

**GRANDVIEW CITY COUNCIL  
COMMITTEE-OF-THE-WHOLE  
MEETING AGENDA  
TUESDAY, OCTOBER 8, 2024**



**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.

**COMMITTEE-OF-THE-WHOLE MEETING – 6:00 PM**

**PAGE**

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT** – *The public may address the Council on any topic whether on the agenda or not, except those scheduled for public hearing. The public comment period is not an opportunity for dialogue with the Mayor and Councilmembers, or for posing questions with the expectation of an immediate answer. Many questions require an opportunity for information gathering and deliberation. For this reason, Council will accept comments, but will not directly respond to comments, questions or concerns during public comment. 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.*
- 4. NEW BUSINESS**
  - A. Resolution altering the consideration of publicly submitted Comprehensive Plan Amendments during the periodic update cycle of the Comprehensive Plan (2024-2026) 1-2
  - B. Resolution authorizing and directing the Mayor to execute on behalf of the City of Grandview an agreement between the Washington State Community Economic Revitalization Board and the City of Grandview for aid in financing the costs of public facilities consisting of Northwest Grandview Infrastructure Improvements 3-13
  - C. Resolution approving Task Order No. 2024-08 with HLA Engineering and Land Surveying, Inc., for the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan 14-26
- 5. CITY ADMINISTRATOR AND/OR STAFF REPORTS**
- 6. MAYOR & COUNCILMEMBER REPORTS**
- 7. ADJOURNMENT**

The City of Grandview Committee-of-the-Whole and Regular Council Meetings scheduled for Tuesday, October 8, 2024 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/86987774053?pwd=33af8wbY1lJQ7Nv0oXbYVKvPotcwJa.1>

To join via phone: +1 253 215 8782

Meeting ID: 869 8777 4053

Passcode: 928609

**CITY OF GRANDVIEW  
AGENDA ITEM HISTORY/COMMENTARY  
COMMITTEE-OF-THE-WHOLE MEETING**

<b>ITEM TITLE</b>  Resolution altering the consideration of publicly submitted Comprehensive Plan Amendments during the periodic update cycle of the Comprehensive Plan (2024-2026)	<b>AGENDA NO.:</b> New Business 4 (A)  <b>AGENDA DATE:</b> October 8, 2024
<b>DEPARTMENT</b>  Planning	<b>FUNDING CERTIFICATION (City Treasurer)</b> (If applicable)  N/A

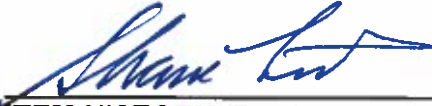
**DEPARTMENT HEAD REVIEW**

Anita Palacios, City Clerk & Byron Gumz, YVCOG Land Use Planning Manager



**CITY ADMINISTRATOR**

**MAYOR**




**ITEM HISTORY** (Previous council reviews, action related to this item and other pertinent history)

None

**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.

From 2024-2026, the City of Grandview is engaged in the process of updating its Comprehensive Plan, a process called the periodic update cycle. During this process, City staff, elected and appointed officials, and the public may all submit requests for amendments to the Comprehensive Plan. These updates will be discussed and considered as amendments over this two year period ending on June 30, 2026.

Typically, when not in the periodic update cycle, amendments to the Comprehensive Plan may only be made during the calendar year to be considered in January of the following year. However, the Comprehensive Plan dictates that these sorts of amendments (the normal process) cannot occur during the periodic update cycle. Proposals made during this time will still be considered, but will be considered as part of the periodic update rather than on the annual basis that occurs when not in the periodic update cycle.

A resolution has been prepared to suspend the normal process since the City is engaged in the periodic update process. The public is still encouraged to submit proposals, but they will be considered only as part of the periodic update process, not on an annual basis as is typical.

**ACTION PROPOSED**

Move a resolution altering the consideration of publicly submitted Comprehensive Plan Amendments during the periodic update cycle of the Comprehensive Plan (2024-2026) to a regular Council meeting for consideration.

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
ALTERING THE CONSIDERATION OF PUBLICLY SUBMITTED COMPREHENSIVE  
PLAN AMENDMENTS DURING THE PERIODIC UPDATE CYCLE OF THE  
COMPREHENSIVE PLAN (2024-2026)**

**WHEREAS**, Section 7 (II) of the Grandview Comprehensive Plan outlines the process for amending the Grandview Comprehensive Plan, indicating that typically amendment proposals can be made during the calendar year and considered by council in January of the successive year; and

**WHEREAS**, Section 7 (II) also establishes that annual amendments cannot occur separately in years designated for a Comprehensive Plan periodic update; and

**WHEREAS**, RCW 36.70A.130(5)(c) designates June 30, 2026 as the date when the City of Grandview's periodic update of the City of Grandview Comprehensive Plan and development regulations are due; and

**WHEREAS**, the process to update the City of Grandview Comprehensive Plan began on July 1, 2024 and continues through June 30, 2026; and

**WHEREAS**, public participation is crucial to the periodic update of the City of Grandview Comprehensive Plan.

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

**SECTION 1.** The annual Comprehensive Plan Amendment process for proposals made by the public shall be suspended during the Comprehensive Plan periodic update cycle.

**SECTION 2.** Comprehensive Plan Amendments that are submitted by the public shall be consolidated and considered during the Comprehensive Plan periodic update cycle.

