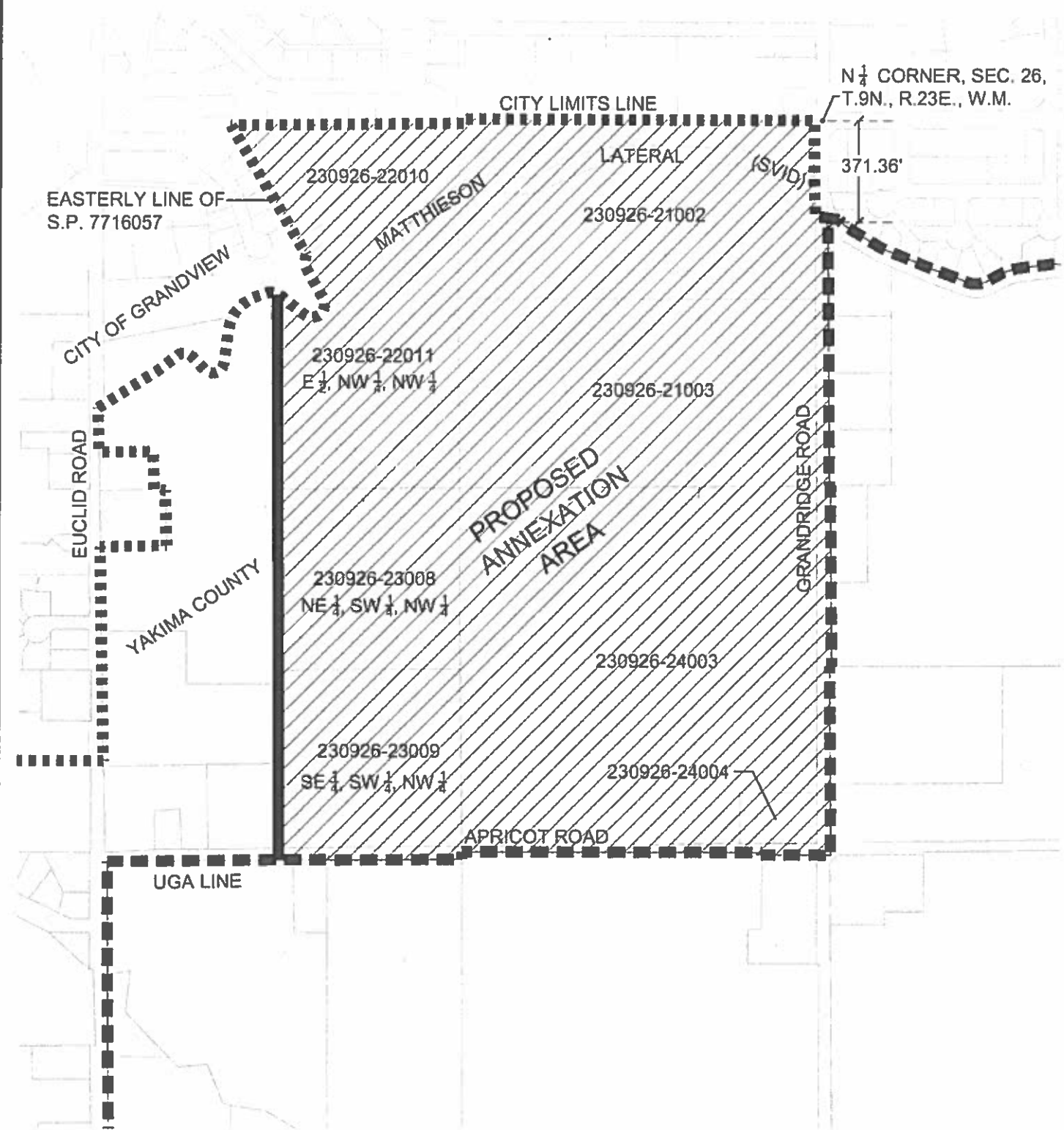
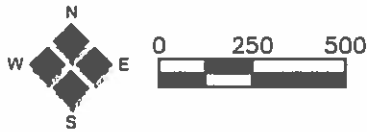
Proposed Charvet Annexation

That part of Section 26, Township 9 North, Range 23 East, W.M., described as follows:

