

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, DECEMBER 8, 2020**



Governor Proclamation 20-28.12 continues the prohibition on "in-person" meetings. This meeting will be available via teleconference. For meeting information and instructions, please contact City Hall at (509) 882-9200.

**REGULAR MEETING – 7:00 PM**

**PAGE**

- 1. CALL TO ORDER & ROLL CALL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. PRESENTATIONS**
- 4. 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.
- 5. CONSENT AGENDA** – Items on the Consent Agenda will be voted on together by the Council, unless a Councilmember requests that items be removed from the Consent Agenda and discussed and voted upon separately. An item removed from the Consent Agenda will be placed under Unfinished and New Business.
  - A. Minutes of the November 24, 2020 Committee-of-the-Whole meeting 1-6
  - B. Minutes of the November 24, 2020 Council meeting 7-9
  - C. Payroll Check Nos. 11929-11956 in the amount of \$37,379.49
  - D. Payroll Electronic Fund Transfers (EFT) Nos. 60448-60454 in the amount of \$137,927.54
  - E. Payroll Direct Deposit 11/16/20-11/30/20 in the amount of \$161,855.87
  - F. Claim Check Nos. 121049-121119 in the amount of \$205,437.43
- 6. ACTIVE AGENDA** – Notice: Items discussed at the 6:00 pm Committee-of-the-Whole meeting of an urgent or time sensitive nature may be added to the active agenda pursuant to City Council Procedures Manual Section 3.18(c).
  - A. Closed Record Public Hearing – Appleway Estates Subdivision – Rezone and Preliminary Plat 10-38
  - B. Ordinance No. 2020-14 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by Matthew & Lydia Charvet for Parcel Nos. 230922-32472, 230922-32474 and 230922-32475, 501 and 505 Appleway Road, Grandview, Washington 39-41
  - C. Resolution No. 2020-45 approving the Appleway Estates Subdivision 18-Lot Preliminary Plat 42-44
  - D. Benton County Mosquito Control District Re-Appointment Mayor Pro Tem Bill Moore effective January 1, 2021 through December 31, 2022 45

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E. Resolution No. 2020-46 accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2021	46-48
F. Ordinance No. 2020-15 adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2021	49-50
G. Ordinance No. 2020-16 amending the City of Grandview 2021 non-union salary schedule	51-52
H. Resolution No. 2020-47 authorizing the Mayor to enter into an Agreement for Professional Services with HLA Engineering and Land Surveying, Inc., for the years 2021, 2022 and 2023	53-67
I. Resolution No. 2020-48 accepting the Water Service Meter Equipment project as complete	68
<b>7. UNFINISHED AND NEW BUSINESS</b>	
A. December 22, 2020 C.O.W. and Council Meeting Cancellation	
<b>8. CITY ADMINISTRATOR AND/OR STAFF REPORTS</b>	
<b>9. MAYOR &amp; COUNCILMEMBER REPORTS</b>	
<b>10. ADJOURNMENT</b>	

The City of Grandview Special Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, December 8, 2020 at 6:30 pm and 7:00 pm will only be available via teleconference.

Please join the meeting from your computer, tablet or smartphone.

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**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES  
NOVEMBER 24, 2020**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the Committee-of-the-Whole meeting to order at 6:00 p.m., in the Council Chambers at City Hall.

Governor Proclamation 20-28.12 continued the prohibition on "in-person" meetings through December 7, 2020. This meeting was available via teleconference.

**2. ROLL CALL**

Present: Mayor Mendoza and Councilmembers David Diaz, Mike Everett, Diana Jennings, Bill Moore (Mayor Pro Tem) and Robert Ozuna.

Councilmember Joan Souders arrived at 6:10 p.m.

Absent: Councilmember Javier Rodriguez

Staff present: City Administrator Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios

**3. PUBLIC COMMENT**

Grandview Chamber of Commerce Update – Cody Goepfner, President of the Chamber of Commerce advised that the Chamber membership campaign for 2021 had started. Due to COVID-19 and recent restrictions, the Chamber's smaller events would be going virtual. The Light Up The Town would take place on December 3<sup>rd</sup>, the virtual Frosty 5-K would take place between December 5<sup>th</sup>-19<sup>th</sup>, and the virtual Christmas Tree Lighting would take place on December 4<sup>th</sup>. The Chamber also launched a new website [www.visitgrandview.com](http://www.visitgrandview.com).

**4. NEW BUSINESS**

**A. Benton County Mosquito Control District Re-Appointment – Mayor Pro Tem Bill Moore**

Mayor Mendoza received a letter from Angela Beehler, District Manager with the Benton County Mosquito Control District informing that the two year term of Mayor Pro Tem Moore as a Trustee on the Mosquito Control Board would expire December 31, 2020. She recommended that the Council reappoint Mayor Pro Tem Moore for another term beginning January 1, 2021 through December 31, 2022.

Discussion took place.

On motion by Councilmember Everett, second by Councilmember , the C.O.W. moved the reappointment of Mayor Pro Tem Bill Moore to the Benton County Mosquito Control District for the term January 1, 2021 through December 31, 2022 to the December 8, 2020 regular Council meeting for consideration.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**B. Resolution accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2021**

City Clerk Palacios explained that RCW 35.23.352(7) provided that bids were required to secure the services of the official newspaper. Bids to serve as the Official City Newspaper for the year 2021 were opened on November 17, 2020. The City received one (1) bid from the Grandview Herald. The bid was as follows:

<u>Newspaper</u>	<u>Type of Publication</u>	<u>Rate (per column inch)</u>
Grandview Herald	Legal Notices	\$6.75

The legal notice bid rate was the same rate as 2020.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Moore, the C.O.W. moved a resolution accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2021 to the December 8, 2020 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**C. Ordinance adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2021**

City Treasurer Cordray explained that during the months of August through November, there were numerous staff reviews, budget discussions and City Council special meetings regarding the 2021 preliminary budget. The Mayor's preliminary budget was released to the Council and public on November 13, 2020. Following the release of the Mayor's preliminary budget, staff allocated an additional \$9,500 to the irrigation fund for the Grandridge Estates Subdivision.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Everett, the C.O.W. moved an Ordinance adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2021 to the December 8, 2020 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**D. Ordinance amending the City of Grandview 2021 non-union salary schedule**

City Administrator Arteaga explained that the following general wage increases were incorporated into the salary schedules and included in the 2021 preliminary budget:

- Public Works Union (settled) – 3% on 1/1/2021
- Police Sergeants & Patrol Union (settled) – 3% on 1/1/2021
- Police Support Union (settled) – 3% 1/1/2021
- Non-Union (to be determined by Council) – proposed 3% 1/1/2021

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Souders, the C.O.W. moved an ordinance amending the City of Grandview 2021 non-union salary schedule to the December 8, 2020 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**E. Municipal Engineering Services Request for Statement of Qualifications (2021-2023) – HLA Engineering and Land Surveying, Inc.**

City Administrator Arteaga explained that the City's Professional Municipal Engineering Services Agreement with HLA Engineering and Land Surveying, Inc., for the years 2018, 2019 and 2020 expires December 31, 2020. The City advertised for Municipal Engineering Services Request for Statement of Qualifications and received seven (7) proposals for a new three-year agreement from 2021 through 2023.

The seven (7) engineering firms and evaluation combined scores were as follows:

- HLA Engineering and Land Surveying, Inc., Yakima, WA – 213
- Gray & Osborne, Inc., Yakima, WA – 155
- RH2 Engineers, Richland, WA – 139
- TD&H Engineering, Spokane, WA – 130
- CRW Engineering Group, Seattle, WA – 127
- LDC Inc., Woodinville, WA – 102
- Walker Consultants, Seattle, WA – 69

The three evaluating the applications were Councilmember Joan Souders, City Clerk Anita Palacios and City Administrator/Public Works Director Arteaga.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Ozuna, the C.O.W. moved the selection of HLA Engineering and Land Surveying, Inc., as the most qualified municipal engineering firm and directed staff to negotiate a three-year engineering services agreement, in accordance with State Law, to the December 8, 2020 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**F. Resolution accepting the Water Service Meter Equipment project as complete**

City Administrator Arteaga explained that in 2019, Council approved the water meter conversion from the Master meters to the new Muller radio read water meters. In addition, Council approved a contract with Consolidated Supply Co., for the new Mueller radio read water meters. This was a two-year water meter conversion project as existing City employees were being used to change out the 3,300 water meters. The City received all of the water meters as per the contract with Consolidated Supply and were at the point to closeout this project upon receipt of the final invoice. Staff recommended Council accept the project as complete once the requirements in the November 9, 2020 letter from HLA Engineering and Land Surveying, Inc., were satisfied.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Diaz, the C.O.W. moved a resolution accepting the Water Service Meter Equipment project as complete to the December 8, 2020 regular Council meeting for consideration.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**G. Radio Read Water Meters – Opt-Out Option**

City Administrator Arteaga explained that on October 20, 2020, Amelia Alcala from 707 West Concord Avenue requested the City implement an “opt-out” option regarding the radio frequency read water meters. She was under the impression that these types of water meters would cause health issues because of radiation that they could emit. In an email, she provided examples of other utilities (such as power and gas) in which opt-out option were offered.

The City’s water meters were located approximately 15-feet away from the residence. In addition, all the information the City researched and been provided by the meter supplier supports that the water meters were safe for the following reasons:

- Radio frequency transmission from water meters decreases as the distance from the residence increases.
- Radio devices transmit (radio frequency) when they were in use and a water meter was only in use a fraction of the time compared to cellphones and/or another electrical household devices.

As part of the City’s research, staff also contacted other municipal agencies using the radio frequency water meters asking if they had an opt-out option. The following do not have an opt-out option: City of Yakima, City of Toppenish, City of Sunnyside, City of Prosser and City of West Richland. As the City continued to grow, the City must be creative and find ways of meeting the daily workload demands, but most importantly, the City must keep operational costs affordable. The automated water meter reading system helps accomplish this by reducing the required manpower to read water meters manually. This was estimated at approximately \$40,000 per year. In addition, the system provided important data when evaluating customer consumption and/or usage.

If the City provided an opt-out option, the City could potentially jeopardize the \$1 million water meter investment because the City would not be able to maximize the many options available with this new equipment.

He did not recommend the City provide an opt-out option. The City had been using radio read water meters for over 12-years with no health issues reported. In addition, the water meters were not connected directly to the home as was the electrical and gas meters. The water meter was safer than a cellphone, a microwave oven, a computer and/or a television. He was not aware of any requirement or law that required a water utility and/or City to provide an opt-out option.



He requested Council authorize the City Attorney to write a letter to the Ms. Alcala informing her that the City would not be implementing an opt-out option regarding the use of the radio read water meters within the City of Grandview.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Jennings, the C.O.W. agreed to not implement an opt-out option and authorized the City Attorney to advise Ms. Alcala accordingly.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

## **5. OTHER BUSINESS**

2019 Annual Audit Risk Assessment – Mayor Mendoza requested a Councilmember participate in a risk assessment telephone interview with the Washington State Auditor regarding the City's 2019 Annual Audit on December 2, 2020. Councilmember Diaz volunteered.

Wine Country Road Transportation Improvement Board Grant – City Administrator Arteaga advised that the Transportation Improvement Board announced the grant award of the City's application for Wine Country Road from the Euclid intersection to the freeway interchange improvements.

Employee Appreciation – Councilmember Jennings requested that the Council discuss employee appreciation ideas at the next C.O.W. meeting.

## **6. ADJOURNMENT**

The C.O.W. meeting adjourned at 7:00 p.m.

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
NOVEMBER 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.

Governor Proclamation 20-28.12 continued the prohibition on "in-person" meetings through December 7, 2020. This meeting was available via teleconference.

Present: Mayor Mendoza and Councilmembers David Diaz, Mike Everett, Diana Jennings, Bill Moore (Mayor Pro Tem), Robert Ozuna and Joan Souders

Absent: Councilmember Javier Rodriguez

**On motion by Councilmember Moore, second by Councilmember Souders, Council excused Councilmember Javier Rodriguez from the meeting.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

Staff present: City Administrator/Public Works Director Cus Arteaga, City Attorney Quinn Plant, City Treasurer Matt Cordray, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios

**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 Everett, second by Councilmember Jennings, Council approved the Consent Agenda consisting of the following:**

- A. Minutes of the November 10, 2020 Committee-of-the-Whole meeting
- B. Minutes of the November 10, 2020 Council meeting
- C. Payroll Check Nos. 11914-11928 in the amount of \$92,200.00
- D. Payroll Electronic Fund Transfers (EFT) Nos. 60442-60446 in the amount of \$84,333.27
- E. Payroll Direct Deposit 11/1/20-11/15/20 in the amount of \$111,016.51

**F. Claim Check Nos. 120940-121048 in the amount of \$896,746.26**

**Roll Call Vote:**

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

**6. ACTIVE AGENDA**

**A. Public Hearing – 2021 Preliminary Budget**

Mayor Mendoza opened the public hearing for the purpose of receiving comments on the 2021 Preliminary Budget by reading the public hearing procedure.

Mayor Mendoza requested public comments. No public comments were received.

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. Grandview Municipal Court Judge Appointments: Judge Donald Engel, Judge Kevin Roy, Judge Brian Sanderson, Judge Alfred Schweppe and Commissioner Kevin Eilmes effective January 13, 2021 through January 13, 2025**

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

**On motion by Councilmember Everett, second by Councilmember Souders, Council approved the Grandview Municipal Court Judge Appointments: Judge Donald Engel, Judge Kevin Roy, Judge Brian Sanderson, Judge Alfred Schweppe and Commissioner Kevin Eilmes effective January 13, 2021 through January 13, 2025.**

**Roll Call Vote:**

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

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

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

Sewer Trunk Main Replacement – City Administrator Arteaga advised that the Sewer Trunk Main Replacement project was approximately two weeks behind, however, the contractor was making better progress this week.

**9. MAYOR & COUNCILMEMBER REPORTS**

Community Website Development Update – Councilmember Ozuna provided an update on the website development. He indicated that the survey monkey to gather public input was published on the City's website and Facebook page and the Chamber's website and Facebook page. In addition, the Chamber circulated the survey to their membership and City staff would be mailing paper surveys to approximately 100 residents. He encouraged the Council to share the link with constituents and/or complete paper surveys with residents, neighbors, friends, family members, etc.

**10. ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Ozuna, Council adjourned the meeting at 7:15 p.m.

Roll Call Vote:

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

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Mayor Gloria Mendoza

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Anita Palacios, City Clerk



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
REZONE & PRELIMINARY PLAT APPLICATIONS**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, December 8, 2020 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the requested rezone and preliminary plat for the following:

**Applicant(s):** Dan Swanson dba KDS Development, Inc.

**Property Owner(s):** Matthew & Lydia Charvet

**Proposed Project:** Appleway Estates Subdivision–Rezone & Preliminary Plat–18 Lots

**Proposed Zoning:** R-1 Low Density Residential

**Location of Project:** 501 and 505 Appleway Road, Grandview, Yakima County, Washington. Parcel Nos. 230922-32472, 230922-32474 and 230922-32475

The closed record public hearing will be held via teleconference as follows:

Please join the meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/592362461>

You can also dial in using your phone.

United States: +1 (872) 240-3212

Access Code: 592-362-461 #

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A copy of the Hearing Examiner's recommendation is available at no charge from the City Clerk's Office, 207 West Second Street, Grandview, WA 98930, PH: (509) 882-9200 or [anitap@grandview.wa.us](mailto:anitap@grandview.wa.us).

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – November 18, 2020

**CITY OF GRANDVIEW  
CITY COUNCIL**

**CLOSED RECORD PUBLIC HEARING PROCEDURE**

**THE FOLLOWING PROCEDURE IS USED BY THE GRANDVIEW CITY COUNCIL TO MEET APPEARANCE OF FAIRNESS REQUIREMENTS AND TO CREATE OR SUPPLEMENT THE HEARING RECORD:**

**MAYOR**

Tonight's closed record public hearing will include the following land use proposal:

- **Applicant(s):** Dan Swanson dba KDS Development, Inc.
- **Property Owner(s):** Matthew & Lydia Charvet
- **Proposed Project:** Appleway Estates Subdivision–Rezone & Preliminary Plat–18 Lots
- **Proposed Zoning:** R-1 Low Density Residential
- **Location of Project:** 501 and 505 Appleway Road, Grandview, Yakima County, Washington. Parcel Nos. 230922-32472, 230922-32474 and 230922-32475

The closed record public hearing will now begin:

1. This hearing must be fair in form and substance as well as appearance, therefore:

- a. Is there anyone in the audience who objects to my participation as Mayor or any Councilmember's participation in these proceedings? (If objections, the objector must state his/her name, address, and the reason for the objection.)
- b. Do any of the Councilmembers have an interest in this property or issue? Do any of you stand to gain or lose any financial benefit as a result of the outcome of this hearing? Can you hear and consider this in a fair and objective manner?
- c. Has any member of the Council engaged in communication outside this hearing with opponents or proponents on these issues to be heard? If so, that member must place on the record the substance of any such communication so that other interested parties may have the right at this hearing to rebut the substance of the communication.
- d. Thank you, the hearing will continue.  
(or)  
At this point, Councilmember \*\*\*\*\* will be excusing him/herself from the meeting. [Ask Councilmember to state his/her reasons for being excused.]

2. The purpose of this hearing is for the Council to review the record and consider the pertinent facts relating to this issue.
3. No new testimony will be allowed. Any clarification of the record being requested by the Councilmembers will first be authorized by the Mayor after consulting with the City Attorney.
4. The record generated will be provided by staff. Staff will now provide a review of the record.
5. Councilmembers will now consider the record and discuss among themselves the facts and testimony from the open record hearing. (Discussion and any requests for clarification of the record are made).

(Requests for clarification are directed to the Mayor and must be specific to the record. The Mayor after consulting with the City Attorney will authorize the clarification or deny it based on the opinion of the City Attorney.

6. If clarification of the record is authorized:
  - a. When you address the Council, begin by stating your name and address for the record.
  - b. Speak slowly and clearly.
  - c. You will be allowed to only provide the clarification of the record as authorized. No new testimony will be allowed.
7. Now that we have reviewed the record concerning this issue, this subject is open for decision. Council may:
  - a. Approve as recommended.
  - b. Approve with conditions.
  - c. Modify, with or without the applicant's concurrence, provided that the modifications do not:
    - i. Enlarge the area or scope of the project.
    - ii. Increase the density or proposed building size.
    - iii. Significantly increase adverse environmental impacts as determined by the responsible official.
    - iv. Deny (re-application or re-submittal is permitted).
    - v. Deny with prejudice (re-application or re-submittal is not allowed for one year).
    - vi. Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

**CITY OF GRANDVIEW  
AGENDA ITEM HISTORY/COMMENTARY  
CITY COUNCIL MEETING**

**ITEM TITLE:**

Closed Record Public Hearing – Appleway Estates  
Subdivision – Rezone and Preliminary Plat

Ordinance No. 2020-14 changing the zoning  
classification of certain lands and amending the zoning  
map of the City of Grandview as requested by  
Matthew & Lydia Charvet for Parcel Nos. 230922-  
32472, 230922-32474 and 230922-32475, 501 and  
505 Appleway Road, Grandview, Washington

Resolution No. 2020-45 approving the Appleway  
Estates Subdivision 18-Lot Preliminary Plat

**AGENDA NO.** Active 6 (A), (B) & (C)

**AGENDA DATE:** December 8, 2020

**DEPARTMENT**

Planning/Hearing Examiner

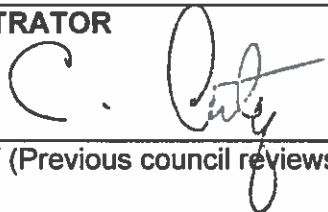
**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

**DEPARTMENT DIRECTOR REVIEW**

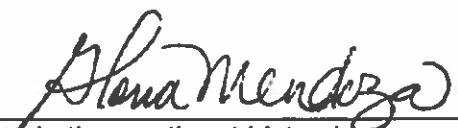
Anita Palacios, City Clerk (Planning)



**CITY ADMINISTRATOR**



**MAYOR**



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

The City received applications for a rezone and preliminary plat submitted by applicant Dan Swanson d/b/a KDS Development, Inc., and property owners Matthew and Lydia Charvet requesting a rezone of three parcels on West Fifth Street and Appleway Road from AG Agricultural District to R-1 Low Density Residential District and preliminary plat approval on one of the parcels of an 18-lot subdivision to be known as Appleway Estates.

**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.

On November 12, 2020, the Hearing Examiner conducted a virtual GoToMeeting open record public hearing to receive comments on the proposed rezone and preliminary plat applications. A copy of the Hearing Examiner's Recommendation RZ#2020-01 and SUB#2020-02 dated November 27, 2020 is attached.

**ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's recommendation that the City Council (i) rezone Parcel Nos. 230922-32472, 230922-32474 and 230922-32475 from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approve the 18-Lot preliminary plat to be named Appleway Estates on Parcel No. 230922-32472, subject to compliance with the conditions outlined in Recommendation SUB#2020-02.



Further recommend that Council approve Ordinance No. 2020-14 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by Matthew & Lydia Charvet for Parcel Nos. 230922-32472, 230922-32474 and 230922-32475, 501 and 505 Appleway Road, Grandview, Washington; and Resolution No. 2020-45 approving the Appleway Estates Subdivision Preliminary Plat.

Further recommend Council approve Resolution No. 2020-45 approving the Appleway Estates Subdivision 18-Lot Preliminary Plat.

**City of Grandview, Washington  
Hearing Examiner's Recommendations**

November 27, 2020

<b>In the Matter of Applications</b>	)	
<b>For a Rezone and Preliminary</b>	)	
<b>Plat Approval Submitted by:</b>	)	
	)	<b>RZ#2020-01</b>
<b>KDS Development, Inc., Applicant</b>	)	<b>SUB#2020-02</b>
<b>Matthew &amp; Lydia Charvet, Owners</b>	)	
	)	
<b>Requesting a Rezone of Three</b>	)	
<b>Parcels on West 5<sup>th</sup> Street and</b>	)	
<b>Appleway Road from the AG</b>	)	
<b>Agricultural District to the R-1</b>	)	
<b>Low Density Residential District</b>	)	
<b>And Approval on One of Those</b>	)	
<b>Parcels of an 18-Lot Preliminary</b>	)	
<b>Plat known as Appleway Estates</b>	)	

**A. Introductory Findings.** The introductory findings relative to the hearing process for these rezone and preliminary plat applications may be summarized as follows:

(1) The Hearing Examiner conducted a virtual GoToMeeting open record public hearing for these applications on November 12, 2020.

(2) Jeff Watson, Yakima Valley Conference of Governments Senior Planner who serves as Planner for the City of Grandview for this matter, presented a staff report for these applications which recommended approval of both of the

applications, with the application for preliminary plat approval being subject to a condition requiring the addition of a plat note regarding an irrigation easement.

(3) Testimony was also presented relative to details of the applications by the applicant's engineer, Jeff Jenson; by the applicant's representative, Dan Swanson; by a nearby resident, Jacqueline Rentera; by the City Administrator/Public Works Director, Cus Arteaga; and by the City Clerk, Anita Palacios.

(4) The testimony indicated in part that the applications comply with the City's "Residential" Comprehensive Plan designation for this area; that soils sampling and analysis recommended by a written comment of October 27, 2020, from the Department of Ecology (DOE) and procured by the property owners showed that the presence of toxic chemicals on the property falls within acceptable amounts; that a nearby resident is not opposed to the proposed preliminary plat even though she will miss the orchard that has been removed; that besides the written comment of October 27, 2020, from DOE, the Sunnyside Valley Irrigation District (SVID) commented by letter of October 20, 2020, to the effect that an SVID piped lateral 48.04AB runs north to south within an easement where uses are restricted along the east boundary of the parcel to be subdivided; and that the development of the plat will have to meet all applicable requirements such as the need for contractors to obtain and comply with Yakima Regional Clean Air Agency dust control plan requirements and the need for the development to meet Eastern Washington Stormwater requirements.

(5) These recommendations have been issued within 10 business days of the public hearing, and also within the 14 days of the public hearing that is required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code except insofar as the 14<sup>th</sup> day fell upon the Thanksgiving Day holiday.

**B. Summary of Recommendations.** The Hearing Examiner recommends that the Grandview City Council (i) approve the applicant's request to rezone three parcels from the AG Agricultural District to the R-1 Low Density Residential District, and (ii) approve subject to conditions the proposed 18-lot preliminary plat to be named Appleway Estates that would allow for development of 18 single-family residences on one of the parcels.

**C. Basis for Recommendations.** Based upon a view of the site and surrounding area without anyone else present on November 8, 2020; the information contained in the staff report, exhibits, testimony and other evidence presented at a virtual open record public hearing on November 12, 2020; and a consideration of the Grandview Zoning Ordinance and Subdivision Ordinance; the Hearing Examiner makes the following:

## **FINDINGS**

**I. Applicant/Property Owners.** The applicant is KDS Development, Inc. by Dan Swanson, 32814 SE 110<sup>th</sup> Street, Issaquah, Washington 98027. The property owners are Matthew and Lydia Charvet, 501 Appleway Road, Grandview, Washington 98930.

**II. Location.** The easternmost parcel which is the parcel to be subdivided and which is currently vacant following the removal of an orchard, parcel number 230922-32472, fronts on the south side of West 5<sup>th</sup> Street. The northernmost adjacent parcel to the west included within the rezone application which contains an existing single-family residence at 501 Appleway Road, parcel number 230922-32474, is on the corner of the intersection of West 5<sup>th</sup> Street and Appleway Road. The adjacent parcel to the south of that parcel also included within the rezone application which also contains an existing single-family residence at 505 Appleway Road, parcel number 230922-32475, fronts on the east side of Appleway Road.

**III. Proposal.** These applications request (i) approval of a rezone of parcel numbers 230922-32472 (5.79 acres), 230922-32474 (1.17 acres) and 230922-32475 (.63 acres) from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approval of a preliminary plat to be named Appleway Estates on parcel number 230922-32472 that would create 18 single-family residential lots ranging in size from 8,284 square feet to 21,341 square feet. The single-family development within the proposed 18-lot preliminary plat would include the following features:

(1) If the requested rezone and the proposed preliminary plat are approved by the City Council, the SEPA Checklist indicates that the 18 new single-family residences would be typical one-story and two-story homes; that the proposal would add about 2.5 residents per home for a total of about 45 additional residents; that no significant filling is anticipated on the parcel which has less than a 3% grade slope; that impervious surfaces would cover between 40% and 60% of the site; that erosion and sediment control plans would be prepared, reviewed and approved by the City per Eastern Washington Stormwater regulations; that dust control would be managed with watering as required; that construction emissions would be limited to typical daytime operation hours; that all run-off would remain on the site by means of a system including ponds, drywells and infill trenches; that existing drainage patterns would not be impacted; that the interior street connecting to West 5<sup>th</sup> Street would be stubbed at the south for a possible future connection to Appleway Road if adjacent properties were to be developed in the future; that the proposed dead-end street would meet City codes; that driveways and on-street parking would create 50-60 parking spaces; that the existing roadway along the frontage of the property would be improved as required by City standards; that the homes would be served by City of Grandview water and sewer; that electricity, natural gas, telephone, cable and irrigation water would be coordinated with the individual service providers for the site; and that the proposal would not affect current uses of nearby and adjacent lands.

(2) The three parcels do not fall within or near a floodplain, and do not fall within a designated Shoreline Environment as regulated by the Yakima County

Regional Shoreline Master Program. No critical areas were identified per Chapter 18.06 of the Grandview Municipal Code (GMC).

(3) The rezone application could be approved, denied or conditioned by the Grandview City Council, but the preliminary plat could not be approved or conditioned unless the rezone is approved due to the minimum lot area requirements of the AG Agricultural District.

**IV. Public Notice.** In accordance with the applicable City ordinance requirements for notice of open record public hearings conducted by the Hearing Examiner, the City's Notice of Development Application, Environmental Determination & Notice of Public Hearing for the November 12, 2020, virtual open record public hearing (i) was posted at City Hall, the Library, the Police Department and the City's website and was also mailed to owners of property within 300 feet of the property under consideration, to interested parties and to governmental agencies on October 12, 2020; (ii) was posted along West 5<sup>th</sup> Street and along Appleway Road in front of each parcel in a total of three places on October 14, 2020; and (iii) was published in the official newspaper of the City (Grandview Herald) on October 14, 2020.

**V. Environmental Review.** The City distributed an expected SEPA Determination of Non-Significance dated October 14, 2020, with a comment period ending on October 29, 2020, using the optional process set forth in WAC 197-11-355. A written comment from the Department of Ecology (DOE) was received on October 27, 2020, which recommended soil sampling and analysis due to the historical agricultural use of the property and also recommended an NPDES Construction Stormwater General Permit which requires a Stormwater Pollution

Prevention Plan (Erosion Sediment Control Plan) if there is a potential for stormwater discharge off-site. The property owners obtained soil test results from Cascade Analytical Inc. which determined that the Arsenic Solid level is 18.20 ng/Kg and the Lead level is 142 ng/Kg which are both less than DOE's thresholds for remediation of 20.00 ng/Kg and 250.00 ng/Kg respectively. A second written comment was also received on October 27, 2020, whereby the Sunnyside Valley Irrigation Company (SVID) indicated that an SVID piped lateral 48.04AB runs north to south within a 30-foot-wide easement along the east boundary of the parcel to be subdivided where neither buildings, septic systems, drainfields, trees, grading nor removal of soil are allowed and where additional uses such as fencing, roadways, etc. will only be allowed with prior approval through SVID's permitting process. After receipt of these two written comments, the City issued a final Determination of Non-Significance on October 30, 2020, which was not appealed.

**VI. Zoning and Land Uses.** The property under consideration is currently within the AG Agricultural District, as is the property to the north and south of the property. The property to the east is within the R-1 Low Density Residential District. The property to the west is outside the City limits and is within Yakima County's Single-Family Residential (R-1) zoning district. The nearby land uses surrounding the three parcels on all sides include single-family residential and agricultural land uses.

**VII. The Comprehensive Plan Land Use Designation.** The requested rezone from the AG Agricultural District to the R-1 Low Density Residential

District and proposed preliminary plat to create 18 single-family residential lots would be consistent with the 2016 Comprehensive Plan designation of the site as “Residential.” That designation is intended to include “Areas appropriate for rural, single-family, and multifamily residential living.” The requested R-1 Low Density Residential District is established to provide a low density residential environment generally to contain one single-family conventional dwelling per lot with smaller lots having a minimum of 7,500 square feet and useful yard spaces. The requested rezone from the AG Agricultural District to the R-1 Low Density Residential District and the proposed preliminary plat to create 18 single-family residential lots would also be consistent with the following Comprehensive Plan provisions which relate to Residential Land Use Needs, Land Use, Capital Facilities, Transportation and Housing:

**Residential Land Use Needs:**

According to the Housing Element of the Comprehensive Plan, an estimated additional 565 housing units will need to be added to the existing housing stock in order to accommodate the 2035 medium population projection of 13,137. The Housing Element also indicates that the estimated total land requirement for new housing to accommodate the 2035 medium projected population is 211.6 acres. The analysis is based on the following assumptions: (1) an average lot size of 18,730 square feet (0.43 acre) per single-family unit, which approximates the current average lot size of single-family homes in Grandview; (2) 4,000 square feet (0.1 acre) per unit for all other housing types, which is currently the minimum lot sizes allowed per unit by the Grandview zoning code; and 3) an average household size of 3.6.

**Land Use:**

**GOAL 1:** Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.



Policy 1.1: In its land use management decisions, the City should strive to influence both rates and patterns of growth in order to achieve goals of the Comprehensive Plan.

Policy 1.2: The City should resist growth pressures that could adversely affect community values, amenities, and infrastructure. The City should support development that furthers community goals.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Policy 1.4: Accommodate future population growth primarily through infilling and utilization of undeveloped subdivision lots. Conversion of agricultural land to residential, commercial, or industrial use will be encouraged to occur only after existing undeveloped parcels have been built out.

**GOAL 2:** Coordinate land uses to minimize the loss of natural resources due to urbanization and reduce uncertainty and unpredictable development which sacrifices conservation and sound land management.

Policy 2.3: Encourage new developments to locate in areas that are relatively free of environmental problems relating to soil, slope, bedrock, and the water table. Proposed developments should be reviewed by the appropriate City staff or consultants to identify site-specific environmental problems.

Policy 2.4: Adequate on-site disposal of surface water runoff shall be provided by all types of development.

Policy 2.5: Where there is a high probability of erosion, grading should be kept to a minimum and disturbed vegetation should be restored as soon as is feasible. In all cases, appropriate measures to control erosion and sedimentation shall be required.

Policy 2.6: The City shall consider the impacts of new development on water quality as part of its review process and will require any appropriate mitigating measures. Impacts that may affect the quality of drinking water shall be a priority concern in such reviews.

**GOAL 3:** To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.1: Ensure that new development does not outpace the City's ability to provide and maintain adequate public facilities and services, by allowing new development to occur only when and where adequate facilities exist or will be provided.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

Policy 3.3: Development within the unincorporated portion of the urban growth area shall be encouraged to occur only on a limited scale to prevent inefficient use and distribution of public facilities and services. Urban development outside of the urban growth boundary shall be discouraged.

Policy 3.4: To facilitate planned growth, the City encourages combining and assisting in service areas such as fire protection, public transit, water/sewer, criminal justice and administration, where such combinations implement efficient, cost-effective delivery of such services.

**GOAL 4:** To pursue well-managed, orderly expansion of the urban area in a manner that is within the sustainable limits of the land.

Policy 4.1: The future distribution, extent, and location of generalized land uses will be established by the Future Land Use Map contained within this plan.

Policy 4.2: Provide residential areas that offer a variety of housing densities, types, sizes, costs and locations to meet future demand.

Policy 4.3: Ensure that new residential development makes efficient use of the existing transportation network and provides adequate access to all lots.

Policy 4.4: Discourage incompatible uses from locating adjacent to each other. Encourage protection of other land uses from the negative impacts of industrial uses through appropriate siting, setbacks, landscaping and buffering.

**GOAL 7:** To preserve the character, agricultural heritage, and quality of life in Grandview and the surrounding rural areas that are part of the community.

Policy 7.1: Build upon Grandview's rural characteristics by allowing the necessary agricultural services and facilities that support surrounding agricultural land uses.

Policy 7.2: Establish a pattern of development that supports a sense of community.

Policy 7.3: Encourage land use decisions that are sensitive to Grandview's history and culture.

Policy 7.5: Ensure that new development in Grandview enhances the "quality of life" within the community, and that any environmental problems that arise from such development are corrected by the developer through enforcement of subdivision control, regulations and fees.

### **Capital Facilities**

**GOAL 1:** To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 1.1: Ensure that new development does not outpace the City's ability to provide and maintain adequate public facilities and services, by allowing new development to occur only when and where adequate facilities exist or will be provided.

Policy 1.2: Development within the unincorporated portion of the urban growth area shall be encouraged to occur only on a limited scale to prevent inefficient use and distribution of public facilities and services, and to discourage rural development from becoming urban in nature outside of the urban growth boundary.

**GOAL 2:** Ensure that those public facilities and services necessary to support development shall be adequate to serve the development at the time the development is available for occupancy and use without decreasing current service standards below locally established minimum standards.

Policy 2.1: New urban development shall be encouraged to locate first, within the City limits and second, within the urban growth area where municipal services and public facilities are already present.

Policy 2.2: Development shall be allowed only when and where all public facilities are adequate, and only when and where such development can be adequately served by essential public services without reducing the levels of service elsewhere.

**GOAL 3:** To facilitate planned growth through combined services.

Policy 3.1: To facilitate planned growth, the City encourages combining and assisting in service areas such as fire protection, public transit, water/sewer, criminal justice and administration, where such combinations implement efficient, cost effective delivery of such services.

## **Transportation**

**GOAL 1:** To ensure that transportation facilities and services needed to support development are available concurrent with the impacts of such development, which protects investments in existing transportation facilities and services, maximizes the use of these facilities and services, and promotes orderly compact growth.

Policy 1.5: New development shall be allowed only when and where all transportation facilities are adequate at the time of development, or unless a financial commitment is in place to complete the necessary improvements or strategies which will accommodate the impacts within six years; and only when and where such development can be adequately served by essential transportation facilities without reducing level of service elsewhere.

Policy 1.7: The City shall require developers to construct streets directly serving new development and pay a fair-share fee for specific off-site improvements needed to mitigate the impacts of development. The City shall also explore with developers ways that new development can encourage van pooling, carpooling, public transit use and other alternatives and strategies to reduce single-occupant vehicle travel.

**GOAL 7:** Integrate Complete Streets infrastructure and design features into street design and construction to create safe and inviting environments for all users to walk, bicycle, and use public transportation.

Policy 7.1: Include infrastructure that promotes a safe means of travel for all users along the right of way, such as sidewalks, shared use paths, bicycle lanes, and paved shoulders.

Policy 7.2 Include infrastructure that facilitates safe crossing of the right of way, such as accessible curb ramps, crosswalks, refuge islands, and pedestrian signals; such infrastructure must meet the needs of people with different types of disabilities and people of different ages.

Policy 7.3: Ensure that sidewalks, crosswalks, public transportation stops and facilities, and other aspects of the transportation right of way are compliant with the Americans with Disabilities Act and meet the needs of people with different types of disabilities, including mobility impairments, vision impairments, hearing impairments, and others.

Policy 7.4: Prioritize incorporation of street design features and techniques that promote safe and comfortable travel by pedestrians, bicyclists, and public transportation riders, such as traffic calming circles, additional traffic calming mechanisms, narrow vehicle lanes, raised medians, dedicated transit lanes, transit priority signalization, transit bulb outs, road diets, high street connectivity, and physical buffers and separations between vehicular traffic and other users.

### **Housing:**

**GOAL 1:** Provide safe and sanitary housing for all persons within the community.

Policy 1.1: Support the development of a housing stock that meets the varied needs of the present community while attracting higher income residents.

Objective 1: Encourage the construction of new units to increase the local housing supply. New construction should provide for a moderate- to low-income and senior housing market demand as well as upscale residences. It should also provide for an appropriate mix of housing types and intensities (single-family, multifamily, group homes, adult family homes). ...

Objective 5: Encourage infilling in residential areas.

Objective 6: Encourage more medium and high-value residential construction.

Policy 1.3: Support housing availability to meet the needs of all income groups.

Objective 1: Make current housing information available to potential developers and encourage its use in the consideration of development alternatives.

Objective 2: Provide for the periodic updating of existing plans and development regulations (e.g., comprehensive plan and zoning ordinance) and ongoing analysis of housing problems.

Objective 3: Ensure that all new housing developments pay for the cost of providing utilities, streets, parks and public safety requirements.

**GOAL 3:** Encourage a mixture of housing types and densities throughout the

UGA that are compatible with public service availability.

Policy 3.1: Support the development of regional strategies to address the housing needs of the UGA.

Objective 1: Land use controls shall govern the distribution of housing types by establishing overall density.

Objective 2: Density of development shall be based on: the existing land use pattern, the availability of public services, municipal service plans and the initial provision of services by the developer.

Objective 3: Criteria shall be developed for establishing levels of services required for different densities of development.

**VIII. Concurrency.** A Transportation Checklist was completed in conjunction with these applications. The concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the proposed 18-lot subdivision which is proposed to result in the construction of 18 single-family residences on the lots. The proposed development would not be expected to result in traffic volumes on West 5<sup>th</sup> Street that would fall below the City's street Level of Service (LOS) C. The minimum acceptable LOS on City streets prescribed by the 2016 Grandview Comprehensive Plan Transportation Element is LOS D.

**IX. Development Standards.** The proposed rezone and preliminary plat would comply with the Grandview Municipal Code (GMC) development standards in the following particulars:

(1) The R-1 Low Density Residential District which is described in GMC §17.30.020 allows (i) Single-family dwellings consisting of a residential home built to current building codes or a new manufactured home or new modular home

conforming to the development standards specified in GMC §17.30.050; and (ii) Churches and similar places of worship; and (iii) Nothing contained in this section shall be deemed to prohibit the uses of vacant property for gardening or fruit raising. These uses, in addition certain agricultural and other uses, are also allowed in the AG Agricultural District by GMC §17.40.020.

(2) The proposed 18-lot preliminary plat would comply with permitted use and density standards for the requested R-1 Low Density Residential District if single-family residences as proposed in the SEPA Environmental Checklist are constructed on all of the lots.

(3) GMC §16.24.020(A) relative to subdivision design standards requires each lot to have direct access to, and at least 50 feet of frontage upon, a dedicated public street. GMC §16.24.040(A)(3) requires 50 feet of right-of-way width for local streets to or within a subdivision. GMC §16.24.050(B) requires that a 10-foot-wide utility easement be provided across the front of each lot within a subdivision. A 10-foot-wide irrigation easement is required under some circumstances along the rear lot lines of subdivisions and all new development within the City must include curb, gutters, sidewalks and provision for handling storm drainage. Unless adjustments from the City's requirements are granted, the proposed preliminary plat presented at the open record public hearing must be modified to show any features required by GMC Title 16 (Subdivisions) which the City finds are not adequately shown by the "General Notes" set forth on the face of the proposed preliminary plat. Development of the preliminary plat and the approved final plat must comply with all applicable requirements set forth in GMC Title 12 (Streets, Sidewalks and Public Places), Title 15 (Buildings and Construction), Title 16 (Subdivisions), Title 17 (Zoning) and other applicable local, state and federal regulations.

**X. Specific Review Criteria for Rezones and Preliminary Plats.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication, mailing and posting. GMC §14.03.040(A)(4), GMC

§14.03.040(A)(6) and GMC §14.09.030(A)(4) provide that a recommendation is to be made to the Grandview City Council regarding rezones and applications for preliminary plats that must comply with the provisions of GMC §14.09.030(A)(3), GMC §14.09.030(A)(4) and GMC §17.88.040. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including but not limited to subdivisions, binding site plans, rezones, conditional use permits or variances. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to recommend approval of a proposed development without first making the following findings and conclusions:

**(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** The requested rezone and preliminary plat will satisfy this requirement. Since the City's 2016 Comprehensive Plan Future Land Use Map designates the property under consideration as Residential, the rezone and preliminary plat would both be consistent with the Goals and Policies of the Comprehensive Plan and with the requirements and intent of the Grandview Municipal Code as explained in detail in Sections VII and IX above.

**(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** Since development of the uses within the proposed preliminary plat will comply with all applicable City development standards and all other applicable regulations, the preliminary plat will make adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.

**(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The City determined that the requested rezone and proposed preliminary plat would not result in any probable significant adverse environmental impacts under GMC Title 18 by issuing a final SEPA Determination of Non-Significance on October 30, 2020, which was not appealed.



**(4) The development is beneficial to the public health, safety and welfare and is in the public interest.** The proposed new 5.79-acre 18-lot residential development on parcel 230922-32472 would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed additional housing stock in the form of single-family residences which would be located on a parcel that is adjacent to existing residential uses on both the east and west sides of the parcel.

**(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan.** If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, “concurrent with the development” is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. Here the proposed 18-lot subdivision would not lower the level of service of transportation below the minimum standards prescribed by the City’s Comprehensive Plan. The answers to the City’s Transportation Checklist indicated that 18 additional single-family residences would result in approximately 180 daily vehicle trips on West 5<sup>th</sup> Street which would leave a remaining capacity of 2,906 vehicle trips on that street. The concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied. The proposed development of the proposed subdivision is not expected to result in traffic volumes on West 5<sup>th</sup> Street that would fall below the City’s street Level of Service (LOS) C. The minimum acceptable LOS on City streets prescribed by the City’s 2016 Comprehensive Plan Transportation Element is LOS D.

**(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development.** Dedication of additional right-of-way along West 5<sup>th</sup> Street is not a recommended condition for approval of the preliminary plat. The proposed preliminary plat itself depicts the area to be dedicated for the interior dead-end street named Lizzy Lane that would provide access to the lots.

**XI. Additional Specific Review Criteria for Rezones.** GMC §17.88.060 provides that after the completion of an open record hearing regarding a request for a rezone, the Hearing Examiner shall make and enter findings and conclusions which support a recommendation relative to five considerations. GMC §17.88.080 provides that those findings and conclusions are to be forwarded to the City Council to decide at a regular business meeting in accordance with GMC Chapter 2.50 whether to approve the rezone with or without modification, whether to enter into a concomitant agreement with the applicant or whether to deny the rezone. GMC §17.88.060 provides that the Hearing Examiner shall find whether or not:

**(1) The proposal is in accord with the goals and policies of the comprehensive plan.** The requested rezone from the AG Agricultural District to the R-1 Low Density Residential District is in accord with the Goals and Policies of the Comprehensive Plan as explained in detail in Section VII above.

**(2) The effect of the proposal on the immediate vicinity will be materially detrimental.** The effect on the immediate vicinity of the requested rezone of the three parcels to the R-1 Low Density Residential District would not be materially detrimental because the Comprehensive Plan designation for all of the property surrounding the three parcels is Residential; the adjacent property to the east of the easternmost parcel is already within the R-1 Low Density Residential District; the property to the west of the westernmost two parcels is already within the Yakima County Single-Family Residential (R-1) zoning district; and there are already existing single-family residences located on two of the parcels and located adjacent to both the east and west sides of the parcel to be subdivided into 18 single-family residential lots.

**(3) There is merit and value in the proposal for the community as a whole.** The merit and value for the community as a whole would be to have additional single-family housing within the City in a plat that would comply with all applicable requirements and would be in a single-family residential area.

**(4) Conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** The City's SEPA Responsible Official determined that the requested rezone will not have any significant adverse impacts

in need of mitigation and issued a final Determination of Non-Significance on October 30, 2020, which became final without an appeal.

**(5) A development agreement should be entered into between the city and the petitioner, and if so, the terms and conditions of such an agreement.** There was no evidence or staff recommendation suggesting that a development agreement should be required of the applicant.

## **XII. Additional Specific Review Criteria for Preliminary Plats.** GMC

§16.12.090 and §16.12.110 require that a preliminary plat be reviewed to determine conformance with the following standards:

**(1) Conformance with the provisions of the zoning ordinance for the City.** The proposed preliminary plat could not be approved if the requested rezone is denied because of the minimum lot area requirements in the AG Agricultural District. On the other hand, the preliminary plat can be approved if the rezone to the R-1 Low Density Zoning District is approved because the minimum lot size in that zone for single-family residences is 7,500 square feet and the smallest proposed lot in the proposed preliminary plat is 8,284 square feet.

**(2) Conformance with the general purposes of the Comprehensive Plan.** As previously noted in Section VII above, the proposed preliminary plat for residential development would be in conformance with the Residential Comprehensive Plan designation for the property and with many of the Goals, Policies and Objectives of the Comprehensive Plan.

**(3) Conformance with the provisions of this title.** The proposed preliminary plat would not only be required to be in conformance with all applicable provisions of GMC Title 16 (Subdivisions), it would also be required to be in conformance with all applicable requirements of GMC Title 12 (Streets, Sidewalks and Public Places), GMC Title 15 (Buildings and Construction), GMC Title 17 (Zoning) and other applicable local, state and federal requirements.

**(4) Conformance with the comprehensive water and sewer plans.** The evidence presented at the hearing indicated that the proposed preliminary plat would utilize City water and sewer and would otherwise be in conformance with the comprehensive water and sewer plans. There was no evidence to the contrary.

**(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.** The proposed preliminary plat would have to be in conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.

**(6) Conformance with any other standards necessary to serve the public good.** GMC §16.12.110 states that the City Council shall approve a proposed preliminary plat if it makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainageways, streets, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and schoolgrounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and if the public use and interest will be served by the platting of such subdivision and dedication. Here the fact that the preliminary plat would have to comply with all of the applicable City development standards and ordinance requirements, as well as all other applicable local, state and federal requirements as described in detail above would mean that it would make appropriate provisions for the listed design and improvement requirements of a preliminary plat. No neighbors or other residents or property owners submitted written comments or testimony at the hearing in opposition to any aspect of the proposed preliminary plat even though one of the nearby residents will miss the adjacent orchard which has been removed. The public use and interest would be served due to the need for additional housing options in the City.

## **CONCLUSIONS**

Based upon the foregoing Findings, the Hearing Examiner concludes as follows:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve rezones and preliminary plats where, as here, they satisfy the zoning ordinance, subdivision ordinance and other applicable requirements and criteria for approval.

(2) The public notice requirements of the Grandview Municipal Code have been satisfied.

(3) SEPA environmental review for the requested rezone and proposed preliminary plat completed pursuant to RCW 43.21C and GMC Title 18 resulted in the issuance of a Determination of Non-Significance for both applications which became final without an appeal.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the requested rezone and the proposed preliminary plat.

(5) The public use and interest would be served by the requested rezone and the proposed preliminary plat.

(6) The requested rezone and the proposed preliminary plat would be consistent and compliant with the Comprehensive Plan, the zoning ordinance, the applicable development standards and the requisite criteria for approval of both.

(7) The Hearing Examiner's recommendations regarding the requested rezone and the proposed preliminary plat will be considered and decided by the Grandview City Council at a closed record public hearing with the result that (i) the rezone application can be approved, conditioned, modified or denied by the City Council and (ii) the proposed preliminary plat can only be approved with or without conditions if the rezone is approved, and the proposed preliminary plat can be denied even if the rezone is approved.

## **RECOMMENDATIONS**

The Hearing Examiner recommends that the City Council (i) rezone the parcel numbers 230922-32472 (5.79 acres), 230922-32474 (1.17 acres) and 230922-32475 (.63 acres) from the AG Agricultural District to the R-1 Low Density Residential District and (ii) approve the preliminary plat to be named Appleway Estates on parcel number 230922-32472 that would create 18 single-family residential lots ranging in size from 8,284 square feet to 21,341 square feet subject to compliance with applicable provisions of GMC Title 16 (Subdivisions),

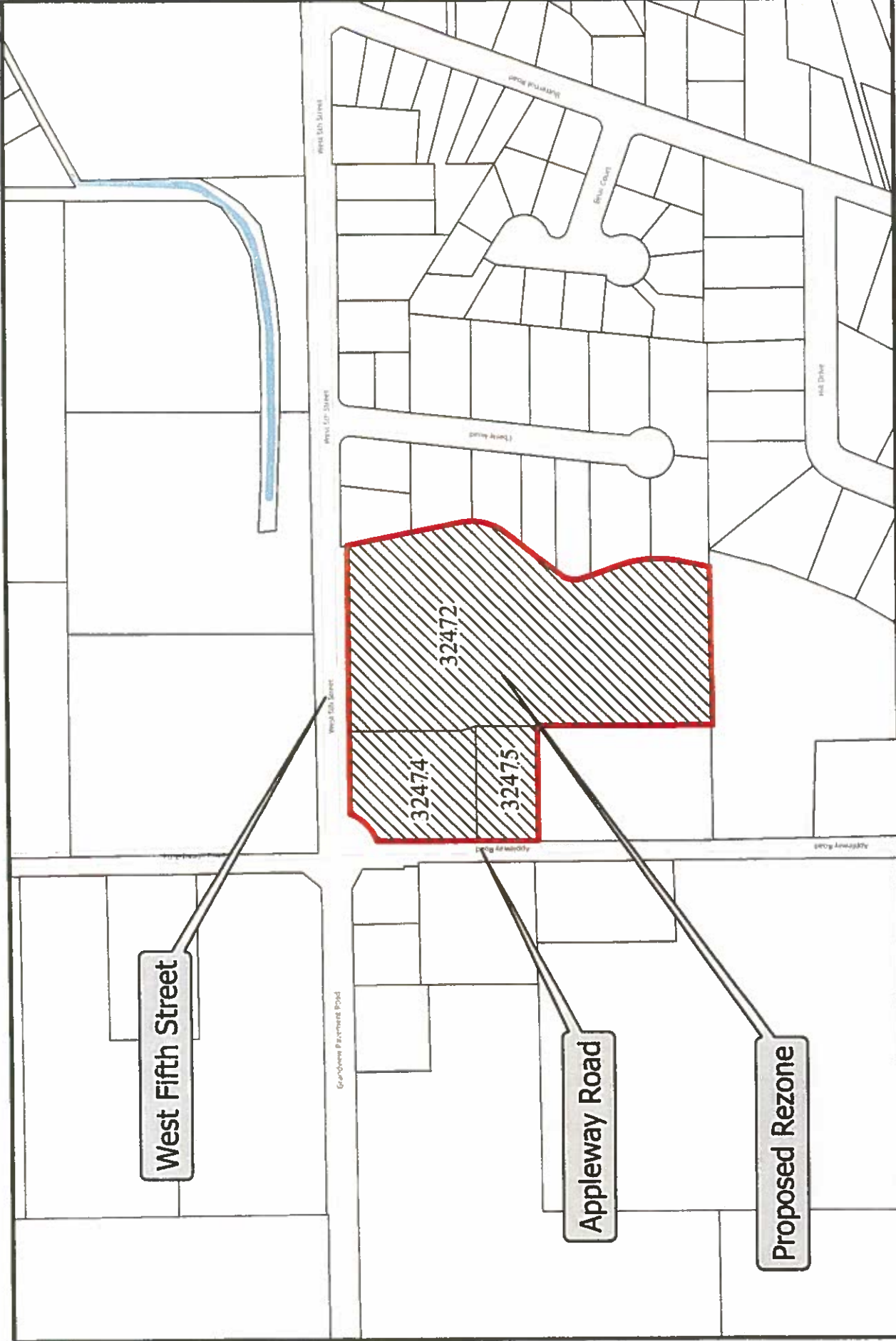
of GMC Title 12 (Streets, Sidewalks and Public Places), of GMC Title 15 (Buildings and Construction), of GMC Title 17 (Zoning) and of other local, state and federal regulations, as well as compliance with the City Planner's staff recommendation that the following note be placed on the face of the plat:

The Sunnyside Valley Irrigation District (SVID) has a piped lateral (48.04AB) which runs from north to south along the east parcel boundary. The lateral is located within a 30-foot-wide SVID irrigation easement. The following restrictions apply to an SVID easement or right-of-way.

- (1) Buildings are not allowed within an SVID easement or right-of-way.
- (2) Septic Systems/drain fields are not allowed within an SVID easement or right-of-way.
- (3) Trees are not allowed within an SVID easement or right-of-way.
- (4) Grading or removal of soil will not be allowed within an SVID easement or right-of-way.
- (5) Additional uses of an SVID easement or right-of-way such as fencing, roadways, etc. will only be allowed with prior approval through SVID's permitting process.

**DATED** this 27<sup>th</sup> day of November, 2020.

  
\_\_\_\_\_  
**Gary M. Cuillier, Hearing Examiner**

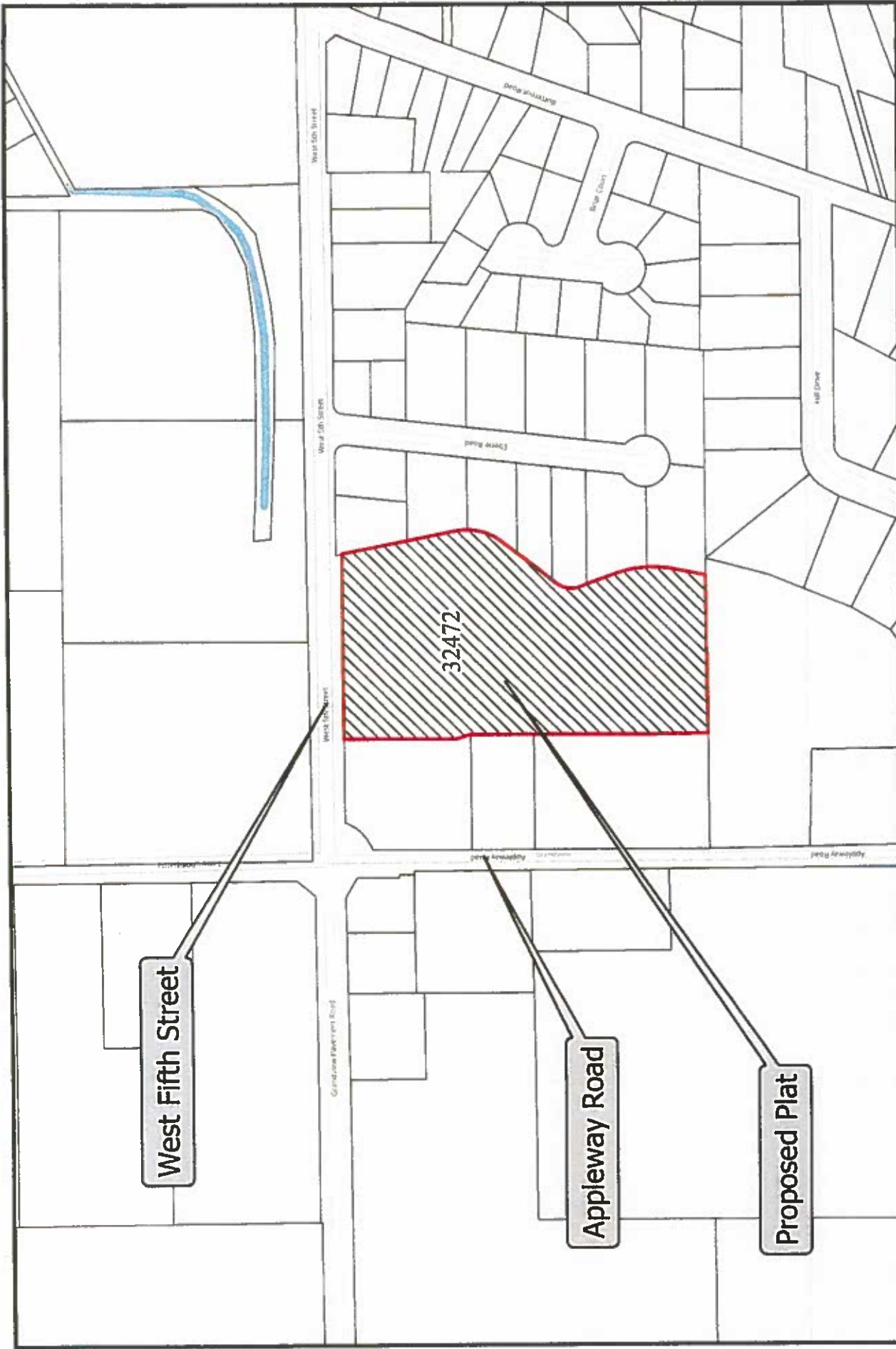


Publication  
Map



Appleyard Estates  
Rezone





Publication  
Map

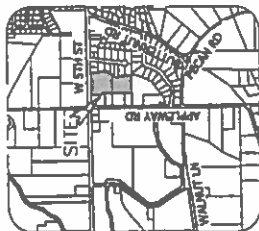


Appley Estates  
Preliminary Plat



# 18 LOTS

NW 1/4 OF SECTION 23, TOWNSHIP 08 NORTH, RANGE 22 EAST, W.M.  
 507 APPLEWAY RD. GRANDVIEW, YAKIMA COUNTY, WASHINGTON



CLASS OF PLACING  
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WITH STATE OPS OBSERVATION  
AND DUALS OBSERVATION  
RECEIVED IN THE  
WAS IN THE  
LAST ONE OF THE 27  
OF THE  
[COMPLETED]  
A MAJOR SECOND TOTAL STATION  
SPECIAL PRECISION SURVEY



**LEGAL DESCRIPTIONS**  
**PAGE 2**

2. **1200**[illegible]

**GENERAL NOTES:**

- [illegible]

**LAND USE SUMMARY:**

[illegible]

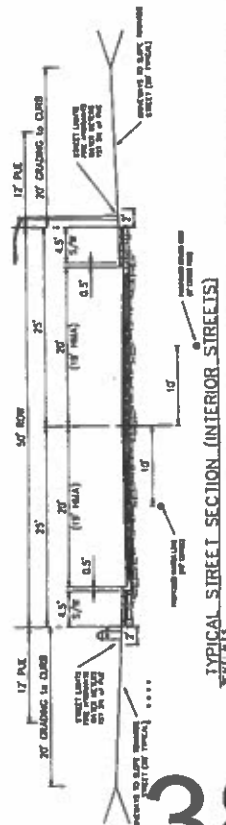
STATIONARY SOURCE  
CURRENT YOUNG CO.  
PROPOSED CHANGING AC  
BY CANCELLED LICENSE

MEASUREMENT SIZE = 7.500 LF;  
AVERAGE LOT SIZE = NO Requirement  
DOTZ

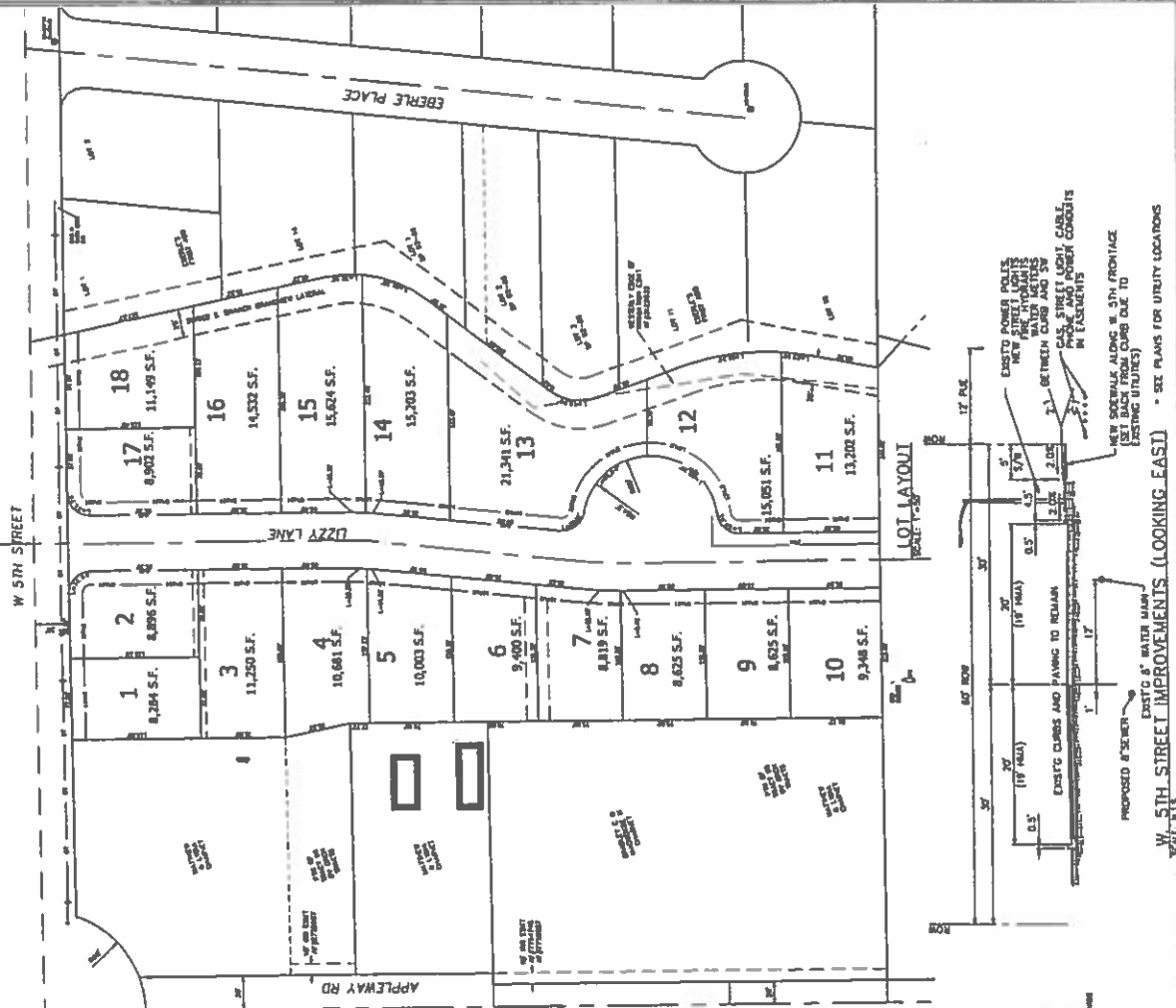
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**CALL 2 BUSINESS DAYS BEFORE YOU DIE: 811**

NOTE: ALL UTILITY LOCATIONS ARE APPROXIMATE. CONTRACTOR MUST VERIFY EXACT LOCATIONS WITH UTILITY COMPANIES PRIOR TO CONSTRUCTION.



TYPICAL STREET SECTION (INTERIOR STREETS)



**W. 5TH STREET IMPROVEMENTS (LOOKING EAST)**

**ORDINANCE NO. 2020-14**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
CHANGING THE ZONING CLASSIFICATION OF CERTAIN LANDS AND  
AMENDING THE ZONING MAP OF THE CITY OF GRANDVIEW  
AS REQUESTED BY MATTHEW & LYDIA CHARVET FOR  
PARCEL NOS. 230922-32472, 230922-32474 AND 230922-32475,  
501 AND 505 APPLEWAY ROAD, GRANDVIEW, WASHINGTON**

**WHEREAS**, the City of Grandview Hearing Examiner, upon application and after due notice pursuant to Grandview Municipal Code Chapter 14, conducted a virtual GoToMeeting open record public hearing on November 12, 2020 for a rezone which was duly filed by Matthew and Lydia Charvet for Parcel Nos. 230922-32472, 230922-32474 and 230922-32475 located at 501 and 505 Appleway Road, Grandview, Washington; and

**WHEREAS**, the Hearing Examiner, after receiving public comments and reviewing the staff report containing staff's findings of fact, issued his recommendation dated November 27, 2020 entitled RZ#2020-01, a copy of which is attached, recommending said rezone to the City Council for approval; and

**WHEREAS**, the City Council of the City of Grandview, after due notice pursuant to Grandview Municipal Code Chapter 14, conducted a closed record public hearing for said rezone on November 27, 2020 to consider the conclusions and recommendation by the Hearing Examiner; and

**WHEREAS**, the City Council, after reviewing the Hearing Examiner's conclusions and recommendation, and having deliberated upon said matter, accepted the Hearing Examiner's recommendation RZ#2020-01 as their own and approved the rezone submitted by Matthew and Lydia Charvet for Parcel Nos. 230922-32472, 230922-32474 and 230922-32475 located at 501 and 505 Appleway, Grandview, Washington,

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** The City of Grandview "Official Zoning Map" referred to in Grandview Municipal Code Section 17.16.020, a copy of which is on file in the office of the Grandview City Clerk, is hereby amended to show the following rezoned area:

General Location: 501 and 505 Appleway Road, Grandview, WA  
Parcel Nos. 230922-32472, 230922-32474 and 230922-32475  
Acres: 7.59  
Rezone: AG Agricultural District to R-1 Low Density Residential

**Section 2.** This ordinance shall be in full force and effect five (5) days after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

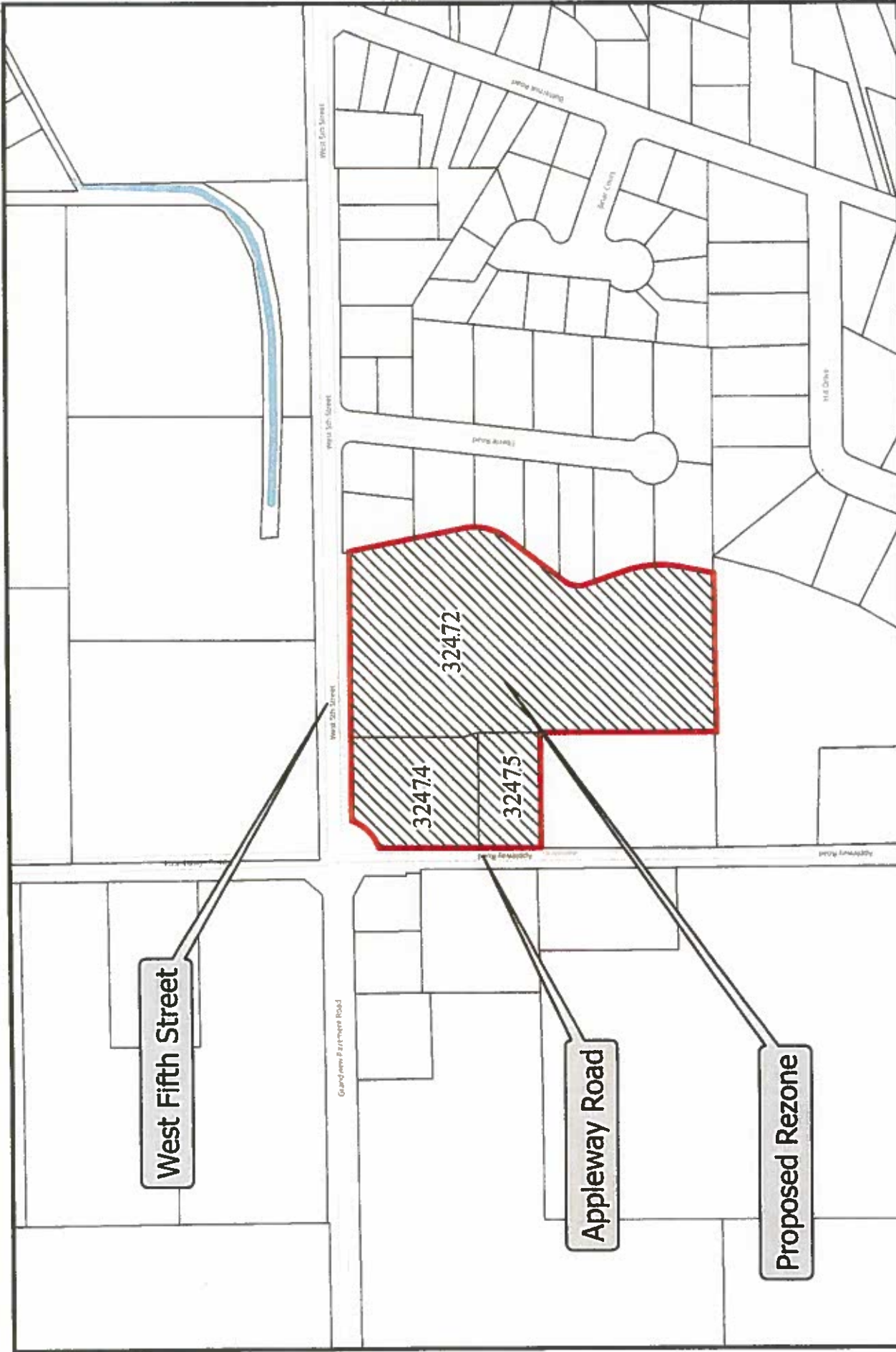
\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

