

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 11, 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 Pam Horner, Diana Jennings, Bill Moore and Jesse Palacios. Councilmembers Mike Bren, Javier Rodriguez and Joan Souders were absent.

Staff present were: City Administrator/Public Works Director Cus Arteaga, Assistant Public Works Director Santos Trevino and City Clerk Anita Palacios. Absent was City Attorney Quinn Plant.

2. PLEDGE OF ALLEGIANCE

Councilmember Jennings led the pledge of allegiance.

3. PRESENTATIONS – None

4. PUBLIC COMMENT – None

5. CONSENT AGENDA

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

- A. Minutes of the August 28, 2012 regular meeting**
- B. Electronic Payroll Fund Transfers (EFT) in the amount of \$73,900.08**
- C. Payroll Check Nos. 6258-6306 in the amount of \$40,210.32**
- D. Payroll Direct Deposit 8/16/12 - 8/31/12 in the amount of \$99,254.71**
- E. Claim Check Nos. 102033-102112 in the amount of \$94,633.30**

6. ACTIVE AGENDA

- A. Resolution No. 2012-46 authorizing the Mayor to sign a Local Agency Consultant Agreement with Huibregtse, Louman Associates, Inc., for design, plans and specifications on the Bonnieview Road Improvements from Wilson Highway east to Elm Street**

The City was successful in securing grant funding for the design engineering of Bonnieview Road Improvements from Wilson Highway east to Elm Street. The City would need to approve the Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., in order to begin the engineering work. The total agreement fee was \$128,200 with an STP grant in the amount of \$98,073 and the City's Transportation Benefit District local match in the amount of \$30,127.

On motion by Councilmember Horner, second by Councilmember Jennings, Council unanimously approved Resolution No. 2012-46 authorizing the Mayor to sign a Local Agency Consultant Agreement with Huibregtse, Louman Associates, Inc., for design, plans and specifications on the Bonnieview Road Improvements from Wilson Highway east to Elm Street.

B. Ordinance No. 2012-17 amending Grandview Municipal Code Sections 15.72.100 and 15.72.310 pertaining to code enforcement and abatement of unsafe or unlawful conditions

Staff has encountered numerous violators that refuse to comply with abatement notices. In order to regulate the correction notice, staff recommended amendments to Grandview Municipal Code Section 15.72 to authorize staff to issue a civil infraction and to assess a monetary penalty not to exceed \$500 without providing advance notice to repeat offenders.

On motion by Councilmember Moore, second by Councilmember Jennings, Council unanimously approved Ordinance No. 2012-17 amending Grandview Municipal Code Sections 15.72.100 and 15.72.310 pertaining to code enforcement and abatement of unsafe or unlawful conditions.

C. Indigent Defense Services

On August 8, 2012, the City published a request for proposals for indigent defense services. The RFP was also distributed by email to members of the Yakima County Bar Association. The request sought proposals no later than August 31, 2012. The RFP indicated the number of cases prosecuted by the City each year to be approximately 400. This number also represented the number of cases a full time public defender could handle per year under new standards published by the Washington Supreme Court. In practice, the City prosecuted between 420 - 450 cases per year during the past several years. In order to reduce the number of cases to 400, some changes would be required, most probably with respect to how the police charge certain traffic-related offenses.

The City received three responses to the RFP. The lowest proposal was submitted by the Law Office of Beck and Phillips, PLLC, which proposed handling up to 500 cases per year for \$4,000 per month, totaling \$48,000 per year. This was approximately what the City pays under its current contract, and perhaps a little less. Two other proposals were received. The second lowest proposal proposed handling up to 400 cases per year for \$66,680. The third proposal proposed handling 420-450 cases per year for \$80,000.

Upon preliminary investigation, the attorneys at the Law Office of Beck and Phillips, PLLC, appear to meet the "minimum qualifications" established in the RFP. Both were active members of the Washington State Bar Association. Both have professional liability insurance. They appear to have some experience with indigent defense work. Neither attorney had any public disciplinary history.

It should be added that the fact that the Beck and Phillips proposal contemplated up to 500 cases per year means the City would not need to reduce the number of cases it prosecuted to 400 per year.

For these reasons, City Attorney Plant recommended City Council authorize the Mayor to negotiate a contract with the lowest responsible bidder, the Law Offices of Beck and Phillips, PLLC.

On motion by Councilmember Palacios, second by Councilmember Moore, Council unanimously authorized the Mayor to negotiate a contract for indigent defense services with the Law Offices of Beck and Phillips, PLLC.

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

8. **CITY ADMINISTRATOR AND/OR STAFF REPORTS**

YVCOG General Membership Meeting – The Yakima Valley Conference of Governments General Membership meeting was scheduled for September 19th at the Yakima Convention Center. Mayor Childress, Councilmember Horner, Councilmember Moore and City Administrator Arteaga would be attending.

Euclid Lift Station Repair – City Administrator Arteaga reported that at 8:00 am this morning, he was contacted by WWTP Superintendent Dave Lorenz regarding a possible mainline break at the Euclid Lift Station with water overflowing into the Yakima River. The situation was under control by 8:30 am and repairs were underway by City crews. There was approximately two thousand gallons of water discharged to the river. All regulatory agencies were contacted and advised of the situation.

Quad-City Meeting – Representatives from the Cities of Grandview, Mabton, Prosser and Sunnyside would be meeting on September 14th in Prosser. Grandview's Code Enforcement Officer Cory Taylor and Police Detective Lupe Martin would be presenting their Enforcement/Police presentation on nuisance issues.

9. **MAYOR & COUNCILMEMBER MEETING REPORTS**

Employee Retirement Transition Plan – Mayor Childress advised that he would like to schedule a study session on Tuesday, September 25th at 5:30 p.m., to review the employee retirement transition plan.

10. **EXECUTIVE SESSION** – None

11. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Jennings, Council unanimously adjourned the regular meeting at 7:25 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk