

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
August 26, 2013

Mayor Jiménez called the meeting to order at 7:00 p.m.

ROLL CALL

Present: Mayor Clara Jiménez and Councilmembers Loren Belton, Zachary Dorr, Mark Oaks, Randy Taylor, and Blaine Thorington.
Absent: Councilmember Derald Ortloff.
Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary Cuillier, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Thorington moved, seconded by Councilmember Oaks to excuse Councilmember Ortloff from the August 26, 2013 Regular Meeting. Motion carried unanimously.

PUBLIC COMMENT

None.

CONSENT AGENDA

Councilmember Dorr moved, seconded by Councilmember Taylor to approve Consent Agenda item a through f:

- a. Approve Minutes of the August 12, 2013 Regular Council Meeting.
- b. Receive July 2013 Budget Report and Update Memorandum Submitted by Finance Director/City Clerk Linda Mead.
- c. Approve Pay Estimate #1 to Columbia Asphalt & Gravel, Inc. for the Washington Avenue Resurfacing Project in the amount of \$138,191.12 with retainage held in the amount of \$7,268.39.
- d. Approve Pay Estimate #1 to Scout Lake Construction, Inc. for the 2013 Water System Improvements Project in the amount of \$365,078.33 with retainage held in the amount of \$17,794.08.
- e. Approve Payroll Check Numbers 32332 through 32335, 32347 through 32357 and EFTPR196-203 in the total amount of \$271,710.19 dated August 22, 2013 and Void Check Numbers 32336 through 32346.
- f. Approve Claims Check Numbers 77869 through 77934 and EFTAP108 in the total amount of \$761,244.36 dated August 26, 2013 and Void Check Number 77822.

Motion carried unanimously.

NEW BUSINESS

Ordinance 2013-11:

An Ordinance of the City of Toppenish, