

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
JANUARY 22, 2013**

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, Bill Moore, Jesse Palacios and Joan Souders. Excused from the meeting was Councilmember Javier Rodriguez.

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer John Myers, Assistant Public Works Director Santos Trevino, Wastewater Treatment Plant Superintendent Dave Lorenz and City Clerk Anita Palacios.

2. PLEDGE OF ALLEGIANCE

Councilmember Souders led the pledge of allegiance.

3. PRESENTATIONS

A. Wastewater Pumping Facility Improvements – City Engineers w/HLA

City Engineers Ted Pooler and Justin Bellamy with Huibregtse, Louman Associates, Inc., provided a Project Review and Additional Funding report for the Wastewater Pumping Facility Improvements which included a revised project scope, revised project funding and budget and rate impacts, a copy of the report is attached hereto and incorporated herein by reference.

On motion by Councilmember Horner, second by Councilmember Souders, Council unanimously agreed to submit a “Subsequent Application” in the amount of \$393,100 and an “Additional Application” in the amount of \$545,500 to the USDA Rural Development loan program for the Euclid Lift Station and Primary Clarifier Pump Station improvements.

4. PUBLIC COMMENT

Dale Burgeson, Carriage Square Drive, Grandview, expressed concern with safety in his neighborhood due to the proposed addition of seven single-family residential homes and the 40-unit apartment complex on Groom Court. He requested that the City install sidewalks in the Carriage Square neighborhood or form an LID (local improvement district) to finance said improvements.

5. CONSENT AGENDA

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

- A. Minutes of the January 8, 2013 regular meeting**
- B. Payroll Electronic Fund Transfers (EFT) Nos. 4942-4946 in the amount of \$61,705.16**

- C. Payroll Check Nos. 6500-6516 in the amount of \$90,846.81
- D. Payroll Direct Deposit 01/01/13 – 01/15/13 in the amount of \$89,720.69
- E. Claim Check Nos. 102882-102988 in the amount of \$189,863.17
- F. Resolution No. 2013-6 providing for authorized signatures on the City of Grandview General Account for Payroll and Claims Checks
- G. Resolution No. 2013-7 providing for authorized signatures on the City of Grandview General Account for Treasurer's Checks
- H. Resolution No. 2013-8 providing for authorized signatures on the City of Grandview Advance Travel Expense Account
- I. Resolution No. 2013-9 providing for authorized signatures on the City of Grandview Police Investigative Account
- J. Resolution No. 2013-10 authorizing the Mayor to sign a Recreational Use Permit by and between the City of Grandview and Sunnyside Valley Soccer League

6. **ACTIVE AGENDA**

- A. **Public Hearing–2013-2018 Six-Year Transportation Improvement Program Amendment**

Mayor Childress opened the public hearing to receive comments on the 2013-2018 Six-Year Transportation Improvement Program Amendment. City Clerk Palacios read the public hearing procedure.

City Administrator Arteaga explained that an amendment to the 2013-2018 Six-Year Transportation Improvement Program was prepared to include Old Inland Empire (OIE) Road from Grandridge Road to the east City limits in order to seek funding assistance.

No comments were received during the public hearing or by mail and the hearing was closed.

- B. **Resolution No. 2013-11 amending the 2013-2018 Six-Year Transportation Improvement Program**

On motion by Councilmember Palacios, second by Councilmember Moore, Council unanimously approved Resolution No. 2013-11 amending the 2013-2018 Six-Year Transportation Improvement Program.

- C. **Resolution No. 2013-12 authorizing application submittal to the Yakima Valley Conference of Governments for Surface Transportation Program preliminary engineering only funding assistance on the Old Inland Empire (OIE) Road Improvements from Grandridge Road to east City limits**

At the January 8th meeting, staff advised Council of a potential funding opportunity through the Yakima Valley Conference of Governments (YVCOG) for Surface Transportation Program (STP) projects. Staff prepared a STP Regional Competitive application for the Old Inland Empire (OIE) Road improvements from Grandridge Road to the east City limits. In order for the application to be eligible for submittal to the YVCOG, the City must provide evidence that the Council was aware STP funds were being applied for and the City's local match amount of \$392,100 was committed.

On motion by Councilmember Jennings, second by Councilmember Souders, Council unanimously approved Resolution No. 2013-12 authorizing application submittal to the Yakima Valley Conference of Governments for Surface Transportation Program preliminary engineering only funding assistance on the Old Inland Empire (OIE) Road Improvements from Grandridge Road to east City limits.

D. Resolution No. 2013-13 authorizing the Mayor to sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., for the Euclid Road Improvements from Groom Lane to the south City limits

The City was successful in securing grant funding for the construction of Euclid Road from Groom Lane to the south City limits. The City needed to approve the Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., to provide professional engineering and surveying for construction observation and administration on this project. The total agreement fee was \$150,000.

On motion by Councilmember Moore, second by Councilmember Horner, Council unanimously approved Resolution No. 2013-13 authorizing the Mayor to sign a Local Agency Standard Consultant Agreement with Huibregtse, Louman Associates, Inc., for the Euclid Road Improvements from Groom Lane to the south City limits.

