

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, NOVEMBER 9, 2021**



**PLEASE NOTE:** The maximum occupancy of the Council Chambers is 49 individuals at one time. Access to exits must be kept clear to ensure everyone in the Chambers can safely exit in the event of an emergency.

This meeting will be held in person and will also 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. If you would like to address the Council, please step up to the microphone and give your name and address for the record. Your comments will be limited to three minutes.
- 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 October 25, 2021 Budget special meeting 1-7
  - B. Minutes of the October 26, 2021 Committee-of-the-Whole meeting 8-23
  - C. Minutes of the October 26, 2021 Council meeting 24-36
  - D. Minutes of the November 1, 2021 Budget special meeting 37-43
  - E. Payroll Check Nos. 12447-12468 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
- 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 – Euclid Meadows Planned Unit Development Rezone & 117-Lot Preliminary Plat 44-72
    - Grandview Hearing Examiner Public Hearing Packet dated September 14, 2021 is included as part of the agenda packet per reference in the Hearing Examiner's Recommendation and Decision (1-158)

	<u>PAGE</u>
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	73-74
C. Ordinance No. 2021-19 approving the final Planned Unit Development of "Euclid Meadows PUD" and approving the Preliminary Plat of Euclid Meadows PUD	75-76
D. Ordinance No. 2021-20 levying the 2022 ad valorem property taxes and excess levy taxes	77
E. Ordinance No. 2021-21 increasing the 2022 property tax levy for the City of Grandview above the "limit factor" up to 101 percent	78
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	79-81
G. Ordinance No. 2021-22 establishing a custodial fund for the receipting and payment of funds the City is holding as a trustee	82
H. Ordinance No. 2021-23 amending Grandview Municipal Code Section 13.28.060(B) setting irrigation water rates	83-84

**7. UNFINISHED AND NEW BUSINESS**

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

**9. MAYOR & COUNCILMEMBER REPORTS**

**10. ADJOURNMENT**

The City of Grandview Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, November 9, 2021 at 6:00 pm and 7:00 pm will be held in person and will also be available via teleconference.

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

Join Zoom Meeting

<https://us06web.zoom.us/j/86823660497?pwd=allFN2RhL1NBcUQrVjhaYmNFbytudz09>

To join via phone: +1 253 215 8782

Meeting ID: 868 2366 0497

Passcode: 676592

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES – BUDGET  
OCTOBER 25, 2021**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the special meeting to order at 6:00 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 (6:05 p.m.), Robert Ozuna, Javier Rodriguez and Joan Souders

Present via teleconference: Councilmember Mike Everett

Absent: Councilmembers Bill Moore (Mayor Pro Tem) and Diana Jennings

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

**2. 2022 PRELIMINARY BUDGET**

**2022 Water and Sewer Rate Analysis**

Ted Pooler, City Engineer with HLA Engineering and Land Surveying, Inc., presented the 2022 Water and Sewer Rate Analysis, as follows:

**Project Background**

Revenues and expenditures for Grandview's water and sewer funds are reviewed annually as part of the budget planning process. Prior to 2020, revenues and expenditures were combined into a single Water/Sewer Fund, but each department was tracked separately to ensure revenues collected for each system were enough to offset expenses. Now each individual fund is examined, and a long-term financial plan has been updated to assess future needs, so revenues can be reasonably adjusted to meet operating expenses and capital improvement costs.

This method of analysis has served Grandview well. No water or sewer rate increases were required in 2016 and 2017. In 2018, 2019, and 2020, no increase in water rates was necessary. However, sewer rates were increased 4% in 2018 and 3% in both 2019 and 2020 in anticipation of a major project to replace the main trunk sewer between the City and the Yakima River, and treatment plant improvements to address Department of Ecology requirements. No water or sewer rate increases were recommended in 2021.

After a significant drop in 2016, sewer revenues have grown steadily at a rate just slightly above the sewer charge increases adopted by City Council. Conversely, water revenues decreased in 2019 and 2020, but are expected to increase slightly in 2021. Revenue changes are tied to industrial activity, crop size, and weather, which cannot be controlled by the City. Therefore, the City's control of expenditures remains an important factor in financial health. In 2021, year-end water department operating expenses are projected to be \$15,000 below budget, and sewer department operating expenses are projected to be \$260,000 below budget. This control of expenses, and the conservative approach to budgeting, has placed the City of Grandview Water and Sewer Funds in a good financial position.

### **October 2021 Analysis**

Our recent analysis included the following major work items:

- A review of 2020 revenues and expenses;
- Projection of 2021 year-end revenues and expenses using historical seasonal distribution of water consumption, sewer discharges, and expenditures;
- Examination of current and proposed capital improvements; and
- Preparation of a cash flow analysis to review projected revenue needs.

The cash flow analysis relies on reasonable revenue projections. The downward trend in water revenues over the last two years is projected to flatten in 2021, so the revenue generated from water charges for service was assumed to be about 1.3% higher than 2020. Sewer charge revenue in 2021 is also expected to be about 1.3% higher than 2020. Although industrial activity can affect water usage and sewer discharges, we anticipated water and sewer charge revenue would hold constant in 2022. Cash flow was then updated to reflect these revised revenue projections and to account for adjustments in planned capital improvements. A few key items in the analysis are worth noting:

- The Department of Ecology requested an analysis and report to address groundwater concerns at the wastewater treatment plant (WWTP). The report was submitted to Ecology and the proposed schedule for improvements are included in the City's current Ecology discharge permit. Based on the permit requirements, improvements to the facility are planned in 2023 and 2024. The estimated cost of those improvements (\$14 million and the associated debt service) is included in the cash flow analysis.
- In late 2017, a major sewer system capital improvement project was identified: replacement of the trunk sewer line between the City and the Euclid Road Pump Station. Failures of the pipeline highlighted the poor condition of the sewer, and the City received a Department of Ecology SRF (State Revolving Fund) loan with principal forgiveness (i.e., grant) for funding the replacement pipeline. Funding of the \$5.34 million project is summarized below:

Ecology Design Loan.....	\$300,500
Ecology Design Grant.....	\$300,500
Ecology Construction Loan.....	\$3,888,500
Ecology Construction Grant.....	\$100,000
CDBG Grant.....	<u>\$750,000</u>
Total Project Funding.....	\$5,339,500

Debt service (20 years at 2% interest) to repay the loan amounts (\$4,189,000) is included in the analysis.

- Another proposed sewer system capital improvement project is construction of additional paved sludge drying beds. The first phase of the improvements will be completed in 2021, and the second phase is proposed in 2023 at an estimated cost of \$860,000. "Large Equipment Replacement" money will be used to pay for these improvements.

- The “Large Equipment Replacement” sewer fund line item includes an additional \$400,000 for other miscellaneous repairs in 2022.
- The sewer department paid off the Public Works Trust Fund (PWTF) portion of the sewer debt in 2016, reducing annual expenses by about \$240,000. The revenue bond portion of the sewer debt was paid off in 2019, further reducing sewer expenses by \$420,000 per year.
- Grandview is currently updating its Water System Plan. Therefore, this year’s analysis did not focus on the improvements included in the previous plan. Instead, the following projects were considered:

3MG Standpipe Reservoir Rehabilitation and Recoating – \$930,000  
Butternut Well (S14) Cleaning and Rehabilitation – \$450,000  
New Source Well and Reservoir – \$8,300,000

Expenditures for these improvements were planned in 2022 and 2023. Funding using a combination of City reserves and low interest loans was included in the analysis.

- Other smaller water system O&M improvements proposed in the 2022 budget, funded with City money, are also included in the financial plan.
- Ending fund balances are adequate to provide a typical minimum balance of at least 50% of annual expenditures, which provides more than six months of reserve.

## **Results**

### **Water Department**

- Future water system capital improvements have been discussed with City staff and will also be considered in the ongoing update to the City’s Water System Plan. Capital improvements should be re-examined each year as part of the budget process, and the long-term financial plan should be updated accordingly.
- Since projected water revenues and expenditures continue to show a positive Water Department fund balance, no water rate increase is recommended for 2022. Based on the current timing of future capital improvements, rate increases may not be needed for several years.

### **Sewer Department**

- Our rate analysis includes future improvements to the WWTP needed to address potential groundwater contamination. The recommendations included were incorporated into the Ecology NPDES permit in the form of a compliance schedule for the submittal of a detailed Engineering Report. Therefore, the current plan is to begin design of the future improvements in 2022, with construction proposed in 2023 and 2024. The financing plan includes building reserves to pay for a portion of the project cost to reduce future debt.
- Our analysis also includes replacement of the City’s trunk sewer. Construction began in 2020 and will continue into 2022. Therefore, repayment of the \$4,189,000 loan amount is expected to begin in 2022.

- Sewer revenues are projected to increase by more than \$45,000 from 2020 to 2021, or about 1.3%, which is more than the 0% rate increase implemented by the City. Industrial revenues have fluctuated in the past, and likely account for the added revenue. Though future industrial discharges could be lower leading to reduced income, revenue demands are also reduced by shifting the scheduled WWTP improvements. As a result of the 2021 increase in revenue and a shift in construction expenses, no increase in sewer rates is recommended for 2022.
- Additional sewer rate increases will be needed in the future, but the timing and amount of the increase will depend on when capital improvements are completed, as well as the type of financing. Therefore, the City should continue to monitor sewer revenues and update the rate analysis as more information concerning capital improvements is available.

### **2022 Revenue and Expenditure Estimates**

City Treasurer Cordray continued the presentation of the 2022 preliminary budget, as follows:

#### **Graffiti Removal**

2021 Budget \$4,745

2022 Proposed \$4,615

Notable Changes in 2022 – None

#### **Code Enforcement**

2021 Budget \$83,310

2011 Estimate \$116,560

Notable Changes in 2022 –

- Increase to a full-time (FTE) Code Enforcement Officer – \$32,000

#### **Inspections & Permits**

2021 Budget \$90,540

2022 Proposed \$118,930

Notable Changes in 2022 –

- Increase to a full-time (FTE) Building Official – \$32,000

#### **Parks Maintenance**

2021 Budget \$591,175

2022 Proposed \$664,865

Notable Changes in 2022 –

- Add one full-time Employee (FTE) – \$46,000
- Dykstra Park Pathway Maintenance – \$10,000
- Dykstra Park Irrigation Phase 5 – \$5,000
- Playground chips – \$5,000
- Arbor Day Tree Planting – \$1,000
- Country Park Building Maintenance (Fire Department Building, Beavan's Building, and restroom) – \$25,000
- Dykstra Park Bathroom Upgrades (fixtures, doors and roof) – \$11,000

Transfers Out and Ending Fund Balance

2021 Budget \$220,000

2022 Proposed \$50,00

Notable Changes in 2022 – A \$50,000 transfer to the Street Fund was anticipated in 2022.

City Treasurer Cordray noted that staff decided not to transfer \$50,000 to the Street Fund in 2022.

Streets

2021 Revenue Budget \$1,368,550

2022 Revenue Estimate \$1,023,935

2021 Expenditure Budget \$1,368,550

2022 Expenditure Estimate \$1,023,935

Notable Changes in 2022 –

- Sidewalk Repairs – \$10,000
- Storm Water Improvement Project – \$50,000
- Upgrade Signal Equipment at 4 Intersections – Grandridge & WCR, Euclid & WCR, West Second & Euclid, Elm & WCR – \$20,000
- New Banners – \$6,000

Transportation Benefit District

2021 Revenue Budget \$489,600

2022 Revenue Estimate \$532,395

2021 Budget \$489,660

2022 Proposed \$532,395

Notable Changes in 2022 – None

Cemetery

2021 Revenue Budget \$333,705

2022 Revenue Estimate \$340,430

2021 Budget \$333,705

2022 Proposed \$340,430

Notable Changes in 2022 –

- Expansion of new cemetery area (road entrance, mapping and landscaping) – \$50,000
- New cemetery engineering – \$30,000

East Wine Country Plaza Debt Service – SIED Loan

2021 Revenue Budget \$332,180

2022 Revenue Estimate \$-0-

2021 Budget \$58,670

2022 Proposed \$58,670

Notable Changes in 2022 – Grandview Lumber made a payment in 2021 that satisfied the remaining debt obligation on the loan.

Euclid/Wine Country Road Improvements Debt Service – SIED Loan

2021 Revenue Budget \$23,310

2022 Revenue Estimate \$23,310

2021 Budget \$23,310

2022 Proposed \$23,310

Notable Changes in 2022 – None

Capital Improvements

2021 Revenue Budget \$493,730

2022 Revenue Estimate \$915,050

2021 Budget \$493,730

2022 Proposed \$915,050

Notable Changes in 2022 – Parks & Recreation Director asked to redirect pool funds from a pool splash pad to pool tank restoration and park pathway project. The City was also putting aside funds for the OIE Highway project grant match.

- Pool Tank Restoration – \$140,000
- Pathway Improvements – \$100,000
- OIE Highway Grant Match – \$300,000

Water Fund

2021 Revenue Budget \$9,003,280

2022 Revenue Estimate \$9,233,045

2021 Budget \$9,003,280

2022 Proposed \$9,233,045

Notable Changes in 2022 –

- Reservoir repainting (3MG) – \$600,000
- Water meter replacements – \$50,000
- Willoughby property irrigation – \$40,000
- Water System Plan update – \$20,000
- New Well study – \$12,000
- New Well funding application – \$20,000

Sewer Fund

2021 Revenue Budget \$13,017,140

2022 Revenue Estimate \$11,964,785

Sewer Collection

2021 Budget \$3,330,290

2022 Proposed \$1,209,110

Notable Changes in 2022 –

- Sewer System Plan update – \$15,000
- 21" Sewer Main Construction – \$382,000

Sewer Treatment

2021 Budget \$2,741,560

2022 Proposed \$2,533,730

Notable Changes in 2022 –

- Large equipment replacement fund (metering stations, bio-solid presses and control panels) – \$500,000
- 65,000 square foot bio-solid drying beds – \$25,000
- WWTP Plan update – \$5,000
- Sludge drying beds engineering – \$5,000
- Upgrade polymer system at dewater - \$140,000

#### Sewer Debt Service

2021 Budget \$13,017,140

2022 Proposed \$11,964,785

Notable Changes in 2022 – 21" Sewer Trunk Main project should be finished in 2022 and the City would begin making debt obligation payments.

#### Irrigation

2021 Revenue Budget \$667,400

2022 Revenue Estimate \$626,275

2021 Budget \$564,640

2022 Proposed \$555,170

Notable Changes in 2022 –

- Main line replacement – \$5,000

Staff proposed a 3% increase in irrigation rates.

