

**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 Rodriguez – 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 21st, 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