

**GRANDVIEW CITY COUNCIL  
REGULAR MEETING AGENDA  
TUESDAY, DECEMBER 14, 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 November 23, 2021 Special Meeting	1
B. Minutes of the November 23, 2021 Committee-of-the-Whole meeting	2-5
C. Minutes of the November 23, 2021 Council meeting	6-14
D. Minutes of the December 7, 2021 Special Meeting	15-16
E. Payroll Check Nos. 12490-12517 in the amount of \$38,434.34	
F. Payroll Electronic Fund Transfers (EFT) Nos. 60680-60686 in the amount of \$135,823.36	
G. Payroll Direct Deposit 11/16/21-11/30/21 in the amount of \$169,018.79	
H. Claim Check Nos. 123185-123293 in the amount of \$265,614.22	
- 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 – Pro-Made Construction Annexation & Rezone – Wilson Hwy, North 4 <sup>th</sup> Street and North 5 <sup>th</sup> Street	17-41
• Grandview Hearing Examiner Public Hearing Packet dated October 28, 2021 is included as part of the agenda packet per reference in the Hearing Examiner's Recommendation and Decision	(1-106)

	<b><u>PAGE</u></b>
B. Resolution No. 2021-52 authorizing the petition to annex properties known as the Pro-Made Construction Annexation that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action	42-45
C. Resolution No. 2021-53 approving a Site Use Agreement between People For People and the City of Grandview Community Center	46-52
D. Resolution No. 2021-54 authorizing the Mayor to sign Change Order No. 1 with Alba's Excavating for the Sludge Drying Bed Improvements – Phase 1	53-61
E. Resolution No. 2021-55 accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2022	62-64
<b>7. UNFINISHED AND NEW BUSINESS</b>	
A. December 21, 2021 C.O.W. and Council Meeting Cancellation	
<b>8. CITY ADMINISTRATOR AND/OR STAFF REPORTS</b>	
<b>9. MAYOR &amp; COUNCILMEMBER REPORTS</b>	
<b>10. ADJOURNMENT</b>	

The City of Grandview Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, December 14, 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/84269287904?pwd=R0cvRIRCZWZ RdWRsR1pJYXhJN1BGUT09>

Meeting ID: 842 6928 7904

Passcode: 708384

To join via phone: +1 253 215 8782

Meeting ID: 842 6928 7904

Passcode: 708384

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES  
COMMUNITY NEEDS ASSESSMENT – BERK CONSULTING  
NOVEMBER 23, 2021**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the special meeting to order at 4:30 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 and Joan Souders (4:35)

Present via teleconference: Councilmember Mike Everett (5:15)

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

Present on behalf of Berk Consulting was Dawn Couch and John Todoroff

**2. COMMUNITY NEEDS ASSESSMENT – BERK CONSULTING**

The objective of the meeting was to review project purpose and goals, scope of work and timeline. The City wished to gather information on the local impacts of COVID-19 and seek consulting support to develop and implement a survey of community members and a survey of local businesses. The surveys were intended to gather information for two primary purposes:

1. Enable City leadership to focus the use of existing resources, including grant dollars, for the benefits of the community.
2. Gather data to strengthen the City's future proposals for grant dollars to address local needs and/or hardships caused by COVID-19.

The project team would identify key project goals including the learning objectives of the outreach to community members and businesses. Berk confirmed project roles, points of contact, and communication preferences. Following the meeting, Berk would develop an updated statement of project goals and learning objectives. The task also included management of engagement efforts for both surveys.

Discussion took place. No action was taken.

**3. ADJOURNMENT**

The special meeting adjourned at 5:45 p.m.

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE MEETING MINUTES  
NOVEMBER 23, 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: Councilmembers Diana Jennings and Mike Everett

Absent: None

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

**3. PUBLIC COMMENT – None**

**4. NEW BUSINESS**

**A. Community Needs Assessment – Berk Consulting**

Councilmember Ozuna explained that a special meeting was held before the C.O.W. meeting with the Berk Consulting group regarding the Community Needs Assessment surveys for community members and businesses impacted by COVID-19. The meeting objective was to review project purpose and goals, scope of work and timeline.

Discussion took place. No action was taken.

**B. Resolution approving a Site Use Agreement between People For People and the City of Grandview Community Center**

Parks and Recreation Director Chronis explained that for several years, the City allowed People For People the use of the Community Center for the operation of a noon meal program to serve hundreds of area senior citizens. This valuable program enhances the health and social well-being of the elderly. She presented the annual Site Use Agreement between People For People and the City to provide food and nutrition services for area senior citizens. The noon meal program offered a host of opportunities for the Parks and Recreation staff and volunteers to enhance lives with additional and meaningful recreation programs. In addition, the agreement included a reimbursement provision for utility costs from People For People in the amount of \$500 per month. The term of the agreement was from January 1, 2022 through December 31, 2023.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Moore, the C.O.W. moved a resolution approving a Site Use Agreement between People For People and the City of Grandview Community Center to the December 14, 2021 regular Council meeting for consideration.**

**Roll Call Vote:**

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

**C. Resolution accepting the bid for the Sanitary Sewer Trunk Main Replacement Phase 2 and authorizing the Mayor to sign all contract documents with Culbert Construction, Inc.**

City Administrator Arteaga explained that bids for the Sanitary Sewer Trunk Main Replacement – Phase 2 were opened on October 12, 2021. A total of three (3) bids were received with Culbert Construction, Inc., of Pasco, Washington, submitting the low bid in the amount of \$1,449,732.17. The low bid was approximately fifty (50) percent below the City Engineer's estimate of \$969,375.00. The funding shortfall to complete the project was estimated at \$852,000. The Department of Ecology committed (via email) to funding the entire project shortfall with a combination of additional loan or grant. Ecology was working on the funding details.

Discussion took place.

**On motion by Councilmember Moore, second by Councilmember Ozuna, the C.O.W. moved a resolution accepting the bid for the Sanitary Sewer Trunk Main Replacement Phase 2 and authorizing the Mayor to sign all contract documents with Culbert Construction, Inc. to the November 23, 2021 regular Council meeting for consideration.**

**Roll Call Vote:**

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

**D. Resolution authorizing the Mayor to sign Change Order No. 1 with Alba's Excavating for the Sludge Drying Bed Improvements – Phase 1**

City Administrator Arteaga explained that the City contracted with Alba's Excavating as the Contractor for the Sludge Drying Bed Improvements – Phase 1. During construction, the Contractor encountered solid rock conditions that prevented them from excavating the subgrade.

It was determined that the best approach would be to utilize rock blasting to break up the solid rock. The Contractor provided a price for the work and the Engineer determined that force account procedures would be the best method for quantifying the cost of the work. Force account procedures were followed and the Engineer reviewed and approved all submitted costs. The total cost for Change Order No. 1 was \$46,564.86.

Discussion took place.

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, the C.O.W. moved a resolution authorizing the Mayor to sign Change Order No. 1 with Alba's Excavating for the Sludge Drying Bed Improvements – Phase 1 to the December 14, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

**E. Resolution accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2022**

City Clerk Palacios explained that RCW 35.23.352(7) provided that bids were required to secure the services of the official newspaper. Bids to serve as the Official City Newspaper for the year 2022 were opened on November 17, 2021. The City received one (1) bid from the Grandview Herald. The bid was as follows:

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

The legal notice bid rate was the same rate as 2021.

Discussion took place.

**On motion by Councilmember Rodriguez, second by Councilmember Souders, the C.O.W. moved a resolution accepting the bid and authorizing the Grandview Herald as the Official City Newspaper for the year 2022 to the December 14, 2021 regular Council meeting for consideration.**

Roll Call Vote:

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

- Councilmember Souders – Yes

**F. Ordinance adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2022**

**AND**

**G. Ordinance amending the City of Grandview 2022 non-union salary schedule**

City Treasurer Cordray explained that during the months of August through November, there were numerous staff reviews, budget discussions and City Council special meetings regarding the 2022 preliminary budget.

Discussion took place.

**On motion by Councilmember Everett, second by Councilmember Diaz, the C.O.W. moved an Ordinance adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2022 and an Ordinance amending the City of Grandview 2022 non-union salary schedule to the December 14, 2021 C.O.W. meeting for further consideration.**

**H. Process/Planning for Use of ARPA Funding – Mayor Mendoza**

Mayor Mendoza explained that she would like to form a group of Councilmembers to develop a process and plan for the use of the ARPA funding. She suggested Councilmembers Moore and Ozuna. She distributed a form entitled “American Rescue Plan Act (ARPA) and American Rescue Plan Act (ARPA) – 7 Major Categories, copies of which are attached hereto and incorporated herein as part of these minutes.

Discussion took place. This item would be placed on the next C.O.W. agenda for consideration.

**5. OTHER BUSINESS**

**Yakima Valley Tourism Guide** – Mayor Mendoza reported that the City would be advertising in the Yakima Valley Tourism Guide for 2022. Funds to purchase the advertisement would be allocated from the economic development fund.

**6. ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Souders, the Committee-of-the-Whole meeting adjourned at 6:55 p.m.**

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk



**GRANDVIEW CITY COUNCIL  
REGULAR MEETING MINUTES  
NOVEMBER 23, 2021**

**1. CALL TO ORDER**

Mayor Gloria Mendoza called the regular meeting to order at 7:00 p.m. in the Council Chambers at City Hall.

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

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

Present via teleconference: Councilmembers Diana Jennings and Mike Everett

Absent: None

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

**2. PLEDGE OF ALLEGIANCE**

Mayor Mendoza led the pledge of allegiance.

**3. PRESENTATIONS**

**A. 2021 Proclamation – Grandview High School DECA**

Mayor Mendoza proclaimed November as DECA month in the City of Grandview and urged all citizens to support efforts and activities of the GHS DECA Chapter.

**4. PUBLIC COMMENT – None**

**5. CONSENT AGENDA**

On motion by Councilmember Rodriguez, second by Councilmember Ozuna, Council approved the Consent Agenda consisting of the following:

- A. Minutes of the November 9, 2021 Committee-of-the-Whole meeting
- B. Minutes of the November 9, 2021 Council meeting
- C. Payroll Check Nos. 12474-12489 in the amount of \$95,867.73
- D. Payroll Electronic Fund Transfers (EFT) Nos. 60674-60678 in the amount of \$85,813.89
- E. Payroll Direct Deposit 11/1/21-11/15/21 in the amount of \$115,459.34
- F. Claim Check Nos. 123099-123184 in the amount of \$361,800.76

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 – Eldorado Estates Residential Subdivision – 92-Lot Preliminary Plat**

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

Present on behalf of the applicant was Guillermo Olivera.

Mayor Mendoza opened the closed record public hearing to consider a residential subdivision 92-lot preliminary plat submitted by Guillermo Olivera on behalf of Custodio and Maria Olivera for Parcel No. 230914-42005 located at 621 Wilson Hwy, 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 by Guillermo Olivera on behalf of property owners Custodio and Maria Olivera for preliminary plat approval of a 92-lot residential subdivision to be known as Eldorado Estates. The proposed preliminary plat was located at 621 Wilson Highway which was on the east side of Wilson Highway and was zoned R-1 Low Density Residential District.
- On October 21, 2021, an open record public hearing was held before the Hearing Examiner to receive public comments on the proposed preliminary plat. A copy of the Hearing Examiner's Recommendation SUB#2021-04 dated November 4, 2021 was presented along with the Grandview Hearing Examiner Public Hearing Packet dated October 21, 2021.
- Following the closed record public hearing, recommend Council accept the Hearing Examiner's conclusions and recommendation that the 92-lot Preliminary Plat of "Eldorado Estates" to be located on Assessor's Parcel Number 230914-42005 and to have its main access from Wilson Highway which was 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#2021-04.

- Further recommend Council approve Resolution No. 2021-47 approving the Eldorado Estates Residential Subdivision 92-Lot Preliminary Plat.

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

Diaz – I just had a question on regarding the, I know the staff signed off as approval, but this seems to have quite a few conditions for for for approvals, 24 of them, more than any other discussions that we've had on lot approvals.

Mendoza – So is there a request for clarification that you would like. Is there a specific clarification that you would like for us to.

Diaz – Pardon.

Mendoza – Is there a specific clarification that you would like a, the City Attorney or.

Diaz – Well a under the recommendations it says that staff, the City of Grandview recommends that this preliminary plat be approved subject to the following and there's 24 of them. I don't see (inaudible) Sunnyside Valley Irrigation District on some issues on there and.

Palacios – Yeah, it is no different any other plat cause we get recommendations from SVID, DOT and those are all listed in here. It's just the same as other preliminary plats.

Diaz – I've never seen those listed as conditions.

Palacios – If they did reply then they would be listed as a condition.

Diaz – Okay.

Palacios – But they're all notified.

Diaz – I do know that it's also says here that the plot is close to allow traffic noise and the developer will put a sign to that effect to show that those residential homes will be subject to loud noises from the freeway.

Palacios – It's not a sign, it's put on the plat. It's the same thing we discussed last meeting. There is a note that's placed on the plat that informs any person who buys a lot.

Diaz – When you put initially on there or.

Palacios – When you buy a piece of property in this plat.

Diaz – Okay.

Palacios – You'll get a title report. That title report will say this property will be subject to noise.

Diaz – Okay and I also read through that the suggestion of a six foot fence to prevent the noise. Is that clear?

Arteaga – Right. I think there's a recommendation of a six foot fence and the area that that this property is located the freeway is down in the draw probably at least 20 feet so adding another six foot on top of that should be an adequate sound barrier to mitigate that and then all the other recommendations that are in here are all part of the subdivision regulations. I know the storm water, the streets, the irrigation portion, meeting the Clean Air Authority because they have to meet the Eastern Washington Stormwater Regulations for dust control, run off, so all of these requirements are items that are addressed in our subdivision regulations that the developer will need to comply with. Fourteen where it talks about sidewalks. Our subdivision regulations only call for one sidewalk on one side of the road, but the developer is proposing to do two sidewalks one on each side of the road so not only is he is he complying with the subdivision regulations, he's trying to make it better than, than what is the minimum.

Diaz – How about green space? Is there something that they don't fall under.

Arteaga – That's correct.

Diaz – Because of the number of housing or lots.

Arteaga – Our code doesn't require green space for this size of development.

Mendoza – Councilmember Rodriguez.

Rodriguez – This has been an issue with most of the developers and open properties a dust control. We have big issues with that. How do we enforce it with, you know, with all the developers all of the properties going on now.

Arteaga - All of the construction has to acquire a, has a permit from the Yakima Regional Clean Air Agency that addresses the impact and the contractors have a approved dust control plan on file with the Yakima County Regional Air Quality prior to any construction or clearing of work. So in that in that plan that they have to receive from the Clean Air Authority, it talks about how you're going to mitigate dust control and typically it's with water, you have to water it a couple times a day. Then you have what they call a silk fence which is the black four foot fence that is surrounded from the perimeter because once they start adding water, if there's any mud it's contained within the property, and in the event of a windstorm if it's the off hours, Todd, I have Todd usually contact the different superintendents that are working the construction crew, to bring their water truck out and apply a dust control treatment to mitigate dust problems.

Rodriguez – Thank you.

Mendoza – Great. Any other clarifications?

Jennings – This is Councilmember Jennings.

Mendoza – Yes. You have the floor?

Jennings – Not. Thank you. Not related specifically to the designs and so tell me if I'm wrong, but there was a public comment about the, the traffic and the speed. I've been on that road and they zoom through there like it's the Indy 500. Is that something that will be addressed?

Arteaga – Yes, that was, that was a comment from the Hearing Examiner and I think Mr. Watson so and we will have our public safety officer, which is the police chief, take a look at that and I don't see any reason why we wouldn't reduce it to 25 to the freeway. North of the freeway is county. We could reach out to the county to see if they would reduce it to 35 for a distance but that would be something that we have be negotiated with the county, but as far as the City, we can post a 25 mile an hour speed sign through there.

Jennings – Thank you.

Mendoza – Thank you. Any other clarification? Okay, so if clarification of the record of the record is authorized a well we can now move on to. Now that we have reviewed the record concerning this issue, this subject is open for decision. 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 or scope of the project, increase the density or proposed building size, significantly increase adverse environmental impacts as determined by the responsible official, deny, deny with prejudice, remand for further proceedings and/or evidentiary hearing in accordance with Section 14.09.070.

The public hearing was declared closed.

**On motion by Councilmember Moore, second by Councilmember Ozuna, Council accepted the Hearing Examiner's conclusions and recommendation that the 92-lot Preliminary Plat of "Eldorado Estates" to be located on Assessor's Parcel Number 230914-42005 and to have its main access from Wilson Highway which was 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#2021-04.**

Roll Call Vote:

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

Councilmember Everett recused himself from the meeting at 7:30 p.m.

**B. Resolution No. 2021-47 approving the Eldorado Estates Residential Subdivision 92-Lot Preliminary Plat**

This item was previously discussed at the November 9, 2021 C.O.W. meeting.

**On motion by Councilmember Souders, second by Councilmember Moore, Council approved a Resolution No. 2021-47 approving the Eldorado Estates Residential Subdivision 92-Lot Preliminary Plat.**

Roll Call Vote:

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

**C. Public Hearing – 2022 Preliminary Budget**

Mayor Mendoza opened the public hearing for the purpose of receiving comments on the 2022 Preliminary Budget by reading the public hearing procedure.

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

City Clerk Palacios indicated that there were no public comments received by mail.

The public testimony portion of the hearing was declared closed and no further comments were received.

**D. Resolution No. 2021-48 authorizing the Mayor to sign an Interlocal Agreement between City of Union Gap, Yakima Valley Conference of Governments and the City of Grandview for the administration and development of a Housing Action Plan**

This item was previously discussed at the November 9, 2021 C.O.W. meeting.

**On motion by Councilmember Diaz, second by Councilmember Moore, Council approved a Resolution No. 2021-48 authorizing the Mayor to sign an Interlocal Agreement between City of Union Gap, Yakima Valley Conference of Governments and the City of Grandview for the administration and development of a Housing Action Plan.**

Roll Call Vote:

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

**E. Resolution No. 2021-49 authorizing the Mayor to sign the School Resource Officer Interlocal Agreement with the Grandview School District**

This item was previously discussed at the November 9, 2021 C.O.W. meeting.

**On motion by Councilmember Rodriguez, second by Councilmember Jennings, Council approved a Resolution No. 2021-49 authorizing the Mayor to sign the School Resource Officer Interlocal Agreement with the Grandview School District.**

Roll Call Vote:

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

**F. Resolution No. 2021-50 authorizing the Mayor to sign an Agreement with the Yakima County District Court for Probation Services**

This item was previously discussed at the November 9, 2021 C.O.W. meeting.

**On motion by Councilmember Diaz, second by Councilmember Rodriguez, Council approved a Resolution No. 2021-50 authorizing the Mayor to sign an Agreement with the Yakima County District Court for Probation Services.**

Roll Call Vote:

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

**G. Ordinance No. 2021-24 amending Grandview Municipal Code Sections 2.48.080 Floral, Other Decorations and Landscaping, 2.48.110 Prohibited Acts, 2.48.150 Rates-Advance Payments and 2.48.160 Miscellaneous regarding the City Cemetery**

This item was previously discussed at the November 9, 2021 C.O.W. meeting.

**On motion by Councilmember Souders, second by Councilmember Rodriguez, Council approved an Ordinance No. 2021-24 amending Grandview Municipal Code Sections 2.48.080 Floral, Other Decorations and Landscaping, 2.48.110 Prohibited Acts, 2.48.150 Rates-Advance Payments and 2.48.160 Miscellaneous regarding the City Cemetery.**

Roll Call Vote:

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

**H. Resolution No. 2021-51 accepting the bid for the Sanitary Sewer Trunk Main Replacement Phase 2 and authorizing the Mayor to sign all contract documents with Culbert Construction, Inc.**

This item was previously discussed at the November 23, 2021 C.O.W. meeting.

**On motion by Councilmember Moore, second by Councilmember Jennings, Council approved Resolution No. 2021-51 accepting the bid for the Sanitary Sewer Trunk Main Replacement Phase 2 and authorizing the Mayor to sign all contract documents with Culbert Construction, Inc.**

Roll Call Vote:

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

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

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

Exit 75/McCreadie/WCR Roundabout – City Administrator Arteaga reported that the Transportation Improvement Board awarded the City a \$1.5 million grant to construct the roundabout at Exit 75/McCreadie/Wine Country Road.

Yakima Regional SWAT Callout – City Administrator Arteaga reported that on November 21<sup>st</sup>, the Yakima Regional SWAT responded to a barricaded and armed subject in the City of Yakima. This was preceded by a shoplifting that turned into a robbery. A Grandview PD Officer and the Grandview PD's armor protected vehicle (attached to the Yakima Regional SWAT Team) responded with the vehicle as part of the team callout. The event turned into a stand-off. The suspect fired multiple rounds at officers and the armored vehicle. The armored vehicle was used at the end of the stand-off to breach a section of the residence wall where the suspect was hiding and firing from. The breaching and loss of cover for the suspect led to his immediate surrender.

Council Chamber Safety Plan – City Administrator Arteaga reported that he was re-evaluating the Council Chambers to improve safety. He requested the Mayor and Council reconsider how they enter and exit the Council Chambers. He suggested the following:

- All Councilmembers should use the back door of City Hall when attending a meeting and enter the Council Chambers utilizing the conference room instead of weaving through the crowd.
- In the event the Council Chambers was full of public participants, Council should also exit the chambers through the back door at the end of the meeting.
- A roped off area was installed to identify staff and Council work space as well as the public participants area. The designated areas would no longer allow public participants to stand behind Councilmembers during a meeting.



- The Fire Chief and Police Chief would be implementing an emergency plan for exiting the Council Chambers.

Dollar General – City Administrator Arteaga reported that the Dollar General submitted their full set of building plans.

Grandview Business Center – City Administrator Arteaga reported that the new water/sewer mains and street were completed for the Grandview Business Center.

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

10. **ADJOURNMENT**

On motion by Councilmember Souders, second by Councilmember Moore, the Council meeting adjourned at 7:50 p.m.

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk

**GRANDVIEW CITY COUNCIL  
SPECIAL MEETING MINUTES  
DECEMBER 7, 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 (Mayor Pro Tem), Robert Ozuna and Joan Souders

Present via teleconference: Councilmembers Diana Jennings and Javier Rodriguez

Absent: Councilmember Mike Everett

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

Roll Call Vote:

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

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

**2. Ordinance No. 2021-25 amending the City of Grandview 2022 Non-Union Salary Schedule**

This item was previously discussed at the November 23, 2021 C.O.W. meeting.

**On motion by Councilmember Ozuna, second by Councilmember Moore, Council approved Ordinance No. 2021-25 amending the City of Grandview 2022 non-union salary schedule.**

Roll Call Vote:

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

3. **Ordinance No. 2021-26 adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2022**

This item was previously discussed at the November 23, 2021 C.O.W. meeting.

**On motion by Councilmember Souders, second by Councilmember Diaz, Council approved Ordinance No. 2021-26 adopting the budget and confirming tax levies for revenue to carry on the government for the fiscal year ending December 31, 2022.**

Roll Call Vote:

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

4. **ADJOURNMENT**

**On motion by Councilmember Moore, second by Councilmember Souders, the Council special meeting adjourned at 6:20 p.m.**

---

Mayor Gloria Mendoza

---

Anita Palacios, City Clerk



**CITY OF GRANDVIEW  
NOTICE OF CLOSED RECORD PUBLIC HEARING  
PRO-MADE CONSTRUCTION ANNEXATION & REZONE  
WILSON HWY, N. 4<sup>TH</sup> STREET AND N. 5<sup>TH</sup> STREET**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Grandview will hold a closed record public hearing on **Tuesday, December 14, 2021 at 7:00 p.m.**, to consider the Hearing Examiner's recommendation that the City Council approve the requested 92-Lot Preliminary Plat for the following:

**Applicant(s):** Pro Made Construction – Peter Strizhak & Ruslen Gorbatyuk

**Property Owner(s)/Address/Parcel No.:**

Felicitas & Maria S. Lara\*, 720 Wilson Hwy, 230914-24006  
Donald E. & Terry Golladay, Wilson Hwy, 230914-24010  
Pro Made Construction Inc.\*, 650 Wilson Hwy, 230914-31003  
Patricia Schlotfeldt\*, 507 N. 5<sup>th</sup> Street, 230914-31004  
Frank J. & Patricia C. Coleman\*, 450 Wilson Hwy, 230914-34006  
Tom Honeycutt, 430 Wilson Hwy, 230914-34009  
Estuardo Velasquez\*, 315 N. 4th Street, 230914-34401  
Juanita I. & Salvador Avalos\*, 401 N. 4th Street, 230914-34402  
Roberto & Mayra E. Frias\*, 405 N. 4th Street, 230914-34403  
Lorenzo & Marlene Cisneros, 407 N. 4th Street, 230914-34404  
Jose B. & Margarita Ramirez Prieto\*, 411 N. 4th Street, 230914-34405  
Guadalupe & Antonia Chadis, 501 N. 4th Street, 230914-34406  
Jose Luis & Francisa Mendez, 505 N. 4th Street, 230914-34407  
David Barajas Maria Ruiz\*, 307 N. 4th Street, 230914-34421  
Joel Martinez-Franco\*, 305 N. 4th Street, 230914-34422  
Maria S. Sherrill\*, 301 N. 4th Street, 230914-34423  
Matthew Sears, 410 Wilson Hwy, 230914-34424

**(\*)denotes property owners who signed annexation petition**

**Proposed Project:** Annexation & Rezone

**Current Zoning/Future Land Use:** R-1 Single Family Residential

**Proposed Zoning:** R-1 Single Family Residential

**Location of Project:** Wilson Hwy, N. 4th St., N. 5th St., Grandview, Yakima County, WA

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/84269287904?pwd=R0cvRIRCWZRdWRsR1pJYXhJN1BGUT09>

Meeting ID: 842 6928 7904

Passcode: 708384

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

**CITY OF GRANDVIEW**

Anita G. Palacios, MMC, City Clerk

Publish: Grandview Herald – November 10, 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):** Pro Made Construction – Peter Strizhak & Ruslen Gorbatyuk

**Property Owner(s)/Address/Parcel No.:**

Felicitas & Maria S. Lara\*, 720 Wilson Hwy, 230914-24006

Donald E. & Terry Golladay, Wilson Hwy, 230914-24010

Pro Made Construction Inc.\*, 650 Wilson Hwy, 230914-31003

Patricia Schlotfeldt\*, 507 N. 5<sup>th</sup> Street, 230914-31004

Frank J. & Patricia C. Coleman\*, 450 Wilson Hwy, 230914-34006

Tom Honeycutt, 430 Wilson Hwy, 230914-34009

Estuardo Velasquez\*, 315 N. 4th Street, 230914-34401

Juanita I. & Salvador Avalos\*, 401 N. 4th Street, 230914-34402

Roberto & Mayra E. Frias\*, 405 N. 4th Street, 230914-34403

Lorenzo & Marlene Cisneros, 407 N. 4th Street, 230914-34404

Jose B. & Margarita Ramirez Prieto\*, 411 N. 4th Street, 230914-34405

Guadalupe & Antonia Chadis, 501 N. 4th Street, 230914-34406

Jose Luis & Francisca Mendez, 505 N. 4th Street, 230914-34407

David Barajas Maria Ruiz\*, 307 N. 4th Street, 230914-34421

Joel Martinez-Franco\*, 305 N. 4th Street, 230914-34422

Maria S. Sherrill\*, 301 N. 4th Street, 230914-34423

Matthew Sears, 410 Wilson Hwy, 230914-34424

**(\*)denotes property owners who signed annexation petition**

**Proposed Project:** Annexation & Rezone

**Current Zoning/Future Land Use:** R-1 Single Family Residential

**Proposed Zoning:** R-1 Single Family Residential

**Location of Project:** Wilson Hwy, N. 4th Street, N. 5th Street, Grandview, Yakima County, WA

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 – Pro-Made Construction Annexation and Rezone – Wilson Hwy, North 4<sup>th</sup> Street and North 5<sup>th</sup> Street

Resolution No. 2021-52 authorizing the petition to annex properties known as the Pro-Made Construction Annexation that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action

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

**AGENDA DATE:** December 14, 2021


**DEPARTMENT**

Planning/Hearing Examiner

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

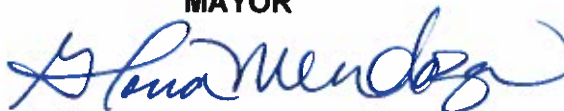
**DEPARTMENT DIRECTOR REVIEW**

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 Letter of Intent and Petition for Annexation and Rezone signed by Pro Made Construction LLC., to annex the following 17 parcels located on Wilson Hwy, North 4<sup>th</sup> Street and North 5<sup>th</sup> Street, Grandview, Washington, to the City of Grandview:

Parcel No.	Property Owner	Address	Assessed Value	60%
230914-24006	Felicitas & Maria S. Lara*	720 Wilson Hwy	\$ 238,400	\$ 238,400
230914-24010	Donald E. & Terry Golladay	Wilson Hwy	\$ 6,300	
230914-31003	Pro Made Construction Inc.*	650 Wilson Hwy	\$ 402,960	\$ 402,960
230914-31004	Patricia Schlotfeldt*	507 N. 5 <sup>th</sup>	\$ 136,100	\$ 136,100
230914-34006	Frank J. & Patricia C. Coleman*	450 Wilson Hwy	\$ 159,600	\$ 159,600
230914-34009	Tom Honeycutt	430 Wilson Hwy	\$ 97,200	
230914-34401	Estuardo Velasquez*	315 N. 4 <sup>th</sup>	\$ 128,900	\$ 128,900
230914-34402	Juanita I. & Salvador Avalos*	401 N. 4 <sup>th</sup>	\$ 99,500	\$ 99,500
230914-34403	Roberto & Mayra E. Frias*	405 N. 4 <sup>th</sup>	\$ 133,800	\$ 133,800
230914-34404	Lorenzo & Marlene Cisneros	407 N. 4 <sup>th</sup>	\$ 132,200	
230914-34405	Jose B. & Margarita Ramirez Prieto*	411 N. 4 <sup>th</sup>	\$ 160,000	\$ 160,000
230914-34406	Guadalupe & Antonia Chadis	501 N. 4 <sup>th</sup>	\$ 67,700	
230914-34407	Jose Luis & Francisa Mendez	505 N. 4 <sup>th</sup>	\$ 162,700	
230914-34421	David Barajas Maria Ruiz*	307 N. 4 <sup>th</sup>	\$ 170,800	\$ 170,800

230914-34422	Joel Martinez-Franco*	305 N. 4 <sup>th</sup>	\$ 169,700	\$ 169,700
230914-34423	Maria S. Sherrill*	301 N. 4 <sup>th</sup>	\$ 85,400	\$ 85,400
230914-34424	Matthew Sears	410 Wilson Hwy	\$ 123,800	
			\$ 2,475,060	\$ 1,885,160

(\*) denotes property owners who signed annexation petition

The 17 parcels included in the annexation consist of 54 acres. The petitioners elected to request annexation under the 60% petition method of annexation. The 60% petition method requires signatures by owners of not less than 60% of the assessed value of the total property proposed for annexation. The petition contained sufficient signatures of the assessed value.

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

At the September 14, 2021 City Council meeting, Council approved Resolution No. 2021-39 accepting a request from Pro-Made Construction for annexation of Parcel Nos. Resolution No. 2021-39 accepting a request from Pro Made Construction LLC for annexation of Parcel Nos. 230914-24006, 230914-24010, 230914-31003, 230914-31004, 230914-34006, 230914-34009, 230914-34401, 230914-34402, 230914-34403, 230914-34404, 230914-34405, 230914-34406, 230914-34407, 230914-34421, 230914-34422, 230914-34423, 230914-34424 located on Wilson Hwy, North 4<sup>th</sup> Street, and North 5<sup>th</sup> Street, Grandview, Yakima County, Washington to the City of Grandview and directed staff to present the Petition for Annexation to the Hearing Examiner for a public hearing.

---

**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 October 28, 2021, a public hearing was held before the Hearing Examiner to receive comments on the proposed annexation and rezone. A copy of the Hearing Examiner's Recommendation is attached.

---

## **ACTION PROPOSED**

Recommend Council accept the Hearing Examiner's conclusions and recommendation that the Petition for Annexation of the 54-acre area submitted by Pro Made Construction LLC., be approved with R-1 Low Density Residential District zoning.

Further recommend that Council approve Resolution No. 2021-52 authorizing the petition to annex properties known as the Pro-Made Construction Annexation that is contiguous to the City of Grandview and providing for transmittal of said petition to the Yakima County Boundary Review Board for a 45-day review prior to taking final action.

---

# City of Grandview, Washington Hearing Examiner's Recommendation

November 10, 2021

In the Matter of a Petition for )  
Annexation of Property with )  
R-1 Low Density Residential )  
District Zoning Submitted by: )  
Pro Made Construction LLC ) **Annexation Resolution No. 2021-39**  
For the Annexation of about )  
54 Acres with R-1 Low Density )  
Residential District Zoning on )  
The West Side of Wilson Highway )  
North of North 4<sup>th</sup> Street and )  
North of North 5<sup>th</sup> Street )

**A. Introduction.** The findings relative to the hearing procedure for this petition are as follows:

(1) The Hearing Examiner conducted an open record public hearing on October 28, 2021, regarding this petition to annex approximately 54 acres into the City of Grandview (City) with R-1 Low Density Residential District zoning.

(2) A staff report was prepared and was presented by Jeff Watson, Senior Planner of the Yakima Valley Conference of Governments acting as the City's Planner. He recommended approval of the proposed annexation with R-1 Low Density Residential District zoning for the 17 parcels included in this petition.

(3) Paul Lavrentiev, the General Manager of the construction portion of the applicant's operation, testified in favor of this application.

(4) City Administrator/Public Works Director Cus Arteaga and City Clerk Anita Palacios answered questions regarding the matter.

(5) No written public comments were submitted by residents and no one else testified at the hearing.

(6) This recommendation has been issued within ten working days of the hearing as required by Subsection 2.50.130(A) of the Grandview Municipal Code.

**B. Summary of Recommendation.** The Hearing Examiner recommends that the Grandview City Council approve the proposed annexation with R-1 zoning of 17 parcels totaling about 54 acres located west of Wilson Highway and north of North 4<sup>th</sup> Street and North 5<sup>th</sup> Street as recommended by the City's Planner.

**C. Basis for Recommendation.** Based upon a view of the site without anyone else present on October 28, 2021; the information contained in the staff report, the exhibits, the testimony, the SEPA Determination of Non-Significance and the other evidence presented at the open record public hearing on October 28, 2021; and a consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance; the Hearing Examiner makes the following:

## **FINDINGS**

**I. Applicant/Petitioners/Property Owners.** The applicant, petitioners and property owners within this request for annexation with R-1 zoning are as follows:

(1) Managing Members Peter Strizhak and Ruslen Gorbatyuk signed the Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington for Pro Made Construction, LLC which

owns the 36.7-acre parcel #230914-31003. The County Assessor included the \$170,800 assessed value of parcel #230914-34421 as a parcel whose owners signed the 60% Petition because the signature of one of the two owners was deemed sufficient even though the assessed value of that parcel was not included for that purpose in Resolution No. 2021-39. Therefore, the names of the owners of the 11 parcels who signed the 60% Petition Method for Annexation to the City of Grandview, Washington, and the addresses and assessed values of their parcels are as follows:

<i>Parcel No. 230914-</i>	<i>Property Owner(s)</i>	<i>Address</i>	<i>Value</i>
24006	Felicitas & Maria S. Lara	720 Wilson Hwy	\$238,400
31003	Pro Made Construction LLC	650 Wilson Hwy	\$402,960
31004	Patricia Schlotfeldt	507 N. 5 <sup>th</sup>	\$136,100
34006	Frank J. & Patricia C. Coleman	450 Wilson Hwy	\$159,600
34401	Estuardo Velasquez	315 N. 4 <sup>th</sup>	\$128,900
34402	Juanita I. & Salvador Avalos	401 N. 4 <sup>th</sup>	\$99,500
34403	Roberto & Mayra E. Frias	405 N. 4 <sup>th</sup>	\$133,800
34405	Jose B. & Margarita Ramirez Prieto	411 N. 4 <sup>th</sup>	\$160,000
34421	David Barajas & Maria Ruiz	307 N. 4 <sup>th</sup>	\$170,800
34422	Joel Martinez-Franco	305 N. 4 <sup>th</sup>	\$169,700
34423	Maria S. Sherrill	301 N. 4 <sup>th</sup>	<u>\$85,400</u>
Total:			\$1,885,160

(2) The names of the owners of the 6 parcels to be included in the annexation area who did not sign the 60% Petition Method for Annexation to the City of Grandview, Washington, and the addresses and assessed values of their parcels are as follows:

<i>Parcel No. 230914-</i>	<i>Property Owner(s)</i>	<i>Address</i>	<i>Value</i>
24010	Donald E. & Terry Golladay	Wilson Hwy	\$6,300
34009	Tom Honeycutt	430 Wilson Hwy	\$97,200
34404	Lorenzo & Marlene Cisneros	407 N. 4 <sup>th</sup>	\$132,200
34406	Guadalupe & Antonia Chadis	501 N. 4 <sup>th</sup>	\$67,700
34407	Jose Luis & Francisca Mendez	505 N. 4 <sup>th</sup>	\$162,700
34424	Matthew Sears	410 Wilson Hwy	<u>\$123,800</u>
Total			\$589,900
			+ <u>\$1,885,160</u>

Total Assessed Value in the Proposed Annexation Area: = \$2,475,060

(3) The \$1,885,160 assessed value of the parcels whose owners signed the petition equals more than 75% of the total assessed value of the property in the proposed annexation area even though only 60% of the assessed value of the area is needed to process the petition *(page 33 of the record)*.

**II. Location.** The 17 parcels proposed for annexation with R-1 Low Density Residential District zoning are located within the City of Grandview Urban Growth Area west of Wilson Highway, south of the Interstate 82 right-of-way, and north of North 4<sup>th</sup> Street and North 5<sup>th</sup> Street *(page 10 of the record)*. The legal description of the area included within the annexation petition is as follows:

Land located in the Northeast Quarter and the Southeast Quarter of Section 14, Township 9 North, Range 23 East of the Willamette Meridian, Yakima County, Washington, described as follows: Beginning at the intersection of the Westerly right of way of Wilson Highway and the Southerly boundary of the Interstate Highway 82, thence South along the Westerly right of way of Wilson Highway to its intersection with the Northerly right of way of North 4<sup>th</sup> Street; thence West along the Northerly right of way of North 4<sup>th</sup> Street to its intersection with the Westerly line of Lot 7 of Webb Addition, records of Yakima County; thence North along the Westerly line of Lot 7 of Webb Addition and its extension thereof to the South line of the Northeast Quarter of the Southwest Quarter of said Section 14; thence West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 14 to the Southwest corner thereof; thence North along the West line of the Northeast Quarter of the Southwest Quarter of said Section 14 to the Northwest corner thereof; thence North along the West line of the Southeast Quarter of the Northwest Quarter of said Section 14 to its intersection with the Southerly boundary of the Interstate Highway 82; thence Southeasterly along the Southerly boundary of said Interstate Highway 82 to the point of beginning *(page 31 of the record)*.

**III. Petition.** The background relative to this annexation petition may be summarized as follows:

(1) The Letter of Intention (60% Petition Method) to Commence Annexation Proceedings to the City of Grandview, Washington and the 60% Petition Method for Annexation to the City of Grandview, Washington were signed by Peter Strizhak and Ruslen Gorbatyuk as the Managing Members of applicant Pro Made Construction LLC, which owns the 36.7-acre parcel #230914-31003. The 60% Petition was also signed by the owners of the 10 other parcels set forth above in Section I of this recommendation. The proposed annexation area contains 6 parcels whose owners did not sign the 60% Petition. The assessed value of the proposed annexation area is \$2,475,060. The 60% Petition has been signed by the owners of 11 of the parcels having a total assessed value of \$1,885,160 which is more than 75% of the assessed value of the proposed annexation area *(pages 3-28 of the record)*.

(2) The petition requests annexation of the 17 parcels with assumption of existing City indebtedness and with R-1 Low Density Residential District zoning. That zoning would be consistent with the City's "Residential" Comprehensive Plan designation for the 54-acre area. The current County zoning is Single-Family Residential (R-1) *(pages 4-11 of the record)*.

(3) If the area is annexed with the City's R-1 Low Density Residential District zoning, existing single-family residences in the annexation area would constitute permitted uses under that zone, and new uses could be developed in the annexation area consistent with the regulations of that zone *(pages 100-101 of the record)*.

(4) At the City Council's regular meeting of September 14, 2021, the City Council by means of Resolution No. 2021-39 referred the petition for annexation to the Hearing Examiner to receive and examine available information, conduct a public hearing, prepare a record thereof, and enter findings of fact and conclusions based upon those facts, together with a recommendation to the City Council *(page 29-30 of the record)*. The sufficiency of the petition signed by owners of more than 60% of the assessed value within the area of the proposed annexation was confirmed by a letter from Yakima County Assessor Dave Cook dated August 17, 2021. That letter indicated that owners of more than 75% of the assessed value of the proposed annexation area signed the 60% Petition *(page 33 of the record)*. The accuracy of the legal description for the proposed annexation area prepared by a Professional Land Surveyor that is set forth in Section II of this recommendation was confirmed by a letter from Yakima County Engineer Matt Pietrusiewicz, P.E. dated October 18, 2021 *(pages 31 and 79-81 of the record)*.

(5) If the City Council agrees with this recommendation, it will authorize the annexation petition to be forwarded to the Boundary Review Board. If it is approved by that Board, it will be returned for the City Council's adoption of an annexation ordinance.

**IV. State Environmental Policy Act.** A Final Determination of Non-Significance was issued on October 15, 2021, to the effect that the proposed annexation with R-1 zoning will not have a probable significant adverse environmental impact. It was not appealed *(pages 56-57 of the record)*.

**V. Zoning and Land Uses.** The proposed annexation area which is adjacent to the City limits on the west, south and east sides is currently zoned as Single-Family Residential (R-1) by Yakima County. Most of the area is vacant with some existing single-family residences. The properties near the proposed annexation area have the following characteristics:

<i>Location</i>	<i>Zoning</i>	<i>Existing Uses</i>
North	Right-of Way	WSDOT Interstate 82
South	MR	Manufactured Home Park
East	R-1	Residential/Vacant
West	AG, R-1, R-3	Vineyard/Vacant

**VI. Comprehensive Plan.** The 2016 Grandview Comprehensive Plan Future Land Use Map designation for the proposed 54-acre annexation area located in the City's Urban Growth Area is "Residential" *(page 85 of the record)*.

**VII. Floodways, Floodplains, Flood Hazard Areas or Shorelines.** There are no FEMA floodways, floodplains, flood hazard areas or designated Shoreline



Environments within or near the proposed annexation area *(page 86 of the record)*.

**VIII. Critical Areas.** There are no known critical areas as defined by GMC Chapter 18.06 within the proposed annexation area *(page 86 of the record)*.

**IX. Concurrency.** This petition is not subject to GMC Chapter 14.10 relative to Transportation Concurrency Management because no development is proposed at this time. A Certificate of Concurrency may be required for future development *(page 87 of the record)*.

**X. Development Standards.** This petition is likewise not subject to any of the development standards that are contained in the Grandview Municipal Code since no new development of the annexation area is proposed at this time *(page 87 of the record)*.

**XI. Infrastructure.** Water and sewer lines are in the area of this proposed annexation. When development is proposed for the undeveloped portions of this proposed annexation area, the City's sewer and water system extensions and improvements of a type dependent upon the type and size of development will be required to serve this property. The undeveloped portions of the proposed annexation area will be served by Wilson Highway along the east side of the property which is paved and is already within the City's inventory. Additional right-of-way and improvements may be required to accommodate the increased traffic generated by future development of the proposed annexation area. The

portions of the proposed annexation area already developed with single-family residences along the south side of the area are served by North 4<sup>th</sup> Street and North 5<sup>th</sup> Street which are paved City streets *(page 87 of the record)*.

**XII. Hearing Examiner Jurisdiction.** Annexation procedures are governed by Chapter 17.96 of the Grandview Municipal Code (GMC) and Chapter 35A.14 of the Revised Code of Washington (RCW). The Hearing Examiner has jurisdiction to make a recommendation regarding annexation with appropriate zoning to the City Council based on the findings set forth in GMC §17.96.030 and GMC §17.96.040 after a public hearing with prior notice described in RCW 35A.14.130.

**XIII. Notices of Hearing.** Notices of the Hearing Examiner's open record public hearing of October 28, 2021, were provided as follows:

(1) The type of notice required for annexations by GMC §2.50.120(B) to be provided at least 10 working days prior to the hearing is not specified by GMC Chapter 17.96 or GMC Chapter 2.50. But RCW 35A.14.130 requires the City to "cause notice of the hearing to be published in one or more issues of a newspaper of general circulation in the city" and requires that "The notice shall also be posted in three public places within the territory proposed for annexation, and shall specify the time and place of hearing and invite interested persons to appear and voice approval or disapproval of the annexation."

(2) Notice of the Development Application and SEPA Checklist were sent to agencies potentially having an interest in the proposed annexation on September 16, 2021 *(page 72 of the record)*.

(3) Notice of the public hearing of October 28, 2021, was published in the City's official newspaper, the Grandview Herald, on September 22, 2021, at least 10 working days prior to the hearing in accordance with RCW 35A.14.130 and GMC §2.50.120(B) *(pages 62-63 of the record)*.

(4) Notice of the public hearing before the Hearing Examiner was posted on September 29, 2021, in three places on the property proposed for annexation *(pages 74-78 of the record)*.

(5) Additional notice for the requested rezone for the parcels proposed for annexation was provided on September 27, 2021, in the manner required for permit or development applications such as rezones by mailing the notice of the public hearing to property owners within 300 feet of the parcels proposed for annexation and for rezoning, and by posting the notice of the public hearing at City Hall, the Library, the Police Department and the City's website at [www.grandview.wa.us](http://www.grandview.wa.us) *(pages 64-71 of the record)*.

**XIV. Comments.** No written comments from members of the public were received relative to this petition for annexation with R-1 zoning. The only written comment received from an interested agency was from the Sunnyside Valley Irrigation District (SVID) which stated:

“SVID has multiple facilities within the Annexation/Rezone area. All SVID facilities are situated within SVID right of way or easement. Please contact SVID before any development takes place within the proposed Wilson Estates project area for location of SVID facilities and easement information.

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

**XV. Annexation Review Criteria.** The annexation review criteria *(page 102 of the record)* include the following requirements prescribed in State statutes and City ordinances:

(1) 60% Petition (RCW 35A.14.120). This annexation petition satisfies the requirements of RCW 35A.14.120 because the owners of more than 75% of the assessed value of the property within the proposed annexation area signed the 60% Petition.

(2) Annexation Review Criteria (GMC §17.96.030). GMC §17.96.030 provides that “At the time of the official public hearing on any proposed annexation to the city, the Hearing Examiner shall recommend a district classification of the area to be annexed in accordance with Chapter 2.50 GMC, which recommendation shall be in keeping with the overall comprehensive plan for the urban area, and the best arrangement of land uses to promote public health, safety, morals, and general welfare.”

(3) Zoning District Classification in Keeping with the Comprehensive Plan. The requested R-1 Low Density Residential District zoning is in keeping with the Comprehensive Plan’s “Residential” designation for the 54-acre proposed annexation area. Low density residential development in the R-1 Low Density Residential District as specified by GMC Chapter 17.30 includes single-family conventional dwellings with smaller lots and useful yard spaces. Since GMC §17.96.040 requires the establishment of zoning for annexed areas to be governed by the land use designations and the policies of the Comprehensive Plan, the zoning of the proposed annexation area is recommended by the petitioners, the City’s Planner and the City’s Hearing Examiner to be the R-1 Low Density Residential District. That zoning would also be in keeping with goals and policies of the 2016 Comprehensive Plan including the following:

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

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

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

Policy 4.3: Ensure that new residential development makes efficient use of the existing transportation network and provides adequate access to all lots *(pages 100-102 and 93 of the record)*.

(4) Zoning District Classification in Keeping with the Best Arrangement of Land Uses (GMC §17.96.030): GMC §17.96.030 also requires a recommendation regarding the zoning district classification for a proposed annexation area to be in keeping with the best arrangement of land uses to promote public health, safety, morals, and general welfare. The proposed annexation area is within the City’s

Urban Growth Area and is contiguous to the current City limits on the west, south and east sides. It abuts the WSDOT right of way for Interstate 82 on the north side. Approval of the proposed annexation would result in a natural and expected expansion of the City's boundaries. The recommended zoning for the annexed area would allow for additional residential uses in the future that would be compatible with nearby zoning and land uses even though none are proposed at this time. This general criterion as to the best arrangement of land uses to promote the public health, safety, morals and general welfare can also be determined through a consideration of the more specific rezone criteria in the following section that apply here since this petition requests a change of the zoning from the current Yakima County Single-Family Residential (R-1) zoning to the City's R-1 Low Density Residential District zoning as part of this annexation process.

**XVI. Standards and Criteria for Rezones.** GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of either the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days notice of public hearings by publication, mailing and posting. GMC §14.03.040(A)(4), GMC §14.09.030(A)(4) and GMC §17.88.020(A)(2) provide that a recommendation is to be made to the City Council regarding rezones in accordance with GMC Title 14. GMC §14.09.030(A)(3) and GMC §14.09.030(A)(4) provide applicable procedures. 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 such as a rezone without making the following findings and conclusions:

**(1) The development (proposed rezone) is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code.** As explained above in Subsection XV(3) of this recom-

mendation, the zoning of the 54-acre proposed annexation area is recommended by the City's Planner and Hearing Examiner to be the R-1 Low Density Residential District in order to be consistent with the intent of the 2016 Comprehensive Plan "Residential" designation and to be consistent with the policies of the 2016 Comprehensive Plan. The rezone to that district would also meet the requirements and intent of the City's zoning ordinance so long as that zone satisfies all of the following criteria for approval of a rezone.

**(2) The development (proposed rezone) makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes.** The undeveloped portion of the proposed annexation area is accessed by Wilson Highway which may require additional right-of-way and improvements by a developer in the future depending upon the nature of the development. Existing utilities which are available in the area and which are adequate for R-1 Low Density Residential District uses can be extended to the area to serve future development.

**(3) The development (proposed rezone) adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18.** The proposed annexation has been determined to lack any probable significant adverse impacts on the environment through the SEPA Determination of Non-Significance that was issued pursuant to GMC Title 18 on October 15, 2021, as the final threshold determination.

**(4) The development (proposed rezone) is beneficial to the public health, safety, morals and welfare and is in the public interest.** The requested rezone is beneficial to the public health, safety, morals and welfare and is in the public interest because it can serve in the future as a site for additional residential uses within the City that would be compatible with nearby land uses.

**(5) The development (proposed rezone) 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.** No development is proposed at this time and any future development will be subject to the Transportation Concurrency Management requirements of GMC Chapter 14.10. Here there is no indication in the record that the development of R-1 Low Density Residential District uses in the area proposed for annexation would lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan so long as necessary improvements are made to accommodate the increased traffic that the future development would generate. If the development would result in a level of service lower than those shown in the Comprehensive Plan, the development could be approved subject to incorporating improvements or strategies concurrent with the development that would raise the level of service. The term “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.

**(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.** Here this criterion is not applicable because there is no land proposed for dedication at this time, but that may be required as a condition of future development of the proposed annexation area.

In addition, Section 17.88.060 of the Grandview Municipal Code (*page 103 of the record*) provides that the Hearing Examiner shall enter findings for a rezone indicating whether the following additional criteria are satisfied:

**(1) Whether the proposal is in accord with the goals and policies of the Comprehensive Plan.** The rezone of the 54-acre proposed annexation area to the R-1 Low Density Residential District zoning district would be in accord with the goals and policies of the 2016 Comprehensive Plan set forth above in Subsection XV(3) of this recommendation.

**(2) Whether the effect of the proposal on the immediate vicinity will be materially detrimental.** The proposed annexation with R-1 Low Density Residential District zoning for the 54-acre proposed annexation area will not be materially detrimental to the immediate vicinity and will have merit and value for

the community as a whole. The proposed annexation area is adjacent to existing residential development to the south and will likely also be adjacent to future residential development to the west and east. Although notice was given to nearby property owners by mailing, posting and publication, no members of the public submitted written comments or testimony in opposition to the requested annexation with R-1 zoning.

**(3) Whether there is merit and value in the proposal for the community as a whole.** There is merit and value in the recommended zoning of this proposed annexation area for the community as a whole because it can provide an area for residential development in the future that will provide needed additional housing in the City to help the City meet its future growth projections without impacting critical areas.

**(4) Whether conditions should be imposed in order to mitigate any significant adverse impacts from the proposal.** There is no need for conditions to be imposed in order to mitigate significant adverse impacts from the proposed annexation and recommended zoning. The City's SEPA Determination of Non-Significance determined that no likely significant adverse environmental impacts will result.

**(5) Whether a development agreement should be entered into between the City and the petitioner and, if so, the terms and conditions of such an agreement.** There is no need for a development agreement between the City and the petitioners for the proposed annexation with R-1 zoning because there is no proposal to develop the property or use it in any specific way at this time.

## **CONCLUSIONS**

Based on the foregoing findings, the Hearing Examiner reaches conclusions consistent with the City Planner's conclusions (*page 103 of the record*) as follows:

(1) The Hearing Examiner has jurisdiction under GMC §17.96.030 and GMC §2.50.080(C)(1) and (C)(2) to make a recommendation to the Grandview City Council regarding this petition for annexation with appropriate zoning.



(2) A Final SEPA Determination of Non-Significance (DNS) was issued on October 15, 2021, which has not been appealed.

(3) The area proposed for annexation is located within the City of Grandview Urban Growth Area and is contiguous to the City limits on the west, south and east sides with WSDOT Interstate 82 right-of-way on the north side.

(4) The annexation petition has met the signature requirement for the 60% petition method authorized by RCW 35A.14.120 by being signed by the owners of more than 75% of the assessed value of the 17 parcels included within the proposed annexation area.

(5) The City of Grandview has sufficient water and sewer lines in the area that could be extended to the area proposed for annexation.

(6) The proposed 54-acre area should upon annexation be zoned R-1 Low Density Residential District and be subject to the assumption of an appropriate share of all existing City indebtedness by the area to be annexed as was the undertaking set forth in the 60% Petition.

(7) The requested annexation with the recommended zoning satisfies the applicable requirements and criteria in the Grandview Municipal Code needed to recommend that it be approved by the Grandview City Council.

## **RECOMMENDATION**

Consistent with the City Planner's recommendation (*page 103 of the record*), the Hearing Examiner recommends to the Grandview City Council that this petition for annexation of the 54-acre area described in the documentation submitted for this request be **APPROVED** with R-1 Low Density Residential District zoning, which area is legally described as follows:

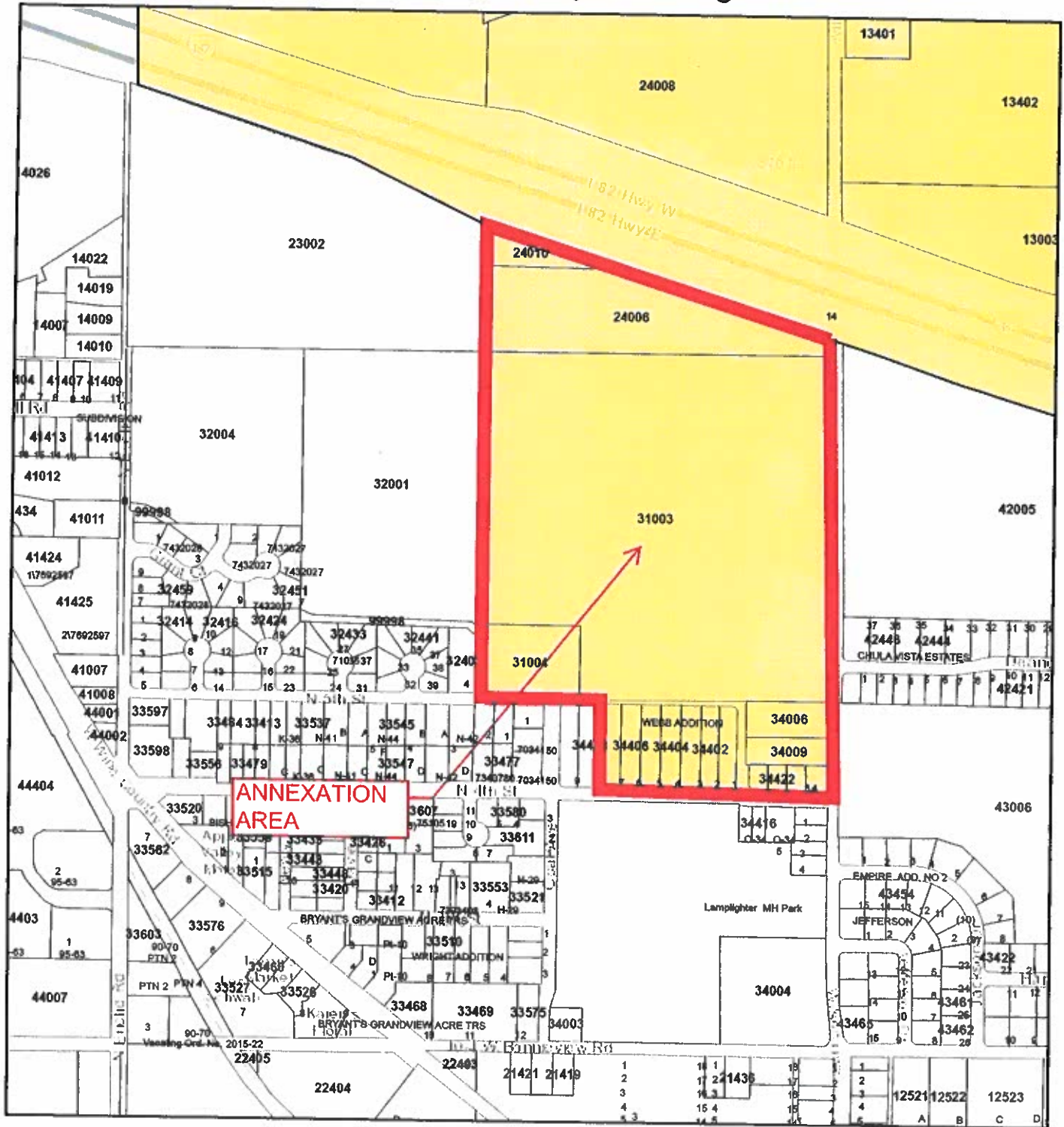
Land located in the Northeast Quarter and the Southeast Quarter of Section 14, Township 9 North, Range 23 East of the Willamette Meridian, Yakima

County, Washington, described as follows: Beginning at the intersection of the Westerly right of way of Wilson Highway and the Southerly boundary of the Interstate Highway 82, thence South along the Westerly right of way of Wilson Highway to its intersection with the Northerly right of way of North 4<sup>th</sup> Street; thence West along the Northerly right of way of North 4<sup>th</sup> Street to its intersection with the Westerly line of Lot 7 of Webb Addition, records of Yakima County; thence North along the Westerly line of Lot 7 of Webb Addition and its extension thereof to the South line of the Northeast Quarter of the Southwest Quarter of said Section 14; thence West along the South line of the Northeast Quarter of the Southwest Quarter of said Section 14 to the Southwest corner thereof; thence North along the West line of the Northeast Quarter of the Southwest Quarter of said Section 14 to the Northwest corner thereof; thence North along the West line of the Southeast Quarter of the Northwest Quarter of said Section 14 to its intersection with the Southerly boundary of the Interstate Highway 82; thence Southeasterly along the Southerly boundary of said Interstate Highway 82 to the point of beginning.

**DATED** this 10<sup>th</sup> day of November, 2021.

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

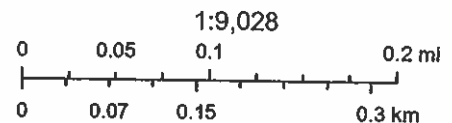
# Yakima County Planning



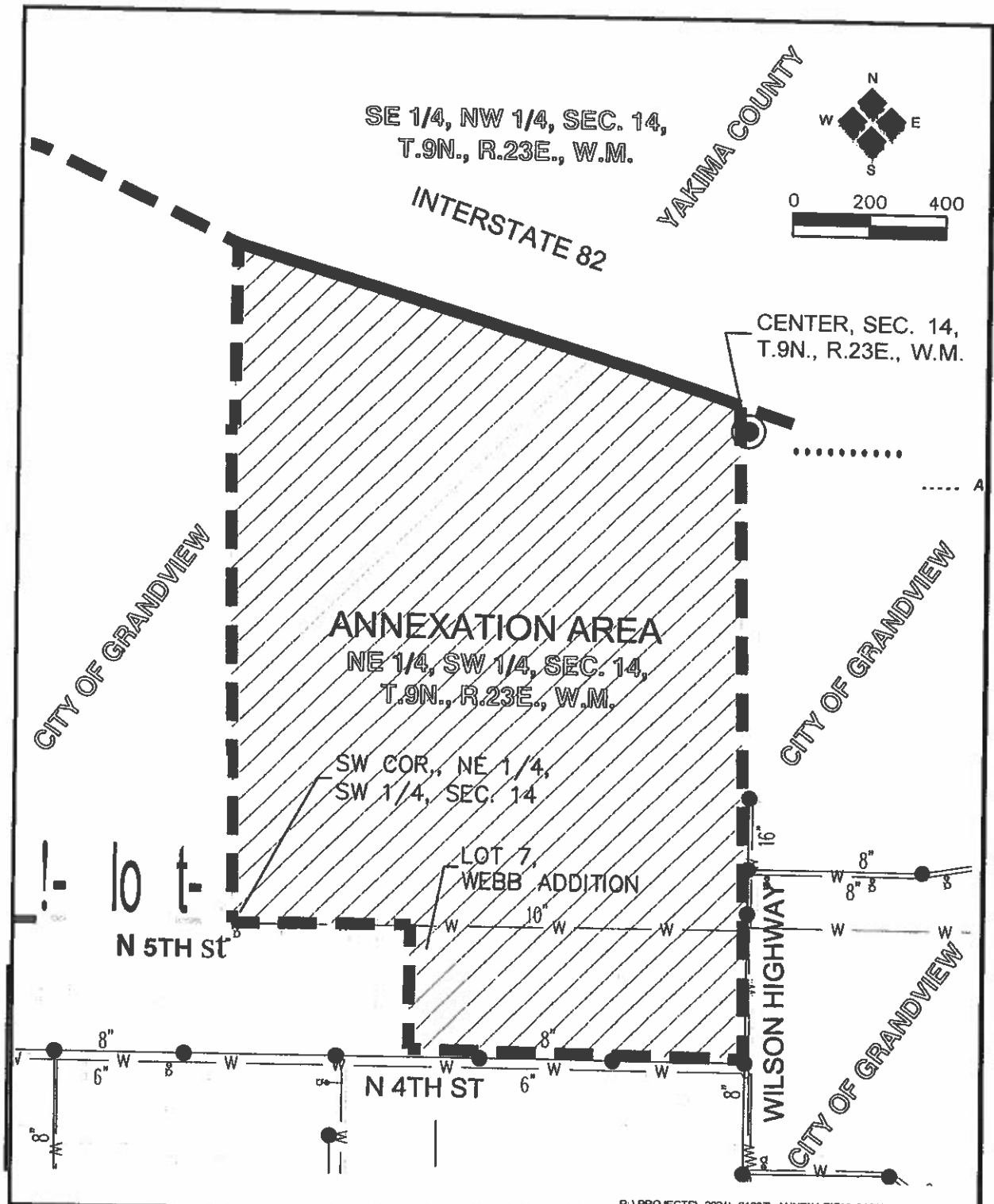
7/30/2021, 10:04:32 AM

Tax Lot Text Zoning

- Taxlots
- Single-Family Residential
- City Limits



City of Yakima, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Eari Canada, Eari, HERE, Garmin, INCREMENT P, Intermap, USGS, METI/NASA, EPA, USDA



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

2803 River Road  
Yakima, WA 98902  
509.966.7000  
Fax 509.965.3800  
www.hlacivil.com

**ANNEXATION EXHIBIT**  
**for, CITY OF GRANDVIEW**  
YAKIMA COUNTY, WASHINGTON  
WILSON ESTATES ANNEXATION

**RESOLUTION NO. 2021-52**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE PETITION TO ANNEX PROPERTIES KNOWN AS THE  
PRO-MADE CONSTRUCTION ANNEXATION THAT IS CONTIGUOUS TO THE CITY  
OF GRANDVIEW AND PROVIDING FOR TRANSMITTAL OF SAID PETITION TO THE  
YAKIMA COUNTY BOUNDARY REVIEW BOARD FOR A 45-DAY REVIEW  
PRIOR TO TAKING FINAL ACTION**

**WHEREAS**, the City of Grandview, Washington received a petition for annexation commonly known as the Pro-Made Construction Annexation of certain real property pursuant to RCW 35A.14.120, a legal description of which is attached hereto as Exhibit "A";

**WHEREAS**, that said petition set forth the fact that the City Council of the City of Grandview required the assumption of City indebtedness by the area requesting to be annexed;

**WHEREAS**, prior to filing of said petition, the City Council had indicated a tentative approval of said annexation;

**WHEREAS**, petitioners further understood the zoning of said area proposed for annexation would be R-1 Low Density Residential for Parcel Nos. 230914-24006, 230914-24010, 230914-31003, 230914-31004, 230914-34006, 230914-34009, 230914-34401, 230914-34402, 230914-34403, 230914-34404, 230914-34405, 230914-34406, 230914-34407, 230914-34421, 230914-34422, 230914-34423, 230914-34424;

**WHEREAS**, notices of hearings before the Hearing Examiner and the City Council were published in the manner as provided by law;

**WHEREAS**, all property within the territory so annexed shall be subject to and is a part of the Urban Growth Area of the City of Grandview as presently adopted or as is hereafter amended;

**WHEREAS**, the Council of the City of Grandview has determined that the best interests and general welfare of the City would be served by the annexation; and

**WHEREAS**, prior to the City Council taking final action on this annexation, the "Notice of Intention" is to be completed by an elected official or employee of the governmental jurisdiction that is seeking the boundary change action or the proponent in the case of incorporation or formation and submitted to the Yakima Boundary Review Board for a 45-day review period,

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GRANDVIEW,** that the Notice of Intention to annex property described on Exhibit "A", be completed by the City Clerk of the City of Grandview and thereafter forwarded to the Yakima Boundary Review Board for a 45-day review period.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 14, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

City of Grandview  
Wilson Estates Annexation  
HLA Project 21007G  
August 30, 2021

**LEGAL DESCRIPTION**

That portion of the West half of Section 14, Township 9 North, Range 23 East, W.M., described as follows:

Commencing at the Center of said Section 14;

Thence Westerly along the North line of the Southwest quarter of said Section 14, to the Westerly right of way line of Wilson Highway and the Point of Beginning;

Thence Southerly along said right of way line to the Northerly right of way line of North 4<sup>th</sup> Street;

Thence Westerly along said right of way line to the Southwest corner of Lot 7 of WEBB ADDITION according to the official plat thereof recorded in Volume 'Y', Page 8, records of Yakima County, Washington;

Thence North along the West line thereof and its Northerly extension to the South line of the Northeast quarter of the Southwest quarter of said Section 14;

Thence Westerly along said South line to the Southwest corner of said Northeast quarter of the Southwest quarter;

Thence North along the West line of said Northeast quarter of the Southwest quarter to the Northwest corner thereof;

Thence North along the West line of the Southeast quarter of the Northwest quarter of said Section 14 to the Southerly right of way line of Interstate 82;

Thence Southeasterly along said right of way line to the Westerly right of way line of Wilson Highway;

Thence Southerly along said Westerly right of way line to the Point of Beginning;

Situate in Yakima County, State of Washington.

**Yakima County Parcel Numbers**

230914-24006  
230914-24010  
230914-31003  
230914-31004  
230914-34407  
230914-34406  
230914-34405  
230914-34404  
230914-34403  
230914-34402  
230914-34401  
230914-34006  
230914-34009  
230914-34421  
230914-34422  
230914-34423  
230914-34424







**RESOLUTION NO. 2021-53**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING A SITE USE AGREEMENT BETWEEN PEOPLE FOR PEOPLE  
AND THE CITY OF GRANDVIEW COMMUNITY CENTER**

**WHEREAS**, People for People Senior Nutrition Program provides food and nutrition services to area senior citizens; and,

**WHEREAS**, People for People Senior Nutrition Program provides these services at the Grandview Community Center; and,

**WHEREAS**, the City of Grandview and People For People wish to enter into a Site Use Agreement; and,

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

The Mayor is hereby authorized to sign the Site Use Agreement between People For People and the City of Grandview in the form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 14, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**SITE USE AGREEMENT**  
**Between**  
**People For People**  
**and**  
**City of Grandview**  
**Grandview Community Center**

THIS AGREEMENT is made and entered into by and between, City of Grandview (hereinafter City), and People For People, a Washington nonprofit corporation.

WHEREAS, People For People Senior Nutrition Program provides food and nutrition services to senior citizens, and

WHEREAS, People For People Senior Nutrition Program desires to provide these services at the Grandview Community Center, whose address is 812 Wallace Way, Grandview, Washington, 98930 in accordance with the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, and agreements set forth herein it is agreed by and between the City and People For People as follows:

**1. People For People:**

- a. Shall prepare and serve food services to senior citizens at the Grandview Community Center, as contracted by the City, through congregate meals as well as preparing and packaging meals for home delivery to homebound seniors.
- b. Shall use the kitchen, equipment and facilities generally between 6:00 a.m. to 2:00 p.m., Monday, Tuesday, Wednesday, Thursday and Friday, except for Holidays and except when such use is preempted by the City pursuant to paragraph 2(b) below.
- c. Shall leave the kitchen, kitchen facilities/equipment, dishes, glassware, and utensils in a clean and orderly condition. People For People assumes all responsibility for the cleaning of the kitchen and dining areas for each day that People For People uses the facility.
- d. Upon the loss, destruction, or damage to any property at the Grandview Community Center in connection with its food service operations, People For People shall notify the City thereof and shall take all reasonable steps to protect that property from further damage. Furthermore, People For People assumes all responsibility for repairing any equipment, fixtures, or furnishings broken or damaged in the facility as a result of its food service operations.

- e. Shall request permission in advance to use the said facilities and equipment in the event such use is needed outside the said time period.
- f. Shall plan and carry out the operation of the meal site without aid or intervention from the City.

**2. The City:**

- a. Shall provide People For People the use of facilities, equipment, and space for the preparation and serving of meals for the Senior Nutrition program, as contracted by the City, generally from 6:00 a.m. to 2:00 p.m., Monday, Tuesday, Wednesday, Thursday and Friday, except for Holidays and when such use is preempted by the City pursuant to paragraph 2(b) below.
- b. Shall notify People For People at least five (5) business days in advance if the kitchen or dining areas are to be preempted for other use.
- c. Reserves the right to schedule classes and other activities in the Grandview Community Center. The City will make reasonable efforts to ensure that such classes and activities do not interfere with People For People's operations and services.
- d. Shall provide an annual Fire and Life Safety Survey to be performed by the local fire department.
- e. Shall provide an annual Health Inspection of the kitchen and serving area as mandated by State regulation. The Yakima Health District shall perform the inspection.
- f. Shall assure that when the facilities are used by other than People For People's Senior Nutrition program, the kitchen and other facilities have been properly cleaned prior to use by the Senior Nutrition program.

**3. Consideration:**

- a. As consideration for the food services provided pursuant to this Agreement, People For People agrees to pay the City a base minimum of \$500.00 per month starting January 1, 2022.
- b. The City will renegotiate with People For People the monthly base minimum, should the City determine that \$500.00 per month does not cover the increased utilities costs attributable to People For People's food preparation operations and services.

**4. Amendments:**

This Agreement contains all terms and conditions agreed upon by the parties. No change or addition to this Agreement shall be valid or binding upon either party unless such change or addition is in writing and executed by both parties.

**5. Term of Agreement:**

The term of this Agreement shall commence on January 1, 2022 or as mutually scheduled and shall end on December 31, 2023.

**6. Taxes and Assessments:**

People For People shall be solely responsible for compensating its employees and for paying all related taxes, deductions, and assessments, including but not limited to, federal income tax, FICA, social security tax, assessments for unemployment and industrial injury, and other deductions from income which may be required by law or assessed against either party as a result of this Agreement.

**7. Insurance:**

People For People understands and acknowledges that the City does not provide comprehensive liability insurance coverage for the benefit of People For People, including its officials, officers, agents, and employees. People For People shall maintain a policy of comprehensive liability insurance with combined single limit coverage of at least \$5,000,000 for the duration of this Agreement. The policy shall provide coverage for all activities conducted by People For People at the Grandview Community Center. People For People shall provide the City with a certificate of insurance or insurance binder evidencing that said insurance is in effect. People For People is required to provide 30 days notice of cancellation of such insurance and provide proof of continued coverage.

**8. Non Discrimination:**

With regard to the provision of food services under this Agreement, People For People and the City shall not illegally discriminate against any person on the grounds of race, creed, color, religion, national origin, political affiliation, sex, marital status, sexual orientation, age, or the presence of any sensory, mental, or physical handicap.

**9. Indemnification and Hold Harmless:**

People For People shall indemnify, hold harmless and defend the City, and its elected officials, officers, employees, and agents from and against any and all suits, actions, claims liability, damages, judgments, costs and expenses (including reasonable attorney's fees) which result from or arise out of the sole negligence of People For People, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of People For People's services, duties and obligations under this Agreement.

The City agrees to hold harmless, indemnify, and defend People For People, its elected officials, officers, employees and agents from and against any and all suits, actions, claims, liability, damages, judgments, costs and expenses (including reasonable attorney's fees) which result from or arise out of the sole negligence of the City, its elected officials, officers, employees, and agents in connection with or incidental to the performance or non-performance of the City's services, duties and obligations under this Agreement.

In the event that the officials, officers, agents, and/or employees of both People For People and the City are negligent, each party shall be liable for its contributory share of negligence for any resulting suits, actions, claims, liability, damages, judgments, costs and expenses (including any reasonable attorney's fees).

Nothing contained in this Section or this Agreement shall be construed to create a right of indemnification in any third party.

People For People hereby releases the City, its elected and appointed officials, employees and volunteers and others working on behalf of the City from any and all liability or responsibility to People For People or anyone claiming through or under People For People by way of subrogation or otherwise, for any loss, expense or damage, even if said loss, expense or damage is caused by the fault or negligence of the City, its elected or appointed officials, employees or volunteers, except to the extent that the City has an indemnification obligation to People For People under this paragraph 9.

Solely for the purposes of its obligations under this Agreement, each party specifically waives any immunity that may be granted under the Washington State Industrial Insurance Act, Title 51, Revised Code of Washington, for any claims by its employees against the other for bodily injuries or death sustained while performing services hereunder. Further, the indemnification obligations of either party to the other shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable to or for any third party under Worker's Compensation Acts, Disability Benefit Acts, or other benefit acts; provided, that each party's waiver of immunity by this provision shall extend only to claims by one party against the other and shall not include or extend to any claims by either party's employees directly against the employer party.

This paragraph nine (9) shall survive the termination of the Agreement.

**10. Assignment:**

This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by the City to any other person or entity without the prior written consent of People For People. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of the City as stated herein.

This Agreement, or any interest herein, or claim hereunder, shall not be assigned or transferred in whole or in part by People For People to any other person or entity without the prior written consent of the City. In the event that such prior written consent to an assignment is granted, then the assignee shall assume all duties, obligations, and liabilities of People For People as stated herein.

**11. Waiver of Breach:**

The waiver by People For People or the City of the breach of any provision of this Agreement by the other party shall not operate or be construed as a waiver of any subsequent breach by either party or prevent either party thereafter enforcing any such provision.

**12. Severability:**

If any portion of this Agreement is changed per mutual agreement or any portion is held invalid; the remainder of the Agreement shall remain in full force and effect.

**13. Integration:**

This Agreement sets forth all the terms, conditions, and agreements of the parties relative to the subject matter hereof and supersedes any and all such former agreements which are hereby declared terminated and of no further force and effect upon the execution and delivery hereof. There are no terms, conditions, or agreements with respect thereto, except as herein provided and no amendment or modification of this Agreement shall be effective unless reduced to writing and executed by the parties.

**14. Termination:**

Either party may terminate this Agreement, with or without cause, by giving the other party thirty (30) days advance written notice of termination.

**15. Notices:**

Unless stated otherwise herein, all notices and demands shall be in writing and sent or hand delivered to the parties to their addresses as follows:

THE CITY OF GRANDVIEW

Cus Arteaga, City Administrator  
City of Grandview  
207 W. 2<sup>nd</sup> Street  
Grandview, WA 98930  
(509) 882-9200

PEOPLE FOR PEOPLE:

Madelyn Carlson, CEO  
People For People  
304 W. Lincoln Avenue  
Yakima, WA 98902  
(509) 248-6726

Notices and/or demands shall be sent by registered or certified mail, postage prepaid, or hand delivered. Such notices shall be deemed effective at the time mailed or hand delivered at the address specified above. Each party shall provide written notification within 15 calendar days of change of address.

**16. Payment:**

Rent payments will be mailed to the following address:

City of Grandview  
Parks and Recreation Department  
207 W. 2<sup>nd</sup> Street  
Grandview, WA 98930

**17. Governing Law:**

This Agreement shall be governed by and construed in accordance with the laws of the State of Washington.

**18. Venue:**

The venue for any action to enforce or interpret this Agreement shall lie in the Superior Court of Washington, Yakima County.

THE CITY OF GRANDVIEW

PEOPLE FOR PEOPLE, a Washington  
Nonprofit Corporation

By: \_\_\_\_\_  
Gloria Mendoza, Mayor

By: Madelyn Carlson  
Madelyn Carlson, CEO

Date: \_\_\_\_\_

Date: 11-12-2021

**RESOLUTION NO. 2021-54**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING THE MAYOR TO SIGN CHANGE ORDER NO. 1 WITH ALBA'S  
EXCAVATING FOR THE SLUDGE DRYING BED IMPROVEMENTS – PHASE 1**

**WHEREAS**, the City of Grandview has contracted with Alba's Excavating as the Contractor for the Sludge Drying Bed Improvements – Phase 1; and,

**WHEREAS**, Change Order No. 1 addresses costs incurred by the Contractor to remove rock found in the excavation,

**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. 1 with Alba's Excavating in the amount of \$46,564.86 in form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 14, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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



# HLA

## CHANGE ORDER



CHANGE ORDER NO.: 1  
DATE: 11/11/2021

PROJECT OWNER: CITY OF GRANDVIEW  
PROJECT NAME: SLUDGE DRYING BED IMPROVEMENTS PHASE 1  
HLA PROJECT NO.: 19140C  
CONTRACTOR: ALBA'S EXCAVATING

THE FOLLOWING CHANGES ARE HEREBY MADE TO THE CONTRACT DOCUMENT:

Original Contract Price (Including Applicable Sales Tax):	\$ 457,650.00
Current Contract Price Adjusted by Previous Change Order(s) Including Applicable Sales Tax:	\$ 457,650.00
Change in Contract Price Due to this Change Order (Including Applicable Sales Tax):	\$ 46,564.86
Adjusted Contract Price Including this Change Order (Including Applicable Sales Tax):	\$ 504,214.86

Original Contract Completion Date:	Monday, October 4, 2021
Current Contract Completion Date Adjusted by Non-Working Days and/or Previous Change Order(s):	Monday, October 4, 2021
Change in Contract Working Days due to this Change Order:	+ 8 days
Revised Contract Completion Date:	Thursday, October 14, 2021

CONTRACTOR:

Date:

11-12-2021

ENGINEER:

Date:

11/12/21

OWNER:

Date:

**HLA****CHANGE ORDER**CHANGE ORDER NO.: 1  
DATE: 11/11/2021PROJECT OWNER: CITY OF GRANDVIEW  
PROJECT NAME: SLUDGE DRYING BED IMPROVEMENTS PHASE 1  
HLA PROJECT NO.: 19140C  
CONTRACTOR: ALBA'S EXCAVATING

ITEM NO.	DESCRIPTION	UOM	QTY	UNIT PRICE	CHANGE AMOUNT
1-1	BLASTING WORK	LS	1	\$ 43,115.61	\$ 43,115.61
					\$ -
					\$ -
					\$ -
					\$ -
					\$ -
CHANGE ORDER SUBTOTAL:					\$ 43,115.61
SALES TAX @ 8.0 %:					\$ 3,449.25
CHANGE ORDER TOTAL:					\$ 46,564.86

**CHANGE ORDER JUSTIFICATION:**

During Construction, the Contractor encountered solid rock conditions that prevented them from excavating the subgrade. It was determined that the best approach would be to utilize rock blasting to break up the solid rock. The Contractor provided a price for the work and the Engineer determined that force account procedures would be the best method for quantifying the cost of the work. Force Account procedures were followed and the Engineer reviewed and approved all submitted costs.

















**RESOLUTION NO. 2021-55**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
ACCEPTING THE BID AND AUTHORIZING THE GRANDVIEW HERALD AS THE  
OFFICIAL CITY NEWSPAPER FOR THE YEAR 2022**

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

**WHEREAS**, the City has solicited bids from qualified legal newspapers to serve as the official newspaper of the City of Grandview for the year 2022; and,

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

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

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

That the bid submitted by the Grandview Herald to serve as the official newspaper of the City of Grandview for the year 2022, including the rate for legal notices of \$6.75 per column inch, all as set forth in the attached proposal, is hereby approved and accepted, and the Mayor is hereby authorized to execute any and all documents necessary or appropriate to accomplish such transaction.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on December 14, 2021.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**BID FORM  
OFFICIAL NEWSPAPER**

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

Name of Newspaper: Grandview Herald

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

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

Total circulation: 1000 Total circulation for 98930 zip code: 1 000

**Services and Rates.**

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

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

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

Bidder's Name: Valley Publishing/The Grandview Herald

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

Mailing Address: same as above

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

Signature of Authorized Official: Victoria S. Walker

Print Name: Victoria S. Walker Title of Official: General Manager

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

None

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

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

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

It has been our pleasure to be representatives of the City of Grandview in 2021. The paper has been in the Grandview community for over 100 years. 2021 has had so many challenges for and we are proud to continue to move forward and work towards Grandviews future, bring hometown news to the community. Our focus continues to be Grandview businesses, government, schools and local news. The staff at the Herald is committed to continuing to work hard for the city and our hometown.