

**GRANDVIEW CITY COUNCIL
REGULAR MEETING MINUTES
NOVEMBER 9, 2021**

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.

The meeting was held in person and was also available via teleconference.

Present in person: Mayor Mendoza and Councilmembers David Diaz, Bill Moore (Mayor Pro Tem), Robert Ozuna, Javier Rodriguez and Joan Souders

Present via teleconference: Councilmembers Diana Jennings and Mike Everett

Absent: None

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

Mo Paz, 220 Division, Grandview, WA, expressed his support for the City and the need to renovate the downtown buildings.

Ruby Orozco, 405 Westridge, Grandview, WA, and owner of the former Star Food Market, stated that building renovations to their store at 318 East Wine Country Road was impacted by COVID-19.

Yerania Espindola, 911 Crescent Drive, Grandview, WA, and owner of downtown building at 220 Division Street, read ARPA regulations regarding assisting businesses impacted by COVID-19.

Eustueberta Estrada, 405 Klock Road, Grandview, WA, questioned the short platting regulations that require the property owner to construct sidewalk and half a street.

5. CONSENT AGENDA

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

- A. Minutes of the October 25, 2021 Budget special meeting**
- B. Minutes of the October 26, 2021 Committee-of-the-Whole meeting**
- C. Minutes of the October 26, 2021 Council meeting**

- D. Minutes of the November 1, 2021 Budget special meeting**
- E. Payroll Check Nos. 12447-12473 in the amount of \$25,191.43**
- F. Payroll Electronic Fund Transfers (EFT) Nos. 60664-60670 in the amount of \$92,959.03**
- G. Payroll Direct Deposit 10/16/21-10/31/21 in the amount of \$121,399.25**
- H. Claim Check Nos. 123024-123098 in the amount of \$499,367.59**

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. Closed Record Public Hearing – Euclid Meadows Planned Unit Development Rezone and 117-Lot Preliminary Plat**

Present on behalf of the City was Jeff Watson, Senior Planner with the Yakima Valley Conference of Governments.

Present on behalf of the applicant North 44 Homes LLC was Brad Beauchamp.

Mayor Mendoza opened the closed record public hearing to consider a planned unit development rezone and 117-lot preliminary plat submitted by North 44 Homes LLC, for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid Road, Grandview, Washington, by reading the public hearing procedure.

There was no one in the audience who objected to her participation as Mayor or any of the Councilmembers' participation in these proceedings. None of the Councilmembers had an interest in this issue nor did any stand to gain or lose any financial benefit as a result of the outcome of this hearing and all indicated they could hear and consider the issue in a fair and objective manner.

The purpose of the hearing was for the Council to review the record and consider the pertinent facts relating to this issue. No new public testimony was allowed.

City Clerk Palacios provided the following review of the record:

- The City received a planned unit development (PUD) rezone application and preliminary plat application submitted by North 44 Homes LLC., for a PUD rezone and preliminary plat approval of a 117-lot residential subdivision to be known as Euclid Meadows. The proposed PUD and preliminary plat was located north of Grant Court and east of North Euclid Road, Grandview, Washington.
- On September 14, 2021, a public hearing was held before the Hearing Examiner to receive comments on the proposed PUD rezone and preliminary plat. A copy of the Hearing Examiner's Recommendation RZ#2021-03, PUD#2021-01 and SUB#2021-02 dated

September 28, 2021 was presented along with the Grandview Hearing Examiner Public Hearing Packet dated September 14, 2021.

- Following the closed record public hearing, recommend Council accept the Hearing Examiner's conclusions and recommendation that the City Council (i) rezone the Parcel Nos. 230914-32001 and 230914-32004 from the R-1 Low Density Residential District and the R-3 High Density Residential District to the Planned Development District; (ii) approve the final Planned Unit Development of "Euclid Meadows PUD"; and (iii) approve the Preliminary Plat of "Euclid Meadows PUD" which together depict 117 single-family residential lots with certain modifications to lot size, setback and lot width standards, subject to conditions similar to Planning Staff recommended conditions outlined in Recommendation RZ#2021-03, PUD#2021-01 and SUB#2021-02.
- Further recommend Council approve Ordinance No. 2021-18 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by North 44 Homes LLC for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid Road, Grandview, WA.
- Further recommend Council approve Ordinance No. 2021-19 approving the final Planned Unit Development of "Euclid Meadows PUD" and approving the Preliminary Plat of Euclid Meadows PUD.

