

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, MARCH 24, 2020**



	<u>PAGE</u>
<b>REGULAR MEETING – 7:00 PM</b>	
<b>1. CALL TO ORDER &amp; ROLL CALL</b>	
A. Mayor’s Memo RE: Telephonic Meeting Guidelines	1
<b>2. PLEDGE OF ALLEGIANCE</b>	
<b>3. PRESENTATIONS</b>	
<b>4. PUBLIC COMMENT</b> – At this time, the public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing.	
<b>5. CONSENT AGENDA</b> – 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 March 10, 2020 Committee-of-the-Whole meeting	2-5
B. Minutes of the March 10, 2020 Council meeting	6-8
C. Minutes of the March 16, 2020 Special Council meeting	9
C. Payroll Check Nos. 11562-11578 in the amount of \$96,079.62	
D. Payroll Electronic Fund Transfers (EFT) Nos. 60301-60305 in the amount of \$84,544.12	
E. Payroll Direct Deposit 3/1/20-3/15/20 in the amount of \$106,802.54	
F. Claim Check Nos. 119571-119666 in the amount of \$260,895.92	
<b>6. ACTIVE AGENDA</b> – 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 – Grandridge Estates Subdivision – 227-Lot Preliminary Plat	10-12
B. Resolution No. 2020-13 approving Grandridge Estates Subdivision 227-Lot Preliminary Plat	13-33
C. Resolution No. 2020-14 approving Task Order No. 2020-02 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Facility Plan	34-39
D. Resolution No. 2020-15 approving Task Order No. 2020-03 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls	40-43
E. Resolution No. 2020-16 proclaiming a Declaration of Emergency due to the Coronavirus Disease 2019 for the cancellation of City meetings, payments of accounts payable and payroll, closure of City buildings, suspension of penalties and disconnections of municipal services, etc.	44-51
F. 2020 Fuel Bid Award – Bleyhl Co-op	52-60
<b>7. UNFINISHED AND NEW BUSINESS</b>	
A. USDA Rural Development – Self-Contained Breathing Apparatus Grant	61-65
<b>8. CITY ADMINISTRATOR AND/OR STAFF REPORTS</b>	
<b>9. MAYOR &amp; COUNCILMEMBER REPORTS</b>	
<b>10. ADJOURNMENT</b>	



**CITY OF GRANDVIEW  
MEMORANDUM**

**TO:** City Council, Staff and Public  
**FROM:** Mayor Gloria Mendoza  
**DATE:** March 19, 2020  
**RE:** Telephonic Meeting Guidelines

As the Coronavirus and its impact continue to evolve and develop, the City of Grandview remains focused on the health and safety of our employees and our community, as well as our commitment to our residents. The City's emergency planning response to the Coronavirus outbreak is changing day by day.

The Coronavirus event has impacted the City, however, the Grandview City Council is still subject to the State of Washington's Open Public Meetings Act and all City Council meetings must be open to the public. To ensure compliance with the President's Coronavirus Guidelines for America, the Centers for Disease Control and Prevention Guidelines, and the Governor's Proclamation #20-07 for social distancing, the Council, staff and the public are encouraged to participate remotely by telephone.

For those participating remotely by telephone and in order to have an efficient meeting, I would ask your cooperation in the following:

- Councilmembers need to identify yourself before speaking and indicate when you are finished speaking by stating "I yield the floor."
- Councilmembers and staff should direct questions to the Mayor.
- Councilmembers should take turns speaking and limit comments to 10 minutes.
- Be courteous.
- Mute phones while not speaking to eliminate background noise.
- The public will only be allowed to speak during the "Public Comment" portion of the agenda.
- Votes of the Council will be taken by roll call.

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES  
MARCH 10, 2020**

**1. CALL TO ORDER**

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

**2. ROLL CALL**

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

Absent: Councilmember Diana Jennings

Staff present: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Fire Chief Pat Mason, WWTP Superintendent Dave Lorenz, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios.

**3. PUBLIC COMMENT – None**

**4. NEW BUSINESS**

**A. Resolution approving Task Order No. 2020-02 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Facility Plan**

City Engineer Ted Pooler with HLA Engineering explained that the City operates a Wastewater Treatment Plant (WWTP) under the terms of Department of Ecology (DOE) NPDES Permit No. WA0052205. Special Condition S9 requires the Permittee (City) to prepare a draft Facility Plan in accordance with Chapter 173-240 WAC and submit to DOE by September 30, 2020, for review. Additional Permit requirements included:

- As required by RCW 90.48.112, the facility plan must address the feasibility of using reclaimed water as defined in RCW 90.46.010.
- The report must contain any appropriate requirements as described in the following guidance documents:
  - ✓ Criteria for Sewage Works Design (DOE Publication No. 98-37 WQ, 2008)
  - ✓ Design Criteria for Municipal Wastewater Land Treatment Systems for Public Health Protection (Washington State Department of Health (DOH), 1994)
  - ✓ Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems (DOE Publication No. 93-36, 1993)
  - ✓ Water Reclamation and Reuse Standards (DOE and DOH Publication No. 97-23, 1997)
- To assure eligibility for DOE funding, the Facility Plan must include either SERP, NEPA, or both.

Staff presented Task Order No. 2020-02 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Facility Plan with an estimated total amount of \$64,000.00 for professional engineering services.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved a resolution approving Task Order No. 2020-02 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Facility Plan to the March 24, 2020 regular Council meeting for consideration.**

Councilmember Brewer voted in opposition.

**B. Resolution approving Task Order No. 2020-03 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls**

City Engineer Ted Pooler with HLA Engineering explained that the City operates a Wastewater Treatment Plant (WWTP) under the terms of Department of Ecology (DOE) NPDES Permit No WA0052205. Effluent from the 1.5 MGD mechanical treatment process was used to provide utility water for washdown and other purposes in the treatment process and sludge dewatering facility. As the booster system was originally designed, pump control and pressure fluctuations were controlled by a 1,980-gallon hydropneumatic tank (500-gallon working volume). The booster system was sized to provide up to 300 gallons per minute with two pumps in operation. A pump control panel would signal one or more of the three utility water pumps to start or stop based on pressure in the tank. The bladder in the tank failed, so the control system no longer functions, and plant personnel operate the system manually. Control technology has changed since the original installation. Pumps were now controlled by variable speed drives (VFDs) that receive pressure signals from a small (150-gallon) pressure tank. Speed of the individual pumps was adjusted by the VFDs to meet the demand, and additional pump(s) were called when utility water demand exceeds pump capacity. A preliminary review found the existing pumps were suitable for operation on VFDs. Therefore, this project proposes to replace the existing hydropneumatic tank and control panel with a small pressure tank and new control panel. Vendor designed and supplied control panels were available for this application. The VFDs would be housed in the new control panel and new control wiring may be needed between the panel and pressure transducer near the pressure tank. Depending on the selected panel supplier and costs, panel installation could be performed by the supplier, if appropriately licensed, or by an electrician selected from the City.

Staff presented Task Order No. 2020-03 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls with an estimated total amount of \$12,500.00 for professional engineering services.

Discussion took place.

**On motion by Councilmember Brewer, second by Councilmember Rodriguez, the C.O.W. moved a resolution approving Task Order No. 2020-03 with HLA Engineering and Land Surveying, Inc., for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls to the March 24, 2020 regular Council meeting for consideration.**

**C. Street Maintenance Program**

City Administrator Arteaga explained that street maintenance has been very challenging due to limited funding to apply and/or provide a proper maintenance program.

Five years ago, Council approved a Six-Year Street Sealcoat Maintenance Program. Staff provided a list of streets that would be completed within the six-year period and estimated spending \$80,000 per year as a funding appropriation. The funding was supported by the Transportation Benefit District (TBD) which would now go away due to the passage of I-976. One of the stipulations of the six-year program was staff would complete a roadway survey during the spring and bring back a modified recommendation for Council to consider if appropriate. In the past, the City partnered with either Benton County and/or Yakima County for the labor of applying the annual sealcoat treatment. The City has interlocal agreements in place with both agencies which eliminated the need to request sealed bids for the work.

The 2020 street sealcoat recommendation was as follows:

- North Fourth Street from Euclid to Wilson (2,680 feet)
- North Third Street from Wine Country Road to Opal (1,040 feet)
- Davie from North Third Street to North Fourth Street (442 feet)
- Nealy from North Third Street to North Fourth Street (442 feet)

He recommended Council consider a different street maintenance treatment for this year. Currently, there were three blocks of roadway that were failing and, in his opinion, beyond a chip-seal treatment and would require a full asphalt grind and overlay in order to preserve these sections of roadway. The areas were as follows:

- 200 Block of Elm Street estimated at \$36,000
- 100 Block of Birch Street estimated at \$30,000
- 200 Block of Birch Street estimated at \$32,000

These roadways were located within the center of town and were highly visible. As the City continued to promote the downtown business core, these streets would be the first impression that newcomers would see. He considered this as one of the last chances to repair these streets since the TBD would potentially be going away because of I-976.

He recommended Council approve the proposal of postponing the chip-seal treatment for 2020 and allow staff to complete the three blocks as described above. If Council supports the recommendation, staff would need to complete the following: develop bid documents, advertise for sealed-bids, and open bids and award the project.

All of these steps were required in order to meet and comply with the State of Washington bidding requirements because of the total dollar amount limit. The maximum dollar amount the City can approve without going to sealed-bid was \$65,000.

Discussion took place.

Following discussion, Council concurred with the City Administrator's recommendation.

**D. Resolution authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Troy Lee & Associates, Inc.**

City Clerk Palacios explained that the City contracts with Yakima County District Court for municipal court services. Under the terms of the contract, the City must provide indigent defense services to indigent defendants. In the event of a conflict with the current public defender, the

City must also provide alternate counsel for indigent defendants. In 2018, the City negotiated contract terms with Troy Lee & Associates, Inc., to provide conflict indigent defense counsel. His contract expired. Staff presented a new Public Defender Agreement from March 1, 2020 to March 31, 2022 in the amount of \$90 per hour plus mileage. It would be in the best interest of the City to negotiate a new contract with Troy Lee & Associates, Inc., to provide conflict indigent defense counsel.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Souders, the C.O.W. moved a resolution authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Troy Lee & Associates, Inc., to the March 10, 2020 regular Council meeting for consideration.**

**5. OTHER BUSINESS**

**A. USDA Rural Development – Self-Contained Breathing Apparatus Grant**

Fire Chief Mason explained that the City applied for USDA Rural Development funding to purchase 22 Self-Contained Breathing Apparatus (SCBA) in the amount of \$161,000. The financial proposal provided by USDA-RD would be a grant in the amount of \$88,500 and the City funding the balance of \$72,500.

Discussion took place regarding the Mayor's authority to obligate USDA-RD funding on behalf of the City to purchase SCBA.

**6. MEETING RECESSED**

The C.O.W. meeting was recessed 7:10 p.m. The C.O.W. meeting reconvened at 7:45 p.m.

Further discussion took place regarding the Mayor's authority to obligate USDA-RD funding on behalf of the City to purchase SCBA.

Council requested the City Attorney to provide a legal opinion as to whether the Mayor was authorized to sign the Letter of Conditions for the USDA-RD grant.

City Administrator Arteaga indicated that he would provide prior meeting minutes, etc., to support the Mayor's signature on the Letter of Conditions.

**7. ADJOURNMENT**

The C.O.W. meeting adjourned at 8:10 p.m.

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
MARCH 10, 2020**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the regular meeting to order at 7:10 p.m. in the Council Chambers at City Hall.

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

Absent: Councilmember Diana Jennings

**On motion by Councilmember Moore, second by Councilmember Rodriguez, Council excused Councilmember Jennings from the meetings.**

Staff present: 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**

Eloy Armendariz II, 8<sup>th</sup> grade student from Grandview Middle School, led the pledge of allegiance.

**3. PRESENTATIONS**

**A. Meals on Wheels – March for Meals Month Proclamation**

Mayor Mendoza proclaimed March 2020 as the 18<sup>th</sup> Annual March for Meals Month and urged every citizen to take this month to honor the Meals and Wheels programs, the seniors they serve and the volunteers who care for them.

