GRANDVIEW CITY COUNCIL COMMITTEE-OF-THE-WHOLE MEETING AGENDA TUESDAY, AUGUST 27, 2019



COMMITTEE-OF-THE-WHOLE MEETING - 6:00 PM

PAGE

13

- 1. CALL TO ORDER
- 2. ROLL CALL
- 3. PUBLIC COMMENT At this time the public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing.

4. NEW BUSINESS

- A. Letter of Intent and Petition for Annexation and Rezone submitted by Charvet Brothers 1-12 Farms, a partnership comprised of Matthew Charvet and Terry Charvet for Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008 and 230926-23009 located adjacent to Grandridge Road/Apricot Road, Grandview. WA
- B. Splash Pad Direction/Recommendation
- C. Resolution amending Section 27.04(A) of the Credit Card Use Policy within the City of 14-22 Grandview Personnel Policy Manual increasing credit card limits for the Police Chief and Assistant Police Chief to \$2,000
- D. Resolution authorizing the Mayor to sign a First Amendment to the Option and Water Tower Lease Agreement between the City of Grandview and Verizon Wireless
- E. Resolution approving the final plat known as Villa de Gonzalez located on East Fourth 33-37 Street
- 5. OTHER BUSINESS
- 6. ADJOURNMENT

CITY OF GRANDVIEW AGENDA ITEM HISTORY/COMMENTARY COMMITTEE-OF-THE-WHOLE MEETING

ITEM TITLE:

AGENDA NO. New Business 4 (A)

Letter of Intent and Petition for Annexation and Rezone submitted by Charvet Brothers Farms, a partnership comprised of Matthew Charvet and Terry Charvet for Parcel Nos. 230926-21002, 230926-21003, 230926-22010, 230926-22011, 230926-23008 and 230926-23009 located adjacent to Grandridge Road/ Apricot Road, Grandview, WA

AGENDA DATE: August 27, 2019

DEPARTMENT

FUNDING CERTIFICATION (City Treasurer) (If applicable)

Planning

DEPARTMENT DIRECTOR REVIEW

Anita Palacios, City Clerk (Planning)

MAYOR

CITY ADMINISTRATOR

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

N/A

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.

The City received a Letter of Intent and Petition for Annexation and Rezone signed by Charvet Brothers Farms, a partnership comprised of Matthew Charvet and Terry Charvet to annex Parcel Nos. 230926-21002, 230926-21003, 230926-24003, 230926-22010, 230926-22011, 230926-23008 and 230926-23009 located adjacent to Grandridge Road/Apricot Road, Grandview, Washington, consisting of 116.84 acres to the City of Grandview. The petitioners have elected to request annexation under the 60% petition method of annexation. The 60% petition method requires signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition does contain sufficient signatures of the assessed value.

The petitioners requested the parcels be annexed with an R-1 Low Density Residential zoning designation as identified on the City's Future Land Use map. The parcels are included in the City's designated Urban Growth Area as residential.

State law requires the City Council to determine: (1) if the City will accept, modify or reject the proposed annexation, (2) whether the City will require the simultaneous adoption of a proposed zoning regulation for the subject property, and (3) whether the City will require the assumption of all or any portion of existing City indebtedness by the area to be annexed. Upon acceptance of the Letter of Intent, the Petition will be presented to the Hearing Examiner to conduct a public hearing.

ACTION PROPOSED

Move acceptance of the proposed annexation submitted by Charvet Brothers Farms, a partnership comprised of Matthew Charvet and Terry Charvet, require the simultaneous adoption of zoning regulations consistent with the Urban Growth Area Future Land Use Designations: R-1 Low Density Residential, and require the assumption of all existing City indebtedness by the properties proposed to be annexed the same as all other property within the City in accordance with past practice to a regular Council meeting for consideration.

LETTER OF INTENTION (60% PETITION METHOD) TO COMMENCE ANNEXATION PROCEEDINGS TO THE CITY OF GRANDVIEW, WASHINGTON

TO: The City Council

City of Grandview

Grandview, Washington

We, the undersigned, owners of property representing not less than 10% of the assessed value of the property for which annexation is sought, described herein below, lying contiguous to the City of Grandview, Washington do hereby notify the City Council of the City of Grandview of our intention to seek annexation to and be made a part of the City of Grandview under the provisions of R.C.W. 35A.14.120, et seq., and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Yakima County, Washington, and is legally described as follows: (Attach map outlining the boundaries of the property sought to be annexed). See Attached

We are requesting City Council consideration of our request and are asking that the above property as R-1 Low Density Residential zone.

OWNER'S SIGNATURE: Wath

OWNER'S SIGNATURE:

PRINTED NAME:

Charvet Brothers Farms, a partnership composed of Matthew

Charvet and Terry Charvet

MAILING ADDRESS: 50 Grey Road, Grandview, WA 98930

TELEPHONE NO.:

509-882-4070

PARCEL NO.

230926-21002, <u>230926-21003</u>, **230928**, <u>230926-24003</u>,

230926-22010, 230926-22011, 230926-23008, 230926-23009

PROPERTY LEGAL DESCRIPTION: See Attached

60% PETITION METHOD FOR ANNEXATION TO THE CITY OF GRANDVIEW WASHINGTON

TO: The City Council
City of Grandview
Grandview, Washington

We, the undersigned, being owners of not less than 60% of the assessed value of the property for which annexation is petitioned lying contiguous to the City of Grandview, Washington do hereby petition that such territory be annexed to and made a part of the City of Grandview under the provisions of RCW 35A.14.120 and any amendments thereto, of the State of Washington.

The territory proposed to be annexed is within Yakima County, Washington, and is legally described as follows: (Attach map outlining the boundaries of the property sought to be annexed).

WHEREFORE, the undersigned respectively petition the Honorable City Council and ask:

That appropriate action be taken to entertain this petition, fixing a date for public hearing, causing notice to be published and posted, specifying the time and place of such hearing and inviting all persons interested to appear and voice approval or disapproval of such annexation; and

That following such hearing, and subsequent to approval of the Yakima County Boundary Review Board if such is convened, the City Council determine by Ordinance that such annexation shall be effective; and that property to be annexed shall become part of the City of Grandview, Washington, subject to its laws and ordinances then and after in force.

The Petitioners subscribing hereto agree that all property within the territory hereby sought to be annexed shall be assessed and taxed at the same rate and on the same basis as property within the City of Grandview for any now outstanding indebtedness of said City, including assessments or taxes in payment of any bonds issued or debts contracted, prior to or existing at the date of annexation, and that simultaneous adoption of proposed zoning regulations be

required" in accordance with the requirements of the City Council of said City, and as quoted herein from the minute entry of the records of said City Council meeting. It is further understood that the zoning of said area proposed for annexation as shown in the Comprehensive Plan as adopted by Resolution No. 95-33 is R-1 Low Density Residential.

This petition is accompanied and has attached hereto as Exhibit "A" a diagram which outlines the boundaries of the property sought to be annexed.

PRAYER OF PETITION:

Annexation of area described herein and on Exhibit "A": Assumption of indebtedness of the City of Grandview; and Zoning of R-1 Low Density Residential, consistent with the City of Grandview Comprehensive Plan.

WARNING: Every person who signs this petition with any other than his/her true name, or who knowingly signs a petition when he/she is otherwise not qualified to sign, or who makes any false statements, shall be guilty of a misdemeanor.

OWNER'S SIGNATURE: Matth P. Chart DATE: 8-16-19

OWNER'S SIGNATURE: Lem Chart DATE: 8-16-19

PRINTED NAME: Charvet Brothers Farms, a partnership consisting of Matthew

Charvet and Terry Charvet

MAILING ADDRESS: 50 Grey Road, Grandview, WA 98930

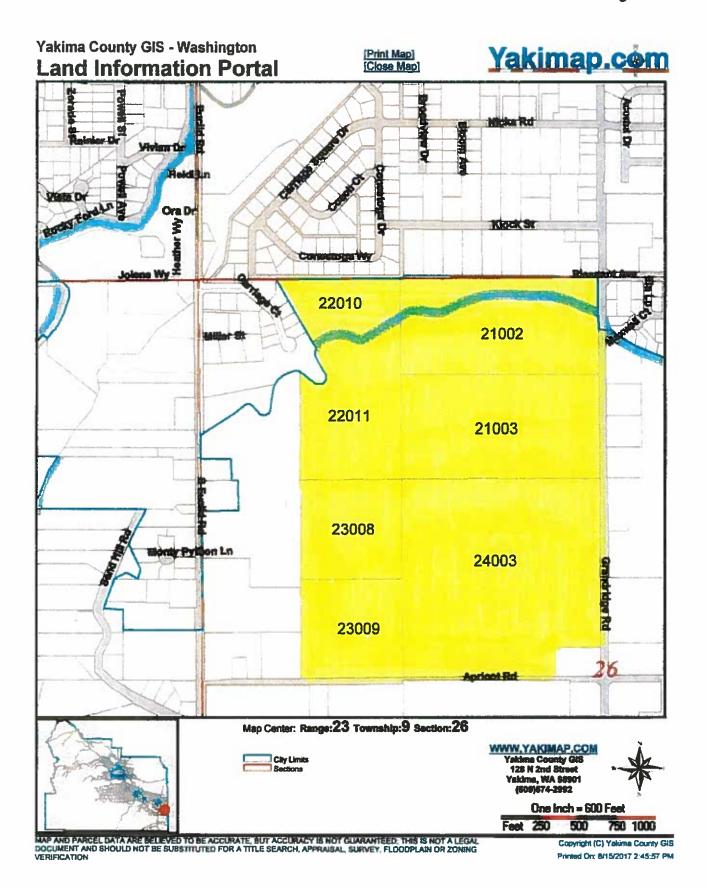
TELEPHONE NO: 509.882.4070

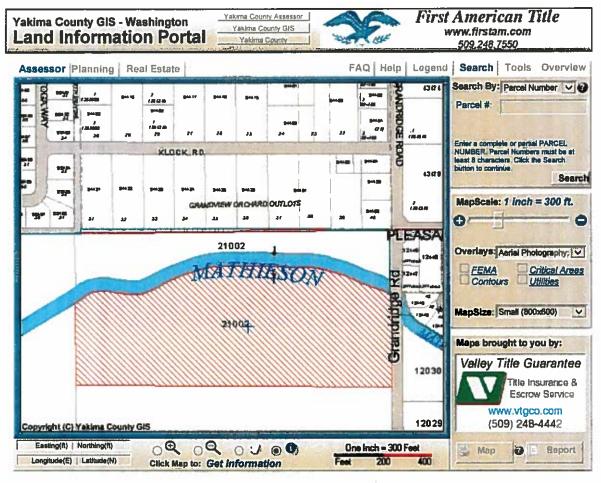
PARCEL NO: 230926-21002, 230926-21003, **280926**, 230926-24003,

230926-22010, 230926-22011, 230926-23008, 230926-23009

PROPERTY LEGAL DESCRIPTION: Attached

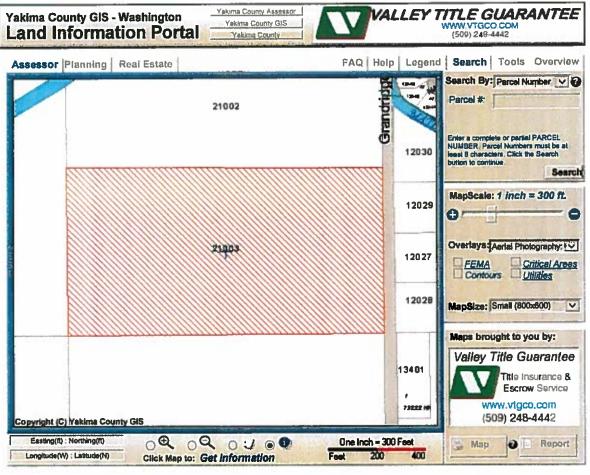
Yakima County GIS Page 1 of 1





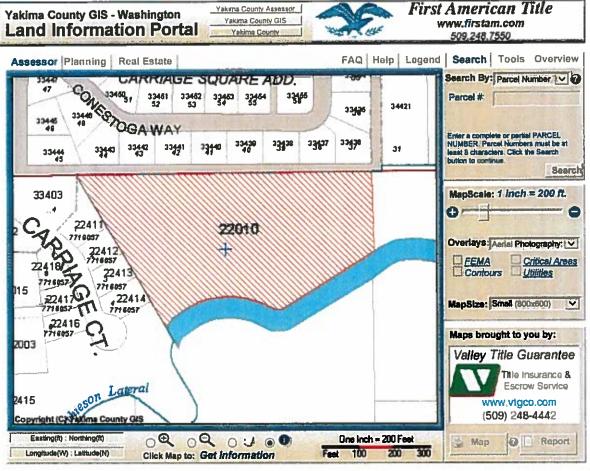
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			LOCATION INFORMATI	ON		
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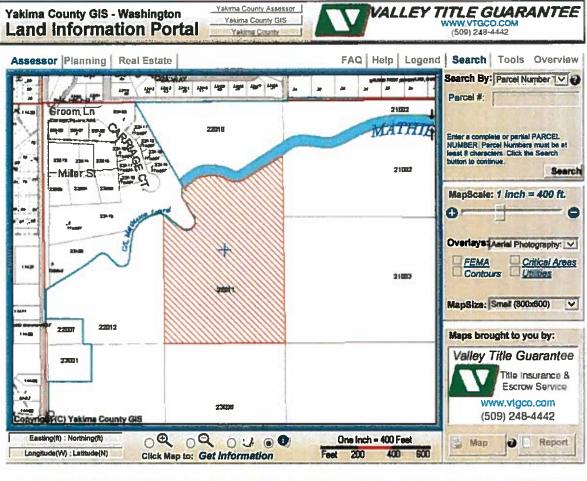
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Zoning:	R-1	Jurisdictio	n: County			
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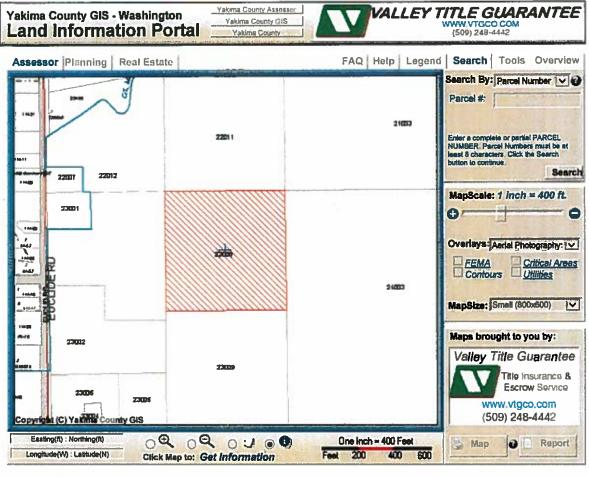
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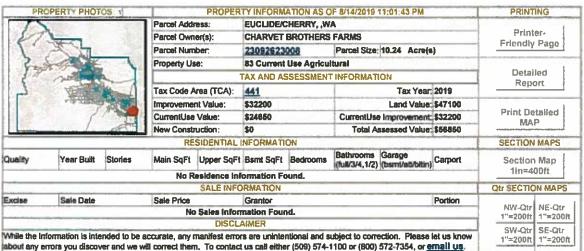
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Zoning:	R-1			Jurisdiction: County		
Urban Growth Area:	Grandvie	w	Future Landus	e Designation: Urban R	esidentlal (Yakir	na County Plan 2015)
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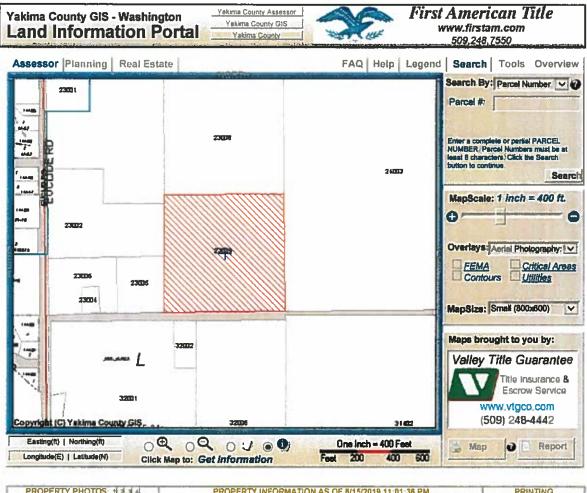
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Urban Growth Area:	Grandview	Future Landuse Designation:	Urban Residential (Yakin	na County Plan 2015)
FEMA 100 Year.	FEMA Map	FIRM Panel Number.	53077C2281D	Download Map
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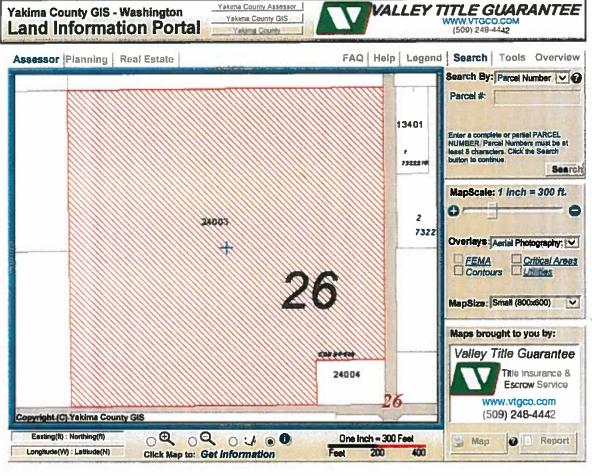
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Yakima County GIS



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Zoning:	R-1	Jurisdiction	County		
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27	-		Parcel Own	er(s):	CHARVET	BROTHERS		Print				
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1 000				CurrentUse Value:		\$92570		CurrentUse Improvement: \$943		Print Detailed		
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Quality	Year Built	Stories	Meln SqFt	Upper SqFt	Bamt SqFt	Bedrooms	Bathrooms (full/3/4,1/2)	Garage (bsmt/att/bitin)	Carport	Section		
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		OVERLAY INFORMATION		
Zoning:	R-1	Jurisdiction: County		
Urban Growth Area;	Grandview	Future Landuse Designation: Urban Residential (Yakima County Plan 201	15)	
FEMA 100 Year:	FEMA Map	FIRM Panel Number: 53077C2281D Download Ma	qí	
		LOCATION INFORMATION		
+ Latitude:46" 14" 18.3	151" + Longitude:-	119° 54' 27.602" Range:23 Township:09 Section:26		
Narrative Description; Section 26 Township 09 Range 23; SE1/4 NW1/4 EX S 200 FT OF E 300 FT				
		DISCLAIMER		
MAP AND PARCEL DATA ARE BELIEVED TO BE ACCURATE, BUT ACCURACY IS NOT GUARANTEED; THIS IS NOT A LEGAL DOCUMENT AND SHOULD NOT BE SUBSTITUTED FOR A TITLE SEARCH, APPRAISAL, SURVEY, FLOODPLAIN OR ZONING VERIFICATION				

## CITY OF GRANDVIEW AGENDA ITEM HISTORY/COMMENTARY COMMITTEE-OF-THE-WHOLE MEETING

ITEM TITLE	AGENDA NO.: New Business 4 (B)		
Splash Pad Direction/Recommendation	AGENDA DATE: August 27, 2019		
DEPARTMENT	FUNDING CERTIFICATION (City Treasurer)		
Parks & Recreation	(If applicable)		
DEPARTMENT DIRECTOR REVIEW			
Gretchen Chronis, Parks & Recreation Director	G. Chrons		
CITY ADMINISTRATOR	MAYOR		
COL &	ana Mendos		
ITEM HISTORY (Previous council reviews, action related to this item, and other pertinent history)			

In 2016, Council approved a five-year "pay as we go" plan for improvements to the City Swimming Pool. Completed improvements include modifications to the bathhouse, extending the fenced area, new lights and installation of a water slide. The next phase is the construction of a splash pad. Keep in mind that the approved plan was to construct the new splash pad within the current fenced compound in order to minimize the construction cost by utilizing the current infrastructure (electricity, water and sewer). The City applied for an RCO Grant in 2018 for a splash pad to be located within the pool facility (north side of the pool near mechanical building). The total grant application was \$200,000 and required a 30% match (\$60,000). Unfortunately, the Grandview splash pad project was not selected for this RCO grant funding cycle. The approved \$60,000 currently remains in the 2019 budget.

**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.

Direction and recommendations are being sought for a future splash pad project. We have received community input that reflects a desire to see such an amenity placed in an open space area (park) instead of the current recommendation. The benefits would include longer use throughout the year, easy access for small children, elderly and disabled patrons, low maintenance impact on current staff and no cost (entry fee) to citizens.

Council needs to decide if they want to continue with the current recommendation or consider a different proposal. The \$200,000 estimate would increase as new utilities would need to be extended. The cost could be in the \$300,000 range.

#### **ACTION PROPOSED**

The recommendation is that Council consider appropriating funds over the course of the next 2-3 years to support such a splash pad project in a centrally located park.

13

### CITY OF GRANDVIEW AGENDA ITEM HISTORY/COMMENTARY COMMITTEE-OF-THE-WHOLE MEETING

Resolution amending Section 27.04(A) of the Credit

Card Use Policy within the City of Grandview Personnel Policy Manual increasing credit card limits for the Police Chief and Assistant Police Chief to \$2,000 AGENDA NO.: New Business 4 (C)

AGENDA DATE: August 27, 2019

DEPARTMENT

ITEM TITLE

FUNDING CERTIFICATION (City Treasurer)

(If applicable)

Police Department

DEPARTMENT DIRECTOR REVIEW

Kal Fuller, Police Chief

CITY ADMINISTRATOR

**MAYOR** 

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

The City of Grandview has a policy which covers the use of City credit cards to transact official City business, see Grandview Personnel Manual Chapter 27 Credit Card Use Policy.

The credit limit for each assigned City credit card is \$1,000 for employees, see Chapter 27.04 (A).

**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.

Over time costs of items and the number of items being placed on Grandview Police Department credit cards has increased. The current \$1,000.00 limit is often reached before the end of a month and the cards of the Police Chief and Assistant Police Chief are being declined by vendors.

Increasing the limit on the Police Chief and the Assistant Police Chief's credit cards to \$2,000 will allow for efficient purchasing throughout the month.

#### **ACTION PROPOSED**

Move a resolution amending Section 27.04(A) of the Credit Card Use Policy within the City of Grandview Personnel Policy Manual increasing credit card limits for the Police Chief and Assistant Police Chief to \$2,000 to a regular Council meeting agenda for consideration.

#### GRANDVIEW POLICE DEPARTMENT

207 W. 2ND STREET, GRANDVIEW, WA 98930 TELEPHONE (509) 882-2000 FAX (509) 882-1232

Date:

07/31/2019

To:

Cus Arteaga, City Administrator

From:

Kal Fuller, Police Chief

Re:

**Credit Card Limits** 

The Grandview Police Department is allotted two credit cards. One for the Police Chief and one for the Assistant Police Chief. Both cards are currently set at a \$1,000 credit limit. This limit is set by the Grandview Personnel Manual, Chapter 27 Credit Card Use Policy, Section 27.04(A).

It is happening with increasing frequency that when we attempt to use our cards they are being declined because our credit limit has been reached. This is happening for several reasons. As time has passed since the original limits were set, the cost of items has risen. The number of items that we must purchase with credit cards has also increased as internet purchases have multiplied. There are also more travel expenses being placed on credit cards.

To make purchasing more efficient for the department I would like to request our credit limit per card to be increased from \$1,000 to \$2,000. No other changes will need to be made.

I have drafted an Agenda Item sheet for submission to the Committee-of-the-whole meeting.

Respectfully,

Kal Fuller Chief of Police

Kal Fuller

cc: Anita Palacios, City Clerk/Human Resources

15

KAL FULLER Chief of Police

### Chapter 27 CREDIT CARD USE POLICY

#### 27.01 Policy Statement:

To establish a policy on the use of City credit cards to transact official City business.

#### 27.02 Departments Effected:

City Administrator, Department Directors and Employees

#### 27.03 References:

RCW 43.09.2855

#### 27.04 Policy:

A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:

- Travel: Credit cards may be used by the above assigned individuals (section 2) for official business related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Department Head to obtain the Mayor's pre-approval.
- Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk's credit card shall be utilized for online purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
- Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.
- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The City Clerk's credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.
- B. Credit Cards may be issued to Departments as follows:
  - · Administration: City Administrator, City Clerk and City Treasurer
  - Police Department: Police Chief and Assistant Police Chief
  - Fire Department: Fire Chief and Fire Captain
  - Library: Library Director
  - Public Works: Public Works Director and Public Works Assistant
- C. The City has the following credit cards:
  - 1. Visa Cards for each Department as identified in (B)

- 2. Chevron Fuel Card
- 3. CNH Capital Credit Card
- 4. Office Max Credit Card
- 5. Office Depot Credit Card
- 6. Safeway Credit Card
- 7. Sears Commercial One Credit Card
- 8. Stapes Credit Card
- 9. Wal-Mart Credit Card

#### 27.05 Procedures:

A. <u>Authorization</u>: Payment of all credit card expenditures is contingent upon the City Administrator's or Department Director's approval of the monthly statement of transactions. If expenditure is deemed inappropriate, the assigned credit card holder will be responsible for reimbursing the City.

#### B. <u>Receipts/Verification</u>:

- 1. Receipts **must be obtained** for each credit card transaction.
- 2. The purpose of the charge and the name of the individual(s) involved must be clearly written on the receipt. Meal receipts must note who ate and the purpose of the meeting.
- 3. Receipts or purchase verification for on-line charges are to be saved and retained by the assigned individual or designee.
- C. The Department Director will reconcile and voucher the credit card transaction as scheduled with a completed purchase order and all corresponding credit card receipts attached.
  - D. The Accounting Clerk will:
    - 1. Verify all credit card expenditures against the monthly transaction summary.
    - 2. Notify the Department Director of missing receipts within 5 days of receiving the monthly statement.

#### 27.06 <u>Control</u>:

- A. The assigned department is responsible for contacting the vendor when supplies purchased with the credit card are not acceptable (incorrect order, damaged, etc.) and for arranging a return for credit or exchange.
- B. The City Clerk is responsible for administration of the cards to include, but not limited to, selection of the card provider, payment of credit card bills, managing the issuance of cards and ensuring proper use.
- C. The City Administrator will disallow the use of the assigned City credit card for violation or misuse of the credit card in accordance with this policy. The following will be considered an unauthorized purchase or use of any City purchasing/credit card:
  - 1. Cash advances
  - 2. Payment of invoices or statements

- 3. Purchases where an open charge account would be utilized without prior approval from the City Administrator
- 4. Personal purchases of any kind even if the cardholder intends to reimburse the City
- 5. Purchases where no or inadequate documentation is provided substantiating the necessity, nature and cost of the purchase
- D. Any exceptions to this policy must be approved in writing in advance by the City Administrator.
- E. Assigned individuals will sign a Credit Card User Agreement (Attachment A) before they are eligible to use the card.
- F. Credit cards are to be returned to the City immediately upon ending employment with the City.
- G. Misuse of a City credit card may result in disciplinary action, termination and/or legal action.
- H. Failure to provide detailed documentation as required by the policy will at a minimum result in the user being responsible for the charge and may result in disciplinary action.

27.08 <u>Credit Card User Agreement</u>				
I,, as an employee of the City of Grandview accept personal responsibility for the safeguard and proper use of the City credit card				
#				
which has been assigned to me for use in the performance of my job, in accordance with the terms outlined below.				
Credit cards are to be used solely for travel related business expenses (within and outside the city), and conference/class registrations incurred by the assigned individual only.				
Credit cards may be used for purchasing department supplies up to \$1,000 only if prior approved by the assigned card holder's Department Director.				
I have read and understand the credit card policies and procedures as set forth in the Credit Card Use Policy.				
I understand the City Administrator will disallow my use of a City credit card for violation or misuse of the credit card and/or credit card policies and procedures. I understand that such violation or misuse may subject me to discipline, including termination, under the City's Personnel Policies and/or legal action.				
I understand that each time I use, or authorize the use thereof, that I am adhering to the following statement:				
"I hereby verify that this is a true and correct claim for necessary expenditures incurred by me and that no payment has been received by me on account thereof."				
I understand that I will be held personally liable for inappropriate charges I incur to the City credit card, and payment for any such inappropriate charges is hereby authorized to be withheld from my paycheck. For represented employees there will be a meeting between the City Administrator or designee, the employee and the Union representative within 10 days from when the misappropriation was discovered to discuss the charges and terms of repayment.				
The undersigned individual has read and understands the above statements.				
Employee Name Printed:				
Employee Signature:				

Date: ____

#### RESOLUTION NO. 2019-

# A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON, AMENDING SECTION 27.04 (A) OF THE CREDIT CARD USE POLICY WITHIN THE CITY OF GRANDVIEW PERSONNEL POLICY MANUAL INCREASING CREDIT CARD LIMITS FOR THE POLICE CHIEF AND ASSISTANT POLICE CHIEF TO \$2,000

WHEREAS, the City Council of the City of Grandview adopted a new Credit Card Use Policy as Chapter 27 of the Grandview Personnel Policy Manual on April 8, 2014; and

WHEREAS, the City Council desires to make certain amendments to the Credit Card Use Policy,

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

Section 1: Grandview Personnel Manual Section 27.04, Policy, which reads as follows:

#### 27.04 Policy:

- A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:
  - Travel: Credit cards may be used by the above assigned individuals (section 2) for official business related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition, the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Mayor's pre-approval.
  - Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk's credit card shall be utilized for on-line purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
  - Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.

- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The City Clerk's credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.

