

**GRANDVIEW CITY COUNCIL
COMMITTEE-OF-THE-WHOLE MEETING MINUTES
SEPTEMBER 10, 2024**

1. CALL TO ORDER

Mayor Ashley Lara called the Committee-of-the-Whole (C.O.W.) 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 Lara and Councilmembers Laura Flores, Bill Moore (Mayor Pro Tem), Robert Ozuna and Joan Souders

Present via teleconference: Councilmember Steve Barrientes

Absent: Councilmembers David Diaz and Javier Rodriguez

Staff present: City Administrator Shane Fisher, City Attorney Quinn Plant, Fire Chief Pat Mason, Public Works Director Hector Mejia, Library Director Wendy Poteet and City Clerk Anita Palacios

3. PUBLIC COMMENT – None

4. NEW BUSINESS

A. Community/Destination Assessment – Roger Brooks w/Destination Development Association

Roger Brooks with Destination Development Association provided a presentation regarding a community/destination assessment for the City of Grandview.

Discussion took place.

On motion by Councilmember Souders, second by Councilmember Moore, the C.O.W. directed the City Administrator to negotiate a contract with Destination Development Association for a community/destination assessment.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

B. Ordinance amending the City of Grandview 2024 Non-Union Salary Schedule to include the salary for the Deputy Fire Chief position

Fire Chief Mason explained that at the August 27, 2024 City Council meeting, Council approved Resolution No. 2024-46 establishing a job description for the Deputy Fire Chief and setting forth procedures to establish the Deputy Fire Chief's salary. A proposed ordinance amending the 2024 Non-Union Salary Schedule to include the salary for the Deputy Fire Chief position was presented for consideration.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved an ordinance amending the City of Grandview 2024 Non-Union Salary Schedule to include the salary for the Deputy Fire Chief position to the September 24, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

C. Resolution accepting the Wine Country Road Roundabout and Utility Improvements as complete

Public Works Director Mejia explained that Culbert Construction, Inc., completed the construction of the Wine Country Road Roundabout and Utility Improvements. Staff recommended Council accept the project as complete once the requirements in the August 23, 2024 letter from HLA Engineering and Land Surveying, Inc., were satisfied.

Discussion took place.

On motion by Councilmember Ozuna, second by Councilmember Flores, the C.O.W. moved a resolution accepting the Wine Country Road Roundabout and Utility Improvements as complete to the September 10, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

D. Resolution accepting the bid for the Lower Yakima Valley Pathway Improvements and authorizing the Mayor to sign all contract documents with American Rock Products

Public Works Director Mejia explained that in February 2023, Yakima County Commissioners awarded \$600,000 of American Rescue Plan Act (ARPA) funding for improvements to the Lower Yakima Valley Pathway. Subsequently, a meeting was held between the City of Grandview, the City of Sunnyside, and the Lower Yakima Valley Pathway group where it was determined all entities would partner on the project, with the City of Grandview being the lead agency. It was anticipated the project would include approximately 3.5 miles of pathway improvements, with portions being in the City of Sunnyside and City of Grandview, and approximately 2.63 miles being in Yakima County. Improvements would include vegetation removal, crack sealing, resurfacing of the pathway, and gravel shouldering along this highly traveled pedestrian pathway bordering the Yakima Valley Highway. Bids for the Lower Yakima Valley Pathway Improvements were opened on September 4, 2024. A total of five (5) bids were received with American Rock Products of Yakima, Washington, submitting the low bid in the amount of \$569,000. Staff recommended Council accept the low bid from American Rock Products.

Discussion took place.

On motion by Councilmember Souders, second by Councilmember Moore, the C.O.W. moved a resolution accepting the bid for the Lower Yakima Valley Pathway Improvements and authorizing the Mayor to sign all contract documents with American Rock Products to the September 10, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Yes
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

E. Ordinance No. 2024-13 regarding a Supporting Investments in Economic Diversification (SIED) Contract with Yakima County and the City of Grandview for the Northwest Grandview Utility and Roadway Improvements; authorizing the Mayor to execute all documents necessary to implement the contract and receive and expend all monies received under the contract for the project; and creating project Fund 350 – Northwest Grandview Utility and Roadway Improvements and authorizing the City Treasurer to make interfund loans to support cash flow to Fund 350

City Administrator Fisher explained that to improve the economic vitality of the County, the Yakima County Supporting Investments in Economic Development (SIED) Board was authorized to make grants and loans to political subdivisions to fund projects that support tangible or potential investments in public infrastructure. The City determined that there was significant potential for private development, growth, and job creation within Grandview City limits along Wine Country Road, Higgins Way and Bethany Road. The City submitted an application to the Yakima County SIED Board for a grant/loan of up to \$2,000,000 to construct and extend domestic water, sanitary

sewer and public roadway improvements to approximately 44 acres of land zoned as general commercial and industrial. The responsibility of repayment of funds would be the City and the private developer.

The City was awarded a half grant and half loan in the amount of \$2,000,000 from the Yakima County Supporting Investments in Economic Diversification (SIED) Fund for the Northwest Grandview Utility and Roadway Improvements. It was noted that Exhibit A was not attached to the SIED Contract at this time. Exhibit A was the debt service schedule that would not be completed until both parties sign. This was because interest was calculated on the date the County Commissioners sign the agreement, as they sign last. It saves the City interest because if the County calculated the debt schedule now, the City would be paying interest from the date the County Treasurer calculates the schedule. Therefore, knowing the date the agreement becomes effective (date both parties sign), the interest rate (6.37%) and terms of payment (ten payments with the first payment June 1, 2027 and last payment June 1, 2036) provides everything necessary in the agreement to calculate Exhibit A. As all other requirements for Exhibit A were now in the agreement except the date signed, waiting to attach Exhibit A only benefits the City.

Following the execution of the SIED Contract by the County and the City and the completion of the debt service schedule, a repayment agreement would be prepared for execution by the City and the private developer to repay the \$1,000,000 portion of the SIED loan.

Discussion took place.

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W. moved an Ordinance regarding a Supporting Investments in Economic Diversification (SIED) Contract with Yakima County and the City of Grandview for the Northwest Grandview Utility and Roadway Improvements; authorizing the Mayor to execute all documents necessary to implement the contract and receive and expend all monies received under the contract for the project; and creating project Fund 350 – Northwest Grandview Utility and Roadway Improvements and authorizing the City Treasurer to make interfund loans to support cash flow to Fund 350 to the September 10, 2024 regular Council meeting for consideration.

Vote:

- Councilmember Barrientes – Yes
- Councilmember Flores – Yes
- Councilmember Moore – Recused SIED Boardmember
- Councilmember Ozuna – Yes
- Councilmember Souders – Yes

F. Budgeting for Indigent Defense Costs

City Attorney Plant explained that the City was required to provide an attorney for people prosecuted by the City whom cannot afford an attorney, commonly referred to as "indigent defense." Since 2012, the City has contracted with the law firm of Beck and Phillips, PLLC, for indigent defense services. The contract has contemplated that Beck and Phillips would handle up to 350 cases per year for the City. Since 2021, Beck and Phillips have handled between 250 and 300 cases per year. The compensation provided to Beck and Phillips has increased at roughly 10 percent per year since 2012, from \$69,000 in 2015, to \$107,470 in 2024. The current contract

expires at the end of 2024, and negotiations over a successor contract were ongoing.

Recent developments at the state level have consequences for indigent defense services. In March 2024, the Washington Supreme Court published mandatory standards limiting the number of cases attorneys doing criminal defense work may handle in a given year. The standards were complicated, but could be summarized as containing the following limitations:

- Starting 7/2/2025, an attorney may handle no more than **280** misdemeanor cases per year;
- Starting 7/2/2026, an attorney may handle no more than **225** misdemeanor cases per year;
- Starting 7/2/2027, an attorney may handle no more than **120** misdemeanor cases per year.

The main implication of this development was that starting in mid-2026, Beck and Phillips would no longer be able to provide defense services for the City commensurate with the historical number of prosecutions. The City could respond by (1) hiring additional indigent defense counsel, and/or (2) reducing the number of cases it was prosecuting. The standards would also have the effect of increasing the cost of indigent defense services, and would require decisions from City Council. First, the City Council should anticipate that the cost of providing indigent services would increase and should budget accordingly. Second, City staff would need direction on whether to begin exploring how to reduce the number of cases that were prosecuted by the City. This could include, for example, implementing a pre-trial diversion program. If City Council wished the City to maintain the current level of prosecutions, it may be appropriate to begin searching for additional indigent defense counsel. It has been the experience of staff that it was difficult to locate attorneys willing to do this work.

Discussion took place. No action was taken.

5. CITY ADMINISTRATOR AND/OR STAFF REPORTS

City Construction Projects – Public Works Director Mejia provided an update on the following City construction projects:

- Mike Bren Memorial Park Restroom Project
- Emergency Sewer Main Replacement Project

6. MAYOR & COUNCILMEMBER REPORTS

Election Information – Councilmember Souders reported that the Yakima County Election Department would be holding a voter informational meeting on October 9, 2024 at the Grandview Library.

YVCOG General Membership Meeting – Councilmember Moore reported that the YVCOG General Membership meeting would be held on September 18, 2024 at the Grandview Community Center.

7. ADJOURNMENT

On motion by Councilmember Moore, second by Councilmember Souders, the C.O.W.

meeting adjourned at 6:50 p.m.

Mayor Ashley Lara

Anita Palacios, City Clerk