

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
NOVEMBER 27, 2012**

1. CALL TO ORDER

Mayor Norm Childress called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

Present were: Mayor Childress and Councilmembers Mike Bren, Pam Horner, Diana Jennings, Jesse Palacios, Javier Rodriguez and Joan Souders. Excused from the meeting was Councilmember Bill Moore.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer John Myers, Parks & Recreation Director Mike Carpenter, Assistant Public Works Director Santos Trevino and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

City Attorney Plant led the pledge of allegiance.

3. PRESENTATIONS – None

4. PUBLIC COMMENT – None

5. CONSENT AGENDA

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

- A. Minutes of the November 13, 2012 study session (budget)
- B. Minutes of the November 13, 2012 regular meeting
- C. Electronic Payroll Fund Transfers (EFT) in the amount of \$60,426.24
- D. Payroll Check Nos. 6395-6413 in the amount of \$90,458.74
- E. Payroll Direct Deposit 11/1/12 – 11/15/12 in the amount of \$90,087.71
- F. Claim Check Nos. 102528-102601 in the amount of \$174,109.12

6. ACTIVE AGENDA

A. Public Hearing – 2013 Preliminary Budget

Mayor Childress opened the public hearing for the purpose of receiving comments on the 2013 Preliminary Budget. Mayor Childress requested public comments.

The following public comments were received:

- Mary Barrett, 301 Douglas, Grandview, expressed gratitude for the time and creativity put into the budget and for cutting positions at the top. She expressed concern with placing the utility tax issue on the ballot at this time and felt that should be done when it was more crucial.

City Clerk Palacios indicated that there were no public comments received by mail.

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

B. Resolution No. 2012-55 authorizing the Mayor to sign Public Defender Agreements for conflict indigent defense counsel

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 the past, several local attorneys have served as alternate counsel and compensated at a rate of \$80 per case. The City has negotiated contract terms with several of the providers of indigent defense services including Newhouse Law, PLLC, Garrison Law Offices, Inc., PS and the Law Office of Dan Peterson to serve as conflict counsel for the City at a rate of \$110 per case, which reflected the prevailing market rate.

On motion by Councilmember Palacios, second by Councilmember Souders, Council unanimously approved Resolution No. 2012-55 authorizing the Mayor to sign Public Defender Agreements for conflict indigent defense counsel.

C. Resolution No. 2012-56 authorizing the Mayor to sign an “Agreement of the Parties” Resolving the City’s appeal of penalties imposed on the City of Grandview Fire Department by the Department of Labor and Industries

The Department of Labor and Industries issued a Citation and Notice of Assessment on December 9, 2011, and assessed penalties against the City of Grandview Fire Department totaling \$12,600. The City appealed the Citation and Notice of Assessment to the Board of Industrial Insurance Appeals, and a hearing on the City’s appeal was set for December 3 and 4, 2012. Following a meeting between representatives from the City and the Department of Labor and Industries on October 22, 2012, the Department agreed to revise its Citation and Notice of Assessment and reduce the penalties assessed against the City to \$1,200 on the terms and conditions set forth in the Agreement of the Parties.

On motion by Councilmember Jennings, second by Councilmember Rodriguez, Council unanimously approved Resolution No. 2012-56 authorizing the Mayor to sign an “Agreement of the Parties” resolving the City’s appeal of penalties imposed on the City of Grandview Fire Department by the Department of Labor and Industries.

7. UNFINISHED AND NEW BUSINESS – None

8. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Deputy Clerk/Treasurer Resignation – City Administrator Arteaga reported that Deputy Clerk/Treasurer resigned from her position effective November 30, 2012. The 2013 preliminary budget as presented included the current Deputy Clerk/Treasurer filling the City Treasurer position upon his retirement. With the resignation of the current Deputy Clerk/Treasurer, the City Administrator, City Treasurer and City Clerk would be meeting with the Mayor to review the position description and salaries in order to advertise for the City Treasurer position.

CDBG East Fourth Street Neighborhood Improvement Application – City Administrator Arteaga reported that the application submittal to the Community Development Block Grant for the East

Fourth Street Ash to Elm and 300 Block Birch Neighborhood Improvement project had been scaled back due to the reduction this year in the maximum grant amount the City could request from \$1 million to \$750,000. The 300 Block Birch would be eliminated from the grant application.

9. MAYOR & COUNCILMEMBER MEETING REPORTS

DRYVE Committee – Councilmember Palacios reported that City Administrator Arteaga was elected to chair the DRYVE Committee.

Dog Park Committee – Councilmember Souders reported that the Dog Park Committee was continuing to meet and establish their non-profit status.

10. EXECUTIVE SESSION – Property Matters

Mayor Childress adjourned the meeting to an executive session at 7:30 p.m., for approximately 15 minutes to discuss property matters per RCW 42.30.110(1)(c) with the aforementioned Mayor, Councilmembers, City Attorney, City Administrator and City Clerk present. The meeting resumed at 7:45 p.m.

11. PROPERTY SALE – 311 & 315 DIVISION STREET

City Administrator Arteaga explained that the City negotiated the sale of the former Library/Museum building/property at 311 and 315 Division Street in an “as is” condition to the Grandview School District for \$250,000 with the following conditions:

- The City was granted two years rent free use of the existing museum area to allow the City the time needed to design, construct and move the contents of the museum to the new location.
- The offer included all the contents that were currently located in the existing building (shelves, book racks, table, chairs, etc.).

On motion by Councilmember Horner, second by Councilmember Bren, Council unanimously accepted the \$250,000 offer from the Grandview School District for the purchase of the former Library/Museum building/property and instructed the City Attorney to prepare the necessary paperwork to close the sale.

12. 2013 PRELIMINARY BUDGET

Discussions continued regarding the 2013 preliminary budget. Items under consideration included:

- Ballot issue to increase the private utility taxes to fund the eliminated positions in the Parks and Recreation Department and Police Department;
- Ballot issue to impose a tax levy for the Park and Recreation Service Area District to fund parks and recreation services;
- Ballot issue to regionalize library services; and
- Levy the second quarter percent of the real estate excise tax.

Following discussion, the Council agreed to hold another special budget meeting on Tuesday, December 4th at 5:30 p.m., to continue deliberations on the 2013 preliminary budget.

13. ADJOURNMENT

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

Mayor Norm Childress

Anita Palacios, City Clerk