**4. PUBLIC COMMENT**

Daniel Lopez, 901 Zorada Street, Grandview, Washington, requested Council leave the speed limit on east and west Wine Country Road at 25 mph for public safety concerns.

**5. CONSENT AGENDA**

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

- A. Minutes of the February 25, 2020 Committee-of-the-Whole meeting**
- B. Minutes of the February 25, 2020 Council meeting**
- C. Payroll Check Nos. 11530-11561 in the amount of \$30,748.84**
- D. Payroll Electronic Fund Transfers (EFT) Nos. 60292-60297 in the amount of \$98,007.57**
- E. Payroll Direct Deposit 2/16/20-2/29/20 in the amount of \$115,078.16**
- F. Claim Check Nos. 119469-119570 in the amount of \$546,709.21**

**6. ACTIVE AGENDA**

- A. Resolution No. 2020-10 authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Grandview Neptune Rotary Swim Team for the use of the swimming pool – 2020 Swim Team Program**

This item was previously discussed at the February 25, 2020 C.O.W. meeting.

**On motion by Councilmember Brewer, second by Councilmember Moore, Council approved Resolution No. 2020-10 authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and the Grandview Neptune Rotary Swim Team for the use of the swimming pool – 2020 Swim Team Program.**

- B. Ordinance No. 2020-4 repealing Ordinance No. 2019-4 amending Grandview Municipal Code Section 10.24.025 Speed Limit-Wine Country Road**

This item was previously discussed at the February 25, 2020 C.O.W. meeting.

**On motion by Councilmember Brewer, second by Councilmember Everett, Council approved Ordinance No. 2020-4 repealing Ordinance No. 2019-4 amending Grandview Municipal Code Section 10.24.025 Speed Limit-Wine Country Road.**

- C. Resolution No. 2020-11 authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Troy Lee & Associates, Inc.**

This item was previously discussed at the March 10, 2020 C.O.W. meeting.

**On motion by Councilmember Everett, second by Councilmember Rodriguez, Council approved Resolution No. 2020-11 authorizing the Mayor to sign a Public Defender Agreement for conflict indigent defense counsel with Troy Lee & Associates, Inc.**

**7. UNFINISHED AND NEW BUSINESS**

**Mayor Mike Bren Memorial** – Councilmember Everett requested that an item be placed on the next C.O.W. agenda to discuss a memorial in the City in remembrance of Mayor Mike Bren.

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

**9. MAYOR & COUNCILMEMBER REPORTS**

**Special Council Meeting RE: Retail Recruitment Presentation – March 17, 2020** – Mayor Mendoza reported that Casey Kidd, CEO with NaviRetail requested that the March 17, 2020 Special Council meeting regarding a Retail Recruitment Presentation be rescheduled due to the concerns over COVID-19 (coronavirus) and his travel plans through Seattle, Washington.

**On motion by Councilmember Everett, second by Councilmember Souders, Council cancelled the March 17, 2020 Special Council meeting.**

Las Vegas Retail Conference – Mayor Mendoza, Councilmember Everett and City Administrator Arteaga were scheduled to attend the Las Vegas Retail Conference in May 2020. Again due to concerns over COVID-19 (coronavirus), it was suggested the travel plans be cancelled.

**On motion by Councilmember Souders, second by Councilmember Brewer, Council cancelled the travel plans to the Las Vegas Retail Conference for Mayor Mendoza, Councilmember Everett and City Administrator Arteaga.**

YVCOG General Membership Meeting – Councilmember Moore reported that the YVCOG General Membership Meeting was scheduled for March 18<sup>th</sup> in Zillah.

**10. ADJOURNMENT**

**On motion by Councilmember Moore second by Councilmember Rodriguez, Council adjourned the regular meeting at 7:45 p.m.**

\_\_\_\_\_  
Mayor Gloria Mendoza

\_\_\_\_\_  
Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES  
MARCH 16, 2020**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the special meeting to order at 12:00 Noon in the Council Chambers at City Hall.

Present: Mayor Mendoza and Councilmembers Gay Brewer, David Diaz, Mike Everett, Bill Moore and Joan Souders

Absent: Councilmembers Diana Jennings and Javier Rodriguez

Staff present: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Police Chief Kal Fuller, Parks & Recreation Director Gretchen Chronis, Library Director Elizabeth Jahnke, Assistance Police Chief Mike Hopp, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios.

**2. DECLARATION OF AN EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19)**

On motion by Councilmember Moore, second by Councilmember Souders, Council approved Resolution No. 2020-12 declaring an emergency related to the Coronavirus (COVID-19).

**3. ADJOURNMENT**

On motion by Councilmember Everett, second by Councilmember Brewer, Council adjourned the special meeting at 12:35 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  
GRANDRIDGE ESTATES SUBDIVISION – PRELIMINARY PLAT**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, March 24, 2020 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 following:

**Applicant(s):** Dan Swanson dba KDS Development, Inc.

**Proposed Project:** Grandridge Estates Subdivision–Preliminary Plat Phases 1-8

**Number of Residential Lots:** 227

**Zoning:** R-1 Low Density Residential

**Location of Project:** 221 Apricot Road, Grandview, Yakima County, Washington.  
Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008, 230926-23009

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) 882-9200, email: [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – March 4, 2020

**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:

- Grandridge Estates Subdivision – 227-Lot Preliminary Plat submitted by Dan Swanson d/b/a Development, Inc., for property located west of Grandridge Road about 1400 feet north of Apricot Road.

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:**

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

Closed Record Public Hearing – Grandridge Estates  
Subdivision – 227-Lot Preliminary Plat

**AGENDA DATE:** March 24, 2020

Resolution No. 2020-13 approving Grandridge Estates  
Subdivision 227-Lot Preliminary Plat

**DEPARTMENT**

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

Planning/Hearing Examiner

**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 subdivision application submitted by Dan Swanson d/b/a KDS Development, Inc., for preliminary plat approval of a 227-lot residential subdivision to be known as Grandridge Estates. The proposed preliminary plat is located west of Grandridge Road about 144 feet north of Apricot Road.

**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 February 24, 2020, a public hearing was held before the Hearing Examiner to receive comments on the proposed preliminary plat. A copy of the Hearing Examiner's Recommendation SUB#2020-01 dated March 9, 2020 is attached.

**ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's conclusions and recommendation that the 227-lot preliminary plat of "Grandridge Estates" to be located on Assessor's Parcel Numbers 230926-21002 and 230926-22010 and on a portion of Assessor's Parcel Numbers 230926-21003 and 230926-22011 be approved, subject to compliance with the conditions outlined in Recommendation SUB2020-01.

Further recommend that Council approve Resolution No. 2020-13 approving Grandridge Estates Subdivision 227-lot Preliminary Plat.

**RESOLUTION NO. 2020-13**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING GRANDRIDGE ESTATES SUBDIVISION  
227-LOT PRELIMINARY PLAT**

**WHEREAS**, the developer Dan Swanson d/b/a KDS Development, Inc., has applied for preliminary plat approval for a 227-lot residential subdivision designated as Grandridge Estates; and

**WHEREAS**, the Hearing Examiner held an open record public hearing on February 24, 2020 on the proposed preliminary plat and provided a recommendation for approval to the City Council subject to compliance with conditions; and

**WHEREAS**, the City Council held a closed record public hearing on March 24, 2020 on the proposed preliminary plat and approved the preliminary plat subject to the conditions outlined in the Hearing Examiner's Recommendation SUB#2020-01 dated March 9, 2020;

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

The 227-lot preliminary plat known as "Grandridge Estates" is hereby approved subject to the conditions as outlined in the Hearing Examiner's Recommendation SUB#2020-01 as attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on March 24, 2020.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**CITY OF GRANDVIEW  
HEARING EXAMINER’S RECOMMENDATION**

**March 9, 2020**

**In the Matter of Application for )  
Preliminary Plat Approval )  
Submitted on behalf of: )**

**SUB#2020-01**

**Charvet Brothers Farms, )  
Property Owner, by the )  
Applicant Dan Swanson )  
d/b/a KDS Development, Inc. )**

**For the Approval of a 227-Lot )  
Preliminary Plat to be Located )  
West of Grandridge Road about )  
1,400 Feet North of Apricot Road )  
To be Named “Grandridge Estates”)**

**A. Introduction.** The findings relative to the hearing process conducted for this proposed preliminary plat are as follows:

(1) The public hearing for this application was held on February 24, 2020.

(2) Mike Shuttleworth, Yakima Valley Conference of Governments Planning Manager who serves as the Planner for the City of Grandview, explained some of the details that are set forth in his staff report by describing ten areas of the proposed preliminary plat dated February 10, 2020, that were in need of revision which he had

Charvet Brothers Farms, Owner, by  
Dan Swanson, KDS Development, Inc.  
227-Lot Plat of “Grandridge Estates”  
W. of Grandridge Rd., N. of Apricot Rd.  
SUB#2020-01

circled in red. Cus Arteaga, City Administrator/Public Works Director, answered questions and indicated that the City has sufficient water and sewer capacity to serve the proposed subdivision. City Clerk Anita Palacios testified that the one comment that was received was from the Washington State Department of Ecology (DOE) regarding toxics clean-up and water quality.

(3) The property owner's representative and applicant for the proposed preliminary plat, Dan Swanson d/b/a KDS Development, Inc., and the engineer for the development, Jeffrey Jensen of Jensen & Associates Consulting Engineers, answered questions and supplied additional information. The soil was tested by DOE and found to be at or below toxics clean-up levels so that a written report would not be issued, but copies of Cascade Analytical soil analysis results were submitted for the record and a letter indicating that the results are below Model Toxics Control Act clean-up levels will be provided to the City. Mr. Swanson and Mr. Jensen agreed to promptly submit a revised preliminary plat that would address the matters described by Mr. Shuttleworth.

(4) No members of the public or other individuals testified at the hearing. The hearing was closed, but the record was kept open in order to include the revised preliminary plat. A revised preliminary plat dated February 26, 2020, was provided to the City and the Hearing Examiner to be included in the record as the preliminary plat to be submitted for the City Council's consideration with the aid of this Recommendation. This Recommendation regarding that proposed preliminary plat of "Grandridge Estates" has been issued within ten business days of the open record public hearing held on February 24, 2020, as required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The Hearing Examiner recommends that the Grandview City Council approve this proposed preliminary plat, subject to the conditions.

**C. Basis for Recommendation.** Based on a view of the site with no one else present on February 24, 2020; consideration of the staff report, exhibits, written comments, testimony and other evidence presented at the open record public hearing on February 24, 2020; consideration of the revised preliminary plat dated February 26, 2020, submitted

for the record after the hearing; and a consideration of the Grandview Subdivision Ordinance and Zoning Ordinance set forth in the Grandview Municipal Code (GMC); the Hearing Examiner makes and issues the following:

## **FINDINGS**

**I. Property Owner/Applicant.** The property owner is Charvet Brothers Farms, 50 Grey Road or 501 Appleway Road, Grandview, Washington 98930. The applicant who is purchasing approximately 18 acres for the first three phases of the plat and who has an option on additional property in the plat is Dan Swanson d/b/a KDS Development, Inc., 32814 SE 110<sup>th</sup> Street, Issaquah, Washington 98027.

**II. Applicant's Engineer.** The applicant's engineer is Jeffrey Jensen of Jensen & Associates Consulting Engineers, 3505 South Volland Street, Kennewick, Washington 99337.

**III. Location.** The proposed preliminary plat is located on the west side of Grandridge Road approximately 1,400 feet north of its intersection with Apricot Road. The Yakima County Assessor's parcel numbers for the 63.35 acres within the preliminary plat are 230926-21002, 23926-22010 and portions of 23926-21003 and 23926-22011. The reference to parcel number 23926-24003 on the proposed preliminary plat needs to be corrected instead to be 23926-21003. The full legal description appears on the face of the revised proposed preliminary plat in the record dated February 26, 2020.

