

2025 Retreat Summary
Grandview City Council



2025 Retreat Summary Grandview City Council

Concise Summary:

Grandview City Council members and the City Administrator met with a facilitator for a one day retreat intended to power through some challenging City concerns. The primary objective was reaching consensus in refining direction for city staff in advance of the City's upcoming budget cycle and 5 Year Strategic Plan.

Economic Development, Public Safety and minimizing costs while maximizing fiscal sustainability, services and transparency to Grandview residents was a consistent theme. There is also a significant need for City Infrastructure and Facilities efforts.

Distinguishing between what is essential for a city to provide and the optional or "quality of life" expenses a city might add was important. The Revised Code of Washington's (RCW's) basic requirements of cities was part of this discussion which led to prioritizing what the City must provide and what is optionally or possibly funded by a city. Ultimately, all must come at an expense, frequently, to taxpayers. More services, more taxes - unless there are outside funding sources. Council recognized the place and value of organizations such as Grandview's Port District, Chamber of Commerce, Main Street Program, Rotary, education systems and more.

City revenue sources and anticipated costs were examined. Priorities and options for the City were refined/clarified, outlined and confirmed with those in attendance. Individual council member and group rankings of priority initiatives were part of the process. The City Administrator presented data and timelines to kick off discussions about public safety (police, fire, and medical response). On behalf of Grandview residents, Council was able to get answers to their questions about costs, compliance, interactions and possibilities. The current Police facility is decidedly insufficient and must change. Comprehensive local fire increases are desired, but impractical now as staffing and related expenses are ongoing. Conversation confirmed that City owned medical transport services are currently unaffordable. The City Administrator is to seek to improve the current EMS service agreement/s. Aspects of transportation and infrastructure were covered. It's never simple to allocate resources for a city, but the things that a city must provide—things that no one else does—must take precedence over optional expenses.

Council expressed a desire to nurture businesses within Grandview as a means of offering more local opportunities to residents, as well as providing a source of commercial revenue to the City. Council seemed to prefer minimized residential taxes. Information on what is necessary for eminent domain and potential ordinance changes and enforcement was shared with Council. Council considered potential ordinance modifications and eminent domain. Our State's eminent domain RCW's require exacting procedures and timetables with no assurance all efforts won't re-start following an appeal.* At the moment, there isn't a staff member (or two) to carry out such procedures, legal compliance, accountability, and/or process appeals. Furthermore, the City's would need to pay (compensate) for any related property. At this time, there are not adequate General Fund nor staff reserves for such an undertaking.

Again, based on anticipated budget shortfalls, increased expenses and much discussion, Council agreed that some form of revenue must be added to the City's General Fund. Considerations are outlined in the *Complete Summary*. A 4% increase to the City's sewer rate was unanimously agreed upon.

Though there was more to discuss, especially in relation to Grandview's economy and growth, the gathering had exceeded its end time of 3:30 by a bit. All who started the retreat fully finished.

End Concise Summary

* There are clips from the Revised Code of Washington (RCW) provided at document end for the purpose of providing *just a glimpse* at some of the **eminent domain** considerations. Some additional resources follow.

Please note that some capitalizations are used herein for quick identification and outside of their proper application (e.g., City, General Fund).

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Complete Summary:

This Public Meeting was previously announced and held at the Grandview City Library.

Scheduled on September 25th, 2025, from 8am to 3:30pm.

The meeting formally began with introductions at 8:12am.

IN ATTENDANCE:

Mayor	Ashley Lara
Mayor Pro Tem	Bill Moore
Council Member	David Diaz
Council Member	Robert Ozuna
Council Member	Joan Souders
Council Member	Laura Flores
City Administrator	Shane Fisher
Facilitator	Jeanna Hernandez

Excused Absences

Council Member	Javier Rodriguez
Council Member	Steve Barrientes

No others were in attendance

Initial introductions were made around the tables

Brief reference was made to Grandview's city classification structure in WA State. Some basic facts are here:

Chapter 1.08 CITY CLASSIFICATION

§ 1.08.010 Designated.

§ 1.08.020 Continuation in office.

§ 1.08.010 Designated.

The city adopts the classification of noncharter code city, without reorganization, to be governed by the provisions of Chapter 35A.12 RCW under mayor-council plan of government, and endowed with all applicable rights, powers, privileges, duties and obligations of a noncharter code city as the same now exists, or may be provided hereafter, including any and all supplements, amendments, or other modifications of said Title 35A hereafter at any time enacted.

(1964 code § 1.01.010)

BASIC AGREEMENTS

These basic agreements were established, distinguishing between what a City in Washington State is required to provide, and what may be considered “Community Enhancement” or “Quality of Life” or “Added Services” as community amenities.

Revenue (Income: generally taxes) versus Expenses (Costs: Required and Desired)
The Public Pays to have more Public Services (including Enhancement / Quality of Life).

- Required (presumably, Priority Funded) City Services

- Pubic Safety
 - Police Department Services
 - Fire Department Services
 - Medical Transport Option
- Water (includes supply) & Related Infrastructure (w/ Maintenance)
- Sewer + Trash = Sanitation
- Roads and Public Transportation Infrastructure (w/ Maintenance)

also, often considered required

- Parks and Recreation (basic or existing facilities) - to be prioritized as retaining prior investment value (distinguished from new Parks & Rec expenditures)
- Library services would align similarly to Parks & Rec
- Compliance
 - Grants
 - OPMA (Open Public Meetings Act) & Public Records Requests
 - Police, Fire, Unions
 - State, EPA, GMA, +
 - Legal details and strategies
- City Staffing - necessary to provide the services, records, compliance, +

- Optional (or Optionally Funded) City Services

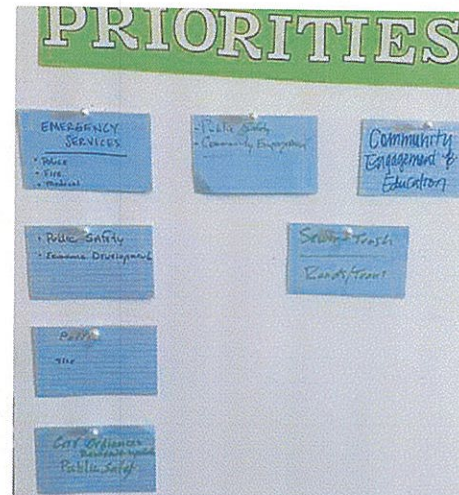
- Parks and Recreation - especially new or expanded services
- Community Engagement
- Code Enforcement/Compliance - a priority, but buildings with streets and sewer services are required to comply with enforcement methods, perhaps part of the required services, above
- Snow Removal and Traffic Management - these are really a part of Roads and Public Transportation, but are listed here just because they were a separate line item of discussion. They have also been on the budget chopping block in some surrounding locations.
- Certain Staffing for optional City Services

PRIORITIZATION EXERCISE

The Elected Officials and City Administrator (CA) were asked to write their **top one - not more than two - priorities for Grandview** on a card.

Those cards demonstrated more similarities than differences, and most were in line with what is required of a city:

- 1) Emergency Services
 - Police
 - Fire
 - Medical (defined as transport/response, as in Ambulance)
- 2) Public Safety
Economic Development
- 3) Police
Fire
- 4) City Ordinances (Review & Update)
Public Safety
- 5) Public Safety
Community Engagement
- 6) Community Engagement
Community Education
- 7) Sewer & Trash
Roads/Transportation



These might be boiled down to :

- 5 prioritizing **Public Safety** as 1st or 2nd top need [w/ 8 potential votes of 14]
- 2 prioritizing **Community Engagement** as 1st or 2nd top need
- 1 prioritizing **Community Education** as 1st or 2nd top need
- 1 prioritizing **City Ordinances** as 1st or 2nd top need
- 1 prioritizing **Roads** as 1st or 2nd top need
- 1 prioritizing **Sanitation** as 1st or 2nd top need

GENERAL FUND

What is the *General Fund*? What distinguishes it from other funds? What are its revenue sources? What are its expenses? What MIGHT be paid for by the City (and its residents) and what has the option of being funded by external sources?

The City's expense fund, known as the General Fund, is managed and prioritized by the Council.

The General Fund is the City's Expense Fund, and it is under the direction and prioritization of Council.

82% of this fund is from taxes; specifically property, sales and utility taxes.

The largest expenses from the General Fund are (historically, and perhaps by necessity):

- Police
- Fire
- Parks & Recreation

Grants and/or appropriations from federal and/or state sources may also bring revenue. Other potential sources of income include support/sponsorships (for an event, for instance), donations, and fundraising, which may involve efforts to get donations and sponsorships.

REVENUE

The income, needs, and effects of several revenue sources were discussed. Although there are associated costs and burdens, implementing a B&O tax—as 50 cities and towns in Washington state have done—is a potential revenue option. There must be a sizable enough tax base to cover the expenses of the process while still benefiting the General Fund because staff is required for expertise, collecting, and reporting. B&O tax reporting and costs can pose challenges, particularly to small businesses and cities. In favor of desired business growth and options in Grandview, Council members unitedly decided against a B&O tax at this time.

Agreed: B & O tax is not a current option for Grandview.

This was an extensive discussion topic and it would naturally launch into the discussion of Economic Development, but to allow some of the information and correlations to settle more fully, we next heard about some of the expenses the City must take into account.

INFRASTRUCTURE AND PUBLIC WORKS



The CA briefly updated Council of ongoing and projects and efforts with which they are familiar. There was little discussion here.

GRANDVIEW POLICE



An update on **Policing in Grandview** was provided by the CA.

- \$680K in a pledge from the Department of Commerce has been secured for Police related expenses
- ~\$322.6 (of the above funding) will be available for the purchase of land for a new Police Structure
 - The existing Police Building is 86 years old and includes jail space. The space is not sufficient for Police business, even if the jail space could be converted. The facility contains thick concrete walls inhibiting electronic reception and communication, making the space problematic, if not a liability. There is anticipation that the current building could be out of compliance before long. The need for a different Police Structure is unquestionable.
 - Grandview has annexed properties into the City (and likely will annex more in the future) requiring more police service to more area, structures and homes. The need for policing in Grandview is expanding, so efforts must grow.
 - The Police Department can currently justify 3 additional personnel, but the CA cautiously estimates there will be funds allocated for just one additional police department hire in 2026. Staffing schedules are stretched because of things like Family Medical Leave (FMLA), vacation, paid time off (PTO) and such shifts must be covered on top of City patrols and daily requirements.
 - A new police position will require several months where the individual is paid to go to training before that person may serve as law enforcement in Grandview (unless there is a lateral hire made. The ability to attract quality staff in Grandview's Police Department is further cause for growing Grandview as an increasingly attractive destination/residence).
 - A new hire for the Police Department requires more funding than just the employment salary as there is personal and vehicle equipment to be purchased, and potentially a police vehicle as well.
 - Council Desired Options for PD, particularly as Grandview and its businesses grow.

Agreed: **The Police Building efforts must persist.**

GRANDVIEW FIRE

A similar informational format from the CA was provided. Conversation was heavy on practicalities like staffing and costs. Council's want for a Full Time Fire Department was clear, but details are instructive. A staffing schedule illustrated the actual employee expenses before union involvement. The currently prohibitive and ongoing costs were obvious. The Council appeared to have a strong grasp of most of this material but the factors furnished were important.

Agreed: **No Full Time Fire efforts** at this time.



GRANDVIEW EMS / Medical Transport Service

Again, the CA gave an update. The discussion covered new information (no cohabiting building option) and details Council was familiar with. Extensive and perpetual costs are not within the City's current capacity as it must finish with the Police facility. The CA was asked to seek to **refine current services** as a way of getting the best service now that Grandview can provide for its residents. Noted: Grandview currently has mutual aid agreements with several Yakima County agencies. Beyond refining of the service agreement, it was...

Agreed: **No further EMS/Medical Transport effort** for City Staff at this time.



	Water	Sewer	Trash
+1%	\$7.65	2.43	5.52
\$25K		\$50K	\$10K
+1.5%	\$11.48	3.65	7.72
\$37,500		\$75K	\$15K
3%	22.95	7.29	16.56
\$75K		\$150K	\$30K
		4.5%	10.95
		\$250K	

Handwritten notes on the whiteboard include: 'CITY REQUIRED' (highlighted), '972', '7.65', '16.37', '4% = 9.12', '\$200K', '11.48', '7.29', '18.77', and 'Trash'.