**SECTION 3.** The timeframe for this resolution shall extend from the passage of this resolution until the Comprehensive Plan Periodic Update is completed on June 30, 2026.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on \_\_\_\_\_, 2024.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**CITY OF GRANDVIEW  
AGENDA ITEM HISTORY/COMMENTARY  
COMMITTEE-OF-THE-WHOLE MEETING**

**ITEM TITLE**

Resolution authorizing and directing the Mayor to execute on behalf of the City of Grandview an agreement between the Washington State Community Economic Revitalization Board and the City of Grandview for aid in financing the costs of public facilities consisting of Northwest Grandview Infrastructure Improvements

**AGENDA NO.:** New Business 4 (B)

**AGENDA DATE:** October 8, 2024

**DEPARTMENT**

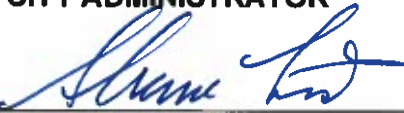
Public Works Department

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

**DEPARTMENT DIRECTOR REVIEW**

Shane Fisher, City Administrator

**CITY ADMINISTRATOR**



**MAYOR**



**ITEM HISTORY** (Previous council reviews, action related to this item, and other pertinent history)

The Community Economic Revitalization Board (CERB) has awarded funding in the amount of \$4,647,000 to the City of Grandview for the Northwest Grandview Infrastructure Improvements. The project consists of extension of domestic water, sanitary sewer, and public roadways to approximately 44 acres of land zoned as general commercial and industrial, inside the city limits. The Committed Private Partner Malhi Investment LLC, estimated the project would create 118 FTEs, and committed \$20,000,000 to the private project. CERB funds were matched by \$2,000,000 in local resources.

**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.

The Initial Offer of Financial Aid was approved on September 27, 2024. The next step was for the City to approve a repayment resolution, copy attached.

**ACTION PROPOSED**

Move a resolution authorizing and directing the Mayor to execute on behalf of the City of Grandview an agreement between the Washington State Community Economic Revitalization Board and the City of Grandview for aid in financing the costs of public facilities consisting of Northwest Grandview Infrastructure Improvements to the October 22, 2024 regular Council meeting for consideration.



INVESTING IN WASHINGTON'S ECONOMIC FUTURE  
**Community Economic Revitalization Board**

1011 Plum St SE • PO Box 42525 • Olympia, Washington 98504-2525 • (360) 764-9820

September 26, 2024

Mr. Shane Fisher  
City Administrator  
City of Grandview  
207 West Second Street  
Grandview, WA 98930

Dear Mr. Fisher,

Congratulations! The Community Economic Revitalization Board (CERB) has awarded funding to your public facilities project. Enclosed is a list of pre-contract conditions which must be satisfied no later than **March 20, 2025**, in order to execute a final contract with CERB.

Once the requirements have been met, a final contract will be developed by CERB prior to disbursement of funds. Please note that no project costs incurred prior to the Initial Offer of Financial Aid date will be reimbursed by CERB. After contract execution, a signed copy will be forwarded for the City of Grandview's records. The execution date of the final contract will be based on the date of the CERB Chair's final signature. A sample of the contract document is enclosed for your records.

I will be your primary contact during this contracting process. If you have any questions, please don't hesitate to contact me at 360-252-0812 or [Janea.Stark@commerce.wa.gov](mailto:Janea.Stark@commerce.wa.gov).

Sincerely,

Janea Stark  
Executive Director & Tribal Liaison

Enclosures:

- Initial Offer of Financial Aid (IOFA) *(Via DocuSign)*
- Repayment Resolution/Ordinance (sample)
- Environmental Protection Act Certification (sample)
- Statement regarding permits and clearances (sample)
- EO 21/02 Overview
- Estimated loan repayment schedule
- Sample Contract

**RESOLUTION NO. 2024-\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ON BEHALF OF THE  
CITY OF GRANDVIEW AN AGREEMENT BETWEEN THE WASHINGTON STATE  
COMMUNITY ECONOMIC REVITALIZATION BOARD AND THE CITY OF  
GRANDVIEW FOR AID IN FINANCING THE COSTS OF PUBLIC FACILITIES FOR  
THE NORTHWEST GRANDVIEW INFRASTRUCTURE IMPROVEMENTS**

The City of Grandview does hereby resolve as follows:

Section 1. That the Mayor of the City of Grandview be and she is hereby authorized and directed to execute, on behalf of the City of Grandview, a Final Contract between the Community Economic Revitalization Board and the City of Grandview and such other documents as may be required for securing aid in financing the cost of the above-described public facilities.

Section 2. The City of Grandview has accepted the offer of the loan from the Community Economic Revitalization Board in the amount of \$4,647,000, said loan to bear interest at the rate of 2.0% per annum.

Repayment of said general obligation loan (unless revenue loan authorized) shall be in consistent with the terms provided in the signed Initial Offer of Financial Aid and more particularly as follows: Term – 20 years maximum, with a deferral of the first payment until July 31, 2018.

A copy of said Initial Offer of Financial Aid is attached hereto, designated as Exhibit A, and made a part hereof as though set forth herein in full.

The City of Grandview reserves the right to accelerate payments on principal and eliminate the interest on any accelerated principal payments.

This obligation shall be considered as a legal general obligation of the City of Grandview and the City of Grandview hereby pledges its full faith and credit to the payment thereof.

Section 3. The City of Grandview shall establish a separate fund to be known as the Community Economic Revitalization Board (CERB) Fund. Establishment of this fund applies to CERB grants and loans. In the case of a loan, there shall be sufficient moneys placed in this fund to meet the above-detailed repayment schedule. The source of payment is the City of Grandview.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at its regular meeting on \_\_\_\_\_, 2024.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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



# Exhibit A

## Washington State Community Economic Revitalization Board

### Initial Offer of Financial Aid

City of Grandview  
Federal Tax Number: 91-6001437  
Offer Date: September 19, 2024

The Community Economic Revitalization Board (CERB) is authorized by chapter 43.160 RCW to provide funds to political subdivisions to assist in financing the cost of certain public facilities. This Initial Offer of Financial aid is contingent upon the availability of CERB funds. CERB hereby offers to make funds available to the **City of Grandview**, hereafter referred to as the "Contractor," in order to aid in financing the cost of, or improvements to, public facilities consisting of **Northwest Grandview Infrastructure Improvements** as described in the application (hereafter collectively referred to as the "Project").

This offer consists of:

- General Obligation loan of \$4,647,000
- Interest rate: 2.0 percent (%) per annum on the outstanding principal balance
- Term: 20 years maximum, with a deferral of the first payment until July 31, 2028.

This offer is subject to completion of pre-contract conditions, as described in Attachment A.


A final contract shall be developed by CERB prior to disbursement of funds. No project costs incurred prior to this offer date will be reimbursed by CERB. In the event a final contract is not executed, no CERB funds will be disbursed.


If accepted, this Initial Offer of Financial Aid must be signed and returned to CERB by **November 7, 2024**.

#### ACCEPTANCE

FOR THE CONTRACTOR

FOR CERB

Signed by:  
  
AB34CC2D3C0F403  
Shane Fisher, City Administrator  
City of Grandview

DocuSigned by:  
  
EB00027130D4444  
Michael Echanove, Chair  
Community Economic Revitalization Board

Date: 9/27/2024 | 8:13 AM PDT

Date: 9/27/2024 | 9:11 AM PDT

**Certificate Of Completion**

Envelope Id: C368757393DA4BCB8D3260CB8C9E291B  
 Subject: Complete with Docusign: Grandview, City of - CERB IOFA - S24-790A0-300.pdf  
 Division:  
 Local Government  
 Program: CERB  
 ContractNumber: S24-790A0-300  
 DocumentType:  
 Other  
 Source Envelope:  
 Document Pages: 1  
 Certificate Pages: 5  
 AutoNav: Enabled  
 EnvelopeId Stamping: Enabled  
 Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Status: Completed

Envelope Originator:  
 Barbara Smith  
 1011 Plum Street SE  
 MS 42525  
 Olympia, WA 98504-2525  
 barbara.smith@commerce.wa.gov  
 IP Address: 198.239.157.138

**Record Tracking**

Status: Original  
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 Security Appliance Status: Connected  
 Storage Appliance Status: Connected

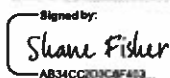
Holder: Barbara Smith  
 barbara.smith@commerce.wa.gov  
 Pool: StateLocal  
 Pool: Washington State Department of Commerce

Location: DocuSign  
 Location: DocuSign

**Signer Events**

Shane Fisher  
 sfisher@grandview.wa.us  
 Security Level: Email, Account Authentication  
 (None)

**Signature**

Signed by:  
  
 AB34CC2030CAF403...

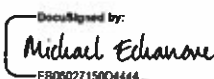
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 Signed: 9/27/2024 8:13:52 AM

Signature Adoption: Pre-selected Style  
 Using IP Address: 47.36.140.171

Electronic Record and Signature Disclosure:  
 Accepted: 9/27/2024 8:13:31 AM  
 ID: 280caf81-e70f-456d-9f70-127c46e82dc3

Michael Echanove  
 Echanove@palouse.com  
 Security Level: Email, Account Authentication  
 (None)

DocuSigned by:  
  
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 Signed: 9/27/2024 9:11:40 AM

Signature Adoption: Pre-selected Style  
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Electronic Record and Signature Disclosure:  
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**In Person Signer Events**

**Signature**

**Timestamp**

**Editor Delivery Events**

**Status**

**Timestamp**

**Agent Delivery Events**

**Status**

**Timestamp**

**Intermediary Delivery Events**

**Status**

**Timestamp**

**Certified Delivery Events**

**Status**

**Timestamp**

<b>Carbon Copy Events</b>	<b>Status</b>	<b>Timestamp</b>
<b>Witness Events</b>	<b>Signature</b>	<b>Timestamp</b>
<b>Notary Events</b>	<b>Signature</b>	<b>Timestamp</b>
<b>Envelope Summary Events</b>	<b>Status</b>	<b>Timestamps</b>
Envelope Sent	Hashed/Encrypted	9/26/2024 5:15:35 PM
Certified Delivered	Security Checked	9/27/2024 9:10:57 AM
Signing Complete	Security Checked	9/27/2024 9:11:40 AM
Completed	Security Checked	9/27/2024 9:11:40 AM
<b>Payment Events</b>	<b>Status</b>	<b>Timestamps</b>
<b>Electronic Record and Signature Disclosure</b>		

## **ELECTRONIC RECORD AND SIGNATURE DISCLOSURE**

From time to time, Washington State Department of Commerce (we, us or Company) may be required by law to provide to you certain written notices or disclosures. Described below are the terms and conditions for providing to you such notices and disclosures electronically through the DocuSign system. Please read the information below carefully and thoroughly, and if you can access this information electronically to your satisfaction and agree to this Electronic Record and Signature Disclosure (ERSD), please confirm your agreement by selecting the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

### **Getting paper copies**

At any time, you may request from us a paper copy of any record provided or made available electronically to you by us. You will have the ability to download and print documents we send to you through the DocuSign system during and immediately after the signing session and, if you elect to create a DocuSign account, you may access the documents for a limited period of time (usually 30 days) after such documents are first sent to you. After such time, if you wish for us to send you paper copies of any such documents from our office to you, you will be charged a \$0.15 per-page fee. You may request delivery of such paper copies from us by following the procedure described below.

### **Withdrawing your consent**

If you decide to receive notices and disclosures from us electronically, you may at any time change your mind and tell us that thereafter you want to receive required notices and disclosures only in paper format. How you must inform us of your decision to receive future notices and disclosure in paper format and withdraw your consent to receive notices and disclosures electronically is described below.

### **Consequences of changing your mind**

If you elect to receive required notices and disclosures only in paper format, it will slow the speed at which we can complete certain steps in transactions with you and delivering services to you because we will need first to send the required notices or disclosures to you in paper format, and then wait until we receive back from you your acknowledgment of your receipt of such paper notices or disclosures. Further, you will no longer be able to use the DocuSign system to receive required notices and consents electronically from us or to sign electronically documents from us.

### **All notices and disclosures will be sent to you electronically**

Unless you tell us otherwise in accordance with the procedures described herein, we will provide electronically to you through the DocuSign system all required notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you during the course of our relationship with you. To reduce the chance of you inadvertently not receiving any notice or disclosure, we prefer to provide all of the required notices and disclosures to you by the same method and to the same address that you have given us. Thus, you can receive all the disclosures and notices electronically or in paper format through the paper mail delivery system. If you do not agree with this process, please let us know as described below. Please also see the paragraph immediately above that describes the consequences of your electing not to receive delivery of the notices and disclosures electronically from us.

**How to contact Washington State Department of Commerce:**

You may contact us to let us know of your changes as to how we may contact you electronically, to request paper copies of certain information from us, and to withdraw your prior consent to receive notices and disclosures electronically as follows:

To contact us by email send messages to: [docusign@commerce.wa.gov](mailto:docusign@commerce.wa.gov)

**To advise Washington State Department of Commerce of your new email address**

To let us know of a change in your email address where we should send notices and disclosures electronically to you, you must send an email message to us at [docusign@commerce.wa.gov](mailto:docusign@commerce.wa.gov) and in the body of such request you must state: your previous email address, your new email address. We do not require any other information from you to change your email address.

If you created a DocuSign account, you may update it with your new email address through your account preferences.

**To request paper copies from Washington State Department of Commerce**

To request delivery from us of paper copies of the notices and disclosures previously provided by us to you electronically, you must send us an email to [docusign@commerce.wa.gov](mailto:docusign@commerce.wa.gov) and in the body of such request you must state your email address, full name, mailing address, and telephone number. We will bill you for any fees at that time, if any.

**To withdraw your consent with Washington State Department of Commerce**

To inform us that you no longer wish to receive future notices and disclosures in electronic format you may:

- i. decline to sign a document from within your signing session, and on the subsequent page, select the check-box indicating you wish to withdraw your consent, or you may;
- ii. send us an email to [docusign@commerce.wa.gov](mailto:docusign@commerce.wa.gov) and in the body of such request you must state your email, full name, mailing address, and telephone number. We do not need any other information from you to withdraw consent.. The consequences of your withdrawing consent for online documents will be that transactions may take a longer time to process..

### **Required hardware and software**

The minimum system requirements for using the DocuSign system may change over time. The current system requirements are found here: <https://support.docusign.com/guides/signer-guide-signing-system-requirements>.

### **Acknowledging your access and consent to receive and sign documents electronically**

To confirm to us that you can access this information electronically, which will be similar to other electronic notices and disclosures that we will provide to you, please confirm that you have read this ERSD, and (i) that you are able to print on paper or electronically save this ERSD for your future reference and access; or (ii) that you are able to email this ERSD to an email address where you will be able to print on paper or save it for your future reference and access. Further, if you consent to receiving notices and disclosures exclusively in electronic format as described herein, then select the check-box next to 'I agree to use electronic records and signatures' before clicking 'CONTINUE' within the DocuSign system.

By selecting the check-box next to 'I agree to use electronic records and signatures', you confirm that:

- You can access and read this Electronic Record and Signature Disclosure; and
- You can print on paper this Electronic Record and Signature Disclosure, or save or send this Electronic Record and Disclosure to a location where you can print it, for future reference and access; and
- Until or unless you notify Washington State Department of Commerce as described above, you consent to receive exclusively through electronic means all notices, disclosures, authorizations, acknowledgements, and other documents that are required to be provided or made available to you by Washington State Department of Commerce during the course of your relationship with Washington State Department of Commerce.

## CERB Pre-Contract Requirements

### Initial Offer of Financial Aid

If you wish to accept CERB's offer, please sign and return via DocuSign the Initial Offer of Financial Aid by November 7, 2024. A copy of the executed Initial Offer will be forwarded for the City's records.

If the terms and conditions of this offer are not acceptable, you may request in writing that CERB reconsider, amend or modify its offer.

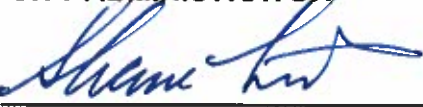

### Pre-Contract Requirements

Please complete the conditions below and submit the appropriate documentation to CERB.

If all conditions are not completed by **March 20, 2025**, you have the option to request an extension from the Board. If the Board does not approve an extension of the initial offer, the offer will expire. Please see the enclosed policy on extension requests for details.

1. Repayment Resolution or Ordinance (sample enclosed)
2. Finalized Budget (form enclosed)
3. Finalized Scope of Work (form enclosed)
4. National and/or State Environmental Protection Act Certification (sample enclosed)
5. Statement regarding permits and clearances (sample enclosed)
  - i. *Note: This statement pertains only to the public project, and is not intended to extend to the requirements which must be met by the private development.*
    - a. Easement Crossing Permit Williams Gas Pipeline
6. Governor's Executive Order 21-02: Cultural Resource Review & Tribal Consultation
7. Evidence that the following matching funds for the public project have been secured from the following or alternate sources:
  - a. \$2,000,000 SIED CASH
8. Evidence that the private investment is secured:
  - a. \$20,000,000 Malhi Investment LLC CASH

**CITY OF GRANDVIEW  
AGENDA ITEM HISTORY/COMMENTARY  
COMMITTEE-OF-THE-WHOLE MEETING**

<b>ITEM TITLE</b>  Resolution approving Task Order No. 2024-08 with HLA Engineering and Land Surveying, Inc., for the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan	<b>AGENDA NO.:</b> New Business 4 (C)  <b>AGENDA DATE:</b> October 8, 2024
<b>DEPARTMENT</b>  Public Works Department	<b>FUNDING CERTIFICATION (City Treasurer)</b> (If applicable)  N/A
<b>DEPARTMENT HEAD REVIEW</b>  Shane Fisher, City Administrator	
<b>CITY ADMINISTRATOR</b>  	<b>MAYOR</b>  

**ITEM HISTORY** (Previous council reviews, action related to this item and other pertinent history)

The Washington State Department of Transportation (WSDOT) requires that all local agencies with more than (50) fifty full-time employees and are receiving Federal Highway Administration (FHWA) funds to provide documentation demonstrating they have started, or completed, an ADA Transition Plan by January 1, 2025, see letter from WSDOT dated September 5, 2024 attached.

Public agencies are required to prepare a Self-Assessment of programs and infrastructure as it relates to access for individuals with disabilities in accordance with 28 CFR Section 35.105(a). Public agencies are also required to develop an ADA Transition Plan to outline the modifications and efforts that must be made to correct findings of non-compliance with ADA standards consistent with 28 CFR Section 35.150(d).

**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.

The facilities to be inventoried during Self-Assessment Data Collection are assumed to include sidewalk, barriers, curb ramps, pedestrian push buttons, marked and unmarked crosswalks, asphalt bike/multi-use paths, railroad crossings, and existing public accessible parking, exterior access to public buildings, and exterior access to facilities within parks.

Once the collection process is complete, HLA will catalog their findings onto site maps identifying elements of ADA non-compliance and submit to the City for review and comment. This information will be used to develop the City's ADA Transition Plan.

The ADA Transition Plan would be limited to the physical surfaces within the public right-of-way functioning as ADA routes, including all existing and missing sidewalks, curb ramps, cross walks, and roadway crossing assistance devices such as signal push buttons.

Transportation Benefit District funds will be used to pay for the ADA Transition Plan.



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**ACTION PROPOSED**

Move a resolution approving Task Order No. 2024-08 with HLA Engineering and Land Surveying, Inc., for the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan to a regular Council meeting for consideration.



**Washington State  
Department of Transportation**

Transportation Building  
310 Maple Park Avenue S.E.  
P.O. Box 47300  
Olympia, WA 98504-7300  
360-705-7000  
TTY: 1-800-833-6388  
[www.wsdot.wa.gov](http://www.wsdot.wa.gov)

September 5, 2024

Dear Local Agency Partners,

### **Purpose**

The Washington State Department of Transportation (WSDOT) remains committed to providing equitable access to Washington's multimodal transportation system, which includes users with disabilities. The purpose of this letter is to notify all local agencies with more than fifty full-time employees and who receive federal funds from WSDOT must provide copies of their transition plan by January 1, 2025.

### **Background**

As a State Transportation Agency (STA), WSDOT has the responsibility to monitor sub-recipients of federal assistance to ensure their compliance with Title II of the ADA and Sec. 504. This includes STA-funded (both federal and state dollars) projects and programs that the sub-recipients implement.

Under the ADA and its implementing regulations {28 CFR § 35.130(b)(1)(v)}, the state cannot aid or perpetuate discrimination against an individual with a disability by providing significant assistance to an entity that discriminates in providing any aid, benefit, or service to beneficiaries. Similarly, Section 504 of the Rehabilitation Act (Section 504) and its implementing regulations (49 CFR § 27.7 (b)(v)) provides that a recipient of Federal Highway Administration (FHWA) funds (e.g. the State) cannot provide financial or other assistance to an agency, organization, or person that discriminates based on disability in providing any aid, benefit, or service. As such, WSDOT is lawfully forbidden from providing funds to a local agency that does not comply with ADA and Section 504.

