

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
MARCH 24, 2020**

1. CALL TO ORDER

Mayor Gloria Mendoza called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall. 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 public were encouraged to participate remotely by telephone.

Present in person: Mayor Mendoza and Councilmembers David Diaz, Bill Moore, Javier Rodriguez and Joan Souders

Present by telephone: Councilmembers Gay Brewer, Mike Everett, Diana Jennings and City Attorney Quinn Plant

Staff present: City Administrator/Public Works Director Cus Arteaga and City Clerk Anita Palacios

A. Mayor's Memo RE: Telephonic Meeting Guidelines

Mayor Mendoza explained that as the Coronavirus and its impact continue to evolve and develop, the City remained 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 was changing day by day. The Coronavirus event has impacted the City, however, the Grandview City Council was 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 public were encouraged to participate remotely by telephone. For those participating remotely by telephone and in order to have an efficient meeting, she asked everyone's cooperation in the following:

- Councilmembers would need to identify themselves before speaking and indicate when they were 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 would only be allowed to speak during the "Public Comment" portion of the agenda.
- Votes of the Council would be taken by roll call.

2. PLEDGE OF ALLEGIANCE

Mayor Mendoza led the pledge of allegiance.

3. PRESENTATIONS – None

4. PUBLIC COMMENT – None

5. CONSENT AGENDA

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

- A. Minutes of the March 10, 2020 Committee-of-the-Whole meeting
- B. Minutes of the March 10, 2020 Council meeting
- C. Minutes of the March 16, 2020 Special Council meeting
- 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

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – Yes
- Councilmember Jennings – Yes

6. ACTIVE AGENDA

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

Mayor Mendoza opened the closed record public hearing to consider the Grandridge Estate Subdivision 227-lot preliminary plat submitted by Dan Swanson d/b/a KDS Development, Inc., for property located west of Grandridge Road about 1400 feet north of Apricot Road, Grandview, WA, by reading the public hearing procedure.

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

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

City Clerk Palacios provided the following review of the record:

- The City received a 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 was located west of Grandridge Road about 1400 feet north of Apricot Road.
- 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 was presented.

- The Hearing Examiner recommended to 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 be approved, subject to compliance with the conditions outlined in Recommendation SUB2020-01.

Council requested clarification of the record as follows:

Councilmember Everett requested that "an amount acceptable to the City" be specified in the Hearing Examiner's condition (8) on page 17 of the recommendation which read as follows:

(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.

City Administrator Arteaga advised that the developer, Dan Swanson, agreed to pay \$25,000 to the City in lieu of installing a mini park to be used by the City for park purposes elsewhere.

The public hearing was declared closed.

On motion by Councilmember Moore, second by Councilmember Diaz, Council accepted the Hearing Examiner's Recommendation SUB#2020-01 and approved the 227-lot preliminary plat known as "Grandridge Estates" subject to compliance with conditions (1) through (7) and (9) through (12) as outlined by the Hearing Examiner at pages 17 and 18 of the recommendation, and subject to the further condition that the Hearing Examiner's condition (8) on page 17 of the recommendation be amended to read as follows:

(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 \$25,000 to the City in lieu of such a park to be used by the City for park purposes elsewhere.

and approved Resolution No. 2020-13 approving Grandridge Estates Subdivision 227-lot Preliminary Plat.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – No
- Councilmember Jennings – Yes

B. 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

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

On motion by Councilmember Souders, second by Councilmember Rodriguez, Council approved 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.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – Yes
- Councilmember Jennings – Yes

C. 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

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

On motion by Councilmember Everett, second by Councilmember Souders, Council approved 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.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – Yes
- Councilmember Jennings – Yes

D. 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.

On motion by Councilmember Brewer, second by Councilmember Jennings, Council approved 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.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – Yes
- Councilmember Jennings – Yes

E. 2020 Fuel Bid Award – Bleyhl Co-op

On motion by Councilmember Everett, second by Councilmember Diaz, Council accepted 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.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Moore – Yes
- Councilmember Souders – Yes
- Councilmember Rodriguez – Yes
- Councilmember Everett – Yes
- Councilmember Brewer – Yes
- Councilmember Jennings – Yes

7. UNFINISHED AND NEW BUSINESS

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

City Attorney Plant provided a memorandum to the Mayor and City Council which indicated that at the City Council meeting on March 10, 2020, he 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 his determination, he consulted the minutes of the Grandview City Council meeting on November 12, 2019, and Resolution 2019-42, copies of which were attached to the memorandum. The minutes of the November 12, 2019, meeting reflected 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. He understood 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 appeared

to be part of the formal grant application process. No grant funds have been disbursed. The grant application process would conclude with a formal agreement between the City and USDA, which must be approved by the City Council. Nothing he reviewed suggested that the Mayor took action not authorized by the City Council pursuant to Resolution No. 2019-42.

Discussion took place. No action was taken.

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

9. **MAYOR & COUNCILMEMBER REPORTS** – None

10. **ADJOURNMENT**

On motion by Councilmember Moore second by Councilmember Rodriguez, Council adjourned the regular meeting at 8:30 p.m.

Mayor Gloria Mendoza

Anita Palacios, City Clerk