ECONOMIC DEVELOPMENT

What is the City's role?

What are Economic Development requirements? options? purposes? community perceptions?

How is Grandview best positioned for Fiscal Sustainability?

Economic Growth within the City creates growth in the tax base.



There have been a lot of prior efforts made with the focus of Economic Development in Grandview over the past several years.

- An *Economic Development Strategic Guide* was commissioned, but the work was altered to address just the list of “priority” items provided by the City Council. (Dec, 2021)
- There were *multiple efforts, meetings, at least one survey, and grants made with ARPA funds* and Council participation/direction. (2021-2025)
- Grandview's *Council Retreat* of 2 days each in at least year 2022 and 2023. Yakima Valley Council of Governments (YVCOG) facilitated the sessions and termed the 2023 event as “a strategic visioning retreat for Staff and City Council.”
- A *Destination Assessment* was performed by the Destination Development Association. The 100 page report has some insights but also lists a number of things which were specific suggestions to/for/about businesses and not the City itself or things under the purview of Grandview's City Council. Page 46 intros the “Bring Back Downtown” section and starts with the suggestion to paint a mural on a blank wall. (Oct, 2024)
- There was a *community survey* done in June - July of 2025. The top priority indicated (by both long-time and new residents) for “Allocating City Resources” was “Public Safety.” The second selection by both lasting and more recent groups was > 30% behind the prioritization of Public Safety. There were 166 total responses in this survey.
- This is not an exhaustive list, but an example of Council's ongoing efforts.

Council members brought ideas and also brought input from residents for today's Retreat.



ECONOMIC DEVELOPMENT, *continued* (1)

We discussed a myriad of options, most notably (but in no particular order):

- the limited role of Council in Economic Development
- increased City ordinances which might strengthen the City's ability to prevent visual and functional disruptions like a burnt building downtown, for example. Also, mixed-use is in the downtown business district. Any change allowing businesses in residential neighborhoods creates issues for infrastructure, transportation, patrolling, and more.
- perhaps tax incentives or such motivations to attract businesses
- streamlining of the permit and development process. Such efforts would benefit from
 - permitting software
 - reorganizing the Building Division
 - additional employees: specifically in Bldg Division and Code Enforcement
 - additional staff
 - Currently, there are two (2) full time employees (FTE's) who split the duties of plan reviews/inspections and Code Enforcement. Grandview has capacity need for two (2) more employees in Building Division and one (1) more in Code Enforcement. Code Enforcement is extremely difficult for staff to get to around the volume of other tasks. There is always potential for City liabilities for errors resulting from overstretched staff, time and divided focus.
- potential Marketing and Branding, such as "Choose Grandview" and a professionally done website w/ available property sites, potential incentives and demographic data. Ultimately, there may be want of a business recruiting type tool available for public consumption. Again, we discussed how that necessitates staffing, prioritization, expertise and expenses.
- Partnerships. Council desire to collaborate with the Chamber, Port District, and State Agencies. Potentially others. There is a desire to leverage Workforce Development programs; an example of which might be some marketing or tech skills or apprenticeship formed with a local educational program.
- Business Retention and Expansion (BRE) is a huge concern.
 - annual visits to employers to encourage communication and express value
 - desire to continue and increase efforts that address regulatory or infrastructure updates and concerns
 - City Administrator is to meet with major employers, annually
 - approximately sixty-five (65) small business grants were awarded with ARPA funds, totaling approximately \$800k. The intent was to promote existing business retention. Some of those grant recipients remain in business in Grandview.

ECONOMIC DEVELOPMENT, *continued* (2)

Staff is short. Most of the retreat ideas about economic development come with a requirement of more staff time and efforts. New expertise would also require something along the lines of contracts or training - except, perhaps, with local DECA (Distributive Education Clubs of America) and/or college student engagements.