**IV. Application.** The main aspects of this application for preliminary plat approval may be described as follows:

(1) The proposed 227-lot Preliminary Plat of “Grandridge Estates” would subdivide approximately 63.35 acres into 225 lots intended for single-family residences in a Single-Family Residential (R-1) zone. Lot 226 is shown on the proposed preliminary plat as the remainder of parcel number 230926-22011 to the south that is not being developed at this time. Lot 227 is shown on the proposed preliminary plat as the remainder of parcel number 230926-24003 to the south which needs to instead reference the remainder of parcel number 230926-21003 as the second parcel that is only being partially developed at this time. The Comprehensive Plan future land use designation of the property within the preliminary plat is Residential.

(2) The largest proposed lot is Lot 138 in the northwest corner of the plat which will be dedicated to the City for a stormwater retention pond and which will be 28,977 square feet in size. The smallest proposed lot is Lot 85 which will be 7,763 square feet in size. The average lot size will be 9,498 square feet in size. Features of the lots in each of the 8 phases of development are shown on the proposed preliminary plat.

(3) Water and sewer service will be provided by the City of Grandview. Irrigation water will be provided by the Sunnyside Valley Irrigation District. Grandridge Road along the frontage of the plat will be provided additional right-of-way and improvements similar to those existing north of the proposed preliminary plat. The interior streets will be developed to City standards. Additional features of the proposed preliminary plat will be detailed in other sections of this Recommendation relative to criteria for the review and consideration of proposed preliminary plats.

**V. Environmental Review.** The City distributed a Notice of Application and Public Hearing and Preliminary Determination of Non-Significance (DNS) on January 31, 2020, using the optional DNS process authorized by WAC 197-11-355 with a comment period ending on February 17, 2020. A letter dated February 10, 2020, from the Washington State Department of Ecology (DOE) recommended that the soils be tested for lead, arsenic and organochlorine pesticides and also that an NPDES Construction Stormwater

General Permit be obtained if ground disturbance with the potential for stormwater discharge off-site is anticipated. A final Determination of Non-Significance was issued on February 19, 2020, which became final without an appeal. The applicant testified at the hearing that DOE soil tests found the soil to be at or below Model Toxics Control Act clean-up levels and submitted for the record Cascade Analytical soil analysis test results which will be supplemented by a letter confirming that those test results were also at or below Model Toxics Control Act clean-up levels.

**VI. Critical Areas/Flood Plains.** The City’s critical area and flood plain maps do not show any critical areas or flood plains on this property.

**VII. Comprehensive Plan, Zoning and Land Uses.** The Comprehensive Plan designation, zoning classification and land uses are as follows:

(1) The Comprehensive Plan Future Land Use Map designates the property as Residential.

(2) The property is within the Single-Family Residential (R-1) zone. The property is partially cleared and partially in agricultural production as vineyards. The current County Assessor’s land use designation is Agricultural, and the property within the preliminary plat contains no structures.

(3) Parcels adjacent to the proposed preliminary plat have the following zoning and land use characteristics:

<i>Direction</i>	<i>Zoning</i>	<i>Land Use</i>
North	City R-1 and AG	Single-Family Residential
South	City R-1 & County AG south of Apricot Rd.	Agriculture
East	County AG	Single-Family Residential & Agriculture
West	County R-1	Agriculture

**VIII. Concurrency.** Grandridge Road directly serves the proposed subdivision. Apricot Road will serve the subdivision in future phases. A Transportation Checklist was completed as part of the application. The concurrency test and the requirements of GMC 14.10 (Transportation Concurrency Management) were applied. The proposed development is not expected to result in traffic volumes on Grandridge Road or Apricot Road falling below Level of Service (LOS) C. The minimum acceptable LOS on City streets as set by the Grandview Comprehensive Plan Transportation Element is LOS D.

**IX. Development Standards.** As submitted, the proposal conforms to permitted use and density standards for the R-1 zone. GMC §16.24.020 (Subdivisions-Design Standards) specifies that each lot in a subdivision shall have direct access to and frontage upon a dedicated public street. GMC §16.24.030 states that the maximum block length shall be 1000 feet. The Environmental Checklist states that the applicant will contain stormwater with ponds, drywells and infiltration trenches. Two stormwater retention ponds which are shown on the preliminary plat on Lot 110 and on Lot 138 will be dedicated to the City. The remaining area of parcel number 230926-22011 to the south of the proposed preliminary plat not utilized for the 225 residential lots is shown as Lot 226. The remaining area of parcel number 230926-21003 to the south not utilized for the 225 residential lots is shown as Lot 227, but as noted above the reference to the remaining area of parcel number as 230926-24003 on the proposed preliminary plat needs to be corrected. The proposed preliminary plat is required to conform to these and all of the other City development standards including, but not limited to, the development standards prescribed by GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions) and GMC Title 17 (Zoning).

**X. Notices Provided and Determinations Made Regarding the Environmental Review and the Public Hearing.** Notices of the steps involved in the environmental review and notices of the open record public hearing of February 24, 2020, were provided in the following ways on the following dates:

Posting of Notice of Hearing on the property:	January 31, 2020
Mailing of Notice of Hearing/Threshold Determination:	January 31, 2020
Publishing of Notice of Hearing in Grandview Herald:	February 5, 2020
Issuance of Final Determination of Non-Significance:	February 19, 2020

**XI. Jurisdiction.** GMC §2.50.080(C) provides that the Grandview Hearing Examiner shall receive and examine available information, conduct public hearings, prepare a record thereof and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council, for enumerated types of land use applications which include preliminary plats.

**XII. General Review Criteria for Preliminary Plats and for Other Types of Development Applications.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of 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 §14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding applications for preliminary plats that must comply with the provisions of GMC §14.09.030(A)(3), GMC §14.09.030(A)(4) and GMC §17.88.040. 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 and other types of land use permits. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

**(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** The requested preliminary plat will satisfy this requirement. Since the City’s Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, the preliminary plat which is intended to create lots for residential development would be consistent with the Goals and Policies of the Comprehensive Plan. Specifically, Housing Element Goal 1, Policy 1.1, Objective 1 is to encourage the construction of new units to increase the local housing supply; Housing Element Goal 1, Policy 1.3 is to support housing availability to meet the needs of all income groups; and Housing Element Goal 3 is to encourage a mixture of housing types and densities throughout the sub-area that are compatible with public service availability. The proposed preliminary plat will also meet the intent of the Grandview Municipal Code by providing lots for residences within the Single-Family Residential (R-1) zone which will be developed in compliance with Grandview Municipal Code requirements.

**(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** Since the proposed uses on the property will comply with all applicable City development standards and regulations, they will make adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes. All stormwater drainage must be retained on-site and two stormwater retainage ponds that will be dedicated to the City are shown on Lots 110 and 138 of the proposed preliminary plat dated February 26, 2020. Grandridge Road will be improved with sidewalk and additional right-of-way to provide 25 feet of width to the centerline of the road. The right-of-way for interior streets will be 50 feet wide with sidewalks, curb and gutter on both sides. Irrigation water will be supplied by the Sunnyside Valley Irrigation District. Domestic water and sanitary waste sewer service will be provided by the City of Grandview. The development will make adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes in a manner that will comply with City development standards and requirements.

**(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The City determined that the proposed preliminary plat would not result in any probable significant adverse environmental impacts under GMC Title 18 by issuing a Determination of Non-Significance on February 19, 2020, which was not appealed.

**(4) The development is beneficial to the public health, safety and welfare and is in the public interest.** A residential development on this parcel would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional housing in the City of Grandview where there is a very low 2.3% vacancy rate for “for sale” homes which can result in a tight housing market and increased housing costs.

**(5) The development 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.** Here the proposed subdivision would not lower the level of service of transportation below the minimum standards prescribed by the City’s Comprehensive Plan. As already noted, the concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied. The proposed development is not expected to result in traffic volumes on Grandridge Road or Apricot Road that would fall below the City’s street Level of Service (LOS) C. The minimum acceptable LOS on City streets prescribed by the Comprehensive Plan Transportation Element is LOS D.

**(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.** Grandridge Road is an access road. GMC §16.24.040(A) provides that access streets shall have a minimum of 50 feet of right-of-way width. This proposed

subdivision will add a projected level of about 2000 trips per day onto the existing road. GMC §16.24.040(B)(3) prescribes the following construction guidelines for a local street:

Local access streets: 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk one side, illumination, and storm drainages required.

The existing roadbed for Grandridge Road along the frontage of the proposed preliminary plat is about 20 feet wide without curbing or sidewalks. It appears that there is an existing gas line along the west edge of the road that is not shown on the preliminary plat. Information provided by the County indicates that the existing right-of-way for the west half of Grandridge Road is only 18 feet wide instead of 25 feet wide adjacent to the proposed preliminary plat. Additional right-of-way will be needed to provide adequate right-of-way for the development. Improvements to Grandridge Road are needed to bring it to the standard needed for the traffic created by the subdivision. The need for additional right-of-way along the frontage of the preliminary plat in order for Grandridge Road to be 25 feet wide from its centerline results directly from the additional traffic that will be generated by the residents of 225 residences who will be using the road for access. The additional right-of-way is reasonably needed to mitigate the effects of the development and is proportional to the impacts created by the development. No objection to this requirement was expressed by the applicant at the hearing, and there was no evidence submitted at the hearing contrary to the City's assertion of a need for the dedication. The new improvements to Grandridge Road from the existing improvements at the intersection of Pleasant Avenue and Grandridge Road shall be made during Phase 1 of the development.

**XIII. Specific Review Criteria for Preliminary Plats.** GMC §16.12.090 requires that the Hearing Examiner shall review a proposed subdivision during a public hearing to determine conformance with the following standards:

(1) **Conformance with the provisions of the zoning ordinance for the City.** As already noted, the lots in the plat will be developed in conformance with the provisions of the City's zoning ordinance.

**(2) Conformance with the general purposes of the Comprehensive Plan.** As previously noted, the proposed preliminary plat for residential development would result in the construction of new units to increase the local housing supply in conformance with the Residential Comprehensive Plan Future Land Use Map designation for the property.

**(3) Conformance with the provisions of this title.** The proposed preliminary plat and development of the lots in the plat will be required to be in conformance with all applicable provisions of Title 16 (Subdivisions), as well as all applicable provisions of the Grandview Municipal Code, including without limitation Title 12 (Streets, Sidewalks and Public Places), Title 15 (Buildings and Construction) and Title 17 (Zoning).

**(4) Conformance with the comprehensive water and sewer plans.** Evidence presented at the hearing indicated that the proposed preliminary plat would utilize City water and sewer services and would otherwise be in conformance with the comprehensive water and sewer plans. There was no evidence to the contrary.

**(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.** If the recommended conditions are required, the proposed preliminary plat would be in conformance with the ordinance provisions governing streets, rights-of-way, and curbs and gutters.

**(6) Conformance with other standards necessary to serve the public good.** GMC §16.12.110 states that the City Council shall approve a proposed preliminary plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school-grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Each of these requirements for the City Council’s approval will be addressed separately in the following section.

**XIV. Criteria Required for City Council Approval of Preliminary Plats.** GMC

§16.12.110 requires that the City Council must find that the proposed preliminary plat

makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school-grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school, and if the public use and interest will be served by the platting of such subdivision and dedication in accordance with the requirements of RCW 58.17.110 before it may approve the preliminary plat. Those criteria apply to the proposed preliminary plat of “Grandridge Estates” in the following specific ways:

**(1) The Subdivision Will Make Appropriate Provisions for the Public Health, Safety and General Welfare (RCW 58.17.110(2)(a)).** The subdivision will make appropriate provisions for the public health in part by requiring the 60-foot agricultural building setback and solid fence shown along the southwest portion of the preliminary plat where vineyards and/or fruit trees may be grown on adjacent property to the west. That Plat Note should also state that the solid fence is to be 6 feet high. A Plat Note on the face of the plat to the effect that lots adjacent to agricultural uses are subject to noise, dust, odors and the application of chemicals would also make provisions for public health. The proposed preliminary plat will in more general terms make appropriate provisions for the public health, safety and general welfare by the very fact that it will comply with the subdivision and zoning development standards and land use requirements which have been adopted by the Grandview City Council specifically for the purpose of promoting the public health, safety and general welfare and because the proposed preliminary plat will provide additional lots in a good location for construction of additional residences to help serve the City’s housing needs.

**(2) Appropriate Provisions for Streets or Roads or Other Public Ways (RCW 58.17.110(2)(a)).** The proposed preliminary plat will make appropriate provisions for streets and roads in the following ways:

(a) GMC §16.24.020 provides that lots having frontage on two streets shall be avoided whenever possible. As shown on the preliminary plat dated February 26, 2020, 23 lots have double frontage on 2 streets and 4 lots have triple frontage

on 3 streets. The buildable area and its square footage is shown on the face of the preliminary plat for the benefit of purchasers of those 4 lots. General Note 14 on the face of the preliminary plat also gives notice to purchasers that corner lots are required to have at least 20-foot front setbacks and that no setback variance from that requirement will be allowed. Also as shown on the preliminary plat, 16 of the lots have frontage on both Grandridge Road and the proposed Alder Avenue within the plat. Access to the lots is to be through the proposed Alder Avenue and a Note shall be placed on the face of the plat advising purchasers that access onto Grandridge Road will not be allowed from those 16 lots shown on the preliminary plat dated February 26, 2020, as Lots 1-2, 25-29, 70-72, 111-112 and 222-225.

(b) GMC §16.24.040 requires that the local streets providing access to and within this plat have a minimum 50-foot-wide right-of-way and 40-foot-wide roadway surface face of curb to face of curb, hot mix asphalt (HMA) surfacing, curb and gutter, sidewalk on one side, illumination and storm drainage. The testimony at the hearing indicated that 5-foot-wide sidewalks including the curb width will be constructed on both sides of the internal streets and that the City will require Grandridge Road improvements along the frontage of the plat.

(c) The subdivision is proposed to be developed in 8 phases. The internal streets appear to be about 800 feet long. These streets will be considered dead-end streets until they are extended. GMC §16.24.040(J) requires that all dead-end streets shall include cul-de-sacs. The City may instead allow use of an “L” or “hammerhead” turnaround upon approval by the Public Works Director. The placement of the cross streets could be used for the turnarounds. The internal streets will have to be developed and improved in way that avoids creating blocks exceeding 1,000 feet in length or cul-de-sacs exceeding 600 feet in length.

(d) As previously noted, Grandridge Road along the frontage of the site requires the dedication of additional right-of-way in order to be 25 feet wide from the centerline and the extension of sidewalk, curb and gutter in accordance with City requirements from the location of those types of existing improvements at its intersection with Pleasant Road as a part of the development of Phase 1 of the plat.

**(3) Appropriate Provisions for Open Spaces, Parks, Playgrounds and Recreation Areas (RCW 58.17.110(2)(a)).** According to the American Fact Finder website, the average household size is 3.6 persons. Using this number, about 810

residents will occupy the residences on 225 lots. About 460 of the projected residents will be under 18 years of age. According to the Grandview Comprehensive Plan, the level of service for parks, based on NRPA standards, is 6.25 to 10.5 acres of park and open space per 1000 persons. Using the low number and the projected population of the subdivision, the result would be a total of about 5 acres of park and open space. But Dykstra Park is a 28-acre community park located about 1,600 feet north of the north boundary of the subdivision. Given the size of the subdivision, a small minipark about 1 acre or less in size might be provided within the subdivision or a payment in lieu of development of a park might be acceptable to the City. Mr. Arteaga suggested at the hearing that the City may be amenable to accepting payment of an agreed amount to use for park purposes elsewhere in lieu of a minipark. Either alternative would constitute an appropriate provision for parks that is particularly within the discretion of the City.

**(4) Appropriate Provisions for Drainageways (RCW 58.17.110(2)(a)).** General Note 3 on the face of the preliminary plat states that “A storm sewer system will be designed to handle the runoff created by the development.” Such design must be approved by the City, and all stormwater created by development must be retained on-site. The preliminary plat shows the location of two stormwater retention ponds on Lots 110 and 138 that will be dedicated to the City. Any additional infiltration systems or drainage improvements will need to be approved by the City and may need to be shown on the face of the plat depending upon their impact on the subdivision.

**(5) Appropriate Provisions for Transit Stops (RCW 58.17.110(2)(a)).** Since there is no transit authority within the City of Grandview, the preliminary plat is not required to make provisions for transit stops.

**(6) Appropriate Provisions for Potable Water Supplies (RCW 58.17.110(2)(a)).** Appropriate provisions will be made for potable water because it will be supplied by the City of Grandview public water system which has adequate capacity to supply domestic water for the proposed preliminary plat. General Note 2 on the preliminary plat states that domestic water services shall conform to the standards set forth by the City of Grandview. The applicant’s engineer must provide engineering for the design of the water system serving the plat.

**(7) Appropriate Provisions for Sanitary Wastes (RCW 58.17.110(2)(a)).** Appropriate provisions will be made for sanitary wastes because sewer services will be

provided by the City of Grandview public sewer system which has adequate capacity for the proposed preliminary plat. General Note 2 on the preliminary plat also states that sanitary sewer services shall conform to the standards set forth by the City of Grandview. The applicant's engineer must provide engineering for the design of the sewer system serving the plat.

**(8) Appropriate Provisions for Schools and Schoolgrounds (RCW 58.17.110 (2)(a)).** The residents of the proposed subdivision will have access to public schools and schoolgrounds. No testimony or written comments were submitted indicating a need for any provisions to be made within the preliminary plat for schools or schoolgrounds.

**(9) Appropriate Provisions for Sidewalks and other Planning Features that Assure Safe Walking Conditions for Students Who Only Walk to and from School (RCW 58.17.110(2)(a)).** The proposed preliminary plat will make appropriate provisions for sidewalks for students and others by extending the existing sidewalk on Grandridge Road southerly along the frontage of the plat and by constructing sidewalks along both sides of the internal streets within the plat.

**(10) Adequate Facilities for Irrigation Water (RCW 58.17.310).** There will be adequate Sunnyside Valley Irrigation District (SVID) facilities to provide irrigation water to the plat due to the fact that the applicant will be working with SVID to relocate the existing SVID canal right-of-way and the underground pipeline in the right-of-way from the existing location shown on the preliminary plat to the new location which is shown on the preliminary plat as "30' WIDE SVID R/W NEW UNDERGROUND PIPING." The existing canal right-of-way will have to be vacated and the new right-of-way will have to be approved by SVID. When the area of the existing right-of-way is vacated and the pipeline is removed, a backfill/grading plan shall be prepared by a licensed engineer to avoid settling in the area that is filled and graded.

## CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following Conclusions:

Charvet Brothers Farms, Owner, by  
Dan Swanson, KDS Development, Inc.  
227-Lot Plat of "Grandridge Estates"  
W. of Grandridge Rd., N. of Apricot Rd.  
SUB#2020-01

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(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve preliminary plats where, as here, they satisfy the subdivision ordinance, zoning ordinance and other applicable requirements and criteria for approval if the recommended conditions are required.

(2) The public notice requirements of the Grandview Municipal Code have been satisfied.

(3) SEPA environmental review for the preliminary plat was completed pursuant to RCW 43.21C and GMC Title 18 and resulted in the issuance of a final Determination of Non-Significance on February 19, 2020, which became final without an appeal.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the proposed preliminary plat.

(5) The public use and interest would be served by the proposed preliminary plat.

(6) The proposed preliminary plat, with conditions imposed, would be consistent and compliant with the Comprehensive Plan, the subdivision ordinance, the zoning ordinance, applicable development standards and the requisite criteria for approval.

(7) The Hearing Examiner's recommendations regarding the proposed preliminary plat will be considered and decided by the Grandview City Council at a closed record public hearing with the result that it can either be approved, denied or conditioned by the City Council.

## RECOMMENDATION

The Hearing Examiner recommends to the Grandview City Council that the 227-lot preliminary plat of "Grandridge Estates" to be located on Assessor's Parcel Numbers 230926-21002 and 230926-22010 and on a portion of Assessor's Parcel Numbers 230926-21003 and 230926-22011 which is described in the application and in the other related documents that were considered for this Recommendation SUB#2020-01 be **APPROVED**, subject to compliance with the following conditions:

Charvet Brothers Farms, Owner, by  
Dan Swanson, KDS Development, Inc.  
227-Lot Plat of "Grandridge Estates"  
W. of Grandridge Rd., N. of Apricot Rd.  
SUB#2020-01

16

(1) Construction of the proposed subdivision must conform to all requirements of the Grandview Municipal Code, including but not limited to GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 15 (Buildings and Construction), GMC Title 16 (Subdivisions) and GMC Title 17 (Zoning).

(2) The developer must work with the Yakima Regional Clean Air Agency (YRCAA) to address potential air emission impacts, and contractors must have an approved Dust Control Plan on file with YRCAA prior to any construction or clearing work.

(3) A development contract must be completed prior to final project approval as required by GMC §16.12.030.

(4) Any future construction or renovation on the subject property is subject to use approval, plan review and building permits.

(5) Additional right-of-way must be dedicated to increase the right-of-way on the west half of Grandridge Road to 25 feet along the frontage of the plat.

(6) Written confirmation acceptable to the City must be provided which confirms that the results of the soils tests that have been conducted showed levels at or below the Model Toxics Control Act clean-up levels.

(7) Street rights-of-way within the plat must be designed and improved in a way that avoids creating blocks exceeding 1,000 feet in length or cul-de-sacs exceeding 600 feet in length with cross streets or temporary cul-de-sacs or other turnarounds of a type approved by the City being provided where street improvements will stop until the next phase is developed.

(8) The applicant shall either install a minipark of a size and in a location acceptable to the City in the plat before the final plat for Phase 4 is submitted or pay an amount acceptable to the City in lieu of such a park to be used by the City for park purposes elsewhere.

(9) If the SVID approves moving its canal right-of-way to the underground location shown on the preliminary plat, the abandoned irrigation pipeline must be removed and the area must be backfilled. The type and placement of the backfill must be certified by a Washington State Licensed Engineer to be structural fill that has been compacted so as to allow for the future placement of any improvements of the type that may be constructed on the backfilled areas.

(10) The second access onto Grandridge Road from the proposed subdivision shall be installed during the development of Phase 3.

(11) A Plat Note shall be placed on the face of the plat stating that no access onto Grandridge Road is permitted from the 16 lots which are designated on the proposed preliminary plat dated February 26, 2020, as Lots 1-2, 25-29, 70-72, 111-112 and 222-225.

(12) The Plat Note on the face of the plat applicable to the 7 lots which are designated on the proposed preliminary plat dated February 26, 2020, as Lots 161-167 shall state "60' AGRICULTURAL SETBACK (WITH SOLID FENCE 6' HIGH)."

DATED this 9<sup>th</sup> day of March, 2020.

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



**RESOLUTION NO. 2020-14**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING TASK ORDER NO. 2020-02 WITH HLA ENGINEERING  
AND LAND SURVEYING, INC., FOR THE WASTEWATER TREATMENT  
PLANT (WWTP) FACILITY PLAN**

**WHEREAS**, the City of Grandview has entered into a General Services Agreement with Huibregtse, Louman Associates, Inc., (HLA) for work pursuant to task orders; and,

**WHEREAS**, the City would like to enter into a Task Order with HLA to provide professional engineering services for the Wastewater Treatment Plant (WWTP) Facility Plan,

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

The Mayor is hereby authorized to sign Task Order No. 2020-02 with HLA Engineering and Land Surveying, Inc., to provide professional engineering services for the Wastewater Treatment Plant (WWTP) Facility Plan with an estimated total amount of \$64,000.00 in the form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on March 24, 2020.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**TASK ORDER NO. 2020-02**

REGARDING GENERAL AGREEMENT BETWEEN CITY OF GRANDVIEW

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

**PROJECT DESCRIPTION:**

**WWTP Facility Plan**

The City of Grandview (CITY) operates a wastewater treatment plant (WWTP) under the terms of Department of Ecology (Ecology) NPDES Permit No WA0052205. Special Condition S9. requires the Permittee (CITY) to prepare a draft Facility Plan in accordance with chapter 173-240 WAC and submit to Ecology by September 30, 2020, for review. Additional Permit requirements include:

- As required by RCW 90.48.112, the facility plan must address the feasibility of using reclaimed water as defined in RCW 90.46.010.
- The report must contain any appropriate requirements as described in the following guidance documents:
  - Criteria for Sewage Works Design (Washington State Department of Ecology, Publication No. 98-37 WQ, 2008)
  - Design Criteria for Municipal Wastewater Land Treatment Systems for Public Health Protection (Washington State Department of Health, 1994)
  - Guidelines for Preparation of Engineering Reports for Industrial Wastewater Land Application Systems (Washington State Department of Ecology, Publication No. 93-36, 1993)
  - Water Reclamation and Reuse Standards (Washington State Department of Ecology and Department of Health Publication No. 97-23, 1997)
- To assure eligibility for Department of Ecology funding, the Facility Plan must include either SERP, NEPA, or both.

**SCOPE OF SERVICES:**

At the direction of the CITY, HLA will provide professional engineering services for the WWTP Facility Plan (PROJECT). HLA will work with the CITY Council and staff, to prepare the Facility Plan. The Scope of Services is further outlined in the attached copy of WAC 173-240.

HLA shall provide the following services:

**1.0 Prepare Facility Plan**

- 1.1 HLA will provide three (3) copies of the "conceptual draft" plan for review and comment by CITY Council and staff.
- 1.2 HLA will incorporate CITY comments and publish three (3) copies of the "draft" plan for review and comment by the Washington State Department of Ecology (Ecology) and two (2) copies to the CITY.
- 1.3 Following receipt of CITY and Ecology written comments on the draft plan, HLA will publish four (4) copies of the "Final" Plan for the CITY and three (3) copies for submittal to Ecology.

## **2.0 Additional Services**

- 2.1 Provide professional engineering and land surveying services for additional work requested by the CITY that is not included above.

## **3.0 Items to be Furnished and Responsibility of CITY**

- 3.1. Provide full information as to CITY requirements of the Project.
- 3.2. Assist HLA by placing at their disposal all available information pertinent to the Project including previous reports, plans, program information, drawings, plats, surveys, utility records, and any other data relative to the Project.
- 3.3. Examine all studies, reports, sketches, estimates, specifications, drawings, proposals, and other documents presented by HLA and render in writing decisions pertaining thereto within a reasonable time so as not to delay the work of HLA.
- 3.4. Distribute the SEPA Checklist, receive review comments, and issue the appropriate environmental determination. For this Project, a Mitigated Determination of Non-Significance (MDNS) is anticipated.
- 3.5. Provide wastewater samples and pay for the cost of testing necessary for inclusion of test results in the Facility Plan.
- 3.6. Obtain approval of all governmental authorities having jurisdiction over the Plan and such approvals and consents from other individuals or bodies as may be necessary for completion of the Plan.

### **TIME OF PERFORMANCE:**

HLA will diligently pursue completion of the PROJECT with the following schedule anticipated:

#### **1.0 Prepare Facility Plan**

Following the authorization to proceed, HLA will complete the "draft" Facility Plan by September 30, 2020. HLA will complete the "Final" General Sewer Plan within one hundred twenty (120) calendar days following receipt of all CITY and Ecology comments on the "draft" document.

#### **2.0 Additional Services**

Time for completion of work directed by the CITY under Additional Services shall be negotiated and mutually agreed upon at the time of service request by the CITY.

### **FEE FOR SERVICE:**

#### **1.0 Prepare Facility Plan**

All work for Prepare Facility Plan services shall be performed for the Lump Sum fee of \$64,000.00.

**2.0 Additional Services**

Any additional work requested by the CITY that is not included in this Task Order shall be authorized by the CITY and agreed upon by HLA in writing prior to proceeding with the services. HLA will perform the additional services as directed/authorized by the CITY on a time-spent basis at the hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, printing expenses, vehicle mileage, out-of-town travel costs, and outside consultants.

**Proposed:**  2/22/2020  
HLA Engineering and Land Surveying, Inc. Date  
Michael T. Battle, PE, President

**Approved:** \_\_\_\_\_ Date \_\_\_\_\_  
City of Grandview  
Gloria Mendoza, Mayor

## Chapter 173-240 WAC

### SUBMISSION OF PLANS AND REPORTS FOR CONSTRUCTION OF WASTEWATER FACILITIES

#### Excerpt – WAC 173-240-060 Engineering report

- (1) The engineering report for a domestic wastewater facility shall include each appropriate (as determined by the department) item required in WAC 173-240-050 for general sewer plans unless an up-to-date general sewer plan is on file with the department. Normally, an engineering report is not required for sewer line extensions or pump stations. See WAC 173-240-020(13) and 173-240-030(5). The facility plan described in federal rule 40 CFR 35 is an "engineering report."
- (2) The engineering report must be sufficiently complete so that plans and specifications can be developed from it without substantial changes. Three copies of the report must be submitted to the department for approval, except as waived under WAC 173-240-030(5).
- (3) The engineering report shall include the following information together with any other relevant data as requested by the department:
  - (a) The name, address, and telephone number of the owner of the proposed facilities, and the owner's authorized representative.
  - (b) A project description that includes a location map and a map of the present and proposed service area.
  - (c) A statement of the present and expected future quantity and quality of wastewater, including any industrial wastes that may be present or expected in the sewer system.
  - (d) The degree of treatment required based upon applicable permits and rules, the receiving body of water, the amount and strength of wastewater to be treated, and other influencing factors.
  - (e) A description of the receiving water, applicable water quality standards, and how water quality standards will be met outside any applicable dilution zone.
  - (f) The type of treatment process proposed, based upon the character of the wastewater to be handled, the method of disposal, the degree of treatment required, and a discussion of the alternatives evaluated and the reasons they are unacceptable.
  - (g) The basic design data and sizing calculations of each unit of the treatment works. Expected efficiencies of each unit and also of the entire plant, and character of effluent anticipated.
  - (h) Discussion of the various sites available and the advantages and disadvantages of the site or sites recommended. The proximity of residences or developed areas to any treatment works. The relationship of the twenty-five-year and one hundred-year flood to the treatment plant site and the various plant units.
  - (i) A flow diagram that shows general layout of the various units, the location of the effluent discharge, and a hydraulic profile of the system that is the subject of the engineering report and any hydraulically related portions.
  - (j) A discussion of infiltration and inflow problems, overflows and bypasses, and proposed corrections and controls.
  - (k) A discussion of any special provisions for treating industrial wastes, including any pretreatment requirements for significant industrial sources.
  - (l) Detailed outfall analysis or other disposal method selected.
  - (m) A discussion of the method of final sludge disposal and any alternatives considered.
  - (n) Provision for future needs.
  - (o) Staffing and testing requirements for the facilities.
  - (p) An estimate of the costs and expenses of the proposed facilities and the method of assessing costs and expenses. The total amount shall include both capital costs and also operation and maintenance costs for the life of the project, and must be presented in terms of total annual cost and present worth.
  - (q) A statement regarding compliance with any applicable state or local water quality management plan or any plan adopted under the Federal Water Pollution Control Act as amended.

- (r) A statement regarding compliance with the State Environmental Policy Act (SEPA) and the National Environmental Policy Act (NEPA), if applicable.
- (4) The engineering report for projects that use land application, including seepage lagoons, irrigation, and subsurface disposal, shall include information on the following together with appropriate parts of subsection (3) of this section, as determined by the department:
  - (a) Soils and their permeability;
  - (b) Geohydrologic evaluation of factors such as:
    - (i) Depth to ground water and ground water movement during different times of the year;
    - (ii) Water balance analysis of the proposed discharge area;
    - (iii) Overall effects of the proposed facility upon the ground water in conjunction with any other land application facilities that may be present;
  - (c) Availability of public sewers;
  - (d) Reserve areas for additional subsurface disposal.
- (5) The engineering report for projects funded by the Environmental Protection Agency shall, in addition to the requirements of subsection (3) or (4) of this section, follow EPA facility plan guidelines contained in the EPA publication, "Guidance for Preparing a Facility Plan" (MCD-46), and shall indicate how the special requirements contained in 40 CFR 35.719-1 will be met.

**RESOLUTION NO. 2020-15**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING TASK ORDER NO. 2020-03 WITH HLA ENGINEERING  
AND LAND SURVEYING, INC., FOR THE WASTEWATER TREATMENT  
PLANT (WWTP) UTILITY WATER PUMP CONTROLS**

**WHEREAS**, the City of Grandview has entered into a General Services Agreement with Huibregtse, Louman Associates, Inc., (HLA) for work pursuant to task orders; and,

**WHEREAS**, the City would like to enter into a Task Order with HLA to provide professional engineering services for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls,

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

The Mayor is hereby authorized to sign Task Order No. 2020-03 with HLA Engineering and Land Surveying, Inc., to provide professional engineering services for the Wastewater Treatment Plant (WWTP) Utility Water Pump Controls with an estimated total amount of \$12,500.00 in the form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on March 24, 2020.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**TASK ORDER NO. 2020-03**

REGARDING GENERAL AGREEMENT BETWEEN CITY OF GRANDVIEW

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

**PROJECT DESCRIPTION:**

**WWTP Utility Water Pump Controls**

The City of Grandview (CITY) operates a wastewater treatment plant (WWTP) under the terms of Department of Ecology (Ecology) NPDES Permit No WA0052205. Effluent from the 1.5 MGD mechanical treatment process is used to provide utility water for washdown and other purposes in the treatment process and sludge dewatering facility. As the booster system was originally designed, pump control and pressure fluctuations were controlled by a 1,980-gallon hydropneumatic tank (500-gallon working volume). The booster system was sized to provide up to 300 gallons per minute with two pumps in operation. A pump control panel would signal one or more of the three utility water pumps to start or stop based on pressure in the tank. The bladder in the tank failed, so the control system no longer functions, and plant personnel operate the system manually.

Control technology has changed since the original installation. Pumps are now controlled by variable speed drives (VFDs) that receive pressure signals from a small (150-gallon) pressure tank. Speed of the individual pumps is adjusted by the VFDs to meet the demand, and additional pump(s) are called when utility water demand exceeds pump capacity.

A preliminary review found the existing pumps are suitable for operation on VFDs. Therefore, this project proposes to replace the existing hydropneumatic tank and control panel with a small pressure tank and new control panel. Vendor designed and supplied control panels are available for this application. The VFDs would be housed in the new control panel and new control wiring may be needed between the panel and pressure transducer near the pressure tank.

Depending on the selected panel supplier and costs, panel installation could be performed by the supplier, if appropriately licensed, or by an electrician selected from the CITY's small works roster.

**SCOPE OF SERVICES:**

At the direction of the CITY, HLA will provide professional engineering services for the WWTP Utility Water Pump Controls (PROJECT). HLA services shall include the following:

**1.0 Design Engineering**

- 1.1 Perform a site investigation to confirm size and orientation of the booster system components. Note motor nameplate and existing electrical supply data.
- 1.2 Review original booster system submittals and as-built information.
- 1.3 Prepare schematic plan set illustrating existing system components. Photographs may be used for this purpose.
- 1.4 Contact control panel suppliers regarding available materials, panel components, control strategies, and delivery schedules. If estimated costs are low and the supplier can install the equipment, the PROJECT may proceed to securing formal quotes at this point.
- 1.5 Prepare PROJECT plans, specifications and cost estimate based on information from suppliers.

- 1.6 Submit final documents to the CITY for review and approval.
- 1.7 Prepare advertisement for bids and transmit to newspapers as selected by the CITY. Advertising fees to be paid by the CITY.
- 1.8 Provide contract documents to potential bidders, as requested, and maintain planholder list.
- 1.9 Prepare any required addenda to contract documents.
- 1.10 Answer questions from prospective bidders during bidding.
- 1.11 Attend PROJECT bid opening, check and tabulate bids, and make recommendation of award to lowest responsible bidder.

## **2.0 Construction Phase Services**

- 2.1 Coordinate and conduct preconstruction conference followed by issuance of Notice to Proceed.
- 2.2 Provide submittal review for PROJECT materials as provided by the Contractor per the PROJECT specifications.
- 2.3 Furnish a qualified resident engineer (inspector) to periodically observe construction. The resident engineer shall provide surveillance of construction for substantial compliance with plans and specifications. Up to three (3) site visits are included in this task.
- 2.4 Prepare construction progress reports for days the resident engineer is present.
- 2.5 Recommend progress payments for the Contractor to the CITY.
- 2.6 Monitor Contractor's compliance with the Contract documents for labor standards and review Statements of Intent to pay Prevailing Wages and Affidavits of Wages Paid.
- 2.7 Prepare and submit proposed contract change orders when applicable.
- 2.8 Conduct final inspection and prepare punchlist of items to be corrected by the Contractor and provide to the CITY.

## **3.0 Additional Services**

- 3.1. Provide professional engineering and land surveying services for additional work requested by the CITY that is not included above.

## **4.0 Items to be Furnished and Responsibility of CITY**

- 4.1. Provide full information as to CITY requirements of the PROJECT.
- 4.2. Assist HLA by placing at their disposal all available information pertinent to the PROJECT, including previous reports, plans, program information, drawings, plats, surveys, utility records, and any other data relative to the PROJECT.
- 4.3. Examine all studies, reports, sketches, estimates, specifications, drawings, proposals, and other documents presented by HLA and provide written decisions within a reasonable time so as not to delay the work of HLA.
- 4.4. Obtain approval of all governmental authorities having jurisdiction over the PROJECT and such approvals and consents from other individuals or bodies as may be necessary for completion of the PROJECT.

**TIME OF PERFORMANCE:**

HLA will diligently pursue completion of the PROJECT with the following schedule anticipated:

**1.0 Design Engineering**

Following the receipt of the signed Task Order, HLA will complete the final plans and specifications by April 30, 2020.

**2.0 Construction Phase Services**

Engineering services during construction for the PROJECT shall begin upon construction contract award by the CITY to the lowest responsible bidder and shall extend through construction contract completion.

**3.0 Additional Services**

Time for completion of work directed by the CITY under Additional Services shall be negotiated and mutually agreed upon at the time of service request by the CITY.

**FEE FOR SERVICE:**

**1.0 Design Engineering**

All work for Design Engineering services shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, printing expenses, vehicle mileage, out-of-town travel costs, and outside consultants/engineers, for the estimated fee of \$5,000.

**2.0 Construction Phase Services**

All work for Construction Phase Services shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, printing expenses, vehicle mileage, out-of-town travel costs, and outside consultants/engineers, for the estimated fee of \$7,500.

**2.0 Additional Services**

Any additional work requested by the CITY that is not included in this Task Order shall be authorized by the CITY and agreed upon by HLA in writing prior to proceeding with the services. HLA will perform the additional services as directed/authorized by the CITY on a time-spent basis at the hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as laboratory testing, printing expenses, vehicle mileage, out-of-town travel costs, and outside consultants/engineers..

Proposed:



HLA Engineering and Land Surveying, Inc.  
Michael T. Battle, PE, President

3/3/2020  
Date

Approved:

City of Grandview  
Gloria Mendoza, Mayor

\_\_\_\_\_  
Date

**RESOLUTION NO. 2020-16**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
PROCLAIMING A DECLARATION OF EMERGENCY DUE TO THE  
CONORNAVIRUS DISEASE 2019 FOR THE CANCELLATION OF CITY MEETINGS,  
PAYMENTS OF ACCOUNTS PAYABLE AND PAYROLL, CLOSURE OF CITY  
BUILDINGS, SUSPENSION OF PENALTIES AND DISCONNECTIONS OF  
MUNICIPAL SERVICES, ETC.**

**WHEREAS**, the Governor of the State of Washington issued a Proclamation declaring a state of emergency due to the number of confirmed cases of the novel coronavirus which has been named "coronavirus disease 2019" (abbreviated "COVID-19") in the State of Washington and the serious nature of the effects of COVID-19 on the population; and

**WHEREAS**, on March 12, 2020, the Yakima County Commissioners declared a state of emergency in Yakima County as a result of confirmed cases of COVID-19 in Yakima County, thus enabling Yakima County to take extraordinary measures to address the threat of COVID-19 to the public health and safety; and

**WHEREAS**, the City Council authorized a Declaration of Emergency at a special meeting of the Grandview City Council on March 16, 2020;

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

The City Council of the City of Grandview issued a Declaration of Emergency on March 16, 2020, attached hereto and incorporated herein, and pursuant to that declaration takes the following action:

- Cancels all City Council meetings until the Regular Business Meeting of April 28, 2020, if needed.
- Authorizes the payment of all Accounts Payable and Payroll in the interim until the same can be ratified at the April 28, 2020, Regular Business Meeting.
- Closes all City buildings to the public, to include City Hall, Fire Department, Police Department, Parks & Recreation Department and Public Works Department.
- Suspends the penalty imposed by Grandview Municipal Code § 13.28.140(A) for delinquent domestic water, sewer charges, irrigation assessments (except irrigation water only assessments) and garbage charges while this Declaration of Emergency is in effect.

- Suspends the disconnection of municipal utilities pursuant to Grandview Municipal Code § 13.28.140 for nonpayment of domestic water, sewer charges, irrigation assessments (except irrigation only water assessments), and garbage service while this Declaration of Emergency is in effect.
- Authorizes the suspension of online service charges to utility customers while this Declaration of Emergency is in effect.
- The Mayor is authorized to request any state or federal assistance needed to meet the demands of the emergency that exists, as the City may be in need of economic assistance from available state and federal sources for expenses associated with the response to the COVID-19 threat and the costs associated therewith.
- The Mayor make take whatever measures the Mayor deems necessary and reasonable to respond to the threat of COVID-19 and to protect the public health and safety of the City's residents during this state of emergency.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on March 24, 2020.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

JAY INSLEE  
Governor



STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR  
*P.O. Box 40002 • Olympia, Washington 98504-0002 • (360) 902-4111 • www.governor.wa.gov*

**PROCLAMATION BY THE GOVERNOR  
AMENDING PROCLAMATION 20-05**

**20-23  
UTC – Ratepayer Assistance**

**WHEREAS**, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State of as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

**WHEREAS**, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, 20-13, 20-14, 20-15, 20-16, 20-17, 20-18, 20-19, 20-20, 20-21, and 20-22, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

**WHEREAS**, the COVID-19 disease, caused by a virus that spreads easily from person to person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State, significantly increasing the threat of serious associated health risks statewide; and

**WHEREAS**, the COVID-19 pandemic is expected to cause a sustained global economic slowdown, which is anticipated to cause an economic downturn in Washington State resulting in layoffs and reduced work hours for a significant percentage of our workforce and reductions in business activity impacting our commercial sectors that support our state's economic vitality, including severe impacts to the large number of small businesses that make Washington State's economy thrive; and

**WHEREAS**, the available financial resources of many of our people and businesses are becoming limited with many of them expected to suffer considerable economic hardship as a result of the economic impacts of the COVID-19 pandemic on our economy, resulting in a significant threat of utility services being disconnected and late payment fees being imposed; and

**WHEREAS**, maintaining provision of utility services during this crisis is an essential tool in sustaining and protecting the health and welfare of our people and businesses as a critical part of the overall response to the COVID-19 pandemic; and

**WHEREAS**, the Washington State Utilities and Transportation Commission regulates the rates and services of investor-owned utilities in our state and is coordinating with utilities throughout the state to protect the availability and affordability of essential utility services for those economically impacted by the COVID-19 pandemic through a variety of measures, including: suspending disconnection of utilities for nonpayment, waiving late fees, working with affected utility customers to establish payment arrangements, and improving access to energy assistance for affected customers; and

**WHEREAS**, the worldwide COVID-19 pandemic and its progression throughout Washington State continues to threaten the life and health of our people as well as the economy of Washington State, and remains a public disaster affecting life, health, property or the public peace; and

**WHEREAS**, the Washington State Department of Health (DOH) continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

**WHEREAS**, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Washington State Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the DOH in assessing the impacts and long-term effects of the incident on Washington State and its people.

**NOW, THEREFORE**, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect, and that Proclamation 20-05 is amended to waive or suspend specified statutes that prevent, hinder or delay necessary action in coping with the economic impacts to utility customers throughout the state of Washington resulting from the COVID-19 State of Emergency, and to help preserve and maintain life, health, property or the public peace by prohibiting certain utility low income accounts from being used during this crisis for any purpose other than to support community action agencies in providing services to address the consequences of the COVID-19 pandemic.

I again direct that the plans and procedures of the Washington State Comprehensive Emergency Management Plan be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the Washington State Comprehensive Emergency Management Plan and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Washington State Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

**FURTHERMORE**, based on the above situation and under the provisions of RCW 43.06.220(2)(d), RCW 80.04.130(8), and RCW 80.28.060(2), I hereby waive and suspend the following statutory obligations and limitations concerning tariff changes until midnight on April 17, 2020:

1. RCW 80.04.130(1); and
2. RCW 80.28.060(1)

**FURTHERMORE**, based on the above situation and under the provisions of RCW 43.06.220(2)(g), I also find that strict compliance with the following statutory obligations or limitations will prevent, hinder or delay action in providing relief to utility customers throughout the state of Washington that is necessary for coping with the COVID-19 State of Emergency under Proclamation 20-05, and that the specific provisions of each statute listed below are hereby waived and suspended until midnight on April 17, 2020:

1. RCW 80.04.110(1)(a); and
2. RCW 80.28.068

**FURTHERMORE**, based on the above situation and under the provisions of RCW 43.06.220(1)(h), to help preserve and maintain life, health, property or the public peace in addressing the COVID-19 State of Emergency, I prohibit the Washington State Utilities and Transportation Commission from applying the waiver and suspension of RCW 80.04.110(1)(a) and RCW 80.28.068 for any purpose other than providing relief to members of the public affected directly or indirectly by the COVID-19 pandemic while this Proclamation remains in effect.

**FURTHERMORE**, based on the above situation and under the provisions of RCW 43.06.220(1)(h), to help preserve and maintain life, health, property or the public peace, and while the statutory waivers and suspensions of this Proclamation remain in effect, I hereby prohibit the Washington State Utilities and Transportation Commission or any other person or entity from using or otherwise relying upon the waiver or suspension of any statutory provisions identified herein for any purpose other than assisting utility customers throughout Washington State impacted by the economic consequences of the COVID-19 pandemic and using surplus balances from electric and natural gas utility low income accounts to support community action agencies in providing services intended to address the consequences of the COVID-19 pandemic in Washington State.

**ADDITIONALLY, In recognition of the following:** (1) that many local governments have issued emergency declarations regarding the COVID-19 pandemic, (2) that municipal utilities, public utility districts, and water and sewer districts impacted by the COVID-19 pandemic are authorized under Title 35 RCW, Title 54 RCW, and Title 57 RCW to provide essential services, and (3) that preserving and maintaining essential services to vulnerable populations during this crisis supports the fundamental public purpose of protecting public health and welfare; **I hereby strongly encourage** all utilities in Washington State to take reasonable actions to mitigate the economic impacts of the COVID-19 pandemic on their utility customers caused by this crisis, including but not limited to: acting to prevent disconnection of services due to non-payment during the term of the statewide emergency declaration; waiving late payments and fees; using payment plans to fulfill customer outstanding balances; employing internal processes and procedures to facilitate social distancing and proper hygiene practices; and closing facilities to the public. **I also strongly encourage** municipal and public utility boards and commissions to



**RESOLUTION NO. 2020-12**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
DECLARING AN EMERGENCY RELATED TO THE CORONAVIRUS (COVID-19)**

**WHEREAS**, the first confirmed cases of Coronavirus (COVID-19) have been detected in Yakima County; and the Centers for Disease Control (CDC) has issued warnings regarding the impacts and severity of this event; and

**WHEREAS**, COVID-19 is a respiratory disease that can result in serious illness or death, and can easily spread from person to person; and

**WHEREAS**, on February 29, 2020, the Governor of the State of Washington proclaimed that a State of Emergency exists in all counties in the State of Washington; and

**WHEREAS**, one or more COVID-19 events have now occurred in Yakima County, and disruption of important services, damage to life, or damage to property can be expected from the above conditions; and

**WHEREAS**, measures must be taken to protect the public health, safety and welfare within the City of Grandview; and

**WHEREAS**, City resources related to contact tracing, disease investigation and prevention, continuity of operations, public information, and funding are expected to be severely affected and/or exhausted; and

**WHEREAS**, the foregoing affects the entire City and;

**WHEREAS**, the Yakima Valley Office of Emergency Management and the Yakima County Health District have declared a local health emergency and recommend that the City of Grandview declare a state of emergency to manage the impacts of COVID-19;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Grandview, Washington, hereby declares a state of emergency to respond to the impacts of COVID-19.

**BE IT FURTHER RESOLVED** that this declaration is cause for activation of the emergency plans and utilization of emergency powers granted pursuant to RCW Chapter 38.52 and RCW 39.04.280, which allow streamlined processes for purchasing goods and services.

**BE IT FURTHER RESOLVED** that the City of Grandview and such other personnel as it may designate are authorized to seek state and federal assistance and potential reimbursement for local funds spent on COVID-19 response.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at a special meeting on March 16, 2020.

**MAYOR**

*Glenn Mendoza*

**ATTEST:**

*Carl H. Lewis*

**CITY CLERK**

**APPROVED AS TO FORM:**

*[Signature]*  
**CITY ATTORNEY**

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

**ITEM TITLE**

2020 Fuel Bid Award – Bleyhl Co-op

**AGENDA NO.:** Active 6 (F)

**AGENDA DATE:** March 24, 2020

**DEPARTMENT**

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

**DEPARTMENT DIRECTOR REVIEW**

Anita Palacios, City Clerk



**CITY ADMINISTRATOR**

**MAYOR**




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

The City uses a common strategy of having bidders provide a bid that is compared to the Oil Information Price Service (OPIS) rack price for a specified location. The bidder is bidding their margin of markup over the rack price for the delivery location they specify. If fuel prices increase or decrease, the price is adjusted accordingly, but the margin as bid must remain the same.

**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.

Bids to provide fuel for the year beginning April 1, 2020 to March 31, 2021 were opened on March 18, 2020.

One bid was received as follows:

	<b>Bleyhl Co-op Regular Unleaded</b>	<b>Bleyhl Co-op Diesel</b>
Seller's cost per gallon	\$2.126	\$2.168
Margin bid above seller's cost excluding taxes	\$0.045	\$0.045
<b>TOTAL</b>	<b>\$2.171</b>	<b>\$2.213</b>

**ACTION PROPOSED**

Recommend Council accept the lowest responsible bid submitted by Bleyhl Co-op in the amount of \$2.171 per gallon for regular/unleaded fuel and \$2.213 per gallon for diesel fuel.



**CITY OF GRANDVIEW  
CALL FOR BIDS TO SUPPLY VEHICLE FUEL**

NOTICE IS HEREBY GIVEN that the City of Grandview, Washington, will receive sealed bids at the office of the City Clerk, 207 West Second Street, Grandview, WA 98930, until **11:00 a.m., Wednesday, March 18, 2020**, for providing vehicle fuel using a card controlled fuel purchase system.

The City uses approximately 42,500 gallons of gasoline and diesel fuel per year. The bids shall be for the year beginning April 1, 2020 to March 31, 2021.

Bids must comply with the "Instruction to Bidders" and be submitted in envelopes marked "Fuel Bid". Bid packets are available from the City Clerk, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200, email: [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

The City of Grandview reserves the right to accept or reject any or all bids and to waive informalities.

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

Publish: Grandview Herald – Wednesday, February 26, 2020

RECEIVED

MAR 18 2020

BID FORM

CITY OF GRANDVIEW

I/We the undersigned, having read all requirements of this call for bids, together with all the special provisions and specifications set forth herein, do agree in every particular, and will furnish petroleum products and documentation as specified herein as follows:

Bidder's Major Supplier is: CAS Inc and the OPIS price adjustment reference city shall be: \_\_\_ Seattle; \_\_\_ Spokane; \_\_\_ Moses Lake; \_\_\_ Portland; or  Pasco.

	<u>Regular Unleaded</u>	<u>Diesel</u>
Estimated Annual Gallons:	<u>28,000</u>	<u>14,500</u>
Seller's Cost Per Gallon for Friday, March 13, 2020:	<u>2.126</u>	<u>2.168</u>
Margin Bid Above Seller's Cost Excluding Taxes:	<u>.045</u>	<u>.045</u>
TOTAL:	<u>2.171</u>	<u>2.213</u>

Location(s) of 24-Hour Pumping Facilities with a minimum number of two fueling islands:  
Grandview, Prosser, Sunnyside

Description of Method to be Used to Meet Bid Specifications B Through E: Current system using local card requiring pin, odometer, and vehicle number input shall be used. Current cards may be used, additional cards available upon request.

This bid shall be valid for a period of thirty (30) days from the bid opening date.

The undersigned hereby submits the above bid to the City of Grandview, together with a bid bond in the amount of \$41643.83

Bidders Name: Jesse Morgan

Company Name: Blayhl Co-op

Mail Address: 9408E. Wine Country Grandview, WA 98930

Telephone Number: (509)778-2872 Fax Number: \_\_\_\_\_

Signature of Authorized Official: 

Title of Official: Director of Energy

**CITY OF GRANDVIEW  
INSTRUCTIONS TO BIDDERS  
FUEL BID**

**SUBMISSION OF BIDS**

Sealed bids shall be addressed or delivered to:

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

The bid envelope shall be clearly marked "FUEL BID."

**CLOSING DATE**

Bids will be received until **11:00 a.m., Wednesday, March 18, 2020.**

**BID OPENING**

Bids will be opened and publicly read aloud in the Council Chambers, City Hall, 207 West Second Street, Grandview, Washington, at **11:00 a.m., Wednesday, March 18, 2020**, at which time interested parties may be present to witness the bid opening.

**ACCEPTABILITY OF BIDS**

Bids must be submitted on the City of Grandview bid form and placed in a sealed envelope. The words "Fuel Bid" must be clearly marked on the front of the envelope.

The bid form must contain the bidders business or home address and must be signed by a duly authorized official.

Bids that are unsigned, incomplete, illegible, unbalanced, obscure, or with any other irregularities may be rejected. The City Council reserves the right to accept any or all bids or any portion thereof and to waive minor irregularities and informalities, at the City's discretion.

The bid shall be valid for thirty (30) calendar days following the bid opening date.

**Prices shall be filled in where indicated on the bid form. Prices shall be net, free on board (FOB) Grandview unless otherwise stated, and shall not include any taxes, nor shall they be subject to any discounts or other conditions.**

Bids must be accompanied by cashier's check, certified check, or bid bond made payable to the City of Grandview in an amount of not less than five percent (5%) of the bid amount. The bid bond amount will be calculated as follows: (the annual estimated gallons) x (Seller's cost per gallon for **Friday, March 13, 2020** + the margin of bid above the sellers cost) x .05.

**BID SPECIFICATIONS**

The products shall conform to the requirements of the Tentative Specifications for Gasoline as approved by the American Society for Testing Materials, ASTM Designation D 439-81. The minimum octane rating shall conform to the Average Knock Index (R+M/2) as follows:

"Regular Unleaded" Minimum Octane 87

The seasonal variation in volatility and vapor pressure shall be substantially maintained in accordance with the schedule set up for the State of Washington as set forth in ASTM specifications above noted.

Bidders shall give the following information relative to each grade of gasoline bid in the spaces provided:

1. The name of the brand under which the gasoline is offered for sale to the general public:

"Regular Unleaded" gasoline: Bleyhl

"Diesel": Bleyhl

2. The nature of any added substances other than volatile petroleum hydrocarbons.

"Regular Unleaded" gasoline:

3. The guaranteed average and minimum Octane Number for "Regular Unleaded" grade:

"Regular Unleaded" Average 87 Minimum 87

4. The guaranteed average and maximum Sulphur Content in "Diesel"

Grade No. 2: Average 15 PPM Minimum 15 PPM

All bids shall be made for a card controlled fuel purchase system for regular gasoline, unleaded gasoline, and diesel fuel. Ease of City staff operation and accounting time for this system will be taken into consideration when determining the low bid.

- A. There must be a "card lock" pumping location in the City of Grandview with 24 hour service and a **minimum number of two fueling islands.**
- B. At the time of purchase, the vehicle, person obtaining fuel, and odometer reading must be identified and recorded by the supplier.
- C. The supplier shall furnish two numbered cards for each vehicle. There are approximately 70 vehicles.
- D. The supplier shall provide security codes for all City vehicle operators, to be used in conjunction with the vehicle cards for purchases of fuel. There are approximately 60 employees.
- E. The supplier must provide a monthly accounting that must include an itemized account detailing the activity of each vehicle. This accounting as a minimum must sub-total by vehicle and list: date, time, vehicle card number, person obtaining fuel, odometer reading, type of fuel, gallons and actual price charged. Each monthly billing shall also include copies of the appropriate weekly OPIS publication for that billing cycle or the major supplier's price change letter.

## **PRICING, PRICE ESCALATION - BULK FUELS**

- A. Contract prices will be allowed to increase or decrease after bid opening and during the term of the contract. All contract price adjustments shall be based on the change in the vendor's major supplier's listed price for one of the following P.A.D cities: Seattle, Spokane, Portland, Moses Lake, or Pasco as reported in the weekly publications, Oil Price Information Service (OPIS) published by the United Communications Group. A second method shall be to reference the major supplier's price change letter which reflects changes at the location of your plant.
- B. Bidder shall specify his supplier (See Requirements and the Bid Proposal) and the price adjustment reference city (Seattle, Spokane, Portland, Moses Lake, or Pasco) to be used for contract price adjustments on the Bid Proposal. Only one supplier and one reference city may be specified by each bidder. A copy of the appropriate OPIS publication, or in the case of the second method (above) the calculation price shall be your buying price per gallon with Federal and State taxes excluded, used as a bidding reference and must be included with the bid submitted. If OPIS does not list one or more supplier product prices for a reference city, the listed average price for that city shall be used.
- C. Any upward or downward change in the major supplier's prices from one OPIS publication to the next, or change in the price from the major supplier's price change letter will be added or subtracted from the previous contract price but the margin as bid will remain the same. It is important to note that the difference between the Bid Price and the selected OPIS Price or major suppliers price change letter at the time of the bid, must be maintained throughout the period of the contract. The effective date of the price change will be on Thursday following the date of the publication which reflects the price change.
- D. The first price adjustment shall be based on the difference in the prices for the last OPIS publication issue or major supplier's price change letter prior to the effective date of the contract. Any upward or downward change in the comparison of prices will be added to or subtracted from bid prices with the effective date of such change to be the **first of April 2020** rather than the following Thursday.

## **BIDDERS QUALIFICATIONS**

Bidders may be required to submit evidence as to their ability to supply and provide the above defined service and should be prepared to satisfy the City as to their competency to meet the specifications and conditions. Bidders, when required by law, shall be licensed and bonded by the State of Washington.

## **CONDITIONS**

The bidder is fully responsible for obtaining all information for the preparation of this bid.

## **LIABILITY**

The bidder shall ensure that the City, it's officers and employees, are held harmless from any liability whatsoever arising out of the bidder's performance or non-performance of the term of this bid, including the performance and non-performance by any sub-contractor or employee.

**CONTRACTORS PROTECTIVE CLAUSE**

There shall be no obligation to deliver any or all of the products included in this proposal in the customary manner when such deliveries are prevented or hindered by Act of God, fire, strike, partial or total interruptions or loss or shortage of transportation facilities, or by other similar or different acts of civil or military authorities, or by other like causes beyond the control of the contractor.

**FURTHER INFORMATION**

Contact Anita Palacios, City Clerk, 207 West Second Street, Grandview, Washington, 98930, or PH: (509) 882-9200, email [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

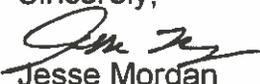
March 13 2020  
 Bid Period:  
 Mar 14 - Mar 20

City of Grandview  
 City Clerk  
 207 W. 2nd. Street  
 Grandview, WA. 98930

Dear Sue,

Shown below is the current CENEX rack pricing at Pasco, WA.  
 We are furnishing this information per the original fuel bid specifications.  
 Price confirmations are sent weekly, and may not reflect a price change.

	<u>Unlead</u>	<u>ULSD#2</u>
Pasco Rack	\$1.429	\$1.389
WA Haz. Tax (.7% of rack)	\$0.010	\$0.010
WA Petroleum product Tax(.5%of rack)	\$0.007	\$0.007
Bid over Rack	\$0.045	\$0.045
<i>Sub-Total 1:</i>	<u>\$1.491</u>	<u>\$1.450</u>
Schaeffer Additive	N/A	\$0.023
<i>Sub-Total 2:</i>	<u>\$1.491</u>	<u>\$1.473</u>
Fed Oil Spill Recovery	\$0.00171	\$0.00195
Fed Road Tax 10% Eth cr	\$0.184	\$0.244
State Road Tax	\$0.494	\$0.494
	<u>\$2.171</u>	<u>\$2.213</u>
Less Fed Rd Tax Credit	-0.183	-\$0.243
<b>FUEL COST</b>	<u><b>\$1.988</b></u>	<u><b>\$1.970</b></u>

Sincerely,  
  
 Jesse Morgan  
 Director of Energy  
 Bleyhl Farm Service, Inc.

City1  
 1.98100-100-20  
 \$ 4643.83

# Jesse Morgan

**From:** CHS Planet Press <ENERGYRFPICING@CHSINC.COM>  
**Sent:** Thursday, March 12, 2020 3:19 PM  
**Subject:** Refined Fuels Price Notification

CHS Inc -CENEX - Rack Pricing  
This e-mail is intended solely for the individual(s) named above. It contains CONFIDENTIAL and/or proprietary information and should NOT be forwarded.

Rack Pricing for: BLEYHL FARM SERVICE INC

CENEX  
WA HILLYARD - HFT  
LAST UPDATED 03/12/2020 17:17  
EFFECTIVE 03/12/2020 18:00

PRODUCT - BRANDED	CHANGE	GROSS PRICE	PRODUCT - BRANDED	CHANGE	GROSS PRICE
UL 10% ETH 870	+0.0203	1.3765	MG 3B 10% ETH 890	+0.0777	1.5850
PUL 10% ETH 920	+0.0600	1.7169	CENEX ROADMASTER XL	-0.0502	1.4773
CENEX RDMSTR XL W/CFI	-0.0502	1.4998	ULSD15 RUBY FLDMSTR	-0.0502	1.4813
ULSD15 R FLDMSTR W/CFI	-0.0502	1.5038	ULSD15 #2 CLEAR	-0.0502	1.4298
ULSD15 #2 DYED	-0.0502	1.4338	ULSD15 #2 CFI CLEAR	-0.0502	1.4523
ULSD15 #2 CFI DYED	-0.0502	1.4563			

CENEX  
WA PASCO - TWB  
LAST UPDATED 03/12/2020 17:17  
EFFECTIVE 03/12/2020 18:00

PRODUCT - BRANDED	CHANGE	GROSS PRICE	PRODUCT - BRANDED	CHANGE	GROSS PRICE
UL 10% ETH 870	-0.0017	1.4287	MG UL 10% ETH 890	-0.0417	1.5697
PUL 10% ETH 920	-0.0360	1.7379	CENEX ROADMASTER XL	-0.0525	1.4361
ULSD15 RUBY FLDMSTR	-0.0525	1.4401	ULSD15 #2 CLEAR	-0.0525	1.3886
ULSD15 #2 DYED	-0.0525	1.3926			

...End of Message...  
#####

**Confidential Communication:** E-mails from this company normally contain confidential and privileged material, and are for the sole use of the intended recipient. Use or distribution by an unintended recipient is prohibited, and may be a violation of law. If you believe that you received this e-mail in error, please do not read this e-mail or any attached items. Please delete the e-mail and all attachments, including any copies thereof, and inform the sender that you have deleted the e-mail, all attachments and any copies thereof. Thank you.

PP7 Refined Fuels --> AA077\_RF\_PriceNotification\_Email

*This memorandum is submitted under the attorney-client privilege. The privilege applies to communications and advice by the attorney, which includes documents that contain a privileged communication. This memorandum is such a communication and need not be made available for public inspection.*

**TO:** Gloria Mendoza, Mayor  
City Council of Grandview Washington

**FROM:** Quinn N. Plant, City Attorney

**SUBJECT:** *The USDA grant*

**DATE:** March 18, 2020

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At the City Council meeting on March 10, 2020, I was asked to give an opinion whether the Mayor had exceeded her authority in signing a USDA Form RD 1940-1 (Request for Obligation of Funds).

In order to make this determination, I consulted the minutes of the Grandview City Council meeting on November 12, 2019, and Resolution 2019-42, copies of which are attached to this memorandum.

The minutes of the November 12, 2019, meeting reflect that Fire Chief Mason informed the City Council that the City would qualify for a loan from USDA Rural Development. The loan would be the same type of loan the City previously obtained to purchase a new fire truck. The City Council directed Fire Chief Mason to move forward with the loan application process.

The City Council thereafter approved Resolution 2019-42, which formalized the City's intention to seek funds from the USDA. The resolution acknowledged that the City would seek "loan *and grant* monies to be used to finance the purchase of firefighter self-contained breathing apparatus (SCBA)[.]" (emphasis added). The resolution formally designated Mayor Mendoza "as the authorized Chief Administrative Official and authorized representative to act in all official matters in connection with the funding assistance." The term "funding assistance" as used in the resolution does not differentiate between loans and grants. The resolution authorized the Mayor to take appropriate action to secure "funding assistance" without regard to whether that assistance comes in the form of a grant or a loan.

I understand that the City was subsequently advised by the USDA that grant monies in the amount of \$88,500 may be available to the City. In connection with this notification, Mayor Mendoza signed a USDA Form 1940-1, which appears to be part of the formal grant application process. No grant funds have been disbursed. The grant application process will conclude with a formal agreement between the City and USDA, which must be approved by the City Council.

Nothing I have reviewed suggests that the Mayor took action not authorized by the City Council pursuant to Resolution No. 2019-42.

*Memorandum re. USDA grant - 1*  
*March 18, 2020*

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES EXCERPT  
NOVEMBER 12, 2019**

**D. USDA Rural Development Funding Assistance Application to purchase firefighter self-contained breathing apparatus (SCBA)**

Fire Chief Mason explained that self-contained breathing apparatus (SCBA) were the air packs worn by firefighters to enter an immediately dangerous to life and health atmosphere such as a building full of smoke and heat. The life expectancy of SCBA's was 15 years. The Fire Department currently has 6 SCBA's that were purchased in 2018 with the funding to purchase the new KME Pumper fire truck. An additional 22 SCBA's were purchased in 2005 with an Assistance to Firefighters Grant. The 22 SCBA's need to be replaced in 2020. For the last three years, the City applied for an Assistance to Firefighters Grant to replace the SCBA's and was unsuccessful. It would cost approximately \$161,000 to purchase 22 SCBA's and associated equipment. In 2018 and 2019, \$52,000 was budgeted in the Fire Suppression Fund under the Capital Expenditure category for the purchase of the SCBA's (\$104,000 total). An additional \$57,000 would need to be budgeted in 2020 to make this purchase. Due to the upcoming tight budget, he was asked to research alternative financing for this purchase to spread the impact to the budget over a period of time. USDA Rural Development advised that the SCBA's would qualify for the same type of loan the City applied and received for the purchase of the new fire truck. The current rate for a 10-year loan was 3% until January 1, 2020.

He requested Council consider moving forward with the application process to borrow the \$161,000 from USDA Rural Development for the purchase of the 22 SCBA's.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Moore, the C.O.W. authorized staff to issue a public meeting notice of the Council's intent to apply for funding assistance to the USDA Rural Development for the purchase of firefighter self-contained breathing apparatus for consideration at the November 26, 2019 Council meeting.**

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES EXCERPT  
NOVEMBER 12, 2019**

**D. USDA Rural Development Funding Assistance Application to purchase firefighter self-contained breathing apparatus (SCBA)**

Fire Chief Mason explained that self-contained breathing apparatus (SCBA) were the air packs worn by firefighters to enter an immediately dangerous to life and health atmosphere such as a building full of smoke and heat. The life expectancy of SCBA's was 15 years. The Fire Department currently has 6 SCBA's that were purchased in 2018 with the funding to purchase the new KME Pumper fire truck. An additional 22 SCBA's were purchased in 2005 with an Assistance to Firefighters Grant. The 22 SCBA's need to be replaced in 2020. For the last three years, the City applied for an Assistance to Firefighters Grant to replace the SCBA's and was unsuccessful. It would cost approximately \$161,000 to purchase 22 SCBA's and associated equipment. In 2018 and 2019, \$52,000 was budgeted in the Fire Suppression Fund under the Capital Expenditure category for the purchase of the SCBA's (\$104,000 total). An additional \$57,000 would need to be budgeted in 2020 to make this purchase. Due to the upcoming tight budget, he was asked to research alternative financing for this purchase to spread the impact to the budget over a period of time. USDA Rural Development advised that the SCBA's would qualify for the same type of loan the City applied and received for the purchase of the new fire truck. The current rate for a 10-year loan was 3% until January 1, 2020.

He requested Council consider moving forward with the application process to borrow the \$161,000 from USDA Rural Development for the purchase of the 22 SCBA's.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Moore, the C.O.W. authorized staff to issue a public meeting notice of the Council's intent to apply for funding assistance to the USDA Rural Development for the purchase of firefighter self-contained breathing apparatus for consideration at the November 26, 2019 Council meeting.**

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES EXCERPT  
NOVEMBER 26, 2019**

**B. Notice of Intent to Apply for Funding Assistance to the USDA Rural Development for the purchase of firefighter self-contained breathing apparatus (SCBA)**

At the November 12, 2019 C.O.W. meeting, Council discussed purchasing firefighter self-contained breathing apparatus (SCBA) utilizing United States Department of Agriculture (USDA) Rural Development funding assistance.

Mayor Mendoza requested public comments on the City's submission of an application for funding assistance to the USDA Rural Development to finance the purchase of firefighter self-contained breathing apparatus.

No public comments were received.

**C. Resolution No. 2019-42 authorizing the Mayor to obligate USDA Rural Development funding for the purchase of firefighter self-contained breathing apparatus (SCBA)**

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

**On motion by Councilmember Everett, second by Councilmember Moore, Council approved Resolution No. 2019-42 authorizing the Mayor to obligate USDA Rural Development funding for the purchase of firefighter self-contained breathing apparatus (SCBA).**

**RESOLUTION NO. 2019-42**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE MAYOR TO OBLIGATE USDA RURAL DEVELOPMENT  
FUNDING FOR THE PURCHASE OF FIREFIGHTER SELF-CONTAINED  
BREATHING APPARATUS (SCBA)**

**WHEREAS**, the City of Grandview provided notice to the public of its intent to submit an application for funding assistance to Rural Development (RD), a division of the United States Department of Agriculture (USDA); and

**WHEREAS**, the application is for RD loan and grant monies to be used to finance the purchase of firefighter self-contained breathing apparatus (SCBA) in the amount of \$161,000.00; and

**WHEREAS**, it is necessary that certain conditions be met as part of the funding requirements; and

**WHEREAS**, Mayor Gloria Mendoza is authorized to obligate USDA Rural Development funding on behalf of the City; and

**NOW, THEREFORE**, be it resolved that the City obligates USDA Rural Development funding assistance for the purchase of firefighter self-contained breathing apparatus (SCBA);

**BE IT FURTHER RESOLVED** that the City designates Mayor Gloria Mendoza, as the authorized Chief Administrative Official and authorized representative to act in all official matters in connection with the funding assistance.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 26, 2019.

**MAYOR**



**ATTEST:**



**CITY CLERK**

**APPROVED AS TO FORM:**

  
**CITY ATTORNEY**