E. Resolution No. 2013-14 amending Chapter 17 of the Grandview Personnel Policy Manual: Substance Abuse and Physical Examinations

City Attorney Plant providing a memo explaining that the City's personnel policy lists marijuana as a "drug" and generally prohibits employees from reporting to duty, remaining on duty, or driving a city vehicle when they have used a "drug." However, Section 17.4(2) of the City's personnel manual permits employees to report to work when under the influence of prescription drugs provided the prescription drug does not impair safe performance. Section 17.6(5) of the manual likewise provided that employees cannot work when they have used drugs, "except when the use is pursuant to the instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to safely perform their duties or operate a commercial vehicle." These provisions do not unambiguously prohibit an employee from working while under the influence of marijuana (a "drug"), provided the marijuana use was pursuant to a medical prescription and the prescribing doctor advised the employee that the marijuana would not adversely affect the employee's ability to safely perform their duties. There were many good reasons to prohibit City employees from working while under the influence of marijuana, including liability, employee safety and absenteeism.

The proposed amendments would add a sentence to Section 17.4(2) that: "All drugs the use or sale of which is prohibited by federal, state or local law compromise the safety of the workplace and are prohibited." The proposed amendments would add a sentence to Section 17.6(5) that states that use of a drug or drugs (e.g. marijuana) must be consistent with federal, state and local law. The impact of these changes would be to clarify that city employees may not report to work while under the influence of a prescription drug (including marijuana) unless (1) the use was permitted by federal, state and local law, and (2) the use would not inhibit the employee's ability to safely perform their job. Since federal law prohibits the prescription and use of marijuana, the amended policy prohibits employees from reporting to work while under the influence of marijuana.

City Attorney Plant recommended Council approve Resolution No. 2013-14 amending Chapter 17 of the Grandview Municipal Code to clarify that employees may not report to work when under the influence of marijuana, even when the marijuana was used pursuant to a medical prescription.

On motion by Councilmember Horner, second by Councilmember Jennings, Council unanimously approved Resolution No. 2013-14 amending Chapter 17 of the Grandview Personnel Policy Manual: Substance Abuse and Physical Examinations.

7. UNFINISHED AND NEW BUSINESS – None

8. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Euclid Road Improvements – Call for bids on the Euclid Road Improvements from Groom Lane to the south City limits was advertised on January 16th with bid opening scheduled for February 6th.

2013 Candidate Filing Period – Yakima County scheduled the filing period for public office for May 13–17. Council positions up for election would be: Position 1 – Joan Souders; Position 2 – Javier Rodriguez and Position 3 – Pam Horner.

Shared Leave Policy – Due to the financial liability of the Shared Leave Policy, City Administrator Arteaga recommended the policy be amended to eliminate the donation of sick leave. It was recommended that the only leaves eligible for donation would be vacation leave or compensatory time. Council concurred and directed staff to prepare an amendment to the Shared Leave Policy for consideration at the next meeting.

DRYVE Committee – As chair of the DRYVE Committee, City Administrator Arteaga was asked to attend a conference in Washington, DC, the week of February 11th. In addition, the City would be hosting the January 24th DRYVE meeting at the Community Center.

AWC City Legislative Action Conference – The Association of Washington Cities (AWC) City Legislative Action Conference was scheduled for February 13-14 in Olympia.

City Treasurer Position – Applications for the City Treasurer position closed on January 11th. Interviews would be conducted next week.

9. MAYOR & COUNCILMEMBER MEETING REPORTS

February 12th Study Session – Councilmember Jennings indicated that she would be unable to attend the February 12th study session.

Carriage Square Sidewalk Issue – Councilmember Souders concurred with Mr. Burgeson's comments regarding the need for sidewalks in the Carriage Square neighborhood. She expressed concern with the amount of large trucks traveling in their neighborhood and the safety of children walking to the bus stop at the corner of Coach Court and Carriage Square Drive.

City Administrator Arteaga reported that the Public Works Department was in the process of collecting traffic counts in the Carriage Square neighborhood for the purpose of comparing the amount of traffic pre- and post-completion of the multi-family residential subdivision on Groom Court. He explained that Carriage Square Drive was not eligible for any type of funding assistance so the installation of sidewalks would either need to be financed by the City or the formation of an LID allowing the property owners to finance the improvements. He expressed concern with right-of-way issues and the need to either purchase right-of-way or narrow the lanes of travel and eliminate parking on the street.

Mayor Childress added that the issue of large truck traffic in prohibited areas was largely due to the use of GPS by the truck drivers who were unfamiliar with the area.

YVCOG General Membership Meeting – Mayor Childress, Councilmembers Horner, Moore and Palacios, along with City Administrator Arteaga attended the Yakima Valley Conference of Governments Meeting on January 16th in Toppenish. Grandview would be hosting the March 20th YVCOG General Membership meeting at the Community Center.

10. EXECUTIVE SESSION – None

11. ADJOURNMENT

On motion by Councilmember Moore, second by Councilmember Jennings, Council unanimously adjourned the regular meeting at 8:00 p.m.

Mayor Norm Childress

Anita Palacios, City Clerk