State RCW's have specific requirements and process for eminent domain and other topics of discussion. IF the City were to take ownership of a property, it comes with requirements most cities are not prepared to deal with unless there is dedicated staff and/or processes established. There are costs and timeframes to be considered, and those might start all over again with an appeal. There remain questions about how the City could possibly facilitate the labor burdens and expenses.

Revisiting the **prior Economic Development materials** for an update or refining may be desired.

While the City is continually tasked with City function, service and compliance efforts, it does well to avoid impeding or interfering with the Business Community unnecessarily.

IF or As staff time can made available, the City desires to

- Attract New Business with
 - an inventory of available commercial/industrial land in Grandview
 - identifying potential target industries (manufacturing, logistics, agribusiness, retail)
 - keeping the Building Division and City interactions as efficient and pleasant as possible
- enhance the Business Environment, possibly including
 - Support of business networking and training events held by Grandview's Chamber, Main Street Association, Local College, or High School
 - a special appreciation of the local DECA group was noted



Agreed: **budget for permitting software and website updates** in upcoming budget

Agreed: an **Economic Development update is desired**

Agreed: seek to **budget an additional staff member for business/Building Division/Codes**



Back to REVENUE

Of course, Grandview has a need for fiscal sustainability.

Again, with increasing costs such as unfunded State mandates, inflation and the State's minimum wage hike, increasing revenue is necessary for Grandview. Council is clear they want to minimize costs to their residents whenever possible, but it is also clear that the City currently anticipates a shortfall. It is necessary to cut services and/or to raise revenue. The police station and other needs are critical. Thus, raising revenue for the City of Grandview is equally crucial.

Potential Revenue Sources were further discussed.

- The CA reviewed already secured and potential funding efforts.
- *Levy Lid Lift*: This has potential as a voter-approved increase to property tax beyond the 1% yearly state cap. There are expenses for putting a levy lift on a ballot and it might be better to save this for residents to consider if it's necessary to Bond what may remain to be funded for the new police facility.



Agreed: **No Levy Lid Lift** effort at this time

- *Sales Tax for Public Safety*: The City currently utilizes a 0.3% Public Safety tax. The new Public Safety Tax has strings and is untested. The language details have been altered when it comes to compliance. It seems confusing for residents to see Public Safety taxes from two different directions, and assuring compliance could be tricky. Business and resident concerns with this tax were discussed.

Agreed: **No Public Safety Sales Tax** effort at this time

- *Permits, inspections, and city services* are currently provided, but the City's costs may not be fully covered in the corresponding fees. Additionally, we don't know if or how Grandview fees compare to other jurisdictions.
 - "Impact Fees" for development were discussed. Some local cities have them, others do not. The CA was given Council agreement to look into Impact Fees and bring them back before Council with recommendations, depending upon his findings.
 - Council desires Staff to take a local look, as able, at City costs and reasonably comparable fees (with potential adjustments) to permits, inspections, and City services of a related nature.

Agreed: **Look/Recommend to Council on Impact Fees**

Agreed: **Look/Recommend to Council on fees related to permits, inspections and city services**



Back to REVENUE, *continued*

- *Utility and Service Fees:* These fees have not had consistent adjustments to cover City costs, though they are reviewed yearly through the City's budget progress.

Agreed: **Utility Rate Study every 2 years on water, sewage, trash/garbage fees**

- Water, Sewer and Trash rate increases and the potential need for them were discussed. The City Council members did not want rate payers to encounter more costs than very necessary. City costs and needs were discussed more, including inflation, wages and State mandates.
- A Water fee increase of 1% would cost the rate payer \$7.65 more, as a estimated average. The net to the City on the same 1% Water increase would be \$25,000.
- A Sewer fee increase of 1% would cost the rate payer \$2.45 as a estimated average. The net to the City on the same 1% Sewer increase would be \$50,000. Please note the lesser cost to the rate payer but the larger return to the City for that 1% increase.
- A Trash fee increase of 1% would cost the rate payer \$5.52 more, as a estimated average. The net to the City on the same 1% Trash increase would be \$10,000.

