

**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.

Mayor Gloria Mendoza

Anita Palacios, City Clerk