Commencing at the North quarter corner of said Section 26;  
Thence Westerly along the North line of said Section 26 to the Westerly right of way line of Grandridge Road and the Point of Beginning;  
Thence Southerly along said Westerly right of way line to a point that is 371.36 feet Southerly of the North line of said Section 26 as measured perpendicular thereto;  
Thence Easterly parallel with said North line to the Easterly right of way line of said Grandridge Road;  
Thence Southerly along said Easterly right of way line to the Southerly right of way line of Apricot Road;  
Thence Westerly along said Southerly right of way line to the Southerly extension of the West line of the East half of the Southwest quarter of the Northwest quarter of said Section 26;  
Thence Northerly along said West line to the Southwest corner of the East half of the Northwest quarter of the Northwest quarter of said Section 26;  
Thence Northerly along said West line to the Southerly right of way line of said Matthieson Lateral;  
Thence Easterly along said Southerly line to the Southeasterly extension of the Northeasterly line of that Short Plat recorded under Auditor's File Number 7716057, records of Yakima County, Washington;  
Thence Northwesterly along said line to the North line of said Section 26;  
Thence Easterly along said North line to the Point of Beginning;

Situate in Yakima County, State of Washington.





<p><b>HLA</b> Engineering and Land Surveying, Inc.</p>	2803 River Road Yakima, WA 98902 509.966.7000 Fax 509.965.3800 www.hlacivil.com	JOB NUMBER: 19007G DATE: 9-9-19	<p><b>CITY OF GRANDVIEW CHARVET ANNEXATION</b></p> <p>YAKIMA COUNTY ANNEXATION EXHIBIT MAP <b>72</b></p>
		FILE NAMES: DRAWING: CHARVET-ANNEX.dwg	
	REVIEWED BY: ENTERED BY:	ETH TDF	

**ORDINANCE NO. 2019-16**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
LEVYING THE 2020 AD VALOR PROPERTY TAXES AND EXCESS LEVY TAXES**

**WHEREAS**, the City Council has met and considered its budget for the calendar year 2020; and

**WHEREAS**, the City Council, in the course of considering the budget for 2020, has reviewed all sources of revenue and examined all anticipated expenses and obligations; and

**WHEREAS**, the City Council has determined that it is in the best interest of and necessary to meet the expenses and obligations of the City of Grandview and a substantial need exists for the property tax revenue to be increased in 2020;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The regular levy request in the amount of \$1,616,000.00, which is a \$15,774.00 increase from 2019 levy amount and a 1% increase of that same 2019 levy amount, plus any amount allowed for new construction and increase in state assessed values.

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

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**PUBLISHED: 11/13/19**

**EFFECTIVE: 11/18/19**

**ORDINANCE NO. 2019-17**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
INCREASING THE 2020 PROPERTY TAX LEVY FOR THE CITY OF GRANDVIEW  
ABOVE THE "LIMIT FACTOR" UP TO 101 PERCENT**

**WHEREAS**, the Grandview City Council has met and considered its budget for the calendar year 2020; and

**WHEREAS**, the City Council, in the course of considering the budget for 2020 has reviewed all sources of revenue and examined all anticipated expenses and obligations; and

**WHEREAS**, the City Council has determined that it is in the best interest of and necessary to meet the expenses and obligations of the City of Grandview and there is a substantial need to increase the regular property tax levy rate above the rate of inflation;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW,  
WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The limit factor for the regular levy for the calendar year of 2020 shall be 101% of the highest amount of regular property taxes that could have been lawfully levied in the City of Grandview in any year.

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

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**PUBLISHED: 11/13/19**  
**EFFECTIVE: 11/18/19**

**ORDINANCE NO. 2019-18**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
AMENDING GRANDVIEW MUNICIPAL CODE SECTION 13.28.050  
SETTING DOMESTIC SEWER RATES**

**WHEREAS**, sewer 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 Water/Sewer Fund to properly maintain the citizens' utilities and provide adequate services to City residents and businesses and to adequately service the water/sewer debt issued by the City; and,

**WHEREAS**, Grandview Municipal Code Section 13.28.050 provides for domestic sewer rates;

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

**Section 1.** Grandview Municipal Code Section 13.28.050, which reads as follows:

**13.28.050 Sewer rates.**

2019 rates set forth herein shall become effective on December 15, 2018, excluding section B – Rates for Large Industrial Users within the City, which shall become effective on January 1, 2019.

A. **Definitions.** Unless the context specifically indicates otherwise, the meaning of the terms used in this section shall be as defined in GMC 13.04.010.

B. **Rates for Large Industrial Commercial Users within the City.** Sewer rates for large industrial or commercial accounts required to install monitoring stations, to be charged by the City of Grandview for sewer service, are, until further ordinance by the City Council, as follows:

Sewer rates shall be based upon the volume and strength of the wastewater discharged as follows:

<b><u>Parameter</u></b>	<b><u>Rate</u></b>
Flow per 1,000 gallon	\$3.2017
BOD per pound	\$0.0980
TSS per pound	\$0.3090

Quantities of flow, BOD and TSS shall be as determined by the City using data and results obtained by the City from the monitoring stations installed by each large industrial or commercial user. The minimum monthly charge for large industrial and

commercial users shall be as follows:

<u>Service Description</u>	<u>Rate</u>
Minimum monthly charge	\$684.95

The minimum monthly charge for separate sanitary waste, as discussed below, shall be included in this minimum amount. The City of Grandview shall charge for sanitary waste flows that do not pass through the industrial monitoring stations for the large industrial or commercial accounts. Such sanitary waste flows shall be determined based on the number of "full-time equivalent" employees employed by the large industrial or commercial user.

"Full-time equivalent" refers to the calculation made to determine the number of employees, both part- and full-time, employed in the City of Grandview, by a particular business. The quarterly Department of Labor and Industries report should be used to determine the number of employee equivalents by dividing the total hours of all classes of workers employed by 520 hours and adding the number of owners, partners, and officers employed in the business and not included above. If the quarterly Department of Labor and Industries report does not accurately reflect the number of employees employed within the City of Grandview, then equivalent quarterly information may be used to determine the number of employee equivalents by dividing the total hours of all classes of workers employed by 520 hours and adding the number of owners, partners and officers employed in the business and not included in the worker hours.

For example: if an industry reported 10,400 hours for the first quarter, the calculation would be:

Monthly number of equivalent employees =  $10,400/520 = 20$

A copy of the report or form used to determine worker hours and "full-time equivalent" employees shall be provided to the City each quarter.

The sanitary waste water flows for a three-month period shall be based on the number of hours reported for the previous quarter and shall be calculated using 300 gallons per employee per day as follows:

Monthly flow volume in gallons = monthly number of equivalent employees times 300 gallons per equivalent employee.

For example: using the 20 monthly number of equivalent employees calculated above for the first quarter, the flow volume used for sewer rates for each month of the second quarter would be:

Monthly flow volume in gallons =  $20 \times 300 = 6,000$  gallons

Charges by the City of Grandview for such sanitary waste sewer services are, until

further ordinance by the City Council, as follows:

Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$40.58
Plus for each 1,000 gallons after 5,000 gallons	\$ 5.04

C. **Rates for Residential and Public Users within the City.** Sewer rates for all accounts within the corporate City limits, except industrial, business and commercial accounts, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, as follows. Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$34.29
Plus for each 1,000 gallons after 5,000 gallons	\$ 5.43

Provided, during the irrigation season (March 15th to October 15th – Resolution No. 2004-20) the sewer rate use charge shall be fixed and based upon the average monthly water usage during the non-irrigation season (October 15th to March 15th). During the non-irrigation season, the sewer rate use charge shall be fixed and based upon actual water use.

D. **Rates for Commercial, Business, and Industrial Users within the City.** Sewer rates for commercial, business, and industrial sewer services within the corporate City limits not required to install monitoring stations, with the exception of grocery stores, bakeries, restaurants, and drive-ins, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, as follows:

Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$34.29
Plus for each 1,000 gallons after 5,000 gallons	\$ 4.26

Commercial, business, and industrial sewer services within the corporate City limits not required to install monitoring stations who lose volume of water through evaporation, irrigation, or in the product may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the City is documented through the use of water meters. In such situations, the monthly sewer

charges will be based upon the volume of wastewater discharged to the City at the rates specified.

**Sewer rates for grocery stores, bakeries, restaurants, and drive-ins** to be charged by the City of Grandview for sewer services are, until further ordinance by the City council, as follows. Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$34.29
Plus for each 1,000 gallons after 5,000 gallons	\$ 4.99

E. **Rates outside City.** Sewer rates for all accounts outside the corporate City limits, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, 150 percent of the corresponding rate charged for a similar facility located within the corporate City limits; except when property to be served is subject to pending annexation and Yakima County has given the City early transfer of authority as provided in Article G.6 of the Interlocal Agreement for Growth Management Act implementation in Yakima County, adopted by Resolution No. 99-14. In the event such property is not annexed at the next available annexation election date, said property shall pay at the rate of all other property outside the City limits. Where user is supplied by water from non-City sources, upon demand of the City Council, the supply shall be metered at the owner's expense and the City shall have the right of access to the meter.