The costs to the rate payers and the hardships of fixed incomes and more were of significant concern. Increases in surrounding areas have recently been in varying amounts, and a 5% increase in Yakima was noted. The City revenue amounts and rate payer costs were considered in amounts from 1% to 4.5%. With several considerations and much back and forth, attendees agreed that a 4% increase to Sewer was necessary. It would be the least increase to ratepayers while being the greatest City benefit (an estimated \$200,000 to the City with less than \$9.75 per user).

Agreed: **a 4% increase to Sewer rate**

Agreed: **No further increases at this time**



RECAP

A very brief recap confirmed the portions you find in **bold text** (not a title or heading) within this summary. It also reminded Council that the City’s Core Goals provided before the Retreat were:

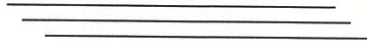


1. Economic Development – Attract new businesses, support existing businesses.
2. Fiscal Sustainability – Maintain revenue streams that keep pace with inflation.
3. Public Safety Improvements – Transition to a full-time fire department and ambulance service; build a new police station.
4. Infrastructure & Facilities – Secure property for critical facilities and improve city services.

Based on the information and costs requirements, the FT Fire Department and ambulance service was deemed not currently actionable by Council members. That is in an effort to prioritize Grandview’s Vision Statement, including being an “economically strong community by promoting sustainable growth,…”

***Vision Statement:** “Grandview will be a vibrant, safe, and economically strong community by promoting sustainable growth, enhancing public safety, and ensuring high-quality services for all residents.”*

The Retreat was adjourned before 3:40pm.



If time had permitted, it might have been useful to allow Council to track and promote accountability using a process. A visual was on hand with headings as follows:

TASK OBJECTIVE	STEP	Responsible WHO	Report/ Update WHO	Goal Ending DATE	Complete DONE	VERIFIED & NOTED

Attendees were asked to take a moment and answer three questions on 4x6" cards:

- What did you like?
- What didn't you like?
- What could have been done better?

Seven response were provided, no names were requested or given. The words are verbatim here, though there are some very slight formatting changes.

- 1) - Like the much more narrow focus. I liked clearly defining so all on the same page and could point to.
 - Too much time off topic - nothing you could have done to prevent.
 - Snacks/fidget toys/etc. I think we could have used more time.
- 2) -Small more intimate group. The 5 year plan meant something to work towards.
 - Nothing really
 - Maybe making it a day and 1/2 session - so we could have more time to absorb the discussion. Overall I really liked it and felt we are moving in the right direction with a 5 year plan verses needs and wants from past sessions.
- 3) - Good open conversations - need more of these.
 - Too much info about Yakima
 - To have 2 lists of tasks, timeline and assignments.
- 4) - More personal on Grandview's issues was a high point! Where we are financially, etc.
 - Less talk on other cities problems.
 - Overall flow of meeting went well. Accomplished important points. Not sure if another day/half day would have benefited. Maybe.
- 5) - I liked it - all of the subjects. Very good information.
 -
 - Maybe in the near future, go over the plan in review and then expand on the information.
- 6) - Insights & history, things to watch for, council being mostly on the same page.
 - no timeframes for what we were talking about (how long); no action plan
 - agenda so we know what the day look like & when we were talking about certain things
- 7) - Kept the group on task and focused. Very knowledgeable and professional. Brought insights from past experiences
 - Discussion from participants went down a rabbit hole, on occasion. Not your fault.
 -

Comparison of Water/Sewer/Garbage Billing - Similar Size, Local Communities
2008

	Water Charges	Water Tax	min.		Garbage Charges	Garbage Tax	Total	note/comment
			Sewer Charges	Sewer Tax				
Selah	15.85	0.95	33.85	2.03	11.70	0.70	65.08	'08 rate change, 6% utlty tx
Union Gap	21.37	-	35.99	-	7.97	-	65.33	incl recycling container
Toppenish	26.42	8.45	40.53	12.97	10.68	3.42	102.47	32% utility tax w/s. 6% gbq
Sunnyside	19.58	1.17	36.25	2.18	5.84	0.35	65.37	6% utlty tx. 35 gal. gbq min.
Prosser	19.89	1.99	39.58	3.96		-	65.42	w/s ut. Tax = 10%
West Richland	36.40	4.55	39.00	4.88	15.76	0.95	101.54	12.5% utility tax all
Grandview	22.69	3.97	20.68	1.24	10.16	1.78	60.52	17.5% w/g utlty tx, 6% sewer



Supplement: Clips and Resources regarding eminent domain, page 1 of 2

* Clips from the Revised Code of Washington (RCW) provided here for the purpose of providing *just a glimpse* at some of the **eminent domain** considerations. Some additional resources follow.