#### Solid Waste Collection

2021 Revenue Budget \$1,871,055

2022 Revenue Estimate \$1,915,215

2021 Budget \$1,177,810

2022 Proposed \$1,183,780

Notable Changes in 2022 –

- Improvements to storage shed for two garbage trucks – \$20,000

#### Neighborhood Clean-up

2021 Budget \$18,100

2022 Proposed \$18,490

Notable Changes in 2022 – None

#### Equipment Rental

2021 Revenue Budget \$2,567,570

2022 Revenue Estimate \$2,380,100

2021 Budget \$2,567,570

2022 Proposed \$2,380,100

Notable Changes in 2022 – The following equipment to purchase or replace:

- Replace police vehicle – \$60,000
- Replace police vehicle – \$60,000

City Treasurer Cordray advised that the Current Expense Fund was still \$550,000 over budget and reductions would be necessary to balance the budget.

The next preliminary budget meeting would be held on Monday, November 1, 2021 at 6:00 p.m., to consider budget reductions.

### **3. ADJOURNMENT**

The special meeting adjourned at 7:55 p.m.

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES  
OCTOBER 26, 2021**

**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.

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

**2. ROLL CALL**

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

Present via teleconference: Councilmember Mike Everett

Absent: Councilmember Diana Jennings

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

**3. PUBLIC COMMENT**

Benjamin Cover, 1631 Woodworth Road, Grandview, WA, expressed concerned with Councilmember Everett's letter regarding a COVID-19 vaccine mandate.

Rick Kimbrough, 110 Sandhill Road, Grandview, WA, commented on the City of Grandview not being in the Yakima Valley Tourism Guide. He also mentioned that he was assisting in the formation of the Main Street Grandview Organization which consisted of the following Board of Directors Rick Kimbrough, Cody Nelson, Laura Flores, Randy Tucker and Ray Vining.

Rita Brown, 30 Loomis Road, Prosser, WA, expressed opposition to a COVID-19 vaccine mandate.

State Representative Brad Klippert and deputy sheriff with the Benton County Sheriff's Office, expressed opposition to a COVID-29 vaccine mandate.

Joe Cotta, 9106 Durham Court, Pasco, WA, expressed opposition to a COVID-19 vaccine mandate.

Eric Armstrong, 1102 Mead Avenue, Prosser, WA, expressed opposition to a COVID-19 vaccine mandate.

Gerald Dion, 1411 Charvet Road, Grandview, WA, expressed opposition to a COVID-19 vaccine mandate.

Curt Still, [stillcurt@gmail.com](mailto:stillcurt@gmail.com), email dated October 26, 2021, expressed concerns regarding a COVID-19 mandate, a copy of which is attached hereto and incorporated herein as part of these

minutes.

David Simmons, [David@teamsters760.org](mailto:David@teamsters760.org), email dated October 26, 2021, strongly encouraged the City not accept Councilmember Everett's recommendation to require the employees of the City to submit to the COVID vaccination requirement, a copy of which is attached hereto and incorporated herein as part of these minutes.

Dr. James E. Stevens, letter given to the City Clerk at the meeting, expressing opposition to a COVID-19 vaccine mandate, a copy of which is attached hereto and incorporated herein as part of these minutes.

#### **4. NEW BUSINESS**

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, the C.O.W. amended the New Business section of the agenda to move item (D) "COVID-19 Vaccine Mandate" to item (A).**

Roll Call Vote:

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

##### **A. COVID-19 Vaccine Mandate**

On October 1, 2021, Councilmember Everett submitted a letter to the Mayor expressing concern with the number of Department Heads and First Responders that have not been vaccinated against the COVID virus. He requested that a program or approach be developed to get 100% of the public servants, particularly First Responders such as fire fighters and police officers vaccinated.

City Attorney Plant responded to Councilmember Everett's letter indicating that the Mayor has authority to require City employees to be vaccinated against COVID-19. A vaccine mandate would not excuse the City from accommodating employee requests for disability-related medical and religious exemptions. The effects of a vaccine mandate were likely a mandatory subject of bargaining. The effects of a vaccine mandate would need to be negotiated with the City's bargaining units. He provided a recently adopted vaccine mandate by emergency order from the City of Bellingham.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Moore, the C.O.W. tabled the COVID-19 Vaccine Mandate for six months to the April 12, 2022 C.O.W. meeting.**

Roll Call Vote:

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

**B. Ordinance levying the 2022 ad valor property taxes and excess levy taxes**

City Treasurer Cordray explained that pursuant to legislation RCW 84.52.020, the City's certification for the purpose of levying 2021 property taxes was to be filed with the Board of Yakima County Commissioners on or before November 20, 2020 or the City would receive no funding from this source. As a result of Referendum 47, the City would need to pass an ordinance for the levy amount up to the full 101%. The regular levy request in the amount of \$1,632,160.00 was a \$16,160.00 increase from the 2020 levy amount and a 1% increase of that same 2020 levy amount, plus any amount allowed for new construction and increase in state assessed value. He presented an ordinance levying the 2021 ad valor property taxes and excess levy taxes.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Moore, the C.O.W. moved an Ordinance levying the 2022 ad valor property taxes and excess levy taxes to the November 9, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

**C. Ordinance increasing the 2022 property tax levy for the City of Grandview above the "limit factor" up to 101 percent**

City Treasurer Cordray explained that as a result of Referendum 47, the City would also need to pass a second ordinance increasing the property tax levy to the Implicit Price Deflator (IPD) as the City's population was over 10,000.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved an Ordinance increasing the 2022 property tax levy for the City of Grandview above the "limit factor" up to 101 percent to the November 9, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

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

City Administrator Arteaga explained that the City contracted with C & R Tractor and Landscaping, Inc., as the contractor for the Sanitary Sewer Replacement. After reviewing videos of the new sewer installation, it was determined by the Engineer that the new 30-inch sanitary sewer main segments between manhole 23 and 26 exhibit sags and are holding between ½" to 2" of water after being cleaned. The City would accept a credit of \$30 per linear foot for 865 linear feet of new 30-inch sanitary sewer main for the deficiency and loss of pipe capacity.

Discussion took place.

**On motion by Councilmember Souders, second by Councilmember Diaz, the C.O.W. moved a Resolution authorizing the Mayor to sign Change Order No. 3 with C & R Tractor and Landscaping, Inc., for the Sanitary Sewer Trunk Main Replacement to the November 9, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

**E. Ordinance establishing a custodial fund for the receipting and payment of funds the City is holding as a trustee**

City Treasurer Cordray explained that the City receives court and state fees every month. The City then turns around and remits a portion of these fees to the state. In 2020, a new reporting requirement was mandated by the State Auditor to show these fiduciary activities in a separate custodial fund. By Fund, the highlights of the budget change was:

- Court and State Remittance Fund: The revenue that was received was held and then that same amount was remitted to the state monthly. This would be an unbudgeted fund as the assets were not derived from the government's own-source revenues.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, the C.O.W. moved an Ordinance establishing a custodial fund for the receipting and payment of funds the City is holding as a trustee to the November 9, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

**F. Ordinance establishing a separate fund for the American Rescue Plan Act (ARPA) funds**

City Treasurer Cordray explained that in June 2021, the City was informed that it would be receiving Coronavirus Local Fiscal Recovery funds from the federal American Rescue Plan Act (ARPA). The City would receive 50% of the funds in 2021 and the remaining 50% in 2022. The City has until 2024 to obligate uses of the funds and has until 2026 to expend the funds. Expenditures would need to meet pandemic response needs that rebuild a stronger and more equitable economy as the country recovers. He presented an ordinance creating a separate fund to better track the sources and uses. By Fund, the highlights of the budget change was:

- American Rescue Plan Act (ARPA) Fund: Increased revenues to show the Coronavirus Local Fiscal Recovery funds that were received. Increase appropriations for fire department defibrillators. Other expenditures would be included as discussions take place.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved an Ordinance establishing a separate fund for the American Rescue Plan Act (ARPA) fund to the October 26, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

**G. Ordinance amending 2021 Annual Budget**

City Treasurer Cordray explained staff monitoring and review of fund and department budgets identified budget accounts to be amended. An ordinance was presented providing for the amending of the 2021 Annual Budget to accommodate the changes in sources and uses.

By Fund the highlights of the budget changes were:

- Current Expense Fund: Decreased revenues for Coronavirus Fiscal Recovery funds. Net effect was a decrease in estimated ending fund balance.
- American Rescue Plan Act (ARPA) Fund: Increased revenues for Coronavirus Local Fiscal Recovery funds. Increased appropriations for Fire Department defibrillators. Net effect was an increase to estimated ending fund balance.
- Sewer Fund: Increased revenues for CDBG Grant – 21" Sewer Main and Department of Ecology Loan – 21" Sewer Main. Increased appropriations for 21" Sewer Main Construction. Net effect was a decrease to estimated ending fund balance.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Rodriguez, the C.O.W. moved an Ordinance amending 2021 Annual Budget to the October 26, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

5. **OTHER BUSINESS** – None

6. **ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Souders, the Committee-of-the-Whole meeting adjourned at 7:05 p.m.**

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk

## Anita Palacios

---

**From:** Anita Palacios  
**Sent:** Tuesday, October 26, 2021 12:08 PM  
**To:** Bill Moore (mooreb@grandview.wa.us); Bill Moore 1 (billandrachel@charter.net); Curtis Arteaga; David Diaz (ddiaz@grandview.wa.us); David Diaz 1; Diana Jennings (jenningsd@grandview.wa.us); Diana Jennings 1 (diana.r.jennings@gmail.com); Gloria Mendoza; Gloria Mendoza (mendozag@grandview.wa.us); Javier Rodriguez; Javier Rodriguez (rodhav1@yahoo.com); Joan Souders; Joan Souders 1 (jesouders@hotmail.com); Mike Everett (everettm@grandview.wa.us); Mike Everett 1 (mike@everettlaw.net); Quinn Plant; Robert Ozuna; Robert Ozuna 1 (ozunar@grandview.wa.us)  
**Subject:** FW: Letter for council ....

**From:** Curt Still <stillcurt@gmail.com>  
**Sent:** Tuesday, October 26, 2021 12:02 PM  
**To:** Anita Palacios <anitap@grandview.wa.us>  
**Subject:** Letter for council ....

---

**CAUTION:** External Email

---

Hi Anita,

I would like to enter this letter to be read in answer to the request to mandate the vaccine for first responders or any city employees.

Thanks,  
Curt

Dear City Council,

I understand you are planning to address the subject of Vaccination mandates for the first responders of our community at this weeks meeting. Unfortunately I am unable to attend the meeting this week due to a prior engagement so I would like to address my concerns via this letter.

I have a sincere concern for the safety of the community and the first responders who serve our great community. However, The misconception that the mandating of the vaccine will in some way keep our community safe should be addressed.

The CDC as well as the medical advisor to the United States and many medical professionals have stated that the vaccination will not prevent someone from being a carrier of the covid virus. Therefore, mandating vaccines with the hope of protecting the public from the spread of the virus would produce a false sense of security that will cause additional risks instead of preventing exposure. They have also stated that the vaccine that is now being administered is good only for the original Covid 19 virus and is not likely to prevent someone from contracting the Delta variant which is presently being contracted.

In addition to the absence of "reason" to this vaccine mandate, there is also the constitutional right to refuse a vaccine that was established in the Title VII of the Civil Rights Act of 1964 and the agreement made through the Nuremberg Code to not force vaccines on an individual.

You might argue that the vaccine is not being forced on individuals, however, if a persons ability to provide for their family is being threatened if they do not submit to the vaccine, that is coercion and manipulation. That is not a free voluntary choice and it is unfair and manipulative to force someone to make a choice between their family and their own health.

I know there are those who truly believe they are making these mandates in an effort to protect society. There were also persons during WWII who were party to the genocide and medical experimentation who believed they were doing the world a service as well. It was because of those atrocities that the Nuremberg code begins with these words; "The voluntary consent of a human subject is absolutely essential. This means the person involved should have legal capacity to give consent; should be situated as to be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress, over-reaching, or other ulterior form of constraint or coercion...."

I believe our nation is at a historic fork in the road where we have to decide if we are going to stand by this great countries constitution and the liberty it professes or to submit to the tyranny of those demanding compliance to a mandate that is unfair, unjust and unreasonable.

I know there is a great deal of pressure to conform to the mandates being handed down from state government officials. However, I think it would be wise to also consider the consequences of neglecting to protect the rights of the people you serve.

Thank you for taking the time to read and consider the rights of each individual represented by this counsel.

Sincerely,  
Curt Still

## Anita Palacios

---

**From:** Anita Palacios  
**Sent:** Tuesday, October 26, 2021 1:52 PM  
**To:** Bill Moore (mooreb@grandview.wa.us); Bill Moore 1 (billandrachel@charter.net); Cus Arteaga; David Diaz (ddiaz@grandview.wa.us); David Diaz 1; Diana Jennings (jenningsd@grandview.wa.us); Diana Jennings 1 (diana.r.jennings@gmail.com); Gloria Mendoza; Gloria Mendoza (mendozag@grandview.wa.us); Javier Rodriguez; Javier Rodriguez (rodhav1@yahoo.com); Joan Souders; Joan Souders 1 (jesouders@hotmail.com); Mike Everett (everettm@grandview.wa.us); Mike Everett 1 (mike@everettlaw.net); Quinn Plant; Robert Ozuna; Robert Ozuna 1 (ozunar@grandview.wa.us)  
**Subject:** FW: Discussion of Vaccine Mandate

**From:** Cus Arteaga <carteaga@grandview.wa.us>  
**Sent:** Tuesday, October 26, 2021 1:27 PM  
**To:** David Simmons <David@teamsters760.org>; Kal Fuller <Kal.Fuller@grandviewpd.us>  
**Cc:** Scottaames2007@hotmail.com; news@sunnysidesun.com; Anita Palacios <anitap@grandview.wa.us>  
**Subject:** RE: Discussion of Vaccine Mandate

David,

We know and we understand that if a mandate is implemented and that if it will affect any Union Employee that we MUST bargain the mandate. However, tonight Council is discussing information regarding Non-Union Employees which are not represented by any Union and/or group. At this point, it is a recommendation from one Councilmember and will; therefore, be discussed by the other six.

I will have our City Clerk enter your email as information for Council to consider.

I hope this clarifies your concerns regarding this agenda item.

*Cus Arteaga*

City Administrator/Public Works Director  
City of Grandview  
207 W. 2<sup>nd</sup> St.  
Grandview, WA 98930  
Ph: (509)882-9211  
Fax: (509)882-9232  
Website: [www.grandview.wa.us](http://www.grandview.wa.us)

*This message may contain confidential and/or proprietary information and is intended for the person/entity to whom it was originally addressed. Any use by others is strictly prohibited.*

**From:** David Simmons <[David@teamsters760.org](mailto:David@teamsters760.org)>  
**Sent:** Tuesday, October 26, 2021 12:00 PM  
**To:** Cus Arteaga <[carteaga@grandview.wa.us](mailto:carteaga@grandview.wa.us)>; Kal Fuller <[Kal.Fuller@grandviewpd.us](mailto:Kal.Fuller@grandviewpd.us)>

**CAUTION:** External Email

Cus,

I was recently provided a copy of a letter (attached) from Mike Everett, a Grandview Council Member. In addition, I was advised by my membership that the council is planning on discussing employee vaccinations at tonight's council meeting. I am scheduled to be out of the area tonight and will not be able to attend. However, I want to provide you with comments that I believe should be shared with the council prior to making any decision on this matter.

1. Teamsters Joint Council 28 issued a letter to Gov. Inslee at the time he issued a vaccination mandate. This letter is attached for your review.
2. Teamsters Joint Council 28 has filed a lawsuit to contest the actions of Gov. Inslee and the termination of employees based on state mandate.
3. Teamster Local 760 is a member of the Joint Council and our Secretary/Treasurer is a board member who signed the letter to Gov. Inslee.
4. The city of Grandview is a separate governmental body and does not fall within Gov. Inslee's mandates.

If the city of Grandview makes any decision to implement a COVID-19 vaccination mandate, please consider this email as our Demand to Bargain the clear change in working conditions. This includes both the decision and the effects. For the Police Unit, this will include the right to arbitrate the decision if we are unable to reach a negotiated agreement.

While I respect Mr. Everett, I strongly disagree with his assertion that our members who have not been vaccinated are endangering the citizens of Grandview. These are the same people who worked continuously throughout this pandemic for the last two years. These are the same people who responded to calls every day and not only placed themselves at risk, but also placed their families at risk. It is currently estimated that between 20% - 30% or more of the "first responders" have chosen not to accept the COVID vaccination. This includes police officers, firefighters, public works employees and medical professionals that include paramedics and nurses. Each of these individuals has a personal reason for not accepting or receiving the vaccination. Most are based on sincerely held medical or religious objections. Some have had the disease and believe in their body's immunity.

While I have personally chosen to be vaccinated, it should not be required of those who have a medical or religious objection. There are other options, such as masks, gloves hand sanitizer to reduce the risk to spreading the disease. The assertion made by Mr. Everett implies that those who are vaccinated are not at risk for COVID-19, nor will they spread it to others ("endangering our citizens"). I will attest that this assertion is not true, as both my wife and I are fully vaccinated and we both contracted COVID-19 about one month ago. The number of so-called break through cases is substantial and cannot be ignored. There are numerous arguments about the positive benefits of receiving the vaccination, which I agree with personally. I am not attempting to argue the merits of whether to get vaccinated or not. I am stating that the decision is a personal choice that needs to be made by the individual in consultation with their family, their medical providers and/or their spiritual advisors.

The vaccination mandates across the county have not been fully litigated yet. In addition, the potential civil litigation over terminating employees has not had time to even be filed since the Washington State employee mandates have just taken effect. There are several lawsuits have been filed over the issues of terminating employees by Unions and individuals alike. I am hopeful that the city of Grandview does not want to become the next test case.

The State Patrol lost over 100 employees, the State Department of Transportation lost several hundred employees, including the entire road crew in Goldendale. These are serious problems that are doing nothing to improve the safety of the citizens of our state. While I do not know the number of Grandview employees who have chosen not to be vaccinated, I am confident that the numbers are near the average we are seeing in other locations (20-40 percent).

I strongly encourage the City of Grandview not to accept Mr. Everett's recommendation to require the employees of your City to submit to the COVID vaccination requirement. You already have in place sufficient safeguards for your employees by utilizing facemasks while at work and frequent use of hand sanitizer.

Thank you

Dave Simmons



*David Simmons*

Business Agent  
Teamsters Local 760  
(509) 452-7354  
(509) 930-0030 – Cell



The Law Offices of

*Michael L. Everett*

802 W. 2ND • P.O. BOX 668 • GRANDVIEW, WA 98930 • PHONE: (509) 882-1133 • 1-888-593-3576 • FAX: (509) 882-1472

Michael L. Everett

Email: [mike@everettlaw.net](mailto:mike@everettlaw.net)

Tyler Everett

Email: [tyler@everettlaw.net](mailto:tyler@everettlaw.net)

October 1, 2021

Honorable Mayor Gloria Mendoza  
City Hall  
Grandview, WA 98930

Dear Mayor Mendoza:

I am writing about a concern I have that I believe you, as chief executive of the City can address, promptly.

All of us either election, or employed by the City are public servants. That means we act on behalf of the citizens to insure that their needs are address and they are not endangered. I believe that our Department Heads and First Responders have a particularly important responsibility.

It has come to my attention that a number of Department Heads and First Responders have not been vaccinated against the COVID virus. I do not understand, how these hard working, people can respond to the citizens (with whom they have a great deal of contact) without being vaccinated. If they are not vaccinated, the endanger our citizens. That is ignoring their responsibilities.

We are all aware that we are involved in the long and expensive process of hiring new police officers. Before we under go the expense of sending them off to the Academy, I believe their vaccination should be required. I would hope you would immediately implement this policy.

As Mayor I am asking you to develop a program or approach to get us to 100% vaccinated public servants and particularly First Responders such as fire fighters and police officers. This should cover everyone from top to the bottom of the Departments.

Thank you for your consideration. Keep up the good work.

Sincerely,

*Michael Everett*

Michael Everett  
Council Member

# **JOINT COUNCIL OF TEAMSTERS NO. 28**

Affiliated with the International Brotherhood of Teamsters

14675 Interurban Ave S, Suite 301  
Tukwila, Washington 98168  
(206) 441-7470 • Fax (206) 441-3157

**Rick Hicks, President**

**August 23, 2021**

**THE HONORABLE JAY INSLEE  
GOVERNOR, STATE OF WASHINGTON  
Legislative Building  
PO Box 40002  
Olympia WA 98504-0002**

**Dear Governor Inslee:**

I am writing to you today on behalf of the 58,000 Teamster rank & file members and elected and appointed officers of Teamsters Joint Council No. 28 affiliated with the 1.4 million members of the Teamsters International Union.

As you and other elected officials move forward with mandated vaccinations for employees as a condition of continued employment, Teamsters Joint Council No. 28 must make our position clear regarding these mandates. Although we believe it is in everyone's best interest to receive a vaccination and it is for the advancement of overall safety of our communities and our members, we respect the rights of those who choose not to receive the vaccination. Below is the Joint Council's positions on government and employer-mandated vaccinations:

1. Requiring vaccinations is a mandatory subject of bargaining. We believe mandatory vaccinations cannot legally be implemented on our members without first negotiating the effects and in some cases also the decision of the mandate with us, the legal representative of Teamster members.
2. We do not believe that any employee should be terminated for refusing to get the vaccine.
3. The Employer position to terminate our members who have not yet been vaccinated is especially infuriating given that they have been going to work throughout the pandemic as "Essential Workers" while there was no vaccine. These workers exposed themselves and their families every single day to

COVID-19 so that our communities could continue to function. These same Politicians and Employers treated our members as necessary to continue to provide public services, putting them directly in harm's way throughout the pandemic. Now, 18 months later, they want to treat our members as expendable. We do not accept that.

4. There are other means of keeping those who are vaccinated and those who choose not to be vaccinated safe in the workplace. After all, we have been doing that since the pandemic began.

As to bullet point #1, we are aware that you have directed your people to negotiate with a group of Labor Leaders who have also expressed trepidation for your decision, some more strongly than others. However, after an initial meeting it was reported that your representatives summarily rejected each of the Union's proposals. This is hardly reassuring that you have any intention of meeting your minimal obligation under the law.

Governor Inslee, after your initial hesitancy of closing non-essential services in the beginning of this pandemic, we as Union officials and leaders in our communities supported your handling of this unprecedented disease, even when it was unpopular with a portion of our members. When you deemed our Teamster members as "essential workers" they stepped up and continued to expose themselves and their families to the possibility of infection in order to keep our communities safe and functioning. They did this before there was a vaccine even though they had a great concern for their safety. When many Washingtonians questioned each decision and the phased in approach to a new normal, we did not question your leadership.

We are questioning this decision and we are demanding you rethink this mandate and the dire consequences it will certainly have on our members and their families. If you really think this through logically, your threat if carried out, will plunge these members into a state of financial ruin. Not only will our members lose their income, medical benefits, and retirement security, they will almost certainly be subject to losing their housing putting them and their families at risk of joining the growing ranks of the homeless in this State through your direct actions.

You must certainly be aware that in the current operations of the Department of Corrections for the State, you stand to put members in a position of losing 25-plus-year careers - people who have for the past 18 months risked themselves every day to serve and protect the people of Washington State. What do you suppose will happen to the remaining Corrections officers who are already stressed on the job?

Your decision extends to private sector employers doing business on state contracts as well. Many of our members work in the construction and concrete delivery industries. Many have chosen not to vaccinate. Your threatening their jobs could result in insufficient employees to carry out the current ongoing projects throughout the State as well as

Letter to Governor Jay Inslee  
Re: Mandate  
August 23, 2021  
Page 3

threaten future projects. There is already a shortage in the construction industry. Your position will only make that worse.

Governor Inslee, your actions may be motivated by what you believe to be the pursuit of the "greater good", but it will only result in devastation for many of our members and their families. Your mandate is considered the strictest in the Country and out of line with other Federal, State and Local government actions designed to get people vaccinated. The constituents of this State should not be bullied or coerced with the threat of irreparable harm to their careers.

Your mandate should not be maintained. We are the professional negotiators and as such we have a responsibility to represent ALL of our members. We implore you to let that system work.

Our job is to protect all our members' rights, their health and safety on the job, including their rights under Federal Law and under their Collective Bargaining Agreements. Hopefully Governor Inslee, you as well as other local politicians and other Employers will recognize we are all in this together and there is a solution that works for the betterment of all. Terminating your employees is not the answer and will be met with considerable resistance.

Respectfully,

**JOINT COUNCIL OF TEAMSTERS NO. 28**



**RICK HICKS, PRESIDENT**

**JOINT COUNCIL OF TEAMSTERS NO. 28**



**VICE PRESIDENT**

**JOINT COUNCIL OF TEAMSTERS NO. 28**

*Leonard Crouch*  
**SECRETARY-TREASURER**

**JOINT COUNCIL OF TEAMSTERS NO. 28**

*Rich Ewing*  
**RECORDING SECRETARY**

**JOINT COUNCIL OF TEAMSTERS NO. 28**

*Mark Fuller*  
**TRUSTEE**

**JOINT COUNCIL OF TEAMSTERS NO. 28**

*Val Holstrom*  
**TRUSTEE**

**JOINT COUNCIL OF TEAMSTERS NO. 28**

*Russell Shjerven*  
**TRUSTEE**

RH:dm

From Dr. James E. Stevens  
Grandview city council

I understand that one grandview council-member is attempting to railroad the vaccine mandates through the city Council. It's difficult to understand the lack of morality and integrity that a person could have to promote such a heinous act that is representative of Nazi Germany in the 1940s. Because of the Practice of injecting experimental drugs into individuals against their will, the Nuremberg act of 1947 made that an Imprisonable action.

Is this councilman proposing the mandate for the good health of the police department? Does he possess such profound medical knowledge that he can override the personal opinion of any individual policeman trying to protect themselves from harm or illness? Essentially, this Council person is practicing medicine without a license. That in itself is an Offense that is punishable. of 1 to 8 years in prison. If any illness or death befalls any individual that has been mandated to take a vaccine, the responsibility of fault resides with The very person issuing the mandate. It will be each city Council person. It will be the chief of police if he is directed by the council and succumbs to such a hideous unconstitutional act.

There will be no shortage of citizens willing to Step forward to Assure that these individuals promoting mandates or demanding them o to be foisted upon their subordinates be punished to the full extent of the law.

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
OCTOBER 26, 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: Councilmember Mike Everett

Absent: Councilmember Diana Jennings

**On motion by Councilmember Souders, second by Councilmember Moore, Council excused Councilmember Diana Jennings 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**

Jackie Mendoza, 507 Broadway, Grandview, WA, requested that the ARPA funds be allocated to help local business owners.

Joel Orozco (interpreted by Jackie Mendoza), 405 Westridge, Grandview and owner of the building formerly known as Star Food Market, expressed his gratitude for allowing him to do business in the City and requested that the City allocate funds to help local businesses.

Yerania Espindola, 911 Crescent Drive, Grandview and local business owner at 220 Division Street, requested that the City support local business owners and finance façade improvements to their buildings.

## **5. CONSENT AGENDA**

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

- A. Minutes of the October 11, 2021 Budget special meeting**
- B. Minutes of the October 12, 2021 Committee-of-the-Whole meeting**
- C. Minutes of the October 12, 2021 Council meeting**
- D. Minutes of the October 18, 2021 Budget special meeting**
- E. Payroll Check Nos. 12431-12446 in the amount of \$90,415.60**
- F. Payroll Electronic Fund Transfers (EFT) Nos. 60652-60656 in the amount of \$90,360.14**
- G. Payroll Direct Deposit 10/01/21-10/15/21 in the amount of \$127,412.45**
- H. Claim Check Nos. 122939-123023 in the amount of \$415,504.28**

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 – Pappy’s Landing 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 was Tod Lasley, TAC Land, LLC, and engineer Eric Herzog with HLA Engineering and Land Surveying, Inc.

Mayor Mendoza opened the closed record public hearing to consider a preliminary plat application submitted by applicant TAC Land, LLC., for Parcel Nos. 230922-21005, 230922-21006 and 230922-21009 located at 650 Forsell 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 residential subdivision application submitted TAC Land, LLC., for preliminary plat approval of a 111-lot residential subdivision to be known as Pappy's Landing. The proposed preliminary plat was located at 650 Forsell Road between Forsell Road and West Second Street.
- On September 14, 2021, a public hearing was held before the Hearing Examiner to receive comments on the proposed preliminary plat. A copy of the Hearing Examiner's Recommendation 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 111-lot Preliminary Plat of "Pappy's Landing" to be located on Assessor's Parcel Numbers 230922-21005, 230922-21006 and 230922-21009 and to have its main access from 650 Forsell Road which is described in the application, this recommendation and other related documents in the record of this matter be approved, subject to compliance with conditions consistent with the recommended Planning Staff conditions outlined in Recommendation SUB#2021-02.
- Further recommend Council approve Resolution No. 2021-43 approving the Pappy's Landing 111-Lot Residential Preliminary Plat.

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

Everett – I have two clarifications. When you get this short plat in the, in the packet, (inaudible) and then try to go through it sometimes it's a little difficult to look at the short plat. Question one is I believe, but I'd like confirmation, that the all the properties are serviced by a right-of-way for irrigation. I assume maybe the, Mr. Watson, could confirm if that is accurate or not. I just couldn't tell from looking at the map for sure.

Mendoza – Would, would that be a question for Mr. Watson, who would like to.

Everett – I don't know who has the question for, I just.

Arteaga – I'll go ahead and address that. The, the, when the plat is developed, it will include extending and installing water, sewer, drainage, street lights, irrigation, sidewalks, curb, gutter, it will be a complete subdivision once it's done and it will have a pressure irrigation system.

Everett – Okay, cause the map was broken right in two between two different mailings. The other question I have was and again looking at the map, was there any area set aside for green as we have required in other prior places, developments, any green areas.

Arteaga – There was no park area designed or set aside on this development proposal.

Everett – Okay thank you.

Mendoza – Any other clarifications from Councilmembers.

Diaz – Madam Mayor.

Mendoza – Yes.

Diaz – I have a couple too. I have one on page two it makes reference for a summary of recommendation subject to conditions, what are the conditions on.

Rodriguez – What page was that?

Diaz – Page two, second page, or page 28. It goes to the Hearing Examiner recommends that the Grandview City Council approve this preliminary plat subject to conditions.

Palacios – The conditions are in the Hearing Examiner's recommendation.

Plant – On page 45 and 46.

Diaz – And my other question was on page 32, it makes reference with something apparently the soil elevated levels of lead and arsenic and cleanup will be required prior to occupancy.

Palacios – That is a condition that the developer has to do.

Diaz – They have to deal with that.

Palacios – Yes, the developer has to do that.

Plant – To be clear, I don't think, I think was it says is that that commonly property that's been used in orchard production has to, if the testing reveals cleanup is appropriate, it will be undertaken and I think that's what this is saying. So it's not saying there will be cleanup, it's saying you need to test the property before you put residences, put people on there basically.

Mendoza – Okay.

Diaz – And then my other question was on page 34 reference to the concurrency test and requirements of GMC Chapter 14.10 dealing with Transportation Concurrency Management. The proposed development is not expected to result in traffic volumes on Forsell Road or West Second Street and I was wondering what kind of testing they did not to, to say that it's not going to result in any increase of volume of traffic to those two roads.

Arteaga – If you go to page 36, you'll see this traffic analysis.

Palacios – Page 36 of the hearing packet.

Arteaga – Yes. The Hearing Examiner's packet and what we, what I've done for a long time, I had this checklist development and this checklist, this checklist, the City of Grandview has developed the level of service "C" for our roadway system and you'll see that it'll identify a two lane street, level of service "C" is 8,000 cars a day and talks about the traffic that they would be adding on to it and it identifies how much traffic is currently under there and it talks what the remaining capacity is. Well the remaining capacity is 4,256 cars that can still be added to that

before it even starts diminishing the level of service "C" so because it continues at that level, there is, there is . . .

Diaz – Is there what you're referring to Forsell Road?

Arteaga – Forsell Road and it, and it shows there on number 6, it says West Second and Hillcrest, and West Second is, you know, they're adding 275 cars so there's still, there's still capacity on that as well and the development will make improvements to Forsell. They will develop a half road, curb, gutter and sidewalks on the side that faces the property.

Diaz – Yeah. My concern was when schools are letting out kids or in the morning, that road, that West Second is pretty congested down by the baseball field and, you know, that development is going to have outlet coming through there.

Arteaga – Okay.

Diaz – I was wondering if that was considered in all the, you mentioned that, and I was thinking, thinking that traffic and number of cars there, but it would be, there is gonna have to be some kind of signage to indicate there's, there's going to be more traffic obviously on West Second all the way down to the middle school, down to Harriet Thompson and down to the.

Rodriguez – So he will just have to, you said, one side of the road and that's just, well this is his property, it's just the front of that so the rest of that road will still be narrow and bumpy.

Arteaga – It'll be, it'll be just like Grandridge, what the Grandridge Estates has done, they have widened.

Rodriguez – Yeah, just the one side.

Arteaga – The half of the road on the side of the development. The other side then stays to the other property.

Diaz – Is that the one attached to the orchard, is that where that's coming from.

Arteaga – It'll be.

Rodriguez – Grandridge.

Arteaga – It'll be from property line to property line of this one. It doesn't take it all the way to Puterbaugh. It'll just be the property line.

Rodriguez – Just the front of the property.

Arteaga – That borders this property so I'll have a developed portion and then it will be undeveloped and undeveloped cause that is the way our code is designed.

Mendoza – Okay. Any other clarification. Okay, so the record generated will be provided by staff. We have done that. Councilmembers will now consider the record and discuss amongst themselves the facts of the testimony from the open record hearing.

Everett – Madam Mayor.

Mendoza – Yes.

Everett – Madam Mayor.

Mendoza – Councilmember Everett.

Everett – Yes. Let me say in considering this. I look at item roman numeral 14, page 7, yeah 14 on page 14, criteria required for City Council approval of preliminary plats, it appears I think at about 40 of our packet and if I go down to the next page, at the top of the next page, it talks about we believe this preliminary plat makes appropriate provisions for and it lists the number of items including open space and also it does parks and recreation, it is, if I understand what I can do correctly and I would be subject to correction by either the, the City Attorney or the Chair, it would be my intention to when we come to this approval to approve on the condition that we require green spaces, why, because that is what we've done with other developers. I don't think we can be uneven about it, either contributions to our parks which is something that has happened or green spaces and I think, we could, it's my understanding that is it would be a proper motion to approve with a condition and I would intend to make that motion when it's appropriate.

Mendoza – Thank you Councilmember Everett.

Everett – There are no parks so (inaudible).

Souders – He made that a motion.

Mendoza – No he said he's prepared to make that motion.

Souders – Oh, okay, cause I was going to.

Mendoza – Any further discussion on the.

Souders – I support the idea of green space in a larger development like this and we've, you know, when we've put in some low income housing, they've put in green space, so I think it's fair that we try to be fair across the board.

Mendoza – Any further discussion. Okay. If clarification of the record is authorized. Is there any clarification of the record? Okay now that.

Lasley – Mayor.

Mendoza – Yes.

Lasley – I'm sorry. I don't mean to interrupt.

Mendoza – Okay.

Lasley – Do I need to come up front?

Mendoza – Sure. Please state your name and.

Lasley – Tod Lasley, TAC Land, 12324 North Pittsburgh Street, Spokane, Washington. I'm not sure that, about what you're talking with the green space. We have fairly large lots and nobody has mentioned green space prior to. I think we've followed your code as close as we've possibly could so.

Mendoza – So, I will have our City Administrator talk about what Council is stating that they have had other developers add, you know, either made a contribution to the park or added a section.

Arteaga – Can I refer that to our planner cause that's a question we have been working through some of these subdivisions. Jeff can you help with that?

Watson – I sure can. First let me make sure that my voice and volume and tone are legible and so is this okay?

Mendoza – Yes, sir, we can hear you, thank you.

Watson – I appreciate the, the opportunity to speak to this since it's something that we've talked about a great deal. RCW 58.17 certainly gives the City Council the ability and the opportunity to require such additions to and conditions on a preliminary plat. In my assessment and evaluation of the plat, I did not recommend that open space be part of the conditions of the plat. I did this for a couple of reasons. Planning is made up of general rules and practices as well as the code that you have in play at the time of the assessment and analysis. It's not always black and white. It's not always clear cut. Different planners have different philosophies and different frames of reference as to how they approach the recommendations that they put into the record. I think my recommendation on the fact that your Parks and Rec Plan identifies that the City of Grandview has sufficient parks and recreation systems and on the fact that there's nothing in your development code that gives us direction to move forward with such a recommendation. It is within your prevue and welcome the discussion and, and like I say it can certainly be justified under 58.17, but my recommendation was based on what you have in your Parks Plan and the lack of any firm reference in your development code and your Comprehensive Plan that indicates this is a policy, goal, objective or requirement of the City. I hope that clears things up a little bit.

Everett – Can I respond to that Madam Mayor?

Mendoza – Thank you councilman, Mr. Watson, yes, I will turn it over to Councilmember Everett.

Everett – Okay, so here's what's happened. If we go out to the development on Grandridge. That development we entered into requirements or negotiations with those people for both green space and contribution to our parks system and there may be others. What we haven't done is revise our plan, our, our general plan, which we desperately need to it's about pushing towards 10 years old, we need to do that, but obviously that's not going to happen tonight, tomorrow or next week as you know, plans take a while to revise and it seems to me totally unfair to take a one developer and say, we want you to put in green space, we want you to put in a park, etc., or contribute to our park system and the next guy coming in is not treated on as level a playing field as possible. It seems like and so until we get our plan revised, as you've indicated we have authority to do this, which is the basis upon which I'm, like I said, I'm going to make a motion to approve it subject to that condition, but thank you, I appreciate you explaining.

Mendoza – Thank you. I have question in regards to the other development that Councilmember Everett is talking about and, you know, Mr. Watson mentioned that every development is different. Was that a, that development made a donation or did it become on behalf of the Council? My understanding was that they made that.

Arteaga – That was, that was a different planner. That planner somehow interpreted the regulation different and he identified that that developer was required to provide some green space. At that time, we had, had the discussion that because of the minimal staff that we had it was difficult to complete all of the mowing that we were required to do and we settled on a contribution to improve Dykstra Park playground amenities in lieu of, of adding a half-acre of lawn at the Grandridge Estates. That's the one that we're talking about.

Mendoza – Okay, thank you. Okay, any other comments on discussion.

Herzog – Hi, this is Eric Herzog with HLA Engineering and Land Surveying.

Mendoza – Good evening. Yes sir, we can hear you.

Herzog – I would like to comment on this. The lots as proposed are larger than the code requires and there's also the Tract B which lies along the northerly side of the plat which is open space and then I think Mr. Watson was considering the adjacent parks such as the high school site and some of the open green spaces that are very near this project. I'd also like to offer any, to answer questions that the Council may have on this project.

Everett – I would like to say one thing that we considered on the, on the Grandridge was that we considered that there was an open park very close to it, we considered that, that was something subject to discussion, so the fact that there was a reasonably close open green spaces and, you, one of the things I was interested, you said there's an open space available on what, what side it was, north side, where was it.

Herzog – If you, yeah if you look at the copy of the plat.

Everett – It's hard to look at because of the (inaudible).

Herzog – There's open space, it's called Tract B that's a little over 6,600 square feet which is about one and a half acres that's along the north side of the plat.

Everett – But that doesn't, isn't guaranteed to remain open space is it. It won't be required forever if somebody could come back and develop it, correct?

Herzog – It's, we're proposing it as tract and typically tracts can't be developed as single family houses.

Everett – Well I understand word typically, a and I'm a lawyer and that's a weasel word, typically, means kind of, maybe, yeah, usually, but, but simply requiring, that could be required to be the green space, could it not?

Herzog – I'd like the developer to comment on that, if Tod would like to comment on that.

Lasley – Well, it, that, that actually I don't believe can be developed because part of it lies within if I'm not mistaken SVID right-of-way. Is that correct?

Arteaga – Yes.

Lasley – Yeah, so

Everett - And SVID (inaudible).

Lasley – It won't, it won't, it won't ever be built on unless SVID happens to move their lines sometime in the future which I'm sure I'll be long gone by that time.

Everett – But what I'm suggesting tonight is that we approve it, but subject to that, a that there be green space in the development on that, a green space or some kind of equivalent set off of some more for our parks or whatever and not, not to create a insurmountable (inaudible), it's just that I object to the fact that we don't treat everybody the same and I'm sure that if you had, if the shoe was on the other foot for you, you probably wouldn't want to be the guy that had to do green and the next guy don't, you know what I mean and I appreciate that.

Lasley – Does anybody know the frontage for the Grandridge project. What the frontage of the lots is?

Everett – I can't hear you what?

Lasley – What is the frontage of the lots in Grandridge.

Arteaga – I don't have that handy.

Mendoza – He's asking what is the frontage of the Grandridge properties, but I think at this point if there's any, any other discussion so we can proceed with the record hearing.

Souders – Madam Mayor.

Mendoza – Yes.

Souders – I'm not real clear on whether or not I can do this, but after listening to the discussion and the fact that we don't really have an ordinance in place that says you have to have green space, I would like to withdraw my second on the motion.

Everett – I haven't made a motion.

Plant – I don't think there's a motion.

Mendoza – There's not a motion, yet.

Souders – I thought Mike made the motion.

Everett – No, no.

Rodriguez – He said if.

Souders – If.

Rodriguez – If.

Souders – Okay.

Mendoza – Okay, thank you very much. Let's move forward and we'll get there. So know that we have reviewed the record concerning the issue, this subject is open for decision. So the Council may approve as recommended, approve with conditions, modify with or without the applicant's concurrence provided that the modifications do not enlarge the area of the scope of the project, increase the density of proposed building size, significantly increase adverse environmental impacts as determined by the responsible official, deny (re-application or re-submittal is permitted), deny with prejudice (re-application or re-submittal is not allowed for one year), remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070. Okay, so those are your options, Council.

The public hearing was declared closed.

Councilmember Everett moved and Councilmember Rodriguez seconded that Council accept the Hearing Examiner's conclusions and recommendation that the 111-lot Preliminary Plat of "Pappy's Landing" be approved, subject to compliance with conditions consistent with the recommended Planning Staff conditions outlined in Recommendation SUB#2021-02 and a condition to develop a green space or provide a contribution to the park system.

Discussion took place.

Roll Call Vote:

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

Motion failed.

**On motion by Councilmember Souders, second by Councilmember Moore, Council accepted the Hearing Examiner's conclusions and recommendation that the 111-lot Preliminary Plat of "Pappy's Landing" to be located on Assessor's Parcel Numbers 230922-21005, 230922-21006 and 230922-21009 and to have its main access from 650 Forsell Road which is described in the application, this recommendation and other related documents in the record of this matter be approved, subject to compliance with conditions consistent with the recommended Planning Staff conditions outlined in Recommendation SUB#2021-02.**

Roll Call Vote:

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

**B. Resolution No. 2021-43 approving the Pappy's Landing 111-Lot Residential Preliminary Plat**

**On motion by Councilmember Moore, second by Councilmember Souders, Council approved Resolution No. 2021-43 approving the Pappy's Landing 111-Lot Residential Preliminary Plat.**

Roll Call Vote:

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

**C. Ordinance No. 2021-15 amending 2021 Annual Budget**

This item was previously discussed at the October 12, 2021 C.O.W. meeting.

**On motion by Councilmember Moore, second by Councilmember Diaz, Council approved Ordinance No. 2021-15 amending 2021 Annual Budget.**

Roll Call Vote:

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

**D. Resolution No. 2021-44 authorizing the Mayor to sign an Interlocal Agreement between Yakima County and the City of Grandview for Municipal Court Services**

This item was previously discussed at the October 12, 2021 C.O.W. meeting.

**On motion by Councilmember Rodriguez, second by Councilmember Souders, Council approved Resolution No. 2021-44 authorizing the Mayor to sign an Interlocal Agreement between Yakima County and the City of Grandview for Municipal Court Services.**

Roll Call Vote:

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

**E. Ordinance No. 2021-16 establishing a separate fund for the American Rescue Plan Act (ARPA) funds**

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

**On motion by Councilmember Diaz, second by Councilmember Ozuna, Council approved Ordinance No. 2021-16 establishing a separate fund for the American Rescue Plan Act (ARPA) funds.**

Roll Call Vote:

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

**F. Ordinance No. 2021-17 amending 2021 Annual Budget**

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

**On motion by Councilmember Moore, second by Councilmember Rodriguez, Council approved Ordinance No. 2021-17 amending 2021 Annual Budget.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – 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**

**Broadband** – City Administrator Arteaga reported that he was preparing a broadband report for the Economic Development Group. Currently, he was researching potential funding through USDA and CERB. Both programs were a 50% loan/50% grant with a 20% match. The program would also require the recipient to own the broadband infrastructure.

Stormwater Improvements – City Administrator Arteaga reported that the City applied to the Department of Ecology (DOE) for funding to construct the stormwater improvements on West Fifth Street/Larson/Butternut/Pecan. Currently, the project design was being completed with funding previously received from DOE. The construction funding application was in the amount of \$1,264,700. If approved the grant amount would be \$1,074,995 with a City match of \$189,705. The City was informed that the application passed the first round and would be re-evaluated in February 2022.

Well 13 Repair – City Administrator Arteaga reported that Well 13 was re-installed and should be in full operation by the end of week. The contractor located the problem in the pump. The City received an insurance reimbursement of \$220,000 for the damaged equipment. The new equipment at the Well should last 15 to 20 years.

Exit 75/McCreadie/WCR Roundabout – City Administrator Arteaga reported that he was working with the Department of Transportation on developing a 3-D video of the proposed roundabout project on Wine Country Road at Exit 75/McCreadie Road. The cost of the video was approximately \$7,000 and would be paid from the Transportation Benefit District fund.

Water Comp Plan – City Administrator Arteaga reported that a draft of the Water Comp Plan was approximately 80% complete and would be presented to Council for review within the next month.

Cemetery Improvements – City Administrator Arteaga reported that the City was applying to the Department of Archaeology & Historic Preservation Program for grant funding in the amount of \$50,000 for improvements to the existing roads and stage area at the current cemetery.

## **9. MAYOR & COUNCILMEMBER REPORTS**

Community Needs Assessment – Councilmember Ozuna reported that the Berk Consulting Group would attend the November 23, 2021 C.O.W. meeting to discuss the community needs assessment process.

Norm Childress Amphitheater Dedication and Sign Unveiling – Councilmember Souders reported that the Norm Childress Amphitheater Dedication and Sign Unveiling was held today, October 26, 2021.

Grandview Economic Development – Mayor Mendoza presented Certificates of Appreciation for Grandview's Economic Development to Councilmembers Diaz, Everett and Souders.

## **10. ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Rodriguez the Council meeting adjourned at 8:30 p.m.**

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES – BUDGET  
NOVEMBER 1, 2021**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the special meeting to order at 6:00 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, Robert Ozuna, Javier Rodriguez and Joan Souders (6:05)

Present via teleconference: Councilmember Mike Everett

Absent: Councilmember Diana Jennings

Staff present were: City Administrator/Public Works Director Cus Arteaga, City Treasurer Matt Cordray, Police Chief Kal Fuller, Fire Chief Pat Mason, Parks & Recreation Director Gretchen Chronis, Library Director Elizabeth Jahnke, Assistant Police Chief Seth Bailey, Assistant Public Works Director Todd Dorsett and City Clerk Anita Palacios

**2. 2022 PRELIMINARY BUDGET**

**2022 Revenue and Expenditure Estimates**

Mayor Mendoza began the meeting by reading the "Mayor Budget Message," a copy of which is attached hereto and incorporated herein as part of these minutes.

City Treasurer Cordray continued the presentation of the 2022 preliminary budget. He advised at the last budget meeting that the Current Expense Fund was still \$550,000 over budget and reductions would be necessary to balance the budget.

**On motion by Councilmember Everett, second by Councilmember Rodriguez, Council eliminated the Council Retreat in the amount of \$15,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Ozuna, second by Councilmember Diaz, Council reduced Executive/Administration travel by \$300.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – Yes

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

**On motion by Councilmember Souders, second by Councilmember Diaz, Council eliminated Code Enforcement in the amount of \$32,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Ozuna, second by Councilmember Diaz, Council eliminated Professional Services (grant writing) in the amount of \$50,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – No
- Councilmember Souders – No
- Mayor Mendoza – Yes (tie vote)

**On motion by Councilmember Souders, second by Councilmember Diaz, Council eliminated the Economic Development & Communication Director in the amount of \$82,000 from the 2022 preliminary budget.**

Roll Call Vote:

- Councilmember Diaz – Yes
- Councilmember Everett – No
- Councilmember Moore – No
- Councilmember Ozuna – No
- Councilmember Rodriguez – Yes
- Councilmember Souders – Yes
- Mayor Mendoza – No (tie vote)

**On motion by Councilmember Everett, second by Councilmember Ozuna, Council amended the previous motion to eliminate the Economic Development & Communication Director in the amount of \$82,000 from the 2022 preliminary budget and postpone the item to February 2022 for reconsideration.**

**Roll Call Vote:**

- Councilmember Diaz – No
- Councilmember Everett – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Rodriguez – No
- Councilmember Souders – No
- Mayor Mendoza – Yes (tie vote)

**On motion by Councilmember Ozuna, second by Councilmember Diaz, Council reduced the Parks Department FTE in the amount of \$10,000 from the 2022 preliminary budget.**

**Roll Call Vote:**

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

**On motion by Councilmember Diaz, second by Councilmember Ozuna, Council eliminated the Dykstra Park pathway paving in the amount of \$10,000 from the 2022 preliminary budget.**

**Roll Call Vote:**

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

**On motion by Councilmember Ozuna, second by Councilmember Moore, Council eliminated the Dykstra Park irrigation phase-5 in the amount of \$5,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

**Roll Call Vote:**

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

**On motion by Councilmember Souders, second by Councilmember Rodriguez, Council eliminated the playground chips in the amount of \$5,000 and the tree planting in the amount of \$1,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Rodriguez, second by Councilmember Souders, Council eliminated the Country Park building maintenance in the amount of \$25,000 and the Dykstra Park restroom improvements in the amount of \$11,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

City Treasurer Cordray noted that the electronic sign was moved from the Current Expense Fund and to the ARPA Fund.

**On motion by Councilmember Everett, second by Councilmember Souders, Council eliminated the Police Department Clerk position in the amount of \$60,000 and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Diaz, second by Councilmember Ozuna, Council eliminated the Police Department Investigation Detective position in the amount of \$75,000 from the 2022 preliminary budget and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Souders, second by Councilmember Diaz, Council eliminated the Police Department Dispatch position in the amount of \$51,000 and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

- Councilmember Souders – Yes

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, Council eliminated the October Police Officer new hire in the amount of \$16,500 and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Ozuna, second by Councilmember Everett, Council eliminated the three Police Officer new hires until April 2022 and postponed the item to February 2022 for reconsideration.**

Roll Call Vote:

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

**On motion by Councilmember Ozuna, second by Councilmember Moore, Council moved the Fire Department Training Officer position in the amount of \$25,000 from the Current Expense Fund to the EMS Fund.**

Roll Call Vote:

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

City Treasurer Cordray noted that the transfer out to Street Fund was previously eliminated from the 2022 preliminary budget.

**On motion by Councilmember Everett, second by Councilmember Souders, Council changed the Current Expense Fund Reserve goal from 15% to 10%.**

Roll Call Vote:

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

- Councilmember Souders – Yes

3. **ADJOURNMENT**

The special meeting adjourned at 7:40 p.m.

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk



## **Mayor Budget Message**

**I want to share some of my efforts during this budget cycle.**

**Economic development is important to moving the city forward. In an effort to do that, I invited council members to meet with me one-on-one at their convenience. I want to get to know each of you better and hear your ideas of improving the city.**

**All of your voices are important. My hope is to unite the council so we can move the city forward. I want to thank council members Moore, Everett, Ozuna, Souders, and Diaz for taking the time to meet with me and share their perspectives.**

**We have three great projects that have been proposed and they all complement one another. I want to thank council members Everett, Souders and Ozuna for proposing these positive projects that I believe would help foster growth, improve our economy, and better inform the public.**

**Having a reader board at city hall is a great idea. It informs residents, displays transparency of city doings. This would be inviting to any new business or resident interested in Grandview.**

**Having a devoted grant writer would help with project development, infrastructure vital to new business, and upkeep of current infrastructure. And that supports council member Everett's economic development plan.**

**The city has an opportunity to be a pillar for new business, a place where developers and business owners want to do business because of clean streets, attractive downtown and our proximity to both Yakima and the Tri-Cities. We could be the city that developers look forward to working with.**

**So we need to unite as a council, see the value in each other's ideas and hammer out a plan to make it happen. That's why retreats are so important. Next year we can plan a retreat earlier to prioritize projects and determine a timeline for each one over the next five years. We may not be able to do them all at once, but we can get them all done. Let's put on our YES, WE CAN ATTITUDE and WORK TOGETHER to make it happen!**



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
PLANNED UNIT DEVELOPMENT REZONE & 117-LOT PRELIMINARY PLAT  
EUCLID MEADOWS**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, November 9, 2021 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the requested Planned Unit Development Rezone and 117-Lot Preliminary Plat for the following:

**Applicant(s) & Property Owner(s):** North 44 Homes LLC

**Proposed Project:** Euclid Meadows Planned Unit Development & Preliminary Plat – 117 Lots

**Current Zoning:** R-1 Low Density Residential & R-3 High Density Residential

**Current Use:** Agriculture (vacant land)

**Location of Project:** North of Grant Court and east of North Euclid Road, Grandview, Yakima County, Washington.

**Parcel No(s):** 230914-32001 and 230914-32004

The closed record public hearing will be held in person in the Council Chambers at City Hall, 207 West Second Street, Grandview, Washington and will also be available via teleconference as follows:

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

Join Zoom Meeting

<https://us06web.zoom.us/j/86823660497?pwd=allFN2RhL1NBcUQrVjhaYmNFbytudz09>

To join via phone: +1 253 215 8782

Meeting ID: 868 2366 0497

Passcode: 676592

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 – October 6, 2021

**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) & Property Owner(s):** North 44 Homes LLC

**Proposed Project:** Euclid Meadows Planned Unit Development Rezone & Preliminary Plat – 117 Lots

**Current Zoning:** R-1 Low Density Residential & R-3 High Density Residential

**Current Use:** Agriculture (vacant land)

**Location of Project:** North of Grant Court and east of North Euclid Road, Grandview, Yakima County, Washington.

**Parcel No(s):** 230914-32001 and 230914-32004

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 Euclid Meadows  
Planned Unit Development Rezone & 117-Lot  
Preliminary Plat

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

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

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

**AGENDA DATE:** November 9, 2021

**DEPARTMENT**

Planning/Hearing Examiner

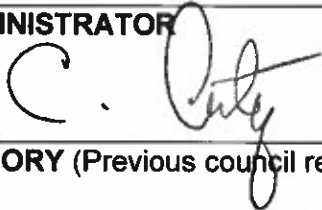
**FUNDING CERTIFICATION** (City Treasurer)  
(If applicable)

**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 a planned unit development (PUD) rezone application and preliminary plat application submitted by North 44 Homes LLC., for PUD rezone and preliminary plat approval of a 117-lot residential subdivision to be known as Euclid Meadows. The proposed PUD and preliminary plat is located north of Grant Court and east of North Euclid Road, Grandview, Washington.

**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 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 is attached along with the Grandview Hearing Examiner Public Hearing Packet dated September 14, 2021.

---

## **ACTION PROPOSED**

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.

# City of Grandview, Washington Hearing Examiner's Recommendations

September 28, 2021

In the Matter of Applications for )  
A PUD Rezone and Preliminary )  
Plat Approval Submitted by: )  
North 44 Homes, LLC )  
Requesting a Rezone from the R-1 )  
And the R-3 Zones to the Planned )  
Unit Development District and )  
A 117-Lot Preliminary Plat to be )  
Known as "Euclid Meadows PUD" )

RZ#2021-03  
PUD#2021-01  
SUB#2021-02

**A. Introductory Findings.** The introductory findings relative to the hearing process for these Planned Unit Development Rezone and Preliminary Plat applications may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for these applications on September 14, 2021.

(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 the Planned Unit Development Rezone application and Preliminary Plat application subject to conditions.

North 44 Homes, LLC  
Rezone to Planned Unit Development  
Preliminary Plat "Euclid Meadows PUD"  
East of N. Euclid Rd. & N. of Grant Ct.  
RZ#2021-03; PUD#2021-01; SUB#2021-02

(3) Testimony was also presented relative to the applications by the applicant's representative, Brad Beauchamp; by the applicant's engineer, John Fetterolf; by the City Administrator/Public Works Director, Cus Arteaga; and by the City Clerk, Anita Palacios.

(4) Written email or letter comments were submitted by the Grandview Fire Chief, the Yakima Health District, the Sunnyside Valley Irrigation District, HLA Engineering and Surveying, Inc., Washington State Department of Transportation and Washington State Department of Ecology.

(5) No testimony or written comments were presented in opposition to the proposed Planned Development and Preliminary Plat.

(6) After all of the questions were answered and all of the testimony was presented, the record was closed except for receipt of information as to whether 1.65 acres of common open space within the Planned Development would be provided with public parking spaces and dedicated to the City. An email message was received on September 16, 2021, relaying Cus Arteaga's recommendation to approve a new design for the Preliminary Plat of "Euclid Meadows PUD." The new final design is shown on four pages dated September 15, 2021, that depict a park with ten parking spaces for use of the public that will be dedicated to the City (*pages 154 and 155-158 of the record*).

(7) These recommendations have been issued within 10 business days of the public hearing, and also within the 14 days of the public hearing as required by Subsection 14.09.030(A)(4) of the Grandview Municipal Code.

**B. Summary of Recommendations.** The Hearing Examiner recommends that the Grandview City Council (i) approve the applicant's request to rezone two parcels from the R-1 Low Density Residential District and R-3 High Density Residential District to the Planned Unit Development District, and (ii) approve subject to conditions the proposed Preliminary Plat of "Euclid Meadows PUD" that would allow for development of 117 single-family residences with public streets constructed to City standards that have sidewalks on both sides which

exceed City standards and with the dedication of an area to the City as a park that will have 10 parking spaces for the public.

**C. Basis for Recommendations.** Based upon a view of the site and the surrounding area without anyone else present on September 14, 2021; the information contained in the staff report, exhibits, testimony and other evidence presented at an open record public hearing on September 14, 2021; and a consideration of the Grandview Zoning Ordinance and Subdivision Ordinance; the Hearing Examiner makes the following:

## **FINDINGS**

**I. Applicant/Property Owner.** The applicant and property owner is North 44 Homes, LLC, 4001 South Vancouver Street, Kennewick, Washington 99337.

**II. Location.** The westernmost 9.54-acre parcel (230914-32004) is on the east side of the 700 block of North Euclid Road north of Grant Court and is zoned R-1 Low Density Residential. The adjacent 15.3-acre parcel to the east (230914-32001) is zoned R-3 High Density Residential on about 9.54 acres of the southern portion that is east and northeast of Grant Court and is zoned R-1 Low Density Residential on the remaining northern portion of the parcel (*pages 3 and 11-13 of the record*). After deduction of a small drainage right-of-way in the southwest

corner of the property, the size of the site is noted on the final "Euclid Meadows PUD" to be 24.54 gross acres (*page 155 of the record*).

**III. Proposal.** The nature of the Planned Unit Development Rezone and the Preliminary Plat applications and the characteristics of the relatively flat 24.54-acre property where the "Euclid Meadows PUD" would be located may be summarized as follows:

(1) These applications request (i) approval of a Rezone of parcel number 230914-32004 adjacent to the east side of North Euclid Road and the northern portion of the adjacent parcel number 230914-32001 easterly thereof from the R-1 Low Density Residential District to the PUD Planned Unit Development District; (ii) approval of a Rezone of the southern portion of the adjacent parcel number 230914-32001 from the R-3 High Density Residential District to the PUD Planned Unit Development District; (iii) approval of a combined preliminary and final PUD per GMC §17.62.060 and §17.62.070; and (iv) approval of a 117-lot Preliminary Plat for single-family residences to be located on said rezoned parcels which would be known as "Euclid Meadows PUD" as depicted on the maps, the revised project description and the revised site plans in the record dated September 15, 2021 (*pages 11-13, 62-63 and 154-158 of the record respectively*).

(2) The two parcels do not fall within or near a floodway, floodplain, shoreline, wetland or other critical area (*page 113 of the record*).

(3) GMC §17.62.060 provides that in all cases a preliminary PUD may be combined and processed as a final PUD, and GMC §17.62.070 provides that Plats for PUDs requiring platting may be processed concurrently with the PUD approval procedures (*page 148 of the record*). GMC §16.12.020 provides that a Preliminary Plat shall be processed simultaneously with an application for a Rezone to the extent that procedural requirements applicable to these actions permit simultaneous processing unless an applicant for Preliminary Plat approval requests otherwise (*page 139 of the record*). Since the applicant has not requested otherwise, this Preliminary Plat application is being processed concurrently with the final PUD approval procedures.

(4) The applicant submitted a revised PUD and Preliminary Plat dated August 31, 2021 (*pages 64-65 of the record*) to satisfy the GMC §17.62.080(F) 35% “common open space” requirement for a PUD (*page 149 of the record*). The main focus of Grandview City Attorney Quinn N. Plant’s interpretation of the term “common open space” is that it not include privately-owned areas within the lots such as yards and driveways (*pages 56-58 of the record*). The interpretation notes that GMC §17.62.080(F) is different from ordinances of some other cities because it requires a larger percentage of common open space, but does not exclude the streets and the park that here will be used in common by the residents of the PUD. The Hearing Examiner finds that the proposed common open space for “Euclid Meadows PUD” meets the spirit of the City Attorney’s interpretation because the streets and the park will be used in common by the residents of the PUD even though they will also be dedicated to the City for public use. The applicant describes the revised PUD Rezone application and Preliminary Plat application as follows:

REVISION #1 – Open Space calculations have been provided on the attached revised drawing and meet the definition of Common Open Space provided by the City of Grandview explained as follows:

- a. Right-of-way increase to 52 feet for the expansion of width of the sidewalks to 6 ft. on both sides of the Euclid Meadows internal roadways. Roadway design will exceed the City of Grandview minimum standards as sidewalks will be placed on both sides of the roadway. The sidewalk width flexibility requested is intended to provide an upgrade to the Euclid Meadows environment promoting walkability for it’s residents. **6.9 acres.**
- b. Park Area has been increased. The location of the Park provides internal access for Euclid Meadows residents but also fronts Euclid Rd. providing access to all Grandview residents as well. **1.76 acres.**
- c. **Gross Project Area  $24.66 \times 35\% = 8.6$  acres.**

REVISION #2 – Lot count decrease from 123 to 117 single family homes, revised lot and street layout. The number of lots provided utilizes the ability to request an increase in density from the City for the development as outlined in GMC §17.62.080 C & D.

Euclid Meadows proposed Planned Unit Development Plat meets the purpose of a Planned Unit Development. We are requesting the increase in density allowed to achieve economies of scale and at the same time providing larger lots than required to increase the ability to provide aesthetic diversification. The diversification of lot sizes allows Euclid Meadows to appeal to a larger group of prospective homeowners. The circulation patterns and lot layouts within the development also achieve diversification by providing cul-de-sacs and varied block/roadway lengths keeping residential speeds at a safe minimum.

Euclid Meadows proposes a variety of middle income housing choices providing home ownership opportunities to a more diverse income group. The goal of this development is to not only attract first time home owners, but also those wishing to downsize. The PUD is a tool used to aid in providing variety.

Home ownership creates a viable economic base for the City of Grandview and promotes long term stability in neighborhoods. Euclid Meadows will develop lots that are compatible and complement the existing adjacent land uses. The variety of proposed lot size allows more density which will equal a more affordable home cost. The goal of this development is to attract first time home buyers in need of a more affordable alternative, but also to provide a product to attract those wanting to downsize their home and yard maintenance requirements.

(5) The applicant submitted a second revised PUD and Preliminary Plat dated September 15, 2021, which shows a park area with ten parking spaces for the public south of the Lorrie Lane entrance to the Planned Development and indicates in a Note that the park is 1.65 acres (*pages 155-158 of the record*). City Administrator/Public Works Director Cus Arteaga recommends approval of the new design of the PUD dated September 15, 2021 (*page 154 of the record*).

(6) The Planned Unit Development Rezone application can be approved, denied or conditioned by the Grandview City Council, but the Preliminary Plat application cannot be approved unless the Planned Unit Development Rezone is approved by the City Council because many of the proposed lots are less than the 7,500 square feet in size required for single-family residences in a Preliminary Plat that is not combined with a Planned Unit Development.

**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 September 14, 2021, open record public hearing (i) was posted at the City Hall, Library and Police Department and on the City's website at [www.grandview.wa.us](http://www.grandview.wa.us) on August 11, 2021; (ii) was mailed to owners of property within 300 feet of the property under consideration, to interested parties and to governmental agencies on August 11, 2021; (iii) was posted on the property in three places on August 11, 2021; and (iv) was published in the official newspaper of the City (Grandview Herald) on August 11, 2021 (*pages 68-99 of the record*).

**V. Environmental Review.** The City distributed a Notice of Development Application, Environmental Determination and Notice of Public Hearing on August 11, 2021, using the optional DNS process authorized by WAC 197-11-355 with a comment period ending on September 7, 2021 (*pages 68-99 of the record*). The following written comments were submitted:

(1) An email dated August 9, 2021, from the Grandview Fire Chief who reviewed the plans and indicated that the only issue would be the need to show the location of new fire hydrants on future plans (*page 100 of the record*).

(2) An email dated August 11, 2021, from the Yakima Health District indicated that it has no comments since the proposed plat will be utilizing City water and sewer (*page 101 of the record*).

(3) A letter dated August 12, 2021, received from the Sunnyside Valley Irrigation District stated:

This office has reviewed the proposed project. Sunnyside Valley Irrigation District (SVID) has the following comments:

SVID piped drain, DR 9, runs through the southwest corner of parcel 230914-32004 and along the south boundary of parcel 230914-32001. The drain is situated on right of way (R/W) owned by the Federal Government. There is also SVID easement centered on the drain that is 30 feet in width. The following restrictions apply to SVID easement and R/W.

Buildings are not allowed within SVID easement or R/W.

Trees are not allowed within SVID easement or R/W.

Ponds, swales, septic tanks, drain fields, etc. are not allowed within SVID easement or R/W.

Re-grading or removal of soil within SVID easement or R/W will only be allowed with prior approval and an SVID Crossing/Encroachment Agreement.

Pathways, utilities, fencing, landscaping, etc. will only be allowed with prior approval and an SVID Crossing/Encroachment Agreement.

There are several manholes along the DR 9 drainage facility. SVID truck access to these manholes must remain unhindered for operation and maintenance.

Thank you for the opportunity to comment. If you have questions, please contact Diane Weber at (509) 837-6980 or [weberd@svid.org](mailto:weberd@svid.org). (page 104 of the record).

(4) A Memorandum dated August 24, 2021, from HLA Engineering and Land Surveying, Inc. indicated that the City has adequate source capacity and water rights to serve the plat with water and adequate pipeline and treatment plant capacity to serve it with sewer consistent with the City's Water System Plan and General Sewer Plan (page 105 of the record).

(5) A letter dated August 31, 2021 was received from the Washington State Department of Transportation (WSDOT) which stated relative to Euclid Meadows PUD, I-82 MP 73.2 Rt. – Exit 73 vicinity:

We have reviewed the proposed project and have the following comments:

The subject property is not adjacent to Interstate 82 (I-82), but we anticipate the majority of vehicle trips generated by this project will utilize the Interstate 82/Wine Country Road (Exit 73) interchange. We are not opposed to this project; however, we are concerned with the cumulative impact recent developments in the area will have on the interchange. Specifically, the westbound left-turn queue along the eastbound off-ramp.

In order to adequately identify this proposal's impacts to the interchange, we require a traffic impact analysis (TIA) be performed at this time by a licensed traffic engineer, at the proponent's expense and submitted to the city and WSDOT for review and comment. We request the TIA analyze this project's impacts to the I-82 Exit 72 [Exit 73] interchange ramp terminals and identify mitigation and implementation strategies to offset any significant adverse impacts.

I-82 is an existing facility and the applicant is proposing a more noise-sensitive land use. The proponent and future residents should be aware this is an area with existing traffic noise. They should expect traffic noise to continue to increase. It is the developer's responsibility to dampen or deflect any traffic noise affecting this property.

Thank you for the opportunity to review and comment on this proposal. If you have any comments regarding this letter, please contact Jacob Prilucik at (509) 225-0637 (*page 108 of the record*).

(6) A letter dated September 3, 2021, was received from the Washington State Department of Ecology (DOE) which stated:

Thank you for the opportunity to comment during the Optional Determination of Non Significance process for the subdivision of approximately 25 acres into 123 [revised to 117] lots, proposed by North 44 Homes, LLC. We have reviewed the documents and have the following comments:

#### WATER QUALITY

North 44 Homes, LLC  
Rezone to Planned Unit Development  
Preliminary Plat "Euclid Meadows PUD"  
East of N. Euclid Rd. & N. of Grant Ct.  
RZ#2021-03; PUD#2021-01; SUB#2021-02

#### Project with Potential to Discharge Off-Site

If your project anticipates disturbing ground with the potential for stormwater discharge off-site, the NPDES Construction Stormwater General Permit is recommended. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit may take 38-60 days.

The permit requires that a Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) shall be prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water and storm drains by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading, or construction.

In the event that an unpermitted Stormwater discharge does occur off-site, it is a violation of Chapter 90.48 RCW, Water Pollution Control, and is subject to enforcement action.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact Lloyd Stevens, Jr. at the Dept. of Ecology, (509) 574-3991 or [lloyd.stevensjr@ecy.wa.gov](mailto:lloyd.stevensjr@ecy.wa.gov), with questions about this permit.

#### WATER RESOURCES

Under RCW 90.03.350, a Dam Safety construction permit is required for those dams or ponds which can impound a volume of 10 acre-feet or more of water or other liquids above ground level.

The Euclid Meadows project references stormwater detention facilities as part of the project. To determine if a Dam Safety construction permit is required for your project, the applicant must submit a set of construction plans to:

WA Department of Ecology  
Dam Safety Office  
P.O. Box 47600  
Olympia, WA 98504-7600

For more information, please contact Charlotte Lattimore by e-mail at [clat461@ecy.wa.gov](mailto:clat461@ecy.wa.gov) or by telephone at (360) 407-6066. (pages 110-111 of the record).

A final Determination of Non-Significance was issued on September 8, 2021, which was not appealed (page 67 of the record).

**VI. Zoning and Land Uses.** The property under consideration and all of the adjacent properties are within the “Residential” designation of the Comprehensive Plan. The zoning of the subject property is R-1 and R-3 and it is currently undeveloped. The zoning of the property to the north is AG Agricultural and it is currently used for agricultural purposes as a vineyard. The zoning of the properties to the west and south is R-1 and they are used for single-family residences. The zoning of the property to the east which is used for agricultural and residential purposes is Yakima County’s UGA zoning (page 113 of the record).

**VII. The Comprehensive Plan Land Use Designation.** The Comprehensive Plan designation of the parcels is Residential. The requested Rezone from the R-1 Low Density Residential District and from the R-3 High Density Residential District to the proposed Planned Unit Development District with a Preliminary Plat to create 117 single-family residential lots would be consistent with the Residential designation which is intended to include “Arcas appropriate for rural, single-family, and multifamily residential living.” The requested PUD Rezone and proposed Preliminary Plat to create 117 single-family residential lots would also

be consistent with the following Housing Element provisions of the Comprehensive Plan:

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

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 ...

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.

GOAL 2: Residential areas that are safe, sanitary and attractive places to live will be established and maintained in Grandview *(pages 126-127 of the record)*.

**VIII. Concurrency.** The concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the PUD Rezone and Preliminary Plat applications. Consideration of the applicant's Transportation Checklist *(page 66 of the record)* resulted in a finding that half-street frontage improvements to North Euclid Road would be required and that traffic volumes on North Euclid Road and Viall Road would not be expected to 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 *(testimony of Cus Arteaga)*.

**IX. Development Standards.** Except for lot size reductions to allow for an increase in density and a modification of some setback standards, lot width standards and other standards, the proposed PUD Rezone and Preliminary Plat of "Euclid Meadows PUD" would comply with the Grandview Municipal Code (GMC) development standards in the following particulars:

(1) The proposed PUD and 117-lot Preliminary Plat would comply with the street and sidewalk design standards and permitted use standards for a PUD prescribed by GMC §17.62.080 because the public streets and sidewalks for the single-family residences will be constructed in accordance with minimum City standards and will in fact exceed the 50-foot-wide right-of-way standards of GMC §16.24.040(A)(3) for local streets and the sidewalk standards by having sidewalks on both sides of the street rather than on one side and by having 6-foot-wide sidewalks in 52-foot-wide rights-of-way (*page 62 of the record*).

(2) The proposed PUD and 117-lot Preliminary Plat would comply with the access design standards of GMC §16.24.020(A) requiring each lot to have direct access to a dedicated public street, and also requiring 50 feet of frontage upon a dedicated public street except for some of the pie-shaped lots in cul-de-sacs. GMC §16.24.050(B) requires that a 10-foot-wide utility easement be provided across the front of each lot within a subdivision. 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 dated August 31, 2021, which was considered at the open record public hearing must be modified to show any features required by 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 which the City finds are not adequately shown by the Notes set forth on the face of the revised proposed Preliminary Plat dated September 15, 2021 (*pages 155-158 of the record*). Except for the relaxation of minimum standards for lot size, setbacks, lot width and any other approved modifications to standards for some of the lots otherwise applicable to an R-1 or R-3 zone, development of the PUD and Preliminary Plat and the Final Plat must comply with applicable development standards.

(3) The proposed PUD and 117-lot Preliminary Plat would also comply with design standards for a PUD prescribed by GMC §17.62.080 because per GMC §17.62.080(C) and GMC §17.62.040(B) the portion of a structure which has on-site parking in front will be set back 20 feet from the property line and setbacks from the property lines next to surrounding areas will be comparable to those of the existing development of adjacent properties or to those of the type of development which may be permitted on adjacent properties (*page 148 of the record*). GMC §17.62.080(C) provides that PUDs are otherwise exempt from setback standards. The City's Planner Jeff Watson recommended a condition requiring an open space buffer of at least 35 feet to separate the south frontage on Lot 65 which has street frontage on three sides – North Euclid Road on the west side of the lot, Lorrie Lane on the south side of the lot and Road A on the east side of the lot. This recommended condition was opposed by the applicant for the stated reasons that it would make the lot undevelopable and that the building setback distance from the street on the south should be left up to the person who purchases the lot (*page 115 of the record; testimony of Jeff Watson; testimony of Brad Beauchamp*). Since the requisite setback that would be allowed in the R-1 zone absent the Planned Development is 20 feet for the front yard and for the side yard along the flanking street of a corner lot (*page 143 of the record*), the Hearing Examiner recommends a slightly modified setback or open space buffer to be noted on the face of the Preliminary Plat and Final Plat as 15 feet on the south side adjacent to Lorrie Lane and on the east side adjacent to Road A. The Hearing Examiner also recommends that since the applicant may not control the development of all of the lots adjacent to North Euclid Road in the future, a Note be required on the face of the Preliminary Plat and Final Plat to the effect that only the interior streets of the Plat may be used for access to the lots adjacent to North Euclid Road and none of those lots may have a driveway or other direct access to North Euclid Road.

(4) The proposed PUD and 117-lot Preliminary Plat would comply with density standards for a PUD prescribed by GMC §17.62.080(D) because the uncontradicted evidence presented at the hearing was to the effect that the density of the PUD will be not be more than 20% greater than what is otherwise permitted and because a significant amenity and design feature exists in this Planned Development which per GMC §17.62.080(D) promotes the purposes of the Planned Unit Development provisions of GMC Chapter 17.62 (*page 148 of the record*). The significant amenity and design feature of this Planned Development is a 1.65-acre area with ten public parking spaces that will be dedicated to the City

for a public park (*pages 154-158 of the record*). The park will promote the Planned Unit Development purpose set forth in GMC §17.62.010(A) by enhancing the quality of life while protecting the health, safety and welfare of residents (*page 147 of the record*). The only testimony presented at the hearing as to compliance with the 20% limitation on the PUD's increase in density was the testimony presented by the applicant. There was no basis in the record to question that testimony, particularly in view of the fact that this Planned Development includes 1.65 acres of open space dedicated for a park that would not otherwise be required for the development of multifamily apartment units in the R-3 portion of the property or for the development of single-family residences in the R-1 portion of the property; the fact that this PUD also includes wider street rights-of-way of 52 feet throughout the development rather than the 50 feet of width that would otherwise be required; and the fact that a significant number of the proposed lots exceed the 7,500-square-foot minimum lot size otherwise required in the R-1 zoned portion of the property and exceed the smaller minimum square footage size required for multifamily apartment dwelling units otherwise required in the R-3 zoned portion of the property (*testimony of Brad Beauchamp; pages 62, 145, 148 and 155-158 of the record*).

**X. 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 prior notice of public hearings by means of 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 PUD 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 PUD Rezone and Preliminary Plat would be consistent with the Goals and Policies of the Comprehensive Plan as explained in detail in Section VII above. They would also be consistent with the intent of the Grandview Municipal Code so long as they satisfy all of the criteria prescribed for their approval.

**(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The development is required to make provisions for drainage, streets, City of Grandview water and sewer to City standards, and in the case of street rights-of-way and sidewalks would exceed City standards.

**(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 September 8, 2021, which was not appealed.

**(4) The development is beneficial to the public health, safety and welfare and is in the public interest.** The proposed 24.54-acre 117-lot residential Planned Unit Development and Preliminary Plat on parcels 230914-32001 and 230914-32004 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 near other residential areas and which would have the use of a large common open space park area nearby.

**(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 concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the proposed PUD Rezone and Preliminary Plat. Consideration of the applicant’s Transportation Checklist (*page 66 of the record*) resulted in a finding that the additional traffic to be generated by the Planned Development requires half-street pavement, curb, gutter, sidewalk and, if necessary, right-of-way dedication for frontage improvements to the same width that currently exists at the southwest corner of the property. Consideration of the applicant’s Transportation Checklist also resulted in the determination that the additional traffic volumes resulting from the Planned Development would not cause the Level of Service (LOS) on North Euclid Road or Viall Road to fall below LOS C. The minimum acceptable LOS on City streets prescribed by the City’s 2016 Comprehensive Plan Transportation Element is LOS D (*testimony of Cus Arteaga*).**

**(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. A requirement for the applicant to dedicate additional right-of-way along North Euclid Road is only recommended if at some locations of the North Euclid Road frontage there is insufficient right-of-way to make half-street pavement, curb, gutter, sidewalk improvements to the same width that currently exists at the southwest corner of the property. Any dedication of additional right-of-way along the frontage of Euclid Road, if necessary, would be reasonably needed to mitigate the effects of the development and would be proportional to the impacts created by the development.**

**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 R-1 Low Density Residential District and the R-3 High Density Residential District is in accord with the Goals and Policies of the Comprehensive Plan as explained in detail above in Section VII of these recommendations.

**(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 two parcels to the Planned Unit Development District would not be materially detrimental because the Comprehensive Plan designation for all of the property surrounding the parcels is Residential; because two-story apartment buildings could otherwise instead be built adjacent to the single-family homes south of the property if this PUD for single-family residences is not approved; and because there is an agricultural use of the property to the north and a single-family residential use of the properties in all other directions from the proposed PUD and Preliminary Plat (*page 113 of the record*). None of the nearby property owners have submitted written comments or appeared at the hearing to object to the proposal even though they were invited to do so by means of posting, mailing and publishing notice of the hearing (*pages 68-99 of the record*).

**(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 a variety of additional single-family housing within the City in a PUD and Plat that

would include a 1.65-acre park and would be in an area where other single-family residences are located.

**(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 September 8, 2021, which was not appealed.

**(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.** The testimony at the hearing was to the effect that at this point there does not appear to be a need for a Development Agreement for this Planned Development and Preliminary Plat (*testimony of Cus Arteaga*).

## **XII. Additional Specific Review Criteria for Planned Unit Develop-**

**ments.** GMC §17.62.090(E) provides that the Hearing Examiner may only recommend approval of a Planned Unit Development when it has been determined that the four criteria listed in that section are satisfied (*page 150 of the record*).

The Hearing Examiner's determinations as to the requisite criteria are as follows:

**(1) The PUD will be compatible with nearby developments and uses.** The nearby developments and uses are either agricultural uses or single-family uses similar to the single-family uses proposed for the Planned Development. None of the nearby property owners or occupants submitted written comments or appeared at the hearing to present testimony in opposition to the proposed Planned Development.

**(2) Peripheral treatment ensures proper transition between PUD uses and nearby external uses and developments.** Nearby external uses are either similar single-family residential uses or agricultural uses. The Planned Development will be subject to the requirements of GMC §17.62.040(B) to the effect that setbacks from the property line of the PUD shall be comparable to those of the existing development of adjacent properties or to those of the type of development which may be permitted on adjacent properties.

**(3) The development will be consistent with the Comprehensive Plan and the purposes of the PUD district.** The Planned Development will be consistent with the Comprehensive Plan in the ways described above in Section VII of these recommendations. It will also be consistent with the following four purposes of the PUD District set forth in GMC §17.62.010(A)-(D): encourage development that enhances the quality of life while protecting the health, safety and welfare of residents; encourage variety in housing opportunities; encourage the development of a viable economic base; and encourage development of land uses that will be compatible with and complement existing or proposed adjacent land uses.

**(4) The public health, safety and welfare have been served.** The public health, safety and welfare will be served by providing a variety of single-family lot sizes with public streets and sidewalks that will exceed minimum City standards and a 1.65-acre public park with ten parking spaces for the public to use.

**XIII. 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 Planned Development and Preliminary Plat will conform with the provisions of the zoning ordinance with the modifications thereto as described above in Section IX of these recommendations.

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

**(3) Conformance with the provisions of this title.** Except as modified in the ways described above in Section IX of these recommendations, the proposed PUD and Preliminary Plat would not only be required to be in conformance with all applicable provisions of GMC Title 16 (Subdivisions), they 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 uncontradicted evidence presented at the hearing was to the effect that the proposed PUD and Preliminary Plat would utilize City water and sewer and would otherwise be in conformance with the comprehensive water and sewer plans (*page 105 of the record; testimony of Cus Arteaga*).

**(5) Conformance with the ordinances governing streets, rights-of-way, and curbs and gutters.** The proposed PUD and Preliminary Plat would not only be in conformance with the ordinances governing streets, rights-of-way, curbs and gutters, but would in fact exceed City standards relative to those features.

**(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 no neighbors or other residents or property owners submitted written comments or testimony at the hearing in opposition to any aspect of the proposed PUD and Preliminary Plat even though notices were sent inviting their input. These criteria are satisfied for the following reasons:

(a) Public health, safety and general welfare: The proposed PUD and Preliminary Plat will provide a variety of lot sizes for the development of different sizes and types of single-family residences that are served by public streets, sidewalks and a 1.65-acre park that will provide the requisite 35% common open space required for a PUD.

(b) Open spaces: The proposed 1.65-acre park will make appropriate provisions for open spaces within the PUD and Preliminary Plat.

(c) Drainageways: The proposed PUD and Preliminary Plat will make appropriate provisions for drainageways in the manner described on

the face of the Preliminary Plat of "Euclid Meadows PUD" as follows: "Stormwater runoff will be collected from public streets and disposed of onsite in a centralized stormwater facility."

(d) Streets, alleys and other public ways: The proposed PUD and Preliminary Plat will make appropriate provisions for streets by having 52-foot-wide street rights-of-way for public streets with curbs, gutter and sidewalk on both sides in the manner described on the face of the Preliminary Plat of "Euclid Meadows PUD" as follows: "Public streets will be constructed to City of Grandview Standard ST-3 Local Access Roadway Section. This Section includes curbs, gutters and sidewalk on one side of the street. The developer proposes to construct sidewalks on both sides of the street." The PUD and Preliminary Plat also states on its face that "Street lights will be installed per the City of Grandview standards."

(e) Transit stops: The proposed PUD and Preliminary Plat will not be required to make appropriate provisions for transit stops because the City does not currently have a public transportation system.

(f) Potable water supplies: The proposed PUD and Preliminary Plat will make appropriate provisions for potable water supplies that will be supplied by the City of Grandview. A note on the face of the Preliminary Plat states that "City potable water, irrigation and sanitary sewer will be extended to the site."

(g) Sanitary Wastes: The proposed PUD and Preliminary Plat will make appropriate provisions for sanitary wastes by extending the City of Grandview sanitary sewer to the site. HLA Engineering and Land Surveying, Inc. commented by Memorandum of August 24, 2021, that "Wastewater in the subdivision will gravity flow to the existing gravity sewer in Euclid Road, which then flows to the Forrest Road lift station. Flow from the project is consistent with the 2009 General Sewer Plan as it relates to the direction of flow and expected volume."

(h) Parks and Recreation: The 1.65-acre park with ten parking spaces for the public which will be dedicated to the City will make appropriate provisions for parks and recreation within the PUD and Preliminary Plat.

(i) Playgrounds, schools and schoolgrounds: There are playgrounds, schools and schoolgrounds in the vicinity that will be available for children

living in the PUD and Planned Development. No testimony or written comments were submitted by the school district relative to this proposal.

(j) Sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school: The PUD and Preliminary Plat will make appropriate provisions for sidewalks by providing six-foot-wide sidewalks on both sides of the interior streets and a sidewalk on the east side of Euclid Road along the frontage of the PUD and Preliminary Plat.

(k) Other relevant facts: The proposed PUD and Preliminary Plat will make appropriate provisions for irrigation water by providing the pipeline extension and pump which the City will take over after it is completed to City standards (*testimony of Cus Arteaga*). It will make appropriate provisions for fire flow which the City of Grandview will provide in the amount of at least 4,000 gpm (*page 105 of the record*).

(l) Public use and interest: The public use and interest will be served by the proposed PUD and Preliminary Plat by providing additional housing options within the City.

## CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches conclusions consistent with Jeff Watson's Planning Staff Findings (*page 114 of the record*) as follows:

(1) The Hearing Examiner has authority to recommend that the Grandview City Council approve combined applications for a final PUD Rezone and a Preliminary Plat per provisions of GMC §2.50.080(C)(2), §14.09.030(A)(3)(c), §16.12.090, §16.12.110, §17.50.080(C)(3), §17.62.060, §17.62.070, §17.62.090 and §17.88.060 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 proposed PUD Rezone and Preliminary Plat completed pursuant to RCW 43.21C and GMC Title 18 resulted in the issuance of a Determination of Non-Significance on September 8, 2021, for both applications which was not appealed.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the requested PUD Rezone and the proposed Preliminary Plat.

(5) The public use and interest would be served by the proposed PUD Rezone and Preliminary Plat because it would provide additional housing choices within the City.

(6) The proposed PUD Rezone and Preliminary Plat would be consistent and compliant with the Comprehensive Plan, the zoning ordinance, the subdivision ordinance, the applicable development standards and all of the requisite criteria for the approval of both.