#### is hereby amended to read as follows:

#### 27.04 Policy:

A. The City Council has authorized the City Administrator to implement procedures for the use of City credit cards for the following uses:

- Travel: Credit cards may be used by the above assigned individuals (section 2) for official business related expenditures for hotel, parking, ferry, taxi, meals, gas, airline tickets, emergency city vehicle repairs and other travel related expenses as authorized by the Mayor or City Administrator. In addition,(a) the assigned individual may use the City credit card for conference and class registrations. Out of state travel and out of state registration require the Mayor's pre-approval.
- Purchases: The assigned credit cards may be used for ordering supplies, including on-line purchases, under \$1,000 for City purposes, when pre-approved by the Department Director. The City Clerk's credit card shall be utilized for on-line purchases over \$1,000 with pre-approval by the City Clerk and City Administrator.
- Purchases where an open charge account exists may be utilized for convenience at the time of purchase with the approval of the City Administrator.
- Credit Limit: The credit limit for each assigned City credit card shall be \$1,000 for employees. The credit limit for the Police Chief and Assistant Police Chief shall be \$2,000. The City Clerk's credit limit for said assigned City credit card shall be \$10,000.
- City credit cards shall NOT be used for cash advances or personal purchases.

Section 3: Except as specifically amended herein, all other provisions of Chapter 27 of the Grandview Personnel Manual remain unchanged.

2

PASSED by the CITY COUNCE meeting on, 2	IL and APPROVED by the MAYOR at its regular 019.
	MAYOR
	ATTEST:
	CITY CLERK
APPROVED AS TO FORM:	
CITY ATTORNEY	

### CITY OF GRANDVIEW AGENDA ITEM HISTORY/COMMENTARY COMMITTEE-OF-THE-WHOLE MEETING

ITEM TITLE	AGENDA NO.: New Business 4 (D)
Resolution authorizing the Mayor to sign a First Amendment to the Option and Water Tower Lease Agreement between the City of Grandview and Verizon Wireless	AGENDA DATE: August 27, 2019
DEPARTMENT	FUNDING CERTIFICATION (City Treasurer) (If applicable)
Public Works Department	N/A

#### **DEPARTMENT HEAD REVIEW**

Cus Arteaga, City Administrator/Public Works Director

CITY ADMINISTRATOR

MAYOR

Ul nda

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

On November 13, 2012, Council approved Resolution No. 2012-53 authorizing the Mayor to sign an Option and Water Tower Lease Agreement between the City of Grandview and Verizon Wireless.

**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.

Verizon Wireless has requested to amend the Lease Agreement to allow for the relocation of an antenna sector and related appurtenances on the water tower and to amend the rent. The current monthly rental payment is \$1,500 and by approving the amendment will increase to \$1,600 per month or \$1,200 annually.

#### **ACTION PROPOSED**

Resolution authorizing the Mayor to sign a First Amendment to the Option and Water Tower Lease Agreement between the City of Grandview and Verizon Wireless to a regular Council meeting for consideration.

#### **Anita Palacios**

From:

Richard Cardoza < rcardoza@ldccorp.com>

Sent:

Tuesday, July 30, 2019 5:34 PM

To:

Cus Arteaga; Anita Palacios; Ricquel Cardoza

Subject:

FW: YAK Euclid Exhibit to Lease Amendment

**Attachments:** 

YAK Euclid-LE_20190711.pdf

Hi Cus and Anita, attached is the draft Exhibit to the Lease Amendment for your review.

Please note that Verizon wishes to maintain lease right to 12 antennas however this exhibit show the relocation of 1 sector of antennas from the original lease exhibit.

Please let me know if you have any comments on the draft lease amendment or draft exhibit to the lease amendment.

Thank you

#### Richard Cardoza

Senior Project Manager

LDC, Inc.

Cell # 253-218-9017

1851 Central Pl. South, Suite 101 Kent, WA 98030 rcardoza@ldccorp.com www.LDCCorp.com

Service ABOVE the Standard

#### RESOLUTION NO. 2019-___

## A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON, AUTHORIZING THE MAYOR TO SIGN A FIRST AMENDMENT TO THE OPTION AND WATER TOWER LEASE AGREEMENT BETWEEN THE CITY OF GRANDVIEW AND VERIZON WIRELESS

WHEREAS, the City of Grandview owns real property and a water tower located at King Street and Velma Street, known as Tower Park; and,

WHEREAS, the City and Verizon Wireless entered into an Option and Water Tower Lease Agreement on November 13, 2012; and,

WHEREAS, Verizon Wireless desires to amend said Lease Agreement; and,

WHEREAS, City Council finds that it is in the best interest of the City to amend said Lease Agreement with Verizon Wireless;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON, RESOLVES AS FOLLOWS:

The Mayor is hereby authorized to sign a First Amendment to the Option and Water Tower Lease Agreement between the City of Grandview and Verizon Wireless in the form as is attached hereto and incorporated herein by reference.

PASSED by the CITY COL meeting on	JNCIL and APPROVED by the MAYOR at its regular, 2019.
	MAYOR
	ATTEST:
	CITY CLERK
APPROVED AS TO FORM:	
CITY ATTORNEY	<u> </u>

Site Name: YAK EUCLID

### FIRST AMENDMENT TO OPTION AND WATER TOWER LEASE AGREEMENT

This FIRST A	MENDMENT TO OPTION	AND WATER TO	OWER LEASE		
AGREEMENT ("Am	endment") is made this	day of		01_	, by
and between the City	of Grandview ("Lessor") and	l Verizon Wireless	(VAW) LLC d/l	o/a V	erizor/
Wireless ("Lessee").					

#### RECITALS

- A. This Amendment pertains to that certain Option and Water Tower Lease Agreement dated November 13, 2012 (the "Agreement") for the lease of certain premises ("Premises") located at 1208 King Street, Grandview, County of Yakima, State of Washington, on property ("Property") legally described as set forth on Exhibit "A" to the Agreement and attached hereto as Exhibit A and made a part hereof.
- B. Verizon Wireless (VAW) LLC d/b/a Verizon Wireless has succeeded to Lessee's interest of Cellco Partnership d/b/a Verizon Wireless under the Agreement.
- C. The parties desire to amend the Agreement to allow Lessee to relocate an antenna sector and related appurtenances on the water tower at the Premises and to amend the rent payable to Lessor, as set forth below.