**To remain in compliance with ADA and Section 504, WSDOT will be requiring all local agencies with more than fifty fulltime employees and are receiving FHWA funds to provide documentation demonstrating they have started, or completed, an ADA transition plan by January 1, 2025.**

### **Who is covered?**

If WSDOT provides FHWA funds to a local government agency or other entity with more than fifty fulltime employees, all the operations of the agency, department, or organization to which the funds are distributed are covered. Enhancement grants, safe routes to school funds, earmarks, as well as local highway user revenue distributions are some examples of qualifying funds and therefore recipients must demonstrate compliance in all programs.

**What is an ADA transition plan?**

An ADA transition plan identifies barriers to ADA compliance and provides actions that a sub-recipient will take over the next several years to remove barriers within the public right of way and all sub-recipient owned facilities identified during the sub-recipient's continued self-evaluation efforts. Sub-recipients demonstrate their commitment to achieving substantial ADA compliance through a comprehensive approach outlined in their plans. This approach includes strategies for public engagement and involvement, details on agency wide ADA roles and responsibilities, and a plan to identify, prioritize, and address ADA features in public facilities and public right-of-way.

**What documentation is sufficient to demonstrate that a plan has been started or completed?**

*Sufficient documentation if an ADA Transition Plan has been completed*

If a plan transition plan has been completed, local governments must provide a copy of the plan to WSDOT's Office of Equity and Civil Rights. Copies of the plan can be emailed directly to [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov).

*Sufficient documentation if an ADA Transition Plan has not been completed*

If a plan has not been completed, local governments must email documentation demonstrating that the drafting of a plan is in progress. Examples of sufficient documentation include, but are not limited to, the following:

- A copy of a transition plan draft;
- A written commitment from the local government to complete a plan by a certain date;
- A schedule for when a plan will be completed;
- Any written documents that demonstrate actions are being taken to complete a plan;
- Copy of an active ADA grievance process;
- Any inventories or assessments of existing barriers or three or more ADA-related features (best practice minimum - curb ramps, pedestrian signals and sidewalks);
- Copy of an active ADA Policy Statement.

At a minimum, the documentation must show an assurance that the local government is committed to completing a transition plan within a reasonable amount of time. Questions regarding sufficient documentation can be emailed to [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov).

### **What is required of Local governments and other entities' ADA Transition Plans?**

All Sub-recipient ADA Transition Plans must include the following elements:

- Identity the local agency's ADA Coordinator by name and include contact information;
- The Sub-recipient's current ADA policy;
- A grievance procedure for ADA complaints;
- The ADA self-evaluation results (for programs and facilities);
- The design standards for all facilities (e.g., buildings and roadway assets); and
- A prioritization schedule for remediating assets and programs that are not ADA compliant, including the subrecipient's commitment to complete the schedule by:  
identifying either (if not both) of the following:
  - The completion date for each item on the schedule; or
  - A budget to be applied to the items on the prioritization schedule together with cost estimates for their remediation.
- A summary of all the public involvement opportunities involved in the development of the plan;
- A schedule of how the plan will be updated (every five years, for example.)

### **How will WSDOT evaluate Sub-recipient plans?**

WSDOT requests that local governments provide documentation they have either completed or started an ADA transition plan by **January 1, 2025**.

Upon receiving completed plans, WSDOT will review and provide feedback on whether the plans meet the federal requirements. A copy of the rubric WSDOT will be using to evaluate ADA transition plans is attached to this letter. If an ADA transition plan is not complete, WSDOT will work with the local agency to determine any corrective action and a timeline to complete it.

Local Agency Partners  
September 5, 2024  
Page 4 of 4

To assist local governments with meeting the **January 1, 2025** deadline, WSDOT's ADA team is available for questions about, and technical assistance with developing ADA transition plans. To request technical assistance, you can contact WSDOT's ADA Compliance Team through email at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling 1-855-362-4232.

Sincerely,



Earl Key Esq. LL.M, M.S.  
Senior Director of Transportation Equity

Enclosure: ADA Transition Plan Evaluation Rubric

cc: Jackie Bayne, Deputy Director, Office of Equity & Civil Rights  
Shawn Murinko, Assistant Director of ADA Compliance & External Workforce  
Autumn Young, Civil Rights Program Manager of Federal Highway Administration  
Development  
Jay Drye, Director of Local Programs  
Reema Griffith, Executive Director of the Washington State Transportation Commission

#### **Americans with Disabilities Act (ADA) Information**

WSDOT is committed to providing equal access to its facilities, programs and services for persons with disabilities. The material contained in this document can be made available in an alternate format by emailing the WSDOT Diversity/ADA Affairs team at [wsdotada@wsdot.wa.gov](mailto:wsdotada@wsdot.wa.gov) or by calling toll free: 855-362-4ADA (4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

**Exhibit 1**

**ADA Transition Plan Evaluation Rubric**

Plans will be scored across seven categories as acceptable, unacceptable, or exceeding minimum criteria.

<b>Category One - Official Responsible for Implementation of ADA Transition Plan</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Primary manager, name, title and role included along with delegation by agency directory or equivalent; all or other key ADA contacts within the organization named, including titles and roles	Primary manager, name, title and role included in plan or website; may also include delegation by agency directory or equivalent	Not included in document or name or title listed, but not both; lacks identification of role

<b>Category Two - Inventory of Barriers</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Includes results of inventory, assessments and summary of inventory methodology for three or more ADA-related features (best practice minimum - curb ramps, pedestrian signals and sidewalks); or meets criteria for "Acceptable," but includes plan and/or schedule for expanding evaluation to other features or assets	Includes results of inventory and assessments for at least two ADA-related features (best practice minimum - sidewalks and curb ramps or curb ramps and pedestrian signals); may include summary of inventory methodology	Lacks sufficient inventory to evaluate barriers and/or lacks plan to build such data for self-evaluation

<b>Category Three - Modification Schedule</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Plan shows a strong commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a strong commitment over time toward prioritizing curb ramps at walkways serving entities covered by the ADA. 28 CFR 35.150(d)(2). This would also include prioritization information, planning, and investments directed at eliminating other identified barriers over time. 28 CFR 35.150(d)(3). Resources dedicated to eliminate identified ADA deficiencies.	Plan shows some commitment toward upgrading ADA elements identified in the inventory of barriers in the short term (planned capital improvement projects) and a recognition of priority of curb ramps at walkways serving entities covered by the ADA. 28 CFR 35.150(d)(2). May include some planning for elimination of other barriers over time. 28 CFR 35.150(d)(3). Resources to eliminate identified ADA deficiencies may or may not be identified, but may not be dedicated.	Lacks sufficient commitment to eliminate barriers and/or lacks plan to build a schedule and committed resources

<b>Category Four - Accessibility Methods</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Describe in detail the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii); standards that will be applied and any modifications/refinements clearly defined (i.e., 2010 ADAAG, 2011 PROWAG)	Describe most of the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii); primary standards that will be applied clearly identified (i.e., 2010 ADAAG, 2011 PROWAG)	Incomplete description of the <b>Methods</b> that will be used to make the facilities accessible. 28 CFR 35.150(d)(3)(ii); and/or standards that will be applied not clearly identified and/or defined (i.e., 2010 ADAAG, 2011 PROWAG)

<b>Category Five - Public Involvement</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Description of process to allow public to readily access and submit comments for both self-evaluation and transition plan. 28 CFR 35.150(d)(1); 28 CFR 35.105(b). Best practices: a) detailed list of individuals consulted posted conspicuously on website, does not have to be in actual TP, but must be documented and available; b) have both electronic and hard copy notice. 28 CFR 35.105(c)	Description of process to allow public to readily access and submit comments for both self-evaluation and transition plan. 28 CFR 35.150(d)(1); 28 CFR 35.105(b).	Incomplete or unclear process to allow public to readily access and submit comments for both self-evaluation and transition plan.

<b>Category Six - ADA Policy Statement</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Not required of local agencies, but best practice if mentioned and link provided to policy posted conspicuously on website	N/A (Not required of local agencies)	N/A (Not required of local agencies)

<b>Category Seven - Complaint/Request/Grievance Process</b>		
<b>Exceeds Minimum Criteria</b>	<b>Acceptable</b>	<b>Unacceptable</b>
Description of process and detailed information included to help an individual know how to submit a request for accommodation or file a formal complaint; more than one option provided (including assisted) to allow individuals to submit issue	Basic information included to help an individual know how to submit a request for accommodation or file a formal complaint; link to form or other method included	Insufficient information included to help individuals know how to submit a request for accommodation or file a formal complaint



**RESOLUTION NO. 2024-\_\_\_\_**

**A RESOLUTION OF THE CITY OF GRANDVIEW, WASHINGTON,  
APPROVING TASK ORDER NO. 2024-08 WITH HLA ENGINEERING AND  
LAND SURVEYING, INC., FOR THE SELF-ASSESSMENT DATA COLLECTION AND  
AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN**

**WHEREAS**, the City of Grandview has entered into a General Services Agreement with HLA Engineering and Land Surveying, Inc., (HLA) for work pursuant to task orders; and,

**WHEREAS**, the City would like to enter into a Task Order with HLA to provide professional engineering services for the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan,

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

The Mayor is hereby authorized to sign Task Order No. 2024-08 with HLA Engineering and Land Surveying, Inc., for the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan with an estimated fee for services in the amount of \$75,000 for the Self-Assessment Data Collection and \$50,000 for the ADA Transition Plan in the form as is attached hereto and incorporated herein by reference.

**PASSED** by the **CITY COUNCIL** and **APPROVED** by the **MAYOR** at a special meeting on \_\_\_\_\_, 2024.

**MAYOR**

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

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

**APPROVED AS TO FORM:**

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

**TASK ORDER NO. 2024-08**

REGARDING GENERAL AGREEMENT BETWEEN CITY OF GRANDVIEW

AND

HLA ENGINEERING AND LAND SURVEYING, INC. (HLA)

**PROJECT DESCRIPTION:**

**ADA Transition Plan**  
**HLA Project No. 24175E**

The City of Grandview (CITY) intends to complete the Self-Assessment Data Collection and Americans with Disabilities Act (ADA) Transition Plan (PROJECT) to comply with Title II of the Americans with Disabilities Act of 1990 prohibiting discrimination against individuals with disabilities in all areas of public life. Public agencies are required to prepare a Self-Assessment of programs and infrastructure as it relates to access for individuals with disabilities in accordance with 28 CFR Section 35.105(a). Public agencies are also required to develop an ADA Transition Plan to outline the modifications and efforts that must be made to correct findings of non-compliance with ADA standards consistent with 28 CFR Section 35.150(d).