F. In addition to all sewer charges, applicable Washington State and local utility taxes shall be shown on the billing and collected in accordance with this chapter and GMC 13.28.120.

G. **Penalty.** The City of Grandview shall charge monetary penalties for slug or accidental discharges of wastes from large industrial or commercial users in accordance with GMC 13.12.120 and, until further ordinance of the City Council, penalties for violation of pH limits in accordance with the following schedule:

Any discharge of wastes from a large industrial or commercial user with a pH lower than five or higher than 11, for an average over a 15-minute period within a 60-minute duration, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works, shall be subject to a penalty as follows per hour for each hour said violation continues to occur. In addition, the City may charge the discharger for actual costs of mitigating the effects of the impact of the discharge on the sewer system and treatment facilities:

<u>Penalty Description</u>	<u>Rate</u>
Slug/accidental discharge	\$329.60 per hour



*Is hereby amended to read, as follows:*

**13.28.050 Sewer rates.**

2020 rates set forth herein shall become effective on December 15, 2019, excluding section B – Rates for Large Industrial Users within the City, which shall become effective on January 1, 2020.

A. **Definitions.** Unless the context specifically indicates otherwise, the meaning of the terms used in this section shall be as defined in GMC 13.04.010.

B. **Rates for Large Industrial Commercial Users within the City.** Sewer rates for large industrial or commercial accounts required to install monitoring stations, to be charged by the City of Grandview for sewer service, are, until further ordinance by the City Council, as follows:

Sewer rates shall be based upon the volume and strength of the wastewater discharged as follows:

<b><u>Parameter</u></b>	<b><u>Rate</u></b>
Flow per 1,000 gallon	\$3.2978
BOD per pound	\$0.1009
TSS per pound	\$0.3183

Quantities of flow, BOD and TSS shall be as determined by the City using data and results obtained by the City from the monitoring stations installed by each large industrial or commercial user. The minimum monthly charge for large industrial and commercial users shall be as follows:

<b><u>Service Description</u></b>	<b><u>Rate</u></b>
Minimum monthly charge	\$705.50

The minimum monthly charge for separate sanitary waste, as discussed below, shall be included in this minimum amount. The City of Grandview shall charge for sanitary waste flows that do not pass through the industrial monitoring stations for the large industrial or commercial accounts. Such sanitary waste flows shall be determined based on the number of "full-time equivalent" employees employed by the large industrial or commercial user.

"Full-time equivalent" refers to the calculation made to determine the number of employees, both part- and full-time, employed in the City of Grandview, by a particular business. The quarterly Department of Labor and Industries report should be used to determine the number of employee equivalents by dividing the total hours of all classes of workers employed by 520 hours and adding the number of owners, partners, and officers employed in the business and not included above. If the quarterly Department of Labor and Industries report does not accurately reflect the number of employees employed within the City of Grandview, then equivalent quarterly information may be

used to determine the number of employee equivalents by dividing the total hours of all classes of workers employed by 520 hours and adding the number of owners, partners and officers employed in the business and not included in the worker hours.

For example: if an industry reported 10,400 hours for the first quarter, the calculation would be:

$$\text{Monthly number of equivalent employees} = 10,400/520 = 20$$

A copy of the report or form used to determine worker hours and "full-time equivalent" employees shall be provided to the City each quarter.

The sanitary waste water flows for a three-month period shall be based on the number of hours reported for the previous quarter and shall be calculated using 300 gallons per employee per day as follows:

$$\text{Monthly flow volume in gallons} = \text{monthly number of equivalent employees times } 300 \text{ gallons per equivalent employee.}$$

For example: using the 20 monthly number of equivalent employees calculated above for the first quarter, the flow volume used for sewer rates for each month of the second quarter would be:

$$\text{Monthly flow volume in gallons} = 20 \times 300 = 6,000 \text{ gallons}$$

Charges by the City of Grandview for such sanitary waste sewer services are, until further ordinance by the City Council, as follows:

Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$41.80
Plus for each 1,000 gallons after 5,000 gallons	\$ 5.19

C. Rates for Residential and Public Users within the City. Sewer rates for all accounts within the corporate City limits, except industrial, business and commercial accounts, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, as follows. Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$35.32
Plus for each 1,000 gallons after 5,000 gallons	\$ 5.59

Provided, during the irrigation season (March 15th to October 15th – Resolution No. 2004-20) the sewer rate use charge shall be fixed and based upon the average monthly water usage during the non-irrigation season (October 15th to March 15th). During the non-irrigation season, the sewer rate use charge shall be fixed and based upon actual water use.