* Title 8 RCW <https://app.leg.wa.gov/rcw/default.aspx?Cite=8>

EMINENT DOMAIN

8.04 Eminent domain by state. 8.08 Eminent domain by counties. 8.12 Eminent domain by cities. . . .

Chapter 8.12 RCW <https://app.leg.wa.gov/RCW/default.aspx?cite=8.12>

EMINENT DOMAIN BY CITIES CONDEMNATION . . .

* 8.12.050 - Petition for condemnation.

Whenever any such ordinance shall be passed by the legislative authority of any such city for the making of any improvement authorized by this chapter or any other improvement that such city is authorized to make, the making of which will require that property be taken or damaged for public use, such city shall file a petition in the superior court of the county in which such land is situated, in the name of the city, praying that just compensation, to be made for the property to be taken or damaged for the improvement or purpose specified in such ordinance, be ascertained by a jury or by the court in case a jury be waived. . . .

* 8.12.250 - Advancement for general funds against assessments.

If any city or town shall desire to take possession of any property or do any damage or proceed with any improvement, the compensation for which is to be paid for in whole or in part by the proceeds of special assessment user this chapter, it came advance from its general funds, or any moneys available for the purpose, the amount of the assessments aforesaid, and pay the same to the owner or into court, as herein provided, reimbursing itself for moneys so advanced from the special assessments aforesaid. If there be no funds available for the purpose, of raising funds therefor, which indebtedness for the purpose of raising funds therefor, which indebtedness shall be contracted and such proceedings taken therefor as is provided by law for indebtedness contracted for other internal improvements. . . .

* 8.12.260 - Appointment of board of eminent domain commissioners - Terms of office.

At any time after June 11, 1907, any such city may petition the superior court of the county in which said city is situated, that a board of eminent domain commissioners be appointed to make assessments in all condemnation proceedings instituted by such city. . . .

* Title 35 RCW CITIES AND TOWNS <https://app.leg.wa.gov/rcw/default.aspx?Cite=35>

* 35.80A.010 Condemnation of blighted property

Every county, city, and town may acquire by condemnation, in accordance with the notice requirements and other procedures for condemnation provided in Title 8 RCW, any property, dwelling, building, or structure which constitutes a blight on the surrounding neighborhood. A "blight on the surrounding neighborhood" is any property, dwelling, building, or structure that meets any two of the following factors: (1) If a dwelling, building, or structure exists on the property, the dwelling, building, or structure has not been lawfully occupied for a period of one year or more; (2) the property, dwelling, building, or structure constitutes a threat to the public health, safety, or welfare as determined by the executive authority of the county, city, or town, or the designee of the executive authority; or (3) the property, dwelling, building, or structure is or has been associated with illegal drug activity during the previous twelve months. Prior to such condemnation, the local governing body shall adopt a resolution declaring that the acquisition of the real property described therein is necessary to eliminate neighborhood blight. Condemnation of property, dwellings, buildings, and structures for the purposes described in this chapter is declared to be for a public use. . . .

* 35.80A.030 . . . (f) That if, after the required hearing, the board or officer determines that the dwelling is unfit for human habitation, or building or structure or premises is unfit for other use, it shall state in writing its findings of fact in support of such determination, and shall issue and cause to be served upon the owner or party in interest thereof, as is provided in (c) of this subsection, and shall post in a conspicuous place on the property, an order that (i) requires the owner or party in interest, within the time specified in the order, to repair, alter, or improve such dwelling, building, structure, or premises to render it fit for human habitation, or for other use, or to vacate and close the dwelling, building, structure, or premises, if such course of action is deemed proper on the basis of the standards set forth as required in (e) of this subsection; or (ii) requires the owner or party in interest, within the time specified in the order, to remove or demolish such dwelling, building, structure, or premises, if this course of action is deemed proper on the basis of those

standards. If no appeal is filed, a copy of such order shall be filed with the auditor of the county in which the dwelling, building, structure, or premises is located.