PUBLISHED: 12/9/20  
EFFECTIVE: 12/14/20



Publication  
Map



Appleway Estates  
Rezoning



41

**RESOLUTION NO. 2020-45**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING THE APPLEWAY ESTATES SUBDIVISION  
18-LOT PRELIMINARY PLAT**

**WHEREAS**, the developer Dan Swanson d/b/a KDS Development, Inc., and property owners Matthew and Lydia Charvet applied for preliminary plat approval for a 18-lot residential subdivision designated as Appleway Estates; and

**WHEREAS**, the Hearing Examiner conducted a virtual GoToMeeting open record public hearing on November 12, 2020 on the proposed preliminary plat and provided a recommendation for approval to the City Council subject to compliance with conditions; and

**WHEREAS**, the City Council held a closed record public hearing on December 8, 2020 on the proposed preliminary plat and approved the preliminary plat subject to the conditions outlined in the Hearing Examiner's Recommendation SUB#2020-02 dated November 27, 2020;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:**

The City Council hereby adopts the Hearing Examiner's Recommendation in SUB#2020-02 and approves the 18-lot preliminary plat known as "Appleway Estates" subject to compliance with the conditions outlined in Recommendation SUB#2020-02, a copy of which is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

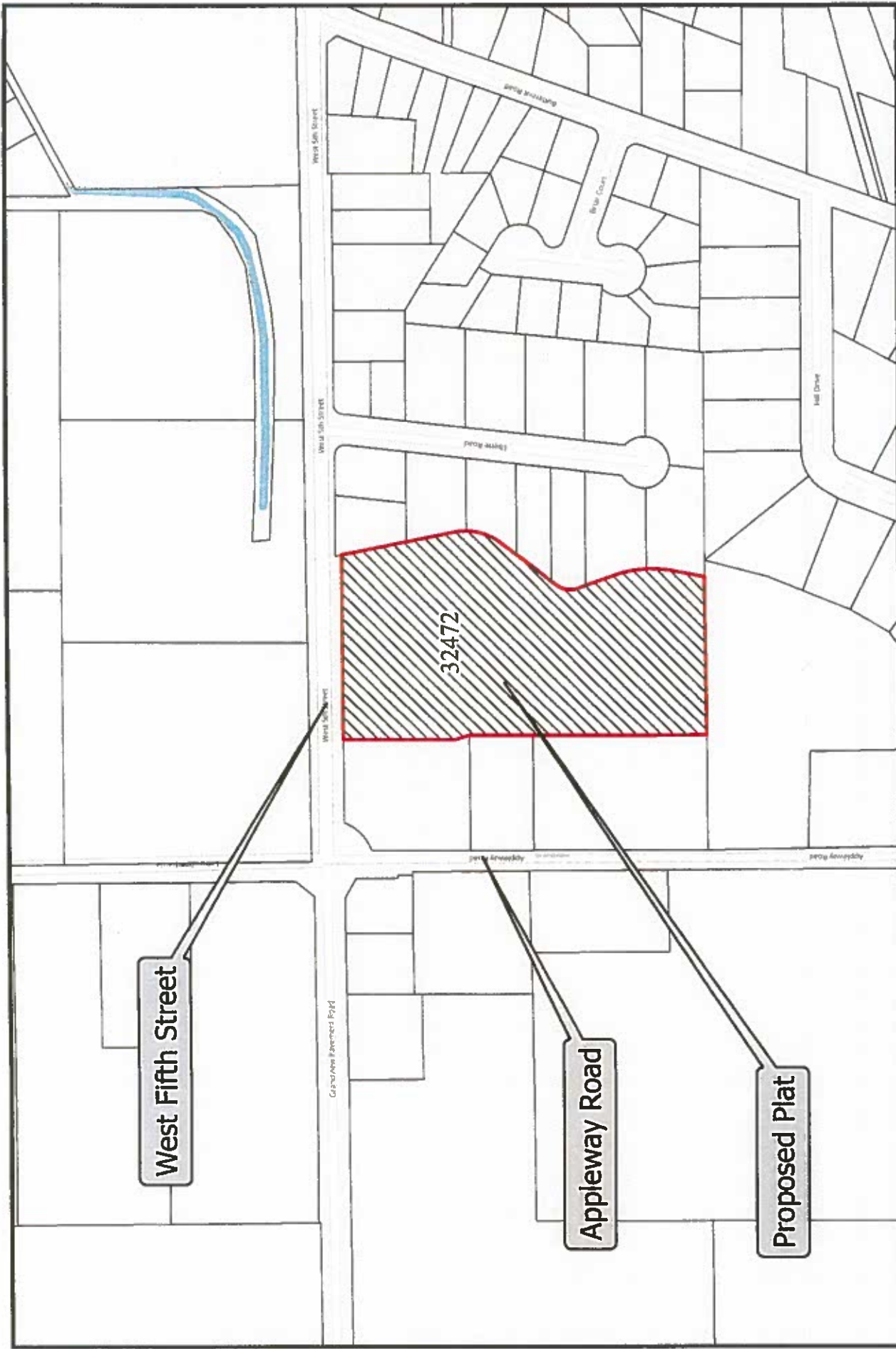
**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**



# Publication Map



## Appleway Estates Preliminary Plat



43





# Benton County Mosquito Control District

---

November 5, 2020

Mayor Gloria Mendoza  
City of Grandview  
207 West Second Street  
Grandview, WA 98930

**RECEIVED**

NOV - 9 2020

CITY OF GRANDVIEW

SUBJECT: Mosquito Control Board of Trustees Position

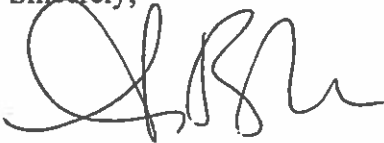
Dear Mayor Mendoza,

I am writing to inform you that the two-year term of Mr. Bill Moore as a Trustee on the Benton County Mosquito Control Board will expire on December 31, 2020. Mr. Moore has expressed interest in serving another two-year term.

Mr. Moore has been a valuable asset to the District during his term, therefore I recommend that the City of Grandview reappoint him for another term beginning January 1, 2021 and ending December 31, 2022. We would appreciate written notification of the appointment as soon as possible.

Please feel free to contact our office by phone at (509) 967-2414 or by email at [Angela@MosquitoControl.org](mailto:Angela@MosquitoControl.org) if you have any questions. Thank you for your attention to this matter.

Sincerely,



Angela Beehler  
District Manager



**RESOLUTION NO. 2020-46**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
ACCEPTING THE BID AND AUTHORIZING THE GRANDVIEW HERALD AS THE  
OFFICIAL CITY NEWSPAPER FOR THE YEAR 2021**

**WHEREAS**, RCW 35.23.352(7) requires that bids be called annually for the publication in a newspaper of general circulation in the City of all notices or newspaper publications required by law and that the contract be awarded to the lowest responsible bidder; and,

**WHEREAS**, the City has solicited bids from qualified legal newspapers to serve as the official newspaper of the City of Grandview for the year 2021; and,

**WHEREAS**, the City received one (1) bid in response to such solicitation from the Grandview Herald; and,

**WHEREAS**, the City Council finds and determines that the Grandview Herald is the lowest responsible bidder;

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

That the bid submitted by the Grandview Herald to serve as the official newspaper of the City of Grandview for the year 2021, including the rate for legal notices of \$6.75 per column inch, all as set forth in the attached proposal, is hereby approved and accepted, and the Mayor is hereby authorized to execute any and all documents necessary or appropriate to accomplish such transaction.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**BID FORM  
OFFICIAL NEWSPAPER**

I/We the undersigned, having read all requirements of this call for bids, together with all the special provisions and specifications set forth herein, do agree in every particular, and will provide the service as specified herein as follows:

Name of Newspaper: Valley Publishing/The Grandview Herald

Number of days per week newspaper is published: one days per week.

Size of column inch: 2" Number of characters in column inch: 256

Total circulation 1,000 Total circulation for 98930 zip code 1,000

**Services and Rates.**

Describe rate(s) to be charged to the City of Grandview for publications. Please describe all rates to be charged, and note different rates, if any, for different types of publication (i.e., legal notices, advertising, etc.). Please describe rate per column inch of publication:

<u>Type of Publication</u>	<u>Rate (per column inch)</u>
Legal Notice	\$ 6.75
Display Advertising	\$ 8.75

NOTE: Rates must not exceed the national advertising rate as defined in RCW 65.16.091.

Bidder's Name: Valley Publishing/The Grandview Herald

Address (Office of Publication): 308 Division St. Grandview WA 98930

Mailing Address: same as above

Telephone Number: (509)882-3712 Email: editor@thegrandviewherald.com

Signature of Authorized Official: Victoria Walker

Print Name: Victoria Walker Title of Official: General Manager

1. Are there any charges, surcharges, taxes or other fees in addition to the above-described rates? If so, please describe:

None

2. If the City of Grandview desires publication of an item on a particular date, how much lead time is required by the bidder?

8:30 a.m. Tuesday prior to Wednesday publication.

3. Please describe the services to be provided by bidder to the City of Grandview, together with any other information which bidder feels makes its newspaper the best choice for the Official Newspaper of the City of Grandview:

It has been our pleasure to be representatives of the City of Grandview in 2020. We have been in the Grandview community for over 100 years. 2020 has been a challenge for us. We will continue to work with the community to bring current, up to date Grandview hometown news. Our focus is Grandview businesses, development, education, and city news. The Herald and its staff will continue to work hard for the city and our hometown.

**ORDINANCE NO. 2020-15**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
ADOPTING THE BUDGET AND CONFIRMING TAX LEVIES  
FOR REVENUE TO CARRY ON THE GOVERNMENT  
FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021**

**WHEREAS**, the City Clerk did publish notice that the Council of the City of Grandview, Washington, would meet on the 24<sup>th</sup> day of November, 2020, at 7:00 p.m., in the Council Chambers of the City Hall of said City for the purpose of making and adopting the budget for the fiscal year 2021, and confirming a tax levy based upon the same fiscal year, and giving taxpayers within the limits of said City an opportunity to be heard upon said budget; and

**WHEREAS**, said City Council did meet at said time and place and did then consider the matter of said proposed budget and tax levy, no objections to the same having been filed with the City Clerk, and no persons appearing to make objections to the same, the Council concluded that the budget was in accord with the needs of the citizens of Grandview; and

**WHEREAS**, said proposed budget does not exceed the lawful limits of taxation allowed by law to be levied on the property of the City of Grandview for the purposes set forth in said budget, being all necessary to carry on the government of said City during said period,

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

**SECTION I.** That the City Council of the City of Grandview hereby adopts by reference the 2021 Annual Budget, which is on file in the Office of the City Clerk of Grandview. That required expenditures for the various departments and needs and operation of government of the City of Grandview, Washington, for the fiscal year ending December 31, 2021, are fixed in the following amounts, to-wit:

**RECAPITULATION -- ALL FUNDS**

<b>Fund</b>	<b>Beginning Balance</b>	<b>Revenue</b>	<b>Expenditures</b>	<b>Ending Balance</b>
<b>Current Expense</b>	1,210,130	5,716,190	6,846,740	79,580
<b>E.M.S.</b>	46,710	315,700	358,620	3,790
<b>Law &amp; Justice Tax</b>	233,350	311,500	389,850	155,000
<b>Street</b>	346,950	660,100	838,440	168,610
<b>Transportation Benefit District</b>	297,860	181,800	53,150	426,510
<b>Cemetery</b>	174,405	153,300	274,780	52,925
<b>SIED Loan – EWC Plaza</b>	10	58,670	58,670	10
<b>SIED Loan – Euclid/WCR</b>	10	23,300	23,300	10

<b>Capital Improvements</b>	351,230	101,500	188,000	264,730
<b>Water</b>	6,481,000	2,529,280	2,375,145	6,635,135
<b>Sewer</b>	6,522,035	5,514,105	5,615,530	6,420,610
<b>Irrigation</b>	159,400	506,000	564,670	100,730
<b>Solid Waste</b>	719,170	1,176,885	1,195,910	700,145
<b>Equipment Rental</b>	2,053,570	556,000	876,840	1,732,730
<b>Total</b>	<u>18,595,830</u>	<u>17,804,330</u>	<u>19,659,645</u>	<u>16,740,515</u>

**SECTION II.** That a regular levy of \$1,632,160.00 levied upon the taxable real and personal property situated within the City of Grandview, taxable under the laws of the State of Washington as City taxes, as 2021 taxes, as affixed by Ordinance No. 2020-\_\_\_ is hereby affirmed and said amount shall be appropriated.

**SECTION III.** The City Clerk is hereby instructed to forthwith certify said budget and tax levy to the County Assessor of Yakima County, Washington, for the purpose of having said taxes extended on the tax roll as provided by law, and said assessor is hereby authorized to extend said taxes accordingly.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

PUBLISH: 12/9/20  
EFFECTIVE: 12/14/20

**ORDINANCE NO. 2020-16**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
AMENDING THE CITY OF GRANDVIEW 2021 NON-UNION SALARY SCHEDULE**

**WHEREAS**, the City Council of the City of Grandview, Washington has adopted a budget for 2021; and,

**WHEREAS**, the City Council determined during the budget process that a 3% general salary increase for all non-union employees be allocated and included on the monthly salary matrix as an integral part thereof;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANDVIEW, WASHINGTON DO ORDAIN AS FOLLOWS:**

**SECTION 1:** The City of Grandview 2021 Non-Union Monthly Salary Schedule is hereby amended to include the salary increases attached hereto as Exhibit 1 and incorporated herein by reference.

**SECTION 2.** This Ordinance shall be in full force and effect five (5) days after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**

**PUBLISHED: 12/9/20**  
**EFFECTIVE: 12/14/20**

**EXHIBIT 1  
CITY OF GRANDVIEW  
2021 NON-UNION MONTHLY SALARY SCHEDULE**

POSITION	MONTHLY MINIMUM	MONTHLY MAXIMUM
City Administrator/Public Works Director (hybrid position)	\$9,018	\$13,524
City Clerk/Human Resource Assistant (hybrid position)	\$6,116	\$9,173
Police Chief	\$6,085	\$9,130
Fire Chief	\$6,023	\$9,037
Assistant Police Chief	\$5,491	\$8,236
Assistant Public Works Director	\$5,215	\$7,815
Wastewater Treatment Plant Superintendent	\$5,164	\$7,746
City Treasurer	\$5,086	\$7,745
Fire Captain	\$5,034	\$7,552
Parks & Recreation Director	\$4,829	\$7,350
Library Director	\$4,239	\$6,359
Public Works Foreman	\$4,175	\$6,262
Public Works Assistant	\$3,531	\$5,296
Accounting Clerk	\$3,295	\$4,945
Utility Billing Clerk	\$3,113	\$4,738
Library Associate	\$2,963	\$4,511
Public Works Office Clerk	\$2,822	\$4,295
Receptionist	\$2,822	\$4,295

**RESOLUTION NO. 2020-47**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR  
PROFESSIONAL SERVICES WITH HLA ENGINEERING AND LAND  
SURVEYING, INC., FOR THE YEARS 2021, 2022 AND 2023**

**WHEREAS**, HLA Engineering and Land Surveying, Inc., has been selected by the City Council to provide professional engineering and surveying services during calendar years 2021, 2022 and 2023; and,

**WHEREAS**, an Agreement for Professional Services has been prepared setting forth the services, duties and responsibilities of the engineering firm,

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

The Mayor is hereby authorized to sign an Agreement for Professional Services for calendar years 2021, 2022 and 2023 with HLA Engineering and Land Surveying, Inc., in the form as is attached hereto and incorporated herein by reference, and for the schedule of hourly rates shown as Exhibit A thereon.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

\_\_\_\_\_  
**ATTEST:**

\_\_\_\_\_  
**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**



## **AGREEMENT FOR PROFESSIONAL SERVICES**

**THIS AGREEMENT** entered into this \_\_\_\_\_ day of December 2020, by the CITY OF GRANDVIEW, 207 West 2nd Street, Grandview, WA 98930, hereinafter called the CITY, and HLA ENGINEERING AND LAND SURVEYING, INC., 2803 River Road, Yakima, WA 98902, hereinafter called the CONSULTANT;

**WITNESSETH:** That in consideration of the mutual covenants and agreements herein contained, the parties hereto do mutually agree as follows:

### **1.0 ENGAGEMENT OF CONSULTANT:**

The CITY, acting pursuant to its vested authority and in accordance with the City Council's approval on \_\_\_\_\_, 2020, does hereby hire the CONSULTANT and the CONSULTANT agrees to perform professional engineering, surveying, and management services as requested by the CITY. Mayor Gloria Mendoza, or designated representative, will act as the liaison for the CITY and Mr. Michael T. Battle, PE, President, will act as liaison for the CONSULTANT for administration of this Agreement. This Agreement for Professional Services can only be amended or revised by the written agreement of both parties.

The relationship of the CONSULTANT to the CITY shall be that of an independent CONSULTANT rendering professional services. The CONSULTANT shall have no authority to execute contracts or to make commitments on behalf of the CITY and nothing contained herein shall be deemed to create the relationship of employer and employee or principal and agent between the CITY and the CONSULTANT.

### **2.0 CHARACTER AND EXTENT OF SERVICES:**

The CONSULTANT shall perform certain professional engineering, surveying, planning, and management services as requested during the calendar years of 2021, 2022, and 2023. Such services may include the following types of work:

- 2.1 General municipal engineering and planning tasks for street, storm drain, water, sanitary sewer, parks, and garbage, including but not limited to, development of studies, plans and reports; analysis of utility rates and infrastructure funds; design, plans and specifications and contract documents; and assistance with grant and loan funding applications and prospectuses.
- 2.2 Preparation of a Water System Plan, General Sewer Plan, Stormwater Management Program, and Capital Facilities Plan.
- 2.3 Design, plans, specifications, and services during construction for wastewater treatment and conveyance system improvements.
- 2.4 Design, plans, specifications, and services during construction for domestic water improvements.
- 2.5 Design, plans, specifications, and services during construction for street or related transportation improvements.
- 2.6 Design, plans, specifications, and services during construction for storm drainage improvements.

- 2.7 Design, plans, specifications, and services during construction for irrigation system improvements.
- 2.8 Surveying tasks for right-of-way, easements, property boundaries, and subdivision of property.
- 2.9 Project cost estimates (opinions of cost), reports, and applications for funding.
- 2.10 Miscellaneous engineering and surveying tasks as requested.
- 2.11 Municipal planning services.
- 2.12 Architectural services for CITY facilities via subconsultant(s).

### **3.0 TASK ORDERS/SPECIFIC HOURLY RATE BASIS:**

Prior to commencement of any service to be performed through a task order, the CITY and CONSULTANT shall mutually agree upon and execute a task order for the specified service utilizing the general form of task order attached hereto as Exhibit B and by this reference incorporated herein. The task order shall describe the services to be provided, the time for performance of the service, the fee provisions for the services, and any provisions additional to this agreement. Execution by the CITY and CONSULTANT of subsequent task orders shall incorporate such subsequent task orders into this agreement.

Services to be performed on a specific hourly rate basis shall not require a task order but shall only be performed upon authorization from the Mayor, City Administrator, or designated representative.

### **4.0 ITEMS TO BE FURNISHED AND RESPONSIBILITY OF CITY:**

The CITY will provide or perform the following:

- 4.1 Provide full information as to CITY requirements of the Project.
- 4.2 Assist the CONSULTANT by placing at his disposal all available information pertinent to the site of the Project, including previous reports, drawings, plats, surveys, utility records, and any other data relative to design and construction of the Project.
- 4.3 Examine all studies, reports, sketches, estimates, specifications, drawings, proposals, and other documents presented by the CONSULTANT and render in writing decisions pertaining thereto within a reasonable time so as not to delay the work of the CONSULTANT.
- 4.4 Advertise for hearings and proposals for bidders, open the proposals at the appointed time and place, and pay for all costs incident thereto.
- 4.5 Obtain approval of all governmental authorities having jurisdiction over the Project and such approvals and consents from such other individuals or bodies as may be necessary for completion of the Project.
- 4.6 Pay the costs of publishing environmental review documents and bid advertisements.

## **5.0 COMPLETION TIMES:**

The services called for under the various phases of Section 2 of this Agreement shall be completed as follows:

- 5.1 Services required for these tasks shall be completed within the times mutually determined by the CITY and the CONSULTANT.

## **6.0 PROFESSIONAL FEES:**

For the services furnished by the CONSULTANT as described under Section 2 of this Agreement, the CITY agrees to pay the CONSULTANT the fees as set forth herein:

- 6.1 According to Exhibit A - Schedule of Rates on a time spent basis plus reimbursement for direct non-salary expenses such as laboratory testing, reproduction expenses, out-of-town travel costs, long distance telephone calls, and outside consultants. Outside subconsultant's billings shall be marked up by a factor of 1.10 times the subconsultant billing.

## **7.0 PAYMENT:**

Monthly payments, payable according to Section 8 of this Agreement, based on the documented amount due.

## **8.0 CITY PAYMENT SCHEDULE:**

The CITY will process for payment all statements received by the 10th day of each month for work done from the 1st day of the prior month. All statements not paid within 30 days of the date of billing shall be subject to service charges of one and one-quarter percent (1.25%) per month.

## **9.0 FACILITIES TO BE FURNISHED BY THE CONSULTANT:**

The CONSULTANT shall furnish and maintain a central office, drafting space, and equipment suitable and adequate for the prosecution of the work that is normal to the functioning of an established consulting engineering and land surveying practice.

## **10.0 TERMINATION:**

The CITY or CONSULTANT may terminate this Agreement by giving thirty (30) days written notice to the other party. In such event, the CITY shall forthwith pay the CONSULTANT in full for all work previously authorized and performed prior to notice of termination. In the event of termination, the CONSULTANT agrees to cooperate reasonably with any consulting engineer thereafter retained by the CITY in making available information developed as the result of work previously performed by the CONSULTANT. If no notice of termination is given, relationships and obligations created by this Agreement, unless otherwise expressly provided, shall be terminated upon completion of all applicable requirements of the Agreement.

## **11.0 ARBITRATION:**

All claims, disputes, and other matters in question arising out of, or related to, this Agreement or the breach thereof, shall be decided by arbitration in accordance with the Rules of the American Arbitration Association. This agreement so to arbitrate shall be specifically enforceable under the prevailing arbitration law.

Notice of the demand for arbitration shall be filed in writing with the other party of this Agreement and with the American Arbitration Association. The demand shall be made within a reasonable time after the claim, dispute, or other matter in question has arisen. In no event shall the demand for arbitration be made after institution of legal or equitable proceedings based upon such claim, dispute, or other matter in question would be barred by applicable statute of limitations.

The award rendered by the arbitrator(s) shall be final, and judgment may be entered upon it in any court having jurisdiction.

In the event of a claim, jurisdiction and venue shall be in Yakima County, Washington.

#### **12.0 INDEMNIFICATION:**

The CONSULTANT shall indemnify, defend, and hold harmless the CITY, its officers, agents and employees, from and against any and all claims, losses or liability, or any portion thereof, arising from injury or death to persons or damage to property occasioned by the negligent act, omission, or failure of the CONSULTANT, its officers, agents and employees, in performing the work required by this Agreement.

The CONSULTANT shall secure and maintain in force throughout the duration of this Agreement, comprehensive general liability insurance written on an occurrence basis with a minimum coverage of \$1,000,000 per occurrence and \$1,000,000 aggregate for personal injury, \$1,000,000 per occurrence/aggregate for property damage and \$1,000,000 professional liability insurance.

In the event the CITY requires contractors or subcontractors working on CITY projects to acquire and provide proof of insurance covering public liability, death, and property damage naming the CITY as an insured, the CITY shall require said contractors or subcontractors to name the CONSULTANT as an additional insured.

#### **13.0 ASSIGNMENT:**

The CONSULTANT shall not assign this Agreement, or any of the work or services covered by this Agreement, without the express written consent of the CITY.

#### **14.0 STANDARD FOR PERFORMANCE:**

The CONSULTANT shall perform its services in accordance with generally accepted engineering and consultant standards and shall be responsible for the professional and technical soundness and accuracy of all work and services furnished pursuant to this Agreement.

#### **15.0 OPINIONS OF COST:**

The CONSULTANT has no control over the cost of labor, materials, equipment, or services furnished by others, or over contractors' methods of determining prices, or other competitive bidding or market conditions, and its opinions of probable project or construction costs (Engineer's Estimates) are to be made on the basis of its experience and qualifications and represents its judgment as an experienced and qualified Professional Engineer, familiar with the construction industry. However, the CONSULTANT cannot and does not guarantee that proposals, bids, or actual project or construction costs will not vary from the opinions of probable costs prepared by it.

## **16.0 CONSTRUCTION AND SAFETY:**

The CONSULTANT shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by contractors or the safety precautions and programs incidental to work of contractors. It is the intent that the construction contractors will be held responsible for means and methods of construction and all safety issues.

## **17.0 SUBMITTAL REVIEW:**

Review of proposed contractor substitutions of materials and equipment by CONSULTANT is only for general conformance with the design concept of the Project and general compliance with the information given in the Contract Documents. The review does not affect the contractor's responsibility to perform all contract requirements.

## **18.0 OWNERSHIP AND REUSE OF DOCUMENTS:**

The originals of all documents, including drawings and specifications prepared by CONSULTANT pursuant to this Agreement, shall remain the property of the CONSULTANT and are instruments of service in respect of the Project. The CONSULTANT shall provide the CITY with reproducible copies of all documents, drawings, specifications, and other work products that shall be the property of the CITY. Such documents, drawings, and specifications are not intended nor represented by the CONSULTANT to be suitable for reuse by the CITY or others on extensions of the services provided for the intended project or on any other project. Any reuse without written verification or adaptation by the CONSULTANT for the specific purpose intended will be at the CITY's sole risk and without liability or legal exposure to the CONSULTANT, and the CITY shall indemnify and hold harmless the CONSULTANT from all claims, damages, losses, and expenses, including attorney's fees arising out of or resulting therefrom.