Council requested clarification of the record as follows (transcribed verbatim):

Mendoza – So I'll open it up for Councilmembers to discuss. Is there any discussion? Councilmember Diaz.

Everett – I have a question Madam Mayor.

Mendoza – Okay.

Diaz – I had a question on the a, on some of the documents here it makes reference that there will be two parks in the development. I don't see, I didn't see it in the, in the layout.

Palacios – On the big map.

Arteaga – There is a big map behind you and a, the park is, Euclid, North Euclid is here, originally the, they had a park back up in here, but they've relocated it to here so this is for the park area would be here and there would be parking on the north side of it for.

Diaz – Just one park, not two.

Arteaga – Right, yeah one full. Cause originally there was going to be a small park here and a small park there, so they've combined both into one park.

Rodriguez – Where is Viall Road there? Is it by the park?

Arteaga – Viall Road is up here.

Rodriguez – Okay.

Arteaga – And the park is down here.

Mendoza – Any other. Oh, Councilmember Everett, I'm sorry.

Everett – Yes, I can't (inaudible) trying to do it, I can't find the page, however, in this document it said that there is going, there is the potential for significant noise traffic noise problem and it said that I believe the finding was that a something will be placed on the plat. What I, my question is, what is the legal meaning of placing it on the plat. Does that mean the property cannot be sold, it's subject, without being subject to that in the future? Is it like a covenant? Is it a matter of just notice to somebody? What is the meaning of it when you say that?

Plant – I think. Well perhaps, Mr. Watson could probably answer this as well, but something like that would be recorded on the plat. The reference to noise was that there could be road noise from I-82.

Everett – Right.

Plant – And so by putting that on the plat, you're putting the public or the whole world on notice that if you buy a parcel of land here, that will show up on the title, it will show up on the plat map so you just should be aware that this property could have some noise from the highway. So.

Everett – But it also said that the a, I guess it would be, Mr. Beauchamp and his company would be, have some responsibility for it?

Plant – No, no, no. The purpose is simply to provide information to the public so the public can be informed.

Everett – No, no, no. I thought it said that the noise issue would be something that the owner would deal with or could be required to deal with. I wasn't clear. Maybe Mr. Watson could (inaudible).

Plant – There was a traffic impact analysis that that that, a condition of a traffic impact analysis that could have some, I guess lingering requirements on the developer, but I don't believe that's the case with the notice that's to be recorded on the face of the plat.

Everett – The face of the plat doesn't do anything really except if somebody were to look at it, but so if the developer finds out a year from now that he might have to mitigate the traffic noise, he could sell it, somebody could buy it, that would be there problem?

Plant – No those are two completely different things. The mitigation has to do with the traffic impacts. So.

Everett – No, but what about the noise though.

Watson – I think I may be able to help a little.

Mendoza – Okay, Mr. Watson will answer that.

Watson – The reference comes from, I'm sorry, Jeff Watson, 903 East 8th Avenue and I'm an employee of the Yakima Valley Conference of Governments and we serve as contract planners for the City of Grandview. The response from the Department of Transportation was from the SEPA notification. I think their attempt there is to absolve themselves of any responsibility for providing traffic noise mitigation in the event that some future land owner buys that piece of property and tries to go after them because their highway is too loud. So if (inaudible) it puts them on notice number one and then they read the plat and number two it lets them know that it is up to the developer to provide that mitigation should it be deemed necessary.

Everett – Okay, thank you, it was helpful (inaudible). Who deems it necessary? Who has that authority, the developer, the City, the County, the DOT, who, who decides?

Watson – Perhaps the attorney can help on this, but I would assume it would be in response to some sort of civil action on the part of whoever purchases that property at some point in the future.

Everett – So the City could be on the hook for it?

Watson – I am not a legal expert. I don't know that that would. I, I don't think so.

Everett – Well if we have notice of the potential for noise and (inaudible), I didn't see it on anything else that we've seen that requires the developer to provide abatement possibly and if the City doesn't do anything about it, would the City be liable (inaudible), you can disagree with me, but I think that's where it is.

Watson – Well I think the note by its effect of being on the plat places the responsibility on the developer.