(g) That the owner or any party in interest, within thirty days from the date of service upon the owner and posting of an order issued by the board under (c) of this subsection, may file an appeal with the appeals commission.

The local governing body of the municipality shall designate or establish a municipal agency to serve as the appeals commission. The local governing body shall also establish rules of procedure adequate to assure a prompt and thorough review of matters submitted to the appeals commission, and such rules of procedure shall include the following, without being limited thereto: (i) All matters submitted to the appeals commission must be resolved by the commission within sixty days from the date of filing therewith and (ii) a transcript of the findings of fact of the appeals commission shall be made available to the owner or other party in interest upon demand.

The findings and orders of the appeals commission shall be reported in the same manner and shall bear the same legal consequences as if issued by the board, and shall be subject to review only in the manner and to the extent provided in subsection (2) of this section. . . .

* * 35.80A.040 Authority to enter blighted buildings or property—Acceptance of financial assistance.

Every county, city, or town may, in addition to any other authority granted by this chapter: (1) Enter upon any building or property found to constitute a blight on the surrounding neighborhood in order to make surveys and appraisals, and to obtain an order for this purpose from a court of competent jurisdiction in the event entry is denied or resisted; and (2) borrow money, apply for, and accept, advances, loans, grants, contributions, and any other form of financial assistance from the federal government, the state, a county, or other public body, or from any sources, public or private, for the purposes of this chapter, and enter into and carry out contracts in connection herewith.

* 8.25.075 Costs—Award to condemnee or plaintiff—Conditions.

(1) A superior court having jurisdiction of a proceeding instituted by a condemnor to acquire real property shall award the condemnee costs including reasonable attorney fees and reasonable expert witness fees if:

(a) There is a final adjudication that the condemnor cannot acquire the real property by condemnation; or

(b) The proceeding is abandoned by the condemnor.

(2) In effecting a settlement of any claim or proceeding in which a claimant seeks an award from an acquiring agency for the payment of compensation for the taking or damaging of real property for public use without just compensation having first been made to the owner, the attorney general or other attorney representing the acquiring agency may include in the settlement amount, when appropriate, costs incurred by the claimant, including reasonable attorneys' fees and reasonable expert witness fees.

(3) A superior court rendering a judgment for the plaintiff awarding compensation for the taking or damaging of real property for public use without just compensation having first been made to the owner shall award or allow to such plaintiff costs including reasonable attorney fees and reasonable expert witness fees, but only if the judgment awarded to the plaintiff as a result of trial exceeds by ten percent or more the highest written offer of settlement submitted by the acquiring agency to the plaintiff at least thirty days prior to trial.

(4) Reasonable attorney fees and expert witness fees as authorized in this section shall be subject to the provisions of subsection (4) of RCW 8.25.070 as now or hereafter amended.

* Per the **Association of Washington Cities (AWC)**, there have been WA State bills presented seeking to not allow eminent domain for economic development. <https://wacities.org/advocacy/News/advocacy-news/2017/01/13/bill-prohibiting-the-use-of-eminent-domain-for-economic-development-purposes-surfaces-anew>

Published on Jan 13, 2017 *Bill prohibiting the use of eminent domain for economic development purposes surfaces anew*
The Senate Law & Justice Committee will again hear a bill prohibiting the use of eminent domain for economic development purposes. A bill like this has been introduced every year for some time, and AWC usually leads the charge in opposing it because it restates an existing constitutional prohibition and would only serve to increase potential legal exposure for cities. It also greatly limits the ability for cities to use condemnation in blighted areas under our community renewal statute. This bill will be heard on January 17 and currently does not have a bill number. A draft is available here.

* **Municipal Research and Services Center of Washington (MRSC)** <https://mrsc.org/explore-topics/planning/takings/eminent-domain>

- * Eminent Domain: Statutes and Constitutional Provisions
- * Eminent Domain: Examples of Ordinances and Other Documents
- * Eminent Domain: Selected Washington State Court Decisions