The above provisions also apply to electronic media files. The CONSULTANT shall provide the CITY with "ASCII" and/or "AutoCAD drawing (dwg)" files of work performed for and paid for by the CITY at the request of the CITY, with the following provisions:

- 18.1 The documents are protected by the rules and regulations of U.S. Copyright Laws.
- 18.2 The use or reuse of original or altered electronic files by the CITY or others the CITY has released these files to, will be at the CITY's own risk and liability.
- 18.3 The CONSULTANT shall be indemnified and held harmless by the CITY, to the fullest extent of the law from any and all claims, suit, liability, demands, or costs arising out of the information contained on the files.
- 18.4 The CONSULTANT cannot guarantee the accuracy of the electronic information and, therefore, disclaims any and all responsibility for any results obtained as a result of their use.

## **19.0 CITY-PROVIDED INFORMATION:**

The CONSULTANT is entitled to rely on all information furnished or to be furnished by the CITY. The CITY agrees to defend and indemnify CONSULTANT, its officers, agents, and employees from any and all claims of any kind arising out of or relating to any claims caused by an error or omissions in information provided by the CITY which were the cause of the claim for damages and provided, further, that the CONSULTANT's reliance on such information was reasonable under the circumstances.

## **20.0 THIRD-PARTY BENEFICIARIES:**

It is recognized that the services performed by CONSULTANT are for the benefit of the CITY and no other party. There are no third-party beneficiaries to this Agreement.

## **21.0 EXECUTIVE ORDER 11246 CLAUSE:**

- 21.1 The CONSULTANT will not discriminate against any employee or applicant for employment because of race, creed, sex, color, or national origin. The CONSULTANT will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, sex, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The CONSULTANT agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the CITY setting forth the provisions of this nondiscrimination clause.
- 21.2 The CONSULTANT will, in all solicitations or advertisements for employees placed by or on behalf of the CONSULTANT, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, sex, or national origin.
- 21.3 The CONSULTANT will cause the foregoing provisions to be inserted in all subcontracts for any work covered by this Agreement so that such provisions will be binding upon each subcontractor, provided the foregoing provisions shall not apply to contracts or subcontracts for standard commercial supplies and raw materials.
- 21.4 The CONSULTANT will comply with all provisions of Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor.
- 21.5 The CONSULTANT will furnish all information and reports required by Executive Order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the CITY, and the U.S. Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations, and orders.
- 21.6 In the event of the CONSULTANT's noncompliance with the noncompliance provision clauses of this Agreement or with any such rules, regulations, or orders, this Agreement may be canceled, terminated, or suspended in whole or in part and the CONSULTANT may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order 11246 of September 25, 1965, or as otherwise provided by law.

21.7 The CONSULTANT will include the provisions of paragraphs 22.1 through 22.7 in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The CONSULTANT will take such action with respect to any subcontract or purchase order as the CITY may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the CONSULTANT becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the CITY, the CONSULTANT may request the United States to enter into such litigation to protect the interest of the United States.

**22.0 TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 CLAUSE:**

Under Title VI of the Civil Rights Act of 1964, no person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. This shall include compliance with all applicable provisions of the Regulations of the U.S. Department of Commerce (Part 8 of Subtitle 15 of the Code of Federal Regulations) issued pursuant to the Civil Rights Act of 1964.

**23.0 SECTION 109 OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED:**

No person in the United States shall on the grounds of race, color, creed, religion, sex, or national origin be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with funds made available under this title.

**24.0 AGE DISCRIMINATION ACT OF 1975, AS AMENDED:**

No person shall be excluded from participation, denied program benefits, or subjected to discrimination on the basis of age under any program or activity receiving federal funding assistance. (42 U.S.C. 610 et seq.)

**25.0 SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED:**

No otherwise qualified individual shall, solely by reason of his or her handicap, be excluded from participation (including employment), denied program benefits, or subjected to discrimination under any program or activity receiving Federal funds. (29 U.S.C. 794)

**26.0 PUBLIC LAW 101-336, AMERICANS WITH DISABILITIES ACT OF 1990:**

Subject to the provisions of this title, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

**27.0 THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1968, SECTION 3, COMPLIANCE IN THE PROVISION OF TRAINING, EMPLOYMENT AND BUSINESS OPPORTUNITIES CLAUSE:**

- 27.1 The work to be performed under this Agreement is on a project assisted under a program providing direct federal financial assistance from the Department of Housing and Urban Development (Department, or HUD) and is subject to the requirements of Section 3 of the Housing and Urban Development Act of 1968, as amended, 12 U.S.C. 1701u. Section 3 requires that to the greatest extent feasible, opportunities for training and employment be given to lower income residents of the project area; and contracts for work in connection with the Project be awarded to business concerns which are located in, or owned in substantial part, by persons residing in the area of the Project.
- 27.2 The parties to this Agreement will comply with the provisions of said Section 3 and the regulations issued pursuant thereto by the Secretary of HUD set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued thereunder prior to the execution of this Agreement. The parties to this Agreement certify and agree that they are under no contractual or other disability which would prevent them from complying with these provisions.
- 27.3 The CONSULTANT will send to each labor organization or representative of workers with which he has a collective bargaining agreement or other contract or understanding, if any, a notice advising the said labor organization or workers' representative of his/her commitments under this Section 3 clause and shall post copies of the notice in conspicuous places available to employees and applicants for employment or training.
- 27.4 The CONSULTANT will include this Section 3 clause in every subcontract for work in connection with the Project and will, at the direction of the applicant, or recipient of federal financial assistance, take appropriate action pursuant to the subcontract upon a finding that the subcontractor is in violation of regulations issued by the Secretary of HUD, 24 CFR Part 135. The CONSULTANT will not subcontract with any subcontractor where it has notice or knowledge that the latter has been found in violation of regulations under 24 CFR Part 135 and will not let any subcontract, unless the subcontractor has first provided it with a preliminary statement of ability to comply with the requirements of these regulations.
- 27.5 Compliance with the provisions of Section 3, the regulations set forth in 24 CFR Part 135, and all applicable rules and orders of the Department issued hereunder prior to the execution of the Agreement, shall be a condition of the federal financial assistance provided to the Project, binding upon the applicant or recipient for such assistance, its successors, and assigns. Failure to fulfill these requirements shall subject the applicant or recipient, its consultants and subcontractors, its successors and assigned to those sanctions specified by the grant or loan agreement or contract through which federal assistance is provided, and to such sanctions as are specified by 24 CFR Part 135.



## **28.0 CONFLICT OF INTEREST PROVISION:**

The CONSULTANT covenants that he/she presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict any manner or degree with the performance of his/her services hereunder. The CONSULTANT further covenants that in the performance of this Agreement, no person having such interests shall be employed.

## **29.0 ACCESS TO RECORDS CLAUSE:**

The CITY, the Washington State Department of Commerce (COMMERCE), and other authorized representatives of the state and federal governments shall have access to any books, documents, papers, and records of the CONSULTANT which are directly pertinent to the Agreement for the purposes of making audits, examination, excerpt, and transcriptions.

The CONSULTANT agrees to maintain such records and follow such procedures as may be required under the State's Community Development Block Grant (CDBG) Program and any such procedures as the CITY or COMMERCE may prescribe. In general, such records will include information pertaining to the contract, obligations and unobligated balances, assets and liabilities, outlays, equal opportunity, labor standards (as appropriate), and performance.

All such records and all other records pertinent to this Agreement and work undertaken under this Agreement shall be retained by the CONSULTANT for a period of six (6) years after the completion of the CITY's project, unless a longer period is required to resolve audit findings or litigation. In such cases, the CITY shall request a longer period for record retention.

## **30.0 INTEREST OF MEMBERS OF A CITY:**

No member of the governing body of the CITY and no other officer, employee, or agent of the CITY who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this contract; and the CONSULTANT shall take appropriate steps to assure compliance.

## **31.0 INTEREST OF OTHER PUBLIC OFFICIALS:**

No member of the governing body of the locality and no other public official of such locality who exercises any functions or responsibilities in connection with the planning and carrying out of the program, shall have any personal financial interest, direct or indirect, in this Agreement; and the CONSULTANT shall take appropriate steps to assure compliance.

## **32.0 INTEREST OF CONSULTANT AND EMPLOYEES:**

The CONSULTANT covenants that he presently has no interest and shall not acquire interest, direct or indirect, in the study area or any parcels therein or any other interest which would conflict in any manner or degree with the performance of his services hereunder. The CONSULTANT further covenants that in the performance of this Agreement, no person having such interest shall be employed.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the day and year first above written.

**CITY OF GRANDVIEW**

\_\_\_\_\_  
Gloria Mendoza, Mayor

ATTEST:

\_\_\_\_\_  
Anita Palacios, City Clerk

(SEAL)

**HLA ENGINEERING AND LAND SURVEYING, INC.**

  
\_\_\_\_\_  
Michael T. Battle, PE, President

**EXHIBIT A**  
**SCHEDULE OF RATES**  
**FOR**

**HLA Engineering and Land Surveying, Inc.**

**Effective January 1, 2021, through December 31, 2021**

Senior Principal Engineer	\$222.00 per hour
Licensed Principal Land Surveyor	\$210.00 per hour
Licensed Principal Engineer	\$200.00 per hour
Licensed Professional Engineer	\$180.00 per hour
Other Licensed Professional	\$180.00 per hour
Project Engineer II	\$165.00 per hour
Licensed Professional Land Surveyor	\$164.00 per hour
Project Engineer I	\$150.00 per hour
Contract Administrator III	\$136.00 per hour
Senior Planner	\$136.00 per hour
CAD Technician	\$130.00 per hour
Engineering Technician III	\$122.00 per hour
Resident Engineer	\$122.00 per hour
Surveyor	\$122.00 per hour
Surveyor on Two Man Crew	\$115.00 per hour
Contract Administrator II	\$112.00 per hour
Engineering Technician II	\$105.00 per hour
Surveyor on Three Man Crew	\$102.00 per hour
Contract Administrator I	\$ 87.00 per hour
Engineering Technician I	\$ 87.00 per hour
Administrative/Clerical	\$ 87.00 per hour
Vehicle Mileage	Federal Rate

**EXHIBIT A**  
**SCHEDULE OF RATES**  
**FOR**

**HLA Engineering and Land Surveying, Inc.**

**Effective January 1, 2022, through December 31, 2022**

Senior Principal Engineer	\$229.00 per hour
Licensed Principal Land Surveyor	\$213.00 per hour
Licensed Principal Engineer	\$208.00 per hour
Licensed Professional Engineer	\$188.00 per hour
Other Licensed Professional	\$185.00 per hour
Project Engineer II	\$172.00 per hour
Licensed Professional Land Surveyor	\$167.00 per hour
Project Engineer I	\$155.00 per hour
Contract Administrator III	\$142.00 per hour
Senior Planner	\$138.00 per hour
CAD Technician	\$133.00 per hour
Engineering Technician III	\$126.00 per hour
Resident Engineer	\$126.00 per hour
Surveyor	\$124.00 per hour
Surveyor on Two Man Crew	\$117.00 per hour
Contract Administrator II	\$116.00 per hour
Engineering Technician II	\$108.00 per hour
Surveyor on Three Man Crew	\$104.00 per hour
Contract Administrator I	\$ 90.00 per hour
Engineering Technician I	\$ 90.00 per hour
Administrative/Clerical	\$ 90.00 per hour
Vehicle Mileage	Federal Rate

**EXHIBIT A**  
**SCHEDULE OF RATES**  
**FOR**

**HLA Engineering and Land Surveying, Inc.**

**Effective January 1, 2023, through December 31, 2023**

Senior Principal Engineer	\$245.00 per hour
Licensed Principal Engineer	\$216.00 per hour
Licensed Principal Land Surveyor	\$215.00 per hour
Licensed Professional Engineer	\$195.00 per hour
Other Licensed Professional	\$190.00 per hour
Project Engineer II	\$178.00 per hour
Licensed Professional Land Surveyor	\$171.00 per hour
Project Engineer I	\$161.00 per hour
Contract Administrator III	\$147.00 per hour
Senior Planner	\$142.00 per hour
CAD Technician	\$136.00 per hour
Engineering Technician III	\$130.00 per hour
Resident Engineer	\$130.00 per hour
Surveyor	\$126.00 per hour
Contract Administrator II	\$120.00 per hour
Surveyor on Two Man Crew	\$119.00 per hour
Surveyor on Three Man Crew	\$106.00 per hour
Engineering Technician II	\$112.00 per hour
Contract Administrator I	\$ 93.00 per hour
Engineering Technician I	\$ 93.00 per hour
Administrative/Clerical	\$ 93.00 per hour
Vehicle Mileage	Federal Rate

## EXHIBIT B

TASK ORDER NO. \_\_\_\_\_

REGARDING GENERAL AGREEMENT BETWEEN CITY OF GRANDVIEW

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

**PROJECT DESCRIPTION:**

**SCOPE OF SERVICES:**

**TIME OF PERFORMANCE:**

**FEE FOR SERVICES:**

**Proposed:**

\_\_\_\_\_  
HLA Engineering and Land Surveying, Inc.  
Michael T. Battle, PE, President

\_\_\_\_\_  
Date

**Approved:**

\_\_\_\_\_  
City of Grandview  
Gloria Mendoza, Mayor

\_\_\_\_\_  
Date

**RESOLUTION NO. 2020-48**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
ACCEPTING THE WATER SERVICE METER EQUIPMENT PROJECT  
AS COMPLETE**

**WHEREAS**, the City contracted with Consolidated Supply, Co., to provide new Mueller radio read water meters; and,

**WHEREAS**, the City's Public Works Director has determined that the meters provided by Consolidated Supply Co., on this project is complete and ready for final acceptance by the City Council,

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW, AS FOLLOWS:**

The City of Grandview accepts the Water Service Meter Equipment project as complete and authorizes staff to release the retainage to Consolidated Supply Co., once the conditions in the November 9, 2020 letter from HLA Engineering and Land Surveying, Inc., have been satisfied.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 8, 2020.

**MAYOR**

\_\_\_\_\_

**ATTEST:**

\_\_\_\_\_

**CITY CLERK**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**CITY ATTORNEY**