(7) The Hearing Examiner's recommendations regarding the proposed PUD Rezone and Preliminary Plat will be considered and decided by the Grandview City Council at a closed record public hearing with the result that (i) the PUD 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 PUD Rezone is approved because it contains modifications of lot size and lot width standards for some of the lots that could not be approved in a Preliminary Plat without the approval of the PUD.

## **RECOMMENDATIONS**

The Hearing Examiner recommends that the City Council (i) rezone the parcel numbers 230914-32001 and 230914-32004 from the R-1 Low Density Residential District and the R-3 High Density Residential District to the Planned

North 44 Homes, LLC  
Rezone to Planned Unit Development  
Preliminary Plat "Euclid Meadows PUD"  
East of N. Euclid Rd. & N. of Grant Ct.  
RZ#2021-03; PUD#2021-01; SUB#2021-02

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 Jeff Watson's Planning Staff recommended conditions (*page 115 of the record*) as follows:

(1) A traffic impact analysis (TIA) shall be performed at this time by a licensed traffic engineer at the applicant's expense which shall be submitted to the City and the Washington State Department of Transportation (WSDOT) for review and comment unless WSDOT waives this TIA requirement and a copy of WSDOT's waiver is submitted to the City. Unless waived, the TIA shall analyze this project's impacts to the I-82 Exit 73 interchange ramp terminals and identify mitigation and implementation strategies to offset any significant adverse impacts which shall be subject to WSDOT approval.

(2) A Note shall be placed on the face of the Plat of "Euclid Meadows PUD" stating: "I-82 is an existing facility and residences are a more noise-sensitive land use. Future residents are advised that this is an area with existing traffic noise which should be expected to continue to increase."

(3) A Note shall be placed on the face of the Plat of "Euclid Meadows PUD" stating: "The following restrictions apply to the Sunnyside Valley Irrigation District easement and right-of-way (R/W) for its piped drain, DR 9, which runs through the southwest corner of parcel 230914-32004 and along the south boundary of parcel 230914-32001 within right-of-way (R/W) owned by the Federal Government and within a 30-foot-wide SVID easement:

- (a) Buildings are not allowed within an SVID easement or R/W.
- (b) Trees are not allowed within an SVID easement or R/W.
- (c) Ponds, swales, septic tanks, drain fields, etc. are not allowed within an SVID easement or R/W.

(d) Re-grading or removal of soil within an SVID easement or R/W will only be allowed with prior approval and an SVID Crossing/Encroachment Agreement.

(c) Pathways, utilities, fencing, landscaping, etc will only be allowed with prior approval and an SVID Crossing/Encroachment Agreement.

(f) There are several manholes along the DR 9 drainage facility. SVID truck access to these manholes must remain unhindered for operation and maintenance purposes.

(4) To determine if a Dam Safety construction permit is required for the project, the applicant must submit a set of construction plans to the Washington State Department of Ecology Dam Safety Office.

(5) Site development shall be in conformance with the current Stormwater Management Manual for Eastern Washington


(6) The applicant shall work with the Department of Ecology to determine if an NPDES Construction Stormwater General Permit is required.

(7) A Note shall be placed on the face of the Plat of "Euclid Meadows PUD" stating: "A building setback or open space buffer of at least 15 feet shall be maintained on the south frontage and on the east frontage of Lot 65."

(8) A Note shall be placed on the face of the Plat of "Euclid Meadows PUD" stating: "Only the interior streets of the Plat shall be used for access to the lots adjacent to North Euclid Road and none of those lots are allowed to have a driveway or other direct access to North Euclid Road."

(9) Except for lot size, lot width, setback and any other modifications of standards allowed for the PUD, all development within the Plat of "Euclid Meadows PUD" shall be in conformance with all applicable requirements of the Grandview Municipal Code.

DATED this 28<sup>th</sup> day of September, 2021.

  
Gary M. Cuillier, Hearing Examiner

**ORDINANCE NO. 2021-18**

**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 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**

**WHEREAS**, the City of Grandview Hearing Examiner, upon application and after due notice pursuant to Grandview Municipal Code Chapter 14, conducted an open record public hearing on September 14, 2021 for a rezone which was duly filed by North 44 Homes LLC for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid, 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 September 28, 2021 entitled RZ#2021-03, 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 9, 2021 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#2021-03 as their own and approved the rezone submitted by North 44 Homes LLC for Parcel Nos. 230914-32001 and 230914-32004 located north of Grant Court and east of North Euclid, 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: North of Grant Court and east of North Euclid, Grandview, Washington

Parcel Nos.: 230914-32001 and 230914-32004

Acres: 24.84

Rezone: R-1 Low Density Residential District and R-3 High Density Residential District to the Planned Development District

**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 November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**PUBLISHED: 11/10/21**  
**EFFECTIVE: 11/15/21**

**ORDINANCE NO. 2021-19**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING THE FINAL PLANNED UNIT DEVELOPMENT OF "EUCLID MEADOWS  
PUD" AND APPROVING THE PRELIMINARY PLAT OF EUCLID MEADOWS PUD**

**WHEREAS**, the developer, North 44 Homes LLC, applied for a Planned Unit Development of "Euclid Meadows" and preliminary plat approval for a 117-lot residential subdivision designated as Euclid Meadows; and

**WHEREAS**, the Grandview Municipal Code authorizes the concurrent processing of Planned Unit Developments and associated preliminary plat applications; and

**WHEREAS**, the Hearing Examiner held an open record public hearing on September 14, 2021 on the proposed Planned Unit Development and preliminary plat of Euclid Meadows 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 November 9, 2021 on the proposed Planned Unit Development and preliminary plat of Euclid Meadows and approved the final Planned Unit Development of "Euclid Meadows PUD" and the Preliminary Plat of Euclid Meadows PUD subject to the conditions outlined in the Hearing Examiner's Recommendation PUD#2021-01 and SUB#2021-02 dated September 28, 2021;

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

**Section 1.** The City Council hereby adopts the Hearing Examiner's Recommendation in PUD#2021-01 and SUB#2021-02 and approves the final Planned Unit Development of "Euclid Meadows PUD" and the Preliminary Plat of Euclid Meadows PUD subject to the conditions outlined in the Hearing Examiner's Recommendation, a copy of which is attached hereto and incorporated herein by reference.

**Section 2.** This ordinance shall be in full force and effective five 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 November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

PUBLICATION: 11/10/21  
EFFECTIVE: 11/15/21

**ORDINANCE NO. 2021-20**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
LEVYING THE 2022 AD VALOR PROPERTY TAXES AND EXCESS LEVY TAXES**

**WHEREAS**, the City Council has met and considered its budget for the calendar year 2022; and

**WHEREAS**, the City Council, in the course of considering the budget for 2022, has reviewed all sources of revenue and examined all anticipated expenses and obligations; and

**WHEREAS**, the City Council has determined that it is in the best interest of and necessary to meet the expenses and obligations of the City of Grandview and a substantial need exists for the property tax revenue to be increased in 2022;

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

**Section 1.** The regular levy request in the amount of \$1,676,235.00, which is a \$27,205.00 increase from 2021 levy amount and a 1% increase of that same 2021 levy amount, plus any amount allowed for new construction and increase in state assessed values.

**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 November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**PUBLISHED:** 11/10/21  
**EFFECTIVE:** 11/15/21

**ORDINANCE NO. 2021-21**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
INCREASING THE 2022 PROPERTY TAX LEVY FOR THE CITY OF GRANDVIEW  
ABOVE THE "LIMIT FACTOR" UP TO 101 PERCENT**

**WHEREAS**, the Grandview City Council has met and considered its budget for the calendar year 2022; and

**WHEREAS**, the City Council, in the course of considering the budget for 2022 has reviewed all sources of revenue and examined all anticipated expenses and obligations; and

**WHEREAS**, the City Council has determined that it is in the best interest of and necessary to meet the expenses and obligations of the City of Grandview and there is a substantial need to increase the regular property tax levy rate above the rate of inflation;

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

**Section 1.** The limit factor for the regular levy for the calendar year of 2022 shall be 101% of the highest amount of regular property taxes that could have been lawfully levied in the City of Grandview in any year.

**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 November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**PUBLISHED:** 11/10/21  
**EFFECTIVE:** 11/15/21

**RESOLUTION NO. 2021-45**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NO. 3 WITH  
C & R TRACTOR AND LANDSCAPING, INC., FOR THE SANITARY  
SEWER TRUNK MAIN REPLACEMENT**

**WHEREAS**, the City of Grandview has contracted with C & R Tractor and Landscaping, Inc., as the contractor for the Sanitary Sewer Trunk Main Replacement; and

**WHEREAS**, after reviewing videos of the new sewer installation, it was determined by the Engineer that the new 30-inch sanitary sewer main segments between manhole 23 and 26 exhibit sags and are holding between ½" to 2" of water after being cleaned; and

**WHEREAS**, Change Order No. 3 provides for a credit of \$30 per linear foot for 865 linear feet of new 30-inch sanitary sewer main for the deficiency and loss of pipe capacity;

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

The Mayor is hereby authorized to sign Change Order No. 3 with C & R Tractor and Landscaping, Inc., as a credit in the amount of \$28,026.00 in the form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at a special meeting on November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**CHANGE ORDER NO. 3**


OWNER: City of Grandview  
 PROJECT NAME: SANITARY SEWER TRUNK MAIN REPLACEMENT  
 DOE PROJECT NO.: WQC-2019-GRANDVIEW-00092  
 CDBG PROJECT NO.: 18-62210-024  
 HLA PROJECT NO.: 17165C  
 CONTRACTOR: C & R Tractor and Landscaping, Inc.

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENT:

Original Contract Price (Including State Sales Tax):	\$3,327,292.87
Current Contract Price Adjusted by Previous Change Order(s) (Including State Sales Tax):	\$3,458,569.03
Change in Contract Price Due to This Change Order (Including State Sales):	(\$28,026.00)
Adjusted Contract Price Due to This Change Order (Including State Sales Tax):	\$3,430,543.03

Original Contract Completion Date:	May 10, 2021
Current Contract Completion Date Adjusted by Non-Working Days and/or Previous Change Order:	September 24, 2021
Change in Contract Completion Date Due to This Change Order:	zero (0) working days
Revised Contract Completion Date:	September 24, 2021

CONTRACTOR:

  
 C & R Tractor and Landscaping, Inc.

Date: 10/7/2021

ENGINEER:

  
 HLA Engineering and Land Surveying, Inc.

Date: 10.07.21

OWNER:

City of Grandview

Date:

October 7, 2021

City of Grandview  
SANITARY SEWER TRUNK MAIN REPLACEMENT  
DOE Project No.: WQC-2019-GRANDVIEW-00092  
CDBG Project No.: 18-62210-024  
HLA Project No.: 17165C

CHANGE ORDER NO. 3

ITEM NO.	DESCRIPTION	UNIT	QTY	UNIT PRICE	AMOUNT
3-1	Credit for Pipe Profile Deficiencies	LF	865	\$30.00	\$25,950.00
CHANGE ORDER NO. 2 SUBTOTAL					\$25,950.00
8.0% STATE SALES TAX					\$2,076.00
CHANGE ORDER NO. 3 TOTAL					\$28,026.00

JUSTIFICATION:

After reviewing videos of the new sewer installation it was determined by the Engineer that the new 30-Inch sanitary sewer main segments between manholes 31 and 36 exhibit sags and are holding between 1/2" to 2" of water after being cleaned. The City of Grandview will accept a credit of \$30 per linear foot for 865 linear feet of new 30-Inch sanitary sewer main for the deficiency and loss of pipe capacity.

**ORDINANCE NO. 2021-22**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
ESTABLISHING A CUSTODIAL FUND FOR ASSETS THAT ARE  
BEING HELD BY THE CITY AS A TRUSTEE**

**WHEREAS**, the City Council for the City of Grandview, Washington, has determined that for accounting purposes it would be in the best interest of the City to establish a Custodial Fund for the receipt and remittance of court or state fees held by the City as a trustee.

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

Section 1. Courts and State Remittance Fund: The Courts and State Remittance Fund (635) is hereby created. Said fund shall be available for deposit of any court or state receipts.

Section 2. Expenditures of Fund: Monies in the Courts and State Remittance Fund shall be expended exclusively for court or state remittance fees.

Section 3. Severability: If any provision of this Ordinance or its application to any person or circumstances is held to be invalid the remainder of this Ordinance or the application of the provisions to other persons or circumstances, shall not be affected.

Section 4. Effect: This Ordinance shall be in full force and effect five (5) day after its passage and publication as required by law.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 9, 2021.

\_\_\_\_\_  
**MAYOR**

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

PUBLICATION: 11/10/21  
EFFECTIVE: 11/15/21

**ORDINANCE NO. 2021-23**

**AN ORDINANCE OF THE CITY OF GRANDVIEW, WASHINGTON,  
AMENDING GRANDVIEW MUNICIPAL CODE SECTION 13.28.060(B)  
SETTING IRRIGATION WATER RATES**

**WHEREAS**, irrigation water service provided by the City of Grandview ("City") is critical to the health and welfare of the citizens of the City; and,

**WHEREAS**, rate adjustments are necessary from time to time to ensure that sufficient revenues exist in the Irrigation Fund to properly maintain the citizens' utilities and provide adequate services to City residents and businesses; and,

**WHEREAS**, Grandview Municipal Code subsection 13.28.060(B) provides for irrigation water rates;

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

**Section 1.** Grandview Municipal Code subsection 13.28.060(B), which reads as follows:

**13.28.060(B) Irrigation Rates.**

2021 irrigation rates shall become effective commencing January 1, 2021, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.018734 per square foot and the minimum charge per property shall be the sum of \$112.50 per year.

2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.004260 per square foot or \$185.52 per acre, and the minimum charge per property shall be the sum of \$74.50 per year.

3. For lands served by gravity flow, where the city is not responsible for maintenance or where no water is delivered, the service rate shall be \$0.002168 per square foot or \$94.36 per acre per year or \$39.44 minimum charge per year per property owner.

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

**13.28.060(B) Irrigation Rates.**

2022 irrigation rates shall become effective commencing January 1, 2022, as follows:

1. For land serviced by pressure irrigation, the service rate shall be \$0.019296 per square foot and the minimum charge per property shall be the sum of \$115.88 per year.

2. For land served by gravity flow where the city is responsible for maintenance, the service rate shall be \$0.004388 per square foot or \$191.09 per acre, and the minimum charge per property shall be the sum of \$76.74 per year.

3. For lands served by gravity flow, where the city is not responsible for maintenance or where no water is delivered, the service rate shall be \$0.002233 per square foot or \$97.19 per acre per year or \$40.62 minimum charge per year per property owner.

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

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on November 9, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

PUBLICATION: 11/10/21  
EFFECTIVE: 11/15/21