Everett – What, what responsibility? It says here it is. There's nothing I saw anywhere that says you must take action or the City can require you to take action or the County or the State or anybody. It just says put the notice on the plat. It doesn't say you're required protection to abate it if it's deemed necessary.

Mendoza – Okay any other comments or questions.

Everett – Excuse me Madam Mayor, he hasn't answered by question.

Mendoza – Okay, so do you have any further for Mr. Watson Councilmember Everett?

Watson – We did not as a matter of review feel that it would be necessary to put that condition on the plat for the developer to provide that mitigation. We, in response to the Department of Transportation's concerns added it as a plat note as requested by the Washington State Department of Transportation.

Everett – Could we, as a Council, add that as a condition?

Watson – Yes, you may.

Mendoza – Okay any other discussion or questions.

Rodriguez – I got.

Mendoza – Councilmember Rodriguez.

Rodriguez – This is for Public Works. On a, on a, is there a list of items that they have to do as for SVID and some of the other agencies?

Arteaga – I believe that the only, the only other recommendation was for them to complete the transportation analysis. The effects from the traffic to the Exit 73 and I know that when the engineer for the developer had sent the email that they were looking at doing that, we, we recommended that they include the intersection at Euclid and Wine Country Road and at Viall and Wine Country Road as far as their analysis report. Other than that, I didn't see any requirements from any of the other utilities.

Rodriguez – I've got another.

Mendoza – Okay, Councilmember Rodriguez.

Rodriguez – On the SVID, I guess, on SVID, you know there's a lot of, you know buildings not within their easements, are we going to have the same situation that that we're having with the Grandridge where SVID irrigation line is through their property that we have to wait or they have to wait to build on it.

Arteaga – I'll go point it over on that map, but that's where the park development is going to be on the north side of Grant.

Rodriguez – Okay.

Mendoza – Thank you.

Arteaga – Currently, SVID has a what they call a drainage irrigation district in this area here, it has a.

Palacios – Hey Cus, you're going to need to take the microphone.

Arteaga – Do what?

Palacios – Grab the microphone.

Arteaga – Currently, on the north, it would be the south side of the development, north of Grant Court, there's a SVID easements that are in here, but that is, that is suppose to be the park, the green space for that development, so there would not be any structures developed on top of that.

Rodriguez – Thank you.

Mendoza – Okay, wonderful, thank you. Any more discussion?

Diaz – I have a question.

Mendoza – Councilmember Diaz.

Diaz – Maybe this is, maybe this is a question for Cus on this City of Grandview where they, you give the total vehicle trips per day and you have two different dates 7/23/21 and you have 1,230 vehicles per day that's on page 46 and then on the other one you have.

Palacios – Under the public hearing packet, not on the agenda.

Diaz – And then there's a little discrepancy that I have here and there's the other one on a different date that has a different number.

Arteaga – Which page is that?

Diaz – Well I had it, but I lost it, but it was a different number and it's on 4/23 and then a different, same, I think it's September of this year.

Mendoza – So we have two packets. I think that's, we have the, the hearing examiner's and then we have the agenda. Are you looking at it on the agenda, Councilmember Diaz?

Diaz – So how do you figure the traffic or do you just count the cars or (inaudible)?

Arteaga – We had, we had a, what's the company's name?

Dorsett – Idax.

Arteaga – Idax, they brought the traffic counters down and we set them out for I think it was a five day count, they provided us with the numbers and we plugged those, those numbers that they provided into the information.

Diaz – I just, may be the developer, I had a question for the developer and it makes reference in the package that.

Palacios – You're going to need to get closer to the mic cause he's not going to be able to hear you.

Diaz – It makes reference in the package that these homes are going to be with new technology and new techniques and technology, I don't know, what does that mean? Is it? For the developer.

Swanson, Dan – Well, I'm muted.

Mendoza – I just, I just.

Arteaga – Dan, this is for Brad Beauchamp, not you Dan.

Diaz – On page 7, I'm curious.

Arteaga – Mr. Beauchamp, I think the question from Councilmember Diaz is a question on your new technology for your homes.

Mendoza – You might be muted, I don't know if you can hear us. Okay, so.

Diaz – It just in the package it just makes reference to, it is the intent to encourage the use of new techniques and technology resulting in a more creative approach to development of the land so I wasn't sure.