The ADA Transition Plan would be limited to the physical surfaces within the public right-of-way functioning as ADA routes, including all existing and missing sidewalks, curb ramps, cross walks, and roadway crossing assistance devices such as signal push buttons. The facilities to be inventoried during Self-Assessment Data Collection are assumed to include sidewalk, including barriers, curb ramps, pedestrian push buttons, marked and unmarked crosswalks, asphalt bike/multi-use paths, railroad crossings, and existing public accessible parking, exterior access to public buildings, and exterior access to facilities within parks.

**SCOPE OF SERVICES:**

At the direction of the CITY, HLA Engineering and Land Surveying, Inc. (HLA), shall provide the following professional engineering services to complete the ADA Transition Plan.

**1.0 Self-Assessment Data Collection**

- 1.1 Coordinate and attend a PROJECT kick-off meeting with CITY Staff.
- 1.2 Inventory the existing ADA facilities which include:
  - Sidewalks
  - Curb Ramps
  - Crosswalk Pushbuttons
  - Crosswalks
  - Bike/Multi-Use Paths
  - Railroad Crossings
  - Existing Public Accessible Parking
  - Access Approaches to Public Buildings (Exterior features only)
  - Access to Park Facilities (Exterior facilities only)

Facilities will be analyzed using tape measures and slope levels. It is not anticipated topographic survey will be conducted.

- 1.3 Catalog findings onto site maps identifying elements of ADA noncompliance and submit to CITY for review and comment.

## **2.0 ADA Transition Plan**

- 2.1 Describe the purpose and process for the CITY's ADA Self-Assessment.
- 2.2 Develop a statement of commitment to providing accessibility to transportation, communications, and maintenance or programs and facilities.
- 2.3 Describe public input and public outreach incorporated into the CITY's ADA Self-Assessment.
  - 2.3.1 Public meeting: Present inventory information to the CITY Council and the public to discuss the process for developing the ADA Transition Plan.
  - 2.3.2 Public meeting: Present final drafts and receive final comments.
  - 2.3.3 Process public comments, review, and consider incorporation into the draft Plans.
- 2.4 Outline modifications that must be made to those services, programs, and activities that are not accessible.
- 2.5 Prepare narrative for designation of an ADA Coordinator for the CITY, role, and contact information.
- 2.6 Prepare narrative for Title I and II of the ADA, Section 504 of the Rehabilitation Act of 1973, WSDOT Local Agency Guidelines (LAG) Manual Chapter 29, and Accessible Pedestrian Signal and Pushbutton (APS) Policy.
- 2.7 Develop conceptual schedule for making necessary modifications to non-compliant infrastructure.
- 2.8 Develop grievance procedure for filing complaints.
- 2.9 Develop process for requesting ADA accommodation (translator, barrier removal, etc.).
- 2.10 Describe potential funding sources for ADA modifications.
- 2.11 Internal Quality Assurance and Quality Control review of the ADA Self-Assessment and Transition Plan.
- 2.12 CITY review of draft ADA Self-Assessment and Transition Plan.
- 2.13 Incorporate all review comments and finalize ADA Transition Plan.

## **3.0 Additional Services**

- 3.1 Provide professional engineering services for additional work requested by the CITY that is not included in this Task Order.

## **4.0 Items to be Furnished and Responsibility of CITY**

- 4.1 Provide full information as to the CITY's requirements for the PROJECT.
- 4.2 The CITY shall assist HLA by providing all available information pertinent to the PROJECT.
- 4.3 Examine all requests for information presented by HLA, and provide written decisions within a reasonable time, so as not to delay work.
- 4.4 The CITY shall arrange for safe access to, and make all provisions for, HLA and HLA's consultants to enter upon public property as required for HLA to perform services.

**TIME OF PERFORMANCE:**

**1.0 Self-Assessment Data Collection**

Self-Assessment Data Collection is anticipated to begin upon execution of Task Order. HLA has assumed the task duration will be one hundred fifty (150) working days.

**2.0 ADA Transition Plan**

ADA Transition Plan is anticipated to begin following completion of Self-Assessment Data Collection. HLA has assumed the task duration will be one hundred (100) working days.

**3.0 Additional Services**

Time for completion of work directed by the CITY under Additional Services shall be negotiated and mutually agreed upon at the time service is requested by the CITY.

**FEE FOR SERVICE:**

**1.0 Self-Assessment Data Collection**

The Self-Assessment Data Collection phase shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement for an estimated maximum fee of \$75,000.00. This maximum fee may be revised only by written agreement of all parties.

**2.0 ADA Transition Plan**

The ADA Transition Plan phase shall be performed on a time-spent basis at the normal hourly billing rates included in our General Agreement for an estimated maximum fee of \$50,000.00. This maximum fee may be revised only by written agreement of all parties.

**3.0 Additional Services**

Additional work requested by the CITY not included in this Task Order shall be authorized by the CITY and agreed upon by HLA in writing prior to proceeding with services. HLA will perform additional services as directed/authorized by the CITY on a time-spent basis at the hourly billing rates included in our General Agreement, plus reimbursement for direct non-salary expenses such as vehicle mileage, out-of-town meals/lodging, advertising, and printing expenses. Outside subconsultant's invoices shall be marked up by a factor of 1.10 times the subconsultant invoice.

Proposed:

  
\_\_\_\_\_  
HLA Engineering and Land Surveying, Inc.  
Michael T. Battle, PE, President

9/30/2024  
Date

Approved:

\_\_\_\_\_  
City of Grandview  
Ashley Lara, Mayor

\_\_\_\_\_  
Date