**D. Rates for Commercial, Business, and Industrial Users within the City.**

Sewer rates for commercial, business, and industrial sewer services within the corporate City limits not required to install monitoring stations, with the exception of grocery stores, bakeries, restaurants, and drive-ins, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, as follows:

Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$35.32
Plus for each 1,000 gallons after 5,000 gallons	\$ 4.39

Commercial, business, and industrial sewer services within the corporate City limits not required to install monitoring stations who lose volume of water through evaporation, irrigation, or in the product may request a reduction in their monthly sewer charge only if the difference between water consumed and wastewater discharged to the City is documented through the use of water meters. In such situations, the monthly sewer charges will be based upon the volume of wastewater discharged to the City at the rates specified.

**Sewer rates for grocery stores, bakeries, restaurants, and drive-ins** to be charged by the City of Grandview for sewer services are, until further ordinance by the City council, as follows. Sewer rates shall be based upon a minimum monthly charge plus a per unit rate for each 1,000 gallons of water delivered in excess of the first 5,000 gallons per month as follows:

<u>Minimum Monthly Charge</u>	<u>Rate</u>
Minimum for 5,000 gallons	\$35.32
Plus for each 1,000 gallons after 5,000 gallons	\$ 5.14

**E. Rates outside City.** Sewer rates for all accounts outside the corporate City limits, to be charged by the City of Grandview for sewer services are, until further ordinance by the City Council, 150 percent of the corresponding rate charged for a similar facility located within the corporate City limits; except when property to be served is subject to pending annexation and Yakima County has given the City early transfer of authority as provided in Article G.6 of the Interlocal Agreement for Growth Management Act implementation in Yakima County, adopted by Resolution No. 99-14. In the event

such property is not annexed at the next available annexation election date, said property shall pay at the rate of all other property outside the City limits. Where user is supplied by water from non-City sources, upon demand of the City Council, the supply shall be metered at the owner's expense and the City shall have the right of access to the meter.

F. In addition to all sewer charges, applicable Washington State and local utility taxes shall be shown on the billing and collected in accordance with this chapter and GMC 13.28.120.

G. **Penalty.** The City of Grandview shall charge monetary penalties for slug or accidental discharges of wastes from large industrial or commercial users in accordance with GMC 13.12.120 and, until further ordinance of the City Council, penalties for violation of pH limits in accordance with the following schedule:

Any discharge of wastes from a large industrial or commercial user with a pH lower than five or higher than 11, for an average over a 15-minute period within a 60-minute duration, or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the sewage works, shall be subject to a penalty as follows per hour for each hour said violation continues to occur. In addition, the City may charge the discharger for actual costs of mitigating the effects of the impact of the discharge on the sewer system and treatment facilities:

<u>Penalty Description</u>	<u>Rate</u>
Slug/accidental discharge	\$339.50 per hour

**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 November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

PUBLICATION: 11/13/19  
EFFECTIVE: 11/18/19

**ORDINANCE NO. 2019-19**

**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.**

2019 irrigation rates shall become effective commencing January 1, 2019, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.018007 per square foot and the minimum charge per property shall be the sum of \$108.13 per year.

2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.004094 per square foot or \$178.31 per acre, and the minimum charge per property shall be the sum of \$71.61 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 \$0.002083 per square foot or \$90.70 per acre per year or \$37.91 minimum charge per year per property owner.

***is hereby amended to read as follows:***

**13.28.060(B) Irrigation Rates.**

2020 irrigation rates shall become effective commencing January 1, 2020, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.018367 per square foot and the minimum charge per property shall be the sum of \$110.29 per year.

2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.004176 per square foot or \$181.88 per acre, and the minimum charge per property shall be the sum of \$73.04 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 \$0.002125 per square foot or \$92.51 per acre per year or \$38.67 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 November 12, 2019.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

PUBLICATION: 11/13/19

EFFECTIVE: 11/18/19