Mendoza – Okay, he might be having trouble. I just want to remind everyone that the request for clarification, you know, they have to be specific to the record and so I just want to. Is, are you able to hear us Mr. Beauchamp? Okay, anyone else can, maybe we can, Councilmember Rodriguez.

Rodriguez – As, as they, they're not going to build all 120 or 117 all at once, but if they get to that number and traffic counts go way up, you know, like my biggest concern is at the light there on North Euclid and Wine Country Road and then with that new commercial subdivision going in the traffic there. Let's say in five years all that's built and the, you know, the traffic counts way up there, that's the City's responsibility so is that money out of the City would have to take care of. The developer is out of it.

Arteaga – Once, once this is approved and there's any renovations to the signal equipment, the intersection on it's own, that would be the City's expense and the property tax that we would receive from the new homes would contribute as a revenue source to make those improvements. Right now the, on page 46 of the hearing examiner's, it, it'll identify single family homes and this is the engineering manual for traffic analysis and a single family home it's estimated at 10 trips per day and that's how we are arriving at the estimate number of trips for this development. So then we take the actual number of vehicles that are on that roadway which I had Todd contract with a third party to provide us that information so then we subtract that in to, in to what, what improvements need to be made and that's way the Department of Transportation had requested a traffic analysis for the intersection because they need to make sure that that there's still the movements can be handled correctly and that was the reason that I recommended to the developer to also include the two intersections of Viall and Euclid into that analysis cause I knew that we would be looking at the increased traffic and if there was any mitigations that that was the opportune time.

Mendoza – Okay.

Palacios – So I'm trying to respond back and forth.

Everett – Madam Mayor, I have a question of the City Attorney.

Mendoza – Okay, okay.

Everett – It's unfair to the developer to have this hearing going on, questions being asked, he cannot effectively respond, can, which makes, raises questions in my mind whether this is an actual open and fair public hearing and so the issue that I have, can this be continued to a another Council meeting so we can, so he has, we have, the dialogue can occur because several Councilman had questions.

Mendoza – I think he had muted.

Everett – So formally he can respond and and how do we proceed with the public hearing.

Mendoza – I think he has now unmuted. Are you able to hear us Mr. Beauchamp?

Everett – That's why I asked the question, I asked the question of the City Attorney for.

Plant – Yeah, it is possible.

Everett – I question whether this could be a fair public hearing when you have that problem.

Plant – Well certainly, certainly yes.

Everett – What, it can be if people can't hear what's going on.

Beauchamp – I can.

Palacios – He's trying to respond.

Mendoza – Okay, yeah, so Councilmember.

Beauchamp – Madam, Mayor, I'd like to respond.

Mendoza – Thank you Mr. Beauchamp. Okay, we can hear you. So, I just want to remind that if can, okay.

Beauchamp – Okay, I can answer the question earlier purposed about just the technology is, what that was referring to was utilizing the PUD as a different form of development and so, yeah, we're going in there and adding some adding the park and adding sidewalks and doing some different things in that community to make it better than what is required by standard City procedure so that's what that's in reference to. Building wise there is going to be single family, standard single family (inaudible).

Mendoza – Okay, any other discussion.

Everett – Yes, the developer said there, said there it was standard single family homes, but they're not really, they're not owned by the person, the land is not owned by the person building the home, is that not correct?

Beauchamp – That is not correct, Councilman Everett. They are a standard single family neighborhood lot and home built by the individual.

Everett – So the individual owns the house and the ground?

Beauchamp – Correct.

Everett – Is that different from what it was before?

Beauchamp – Yeah, what we came before was a plan for a manufactured home community and that has gone away and this is a standard plat of single family residential construction.

Everett – Okay, were clarified now.

Beauchamp – No problem.

Mendoza – Thank you, Councilmember Souders.

Souders – I have read the study on the traffic count, one of my concerns is is there adequate parking, off street parking in the development, you know, lots of families have kids that have cars as well as, you know, parents driving cars and I'm concerned about adequate parking.

Mendoza – Who are you directing your question to Councilmember Souders?

Souders – To Mr. Beauchamp.

Beauchamp – Yeah, we are complying with the City code, I believe on that, Cus could answer that better. Two parking per, we have that required in our plat and we are taking care of that along with City street, curb, gutter, sidewalk throughout the entire plat so no different than the City standards that is currently in the code for the City of Grandview.

Souders – Thank you.

Mendoza – Okay. Any other?

Diaz – Madam Mayor.

Mendoza – Yes, Councilmember Diaz.

Diaz – I found the other page I was making reference to on the, on the traffic total vehicle count growth 1,230 and there's one dated I think it's 9/2/21 it has 1,170 so it's two numbers.

Palacios – What page are you on?

Diaz – Page 66, 46 and 66.

Mendoza – Of, from the agenda or the public hearing, the hearing examiner's.

Diaz – It say's City of Grandview, so I'm assuming that the.

Mendoza – There's two packets in Grandview.

Diaz – So, so maybe one (inaudible).

Mendoza – So where are you at?

Souders – I think he's.

Palacios – What packet are you looking at?

Mendoza – Are you on the agenda packet, that's not the agenda packet?

Diaz – No, I'm looking at the.

Souders – The hearing examiner's.

Diaz – The public hearing examiner's.

Arteaga – If you take a look on page 46 is that the number that says 123. Do you see it up there on number on one where it says, you know, single family.

Diaz – Yes, yes.

Arteaga – 123. Now look on page 66.

Diaz – 117.

Arteaga – It's 117 so there's less so the numbers are going to be different because there's less.

Diaz – Cause why?

Arteaga – There's less, well because when they originally when they started they were going to do 123 lots and then they revised it to 117 lots.

Diaz – Thank you.

Mendoza – Okay, thank you. Any other comments? Okay so moving on to six, if clarification of the record is authorized, when you address the Council begin by stating your name and address for the record, speak slowly and clearly, you will be allowed to only provide clarification of the record as authorized. This is for the property owner?

Palacios – No.

Mendoza – No, okay. So let's move on to number seven. 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: Enlarge the area or scope of the project; Increase the density or proposed building size; Significantly increase adverse environmental impacts as determined by the responsible official; Deny; Deny with prejudice; Remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

So I will turn it back to Council.

Everett – Madam Mayor.

Mendoza – Yes, Councilmember Everett.

Everett – I would very much. I'm not making this motion yet, I would like to move approval, but subject to a requirement that the, that gives the City of Grandview the legal authority to require for the payment of the traffic abatement which the Department of Transportation, the traffic noise abatement which the Department of Transportation has noted. Now, I lack the sophistication or knowledge as to how to put together an appropriate motion or finding and I'd ask the assistance of the City Attorney or Mr. Watson, whoever wants to jump in.

Plant – You mean traffic noise abatement?

Everett – Yes. What I'm concerned about is if in the future, it should not fall on the City. Traffic abatement could end up being really, really expensive and I would, it should fall on the developer (inaudible) and there's evidence that it's an issue, DOT thinks it might be.

Plant – You're referencing noise, is that right? Or traffic volumes?

Arteaga – Noise.

Everett – Traffic noise, but I mean they noted it in the record. There was some concern by somebody and I can see it, you know, down the road us being stuck with a bunch of costs that I don't want the City to be stuck with so I'd like to have that be a condition, but I'm not sure how to describe that condition.

Plant – Okay.

Everett – Can someone help me, either you or Mr. Watson? You two have great knowledge.

Watson – Again for the record, Jeff Watson. It would be a very difficult task to quantify and opinions about various mitigation measures sometimes people want trees and plants, but it's very difficult to quantify whether that's going to be adequate.

Everett – But, couldn't we have, I want it left so that if that comes up, the City has a leg to stand off and say, stand on and say, this is a three million dollar abatement because we're going to have to flip a fall between the freeway and this development, whatever, I don't know what it might be and at least have the City have a position where they would be able to enter into an agreement or disagreement with the developer as to what it could be. As it is now, we have nothing to protect us with (inaudible).

Arteaga – Madam Mayor.

Mendoza – Yes.

Beauchamp – (Inaudible) I'd toss it again to the attorney. The plat helps protect you because it's placed as one of the mitigation measures necessary on the developer so the recourse for the property owner would be to pursue a civil matter against the developer.

Everett – Well, but does that carry forward? It's not (inaudible).

Plant – Yeah, I just have, I had a couple comments. I think there's, there's no liability to the City cause it approves a plat that could be in a noisy neighborhood.

Everett – I'm sorry, but didn't hear, understood what you say, said.

Plant – There's not any probability of liability to the City because it approves a development in an area that could be subject to noise traffic. I mean, all areas are subject to noise traffic and that's the point of putting it on the plat.

Everett – Are you saying as an attorney on your liability that you don't think there's any likelihood that that would be a problem?

Plant – Yes, but I'll also say that if you look at the conditions that the hearing examiner recommends, one of the conditions that's already in here is that it is the developer's responsibility to dampen.

Diaz – Can you give the page number on that?

Plant – Yeah, on page 55.

Souders – In your regular packet?

Plant – Yeah. The hearing examiner has a decision and a recommendation and he recommends approving the development subject to several conditions a, this is on page 55, and one of them is that it is the developer's responsibility to dampen or deflect any traffic noise affecting this property.

Everett – How do you enforce that?

Mendoza – Did you still have some?

Arteaga – Yes.

Mendoza – Councilmember Everett, we have had other councilmembers and staff that have been wanting to speak.

Everett – I'm sorry, I didn't hear what you said. Say that again.

Mendoza – We have had people in the Council Chambers that have been wanting to speak so I'm going to have our City Administrator speak at this time.

Arteaga – I just wanted to share.

Everett – I'd like to finish my questions first. I have the floor (inaudible).

Mendoza – Okay, I'm going to give you one more question because you've been taking most of the time and we have other people that want to speak.

Everett – Respectfully Mayor, I don't think you can limit me to one more question.

Mendoza – Okay, one more question sir.

Everett – No.

Mendoza – Well for now and then we'll go back to you.

Everett – (Inaudible) for the answer.

Mendoza – Okay, so we'll have you ask this question and then we'll yield to others and then we'll come back to you, so, what's your question.

Everett – Okay, so how do you enforce that gentle statement which was just read by the City Attorney? How would it be enforced? They were suppose to do it, well they didn't, what do you do?

Arteaga – I wanted to, I wanted to give an example of a different project where is was exercised and this was at the wastewater treatment plant.

Everett – Who's speaking?

Mendoza – Our City Administrator answering to that.

Everett – Okay, I couldn't tell.

Arteaga – Okay, 20 years ago, we started doing spray fields out at the treatment plant that ran 24/7 and then we started to see some development next door and when the SEPA, just like we're doing here process went through, it was placed on the deed that we ran a 24/7 operation out at the treatment plant and then as soon as a house was developed and it's irrigation season, we started to get people complaining of the noise of the sprinklers running all night long and they wanted us to seize the operation, but because it was recorded to their deed, they didn't have anything that they could take us to court with because it was brought to their attention before they purchased the property so we were able to continue with the 24/7 operations so I see this the same as that, it's the future buyer is placed on notice that it's going to be noisy so a year into it if he doesn't like the noise, he needs to landscape his area to block the noise from the freeway.

Everett – So in the meantime, the City pays for it, the noise abatement while the other parties litigate for ten years.

Mendoza – Okay, so we are in the section where Council as to either approve, so I guess we need to decide that at this time. Okay, so the Council has to either approve as recommended, approve with conditions, modify with or without the applicants concurrence provided that the modifications do not enlarge the area of scope of the project, increase the density or proposed building site, significantly increase adverse environmental impacts as determined by the responsible official, deny or deny with prejudice, remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

Ozuna – Madam Mayor could you read the first one again.

Mendoza – Approve as recommended.

The public hearing was declared closed.

On motion by Councilmember Ozuna, second by Councilmember Moore, Council accepted the Hearing Examiner’s conclusions and recommendation to (i) rezone the Parcel Nos. 230914-32001 and 230914-32004 from the R-1 Low Density Residential District and the R-3 High Density Residential District to the Planned Development District; (ii) approve the final Planned Unit Development of “Euclid Meadows PUD”; and (iii) approve the Preliminary Plat of “Euclid Meadows PUD” which together depict 117 single-family residential lots with certain modifications to lot size, setback and lot width standards, subject to conditions similar to Planning Staff recommended conditions outlined in Recommendation RZ#2021-03, PUD#2021-01 and SUB#2021-02.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – No
- Councilmember Souders – No

B. Ordinance No. 2021-18 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by North 44 Homes LLC for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid Road, Grandview, WA

On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Ordinance No. 2021-18 changing the zoning classification of certain lands and amending the zoning map of the City of Grandview as requested by North 44 Homes LLC for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid Road, Grandview, WA.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

C. Ordinance No. 2021-19 approving the final Planned Unit Development of “Euclid Meadows PUD” and approving the Preliminary Plat of Euclid Meadows PUD

On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Ordinance No. 2021-19 approving the final Planned Unit Development of “Euclid Meadows PUD” and approving the Preliminary Plat of Euclid Meadows PUD.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

D. Ordinance No. 2021-20 levying the 2022 ad valorem property taxes and excess levy taxes

This item was previously discussed at the October 26, 2021 C.O.W. meeting.