NOW, THEREFORE, in consideration of the foregoing and mutual covenants herein contained, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

#### AGREEMENT

- 1. Recitals. The foregoing recitals are incorporated herewith as if fully set forth herein.
- 2. <u>Premises/Exhibit "A"</u>. The Agreement is hereby amended to allow Lessee to relocate an antenna sector and related appurtenances on the water tower at the Premises, as described on Exhibit "A" Page 2 of 2 attached hereto and made a part hereof. Exhibit "A" to the Agreement is hereby supplemented with Exhibit "A" attached hereto and incorporated herein.

- 3. Rental. Sections 4(a), 6 and 7 of the Agreement are amended to provide that effective on the annual anniversary of the Commencement Date immediately following the full execution of this Amendment (the "Rent Increase Effective Date"), annual rental payable to Lessor shall increase by \$1,200.00. Rent shall continue to be paid in accordance with terms of the Agreement.
- 4. <u>Extension Rentals; Additional Extensions</u>. Sections 6 and 7 of the Agreement are hereby deleted and replaced with the following:

Effective on the Rent Increase Effective Date and upon each subsequent annual anniversary of the Commencement Date, including any and all extension terms, the annual rental payable to Lessor shall be equal to 102% of the annual rental payable with respect to the immediately preceding year.

5. Full Force and Effect. Except as expressly amended herein the Agreement is unmodified and remains in full force and effect. In the event of a conflict between the terms of the Agreement and this Amendment, the terms of this Amendment shall be controlling. In addition, except as otherwise stated in this Amendment, all initially capitalized terms will have the same respective defined meaning stated in the Agreement. All captions are for reference purposes only and shall not be used in the construction or interpretation of this Amendment.

City of Grandview
By:  Name:  Title:  Date:
LESSEE:
Verizon Wireless (VAW) LLC d/b/a Verizon Wireless
Ву:
Date:

LESSOR ·

#### LESSOR ACKNOWLEDGEMENT

STATE OF	
COUNTY OF) ss.	
for the State of	, 201, before me, a Notary Public in and, personally appeared, on the basis of satisfactory evidence) to be the person atted that He/She was authorized to execute the of the City of act and deed of said party for the uses and purposes
mentioned in the instrument.  IN WITNESS WHEREOF, I have	e hereunto set my hand and official seal the day and year
first above written.	
	NOTARY PUBLIC in and for the State of, residing at
	My appointment expires Print Name

#### LESSEE ACKNOWLEDGEMENT

STATE OF WASHINGTON )	
) ss.	
COUNTY OF KING )	K.,
the State of Washington, personally appeats to me (or proved to me on the basis of satinstrument, on oath stated that he was aut as the	, 201, before me, a Notary Public in and for ared, personally known isfactory evidence) to be the person who executed this horized to execute the instrument, and acknowledged it of Verizon Wireless (VAW) LLC d/b/a Verizon and deed of said party for the uses and purposes
IN WITNESS WHEREOF, I have first above written.	hereunto set my hand and official seal the day and year
	NOTARY PUBLIC in and for the State of WA, residing at
	My appointment expires
	Print Name

### EXHIBIT "A" (Page 1 of 2) Legal Description

Block 5, GRANDVIEW HILLCREST ADDITION, recorded in Volume N of Plats, Page 26, records of Yakima County. Washington.

### EXHIBIT "A" (Page 2 of 2) Supplemental Description of Premises

(See attached)

#### YAK EUCLID **1208 KING ST** GRANDVIEW, WA 98930 PARCEL # 230922-41550 PLAY AREA : APPROXIMATE LOCATION OF LESSEE'S ANTENNA LEASE AREA (34 SF) APPROXIMATE LOCATION OF APPROXIMATE LOCATION OF LESSEE'S FUTURE ANTENNA LESSEE'S FUTURE ANTENNA **APPROXIMATE LOCATION OF BLDG** LESSEE'S **ANTENNA LEASE** AREA (40 SF) **APPROXIMATE** WATER **LOCATION OF** BUILDING TANK LESSEE'S **ANTENNA LEASE** AREA (34 SF) **PLAY AREA APPROXIMATE APPROXIMATE LOCATION OF PLAY LOCATION OF** LESSEE'S **AREA** LESSEE'S **EQUIPMENT AREA FUTURE ANTENNA PLAY AREA** NOTE: STRUCTURAL ANALYSIS SHALL BE PREFORMED FOR FUTURE ANTENNAS NOT TO SCALE

**EXHIBIT A** 

### CITY OF GRANDVIEW AGENDA ITEM HISTORY/COMMENTARY COMMITTEE-OF-THE-WHOLE MEETING

AGENDA NO. New Business 4 (E)
AGENDA DATE: August 27, 2019
FUNDING CERTIFICATION (City Treasurer)
(If applicable)

#### **DEPARTMENT DIRECTOR REVIEW**

Cus Arteaga, City Administrator/Public Works Director

#### **CITY ADMINISTRATOR**

MAYOR

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

At the November 27, 2018 meeting, Council adopted Ordinance No. 2018-19 rezoning 628 East Fourth Street to R-2 Medium Density Residential and approved the preliminary plat of Villa de Gonzalez.

Following approval of the preliminary plat, the property owner proceeded with the infrastructure improvements for Villa de Gonzalez subject to the conditions as outlined in the Hearing Examiner's report and per Grandview Municipal Code Section 16.24 Design Standards and Section 16.28 Improvements.

**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.

The infrastructure improvements for Villa de Gonzalez have been completed to the City's standards. The final plat map is attached for review.

#### **ACTION PROPOSED**

Move resolution approving the final plat known as Villa de Gonzalez located on East Fourth Street to a regular Council meeting for consideration.

#### RESOLUTION NO. 2019-___

## A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON, APPROVING THE FINAL PLAT KNOWN AS VILLA DE GONZALE LOCATED ON EAST FOURTH STREET

WHEREAS, the property owner, Noe Gonzalez, applied for a residential preliminary plat approval for Parcel No. 230924-23513 located at 628 East Fourth Street, known as Villa de Gonzalez; and,

WHEREAS, on November 27, 2018, Council adopted Ordinance No. 2018-19 rezoning Parcel No. 230924-23513 and approved the preliminary plat of Villa de Gonzalez subject to conditions outlined in the Hearing Examiner's report and per Grandview Municipal Code Section 16.24 Design Standards and Section 16.28 Improvements; and,

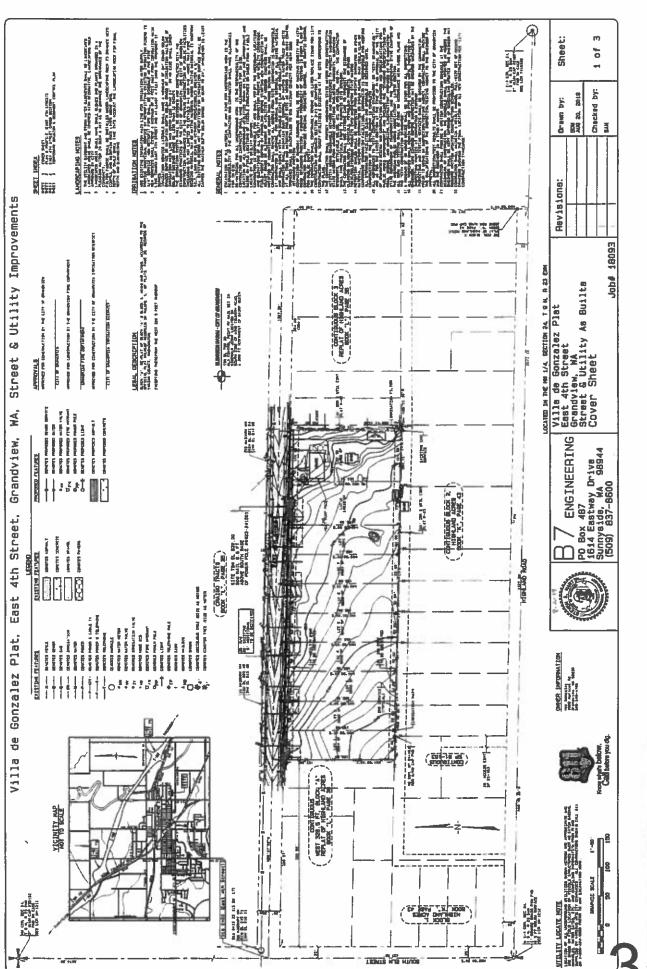
WHEREAS, the property owner has completed the infrastructure improvements for Villa de Gonzalez per the City's standards,

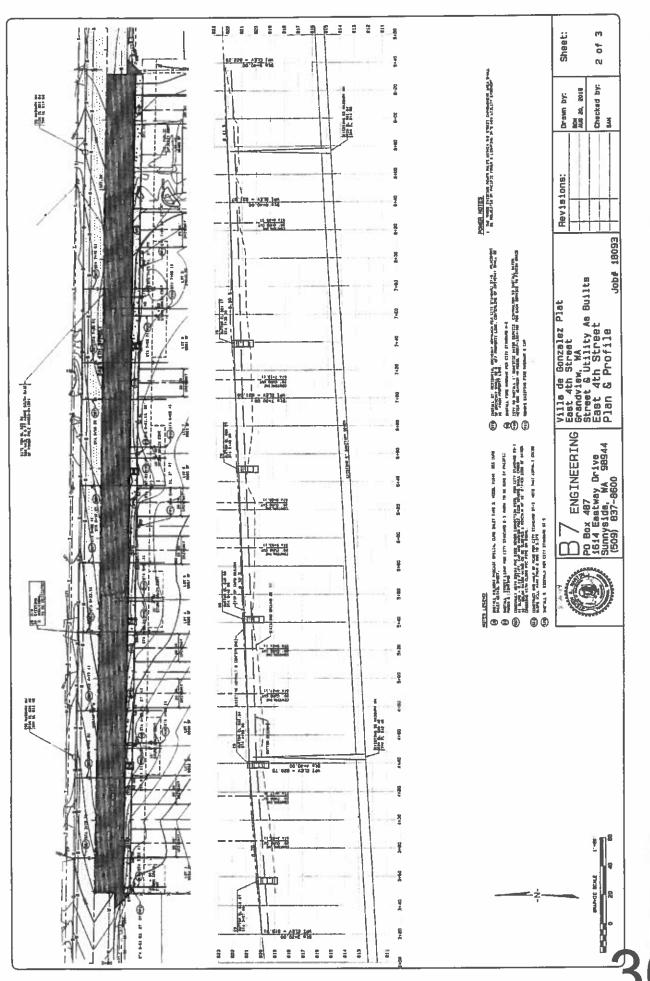
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, as follows:

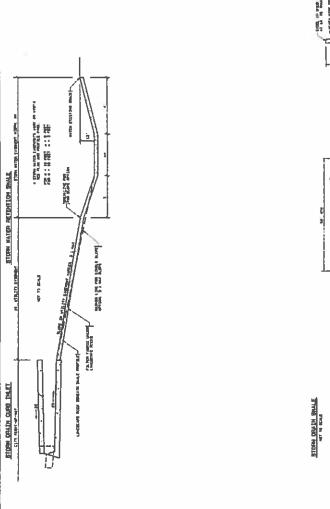
**Section 1.** The final plat known as Villa de Gonzalez is approved.

**Section 2.** The Mayor is hereby authorized to sign the final plat, a copy of which is attached hereto and incorporated herein by reference.

<u> </u>	L and <b>APPROVED</b> by the <b>MAYOR</b> at its regulated. 2019	Ш
	MAYOR	
	ATTEST:	
APPROVED AS TO FORM:	CITY CLERK	
CITY ATTORNEY		







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Revisions: Villa de Gonzalez Plat
East 4th Street
Grandview, MA
Street & Utility As Builts
Temporary Erosion &
Sediment Control Plan LOCATED IN THE MI 1/4, SECTION 24, T 9 N, R 25 EM

PO Box 487 1614 Eastway Drive Sunnyaide, MA 96944 (509) 837-8600

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