On motion by Councilmember Everett, second by Councilmember Jennings, Council approved Ordinance No. 2021-20 levying the 2022 ad valorem property taxes and excess levy taxes.

Roll Call Vote:

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

E. Ordinance No. 2021-21 increasing the 2022 property tax levy for the City of Grandview above the “limit factor” up to 101 percent

This item was previously discussed at the October 26, 2021 C.O.W. meeting.

On motion by Councilmember Everett, second by Councilmember Souders, Council approved Ordinance No. 2021-21 increasing the 2022 property tax levy for the City of Grandview above the “limit factor” up to 101 percent.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes
- Councilmember Jennings – Yes

- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

F. Resolution No. 2021-45 authorizing the Mayor to sign Change Order No. 3 with C & R Tractor and Landscaping, Inc., for the Sanitary Sewer Trunk Main Replacement

This item was previously discussed at the October 26, 2021 C.O.W. meeting.

On motion by Councilmember Rodriguez, second by Councilmember Moore, Council approved Resolution No. 2021-45 authorizing the Mayor to sign Change Order No. 3 with C & R Tractor and Landscaping, Inc., for the Sanitary Sewer Trunk Main Replacement.

Roll Call Vote:

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

G. Ordinance No. 2021-22 establishing a custodial fund for the receipting and payment of funds the City is holding as a trustee

This item was previously discussed at the October 26, 2021 C.O.W. meeting.

On motion by Councilmember Rodriguez, second by Councilmember Jennings, Council approved Ordinance No. 2021-22 establishing a custodial fund for the receipting and payment of funds the City is holding as a trustee.

Roll Call Vote:

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

H. Ordinance No. 2021-23 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates

This item was previously discussed at the October 25, 2021 special budget meeting.

On motion by Councilmember Moore, second by Councilmember Rodriguez, Council approved Ordinance No. 2021-23 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates.

Roll Call Vote:

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

I. Resolution No. 2021-46 approving the final plat of Grandridge Estates – Phase 8 located on Grandridge Road

This item was previously discussed at the November 9, 2021 special budget meeting.

On motion by Councilmember Moore, second by Councilmember Souders, Council approved a Resolution No. 2021-46 approving the final plat of Grandridge Estates – Phase 8 located on Grandridge Road.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

7. UNFINISHED AND NEW BUSINESS – None

8. CITY ADMINISTRATOR AND/OR STAFF REPORTS

Well Siting Project – City Administrator Arteaga reported that planning for the new well site continues. The Drinking Water State Revolving Fund was accepting loan applications which were due by November 30, 2021. The water rate analysis presented by HLA at the October 25, 2021, special budget meeting identified completion of \$9.68 million of water system improvements in the next two years using a combination of City reserves and low interest loans. The water system improvements identified included a new source well and well rehabilitation. He requested Council authorize submittal of an application for a construction loan for a new well based on the preliminary well siting.

On motion by Councilmember Jennings, second by Councilmember Souders, Council authorized the submittal of a loan application to the Drinking Water State Revolving Fund for construction of a new well and well rehabilitation.

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Jennings – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes

Wine Country Road/McCreadie Road/Exit 75 Roundabout – City Administrator Arteaga reported that DRYVE agreed to fund \$2,000 towards the WCR/McCreadie/Exit 75 roundabout virtual video project. The total cost for the Department of Transportation to shoot the video was \$6,700.

9. **MAYOR & COUNCILMEMBER REPORTS** – None

10. **ADJOURNMENT**

On motion by Councilmember Moore, second by Councilmember Rodriguez the Council meeting adjourned at 8:20 p.m.

Mayor Gloria Mendoza

Anita Palacios, City Clerk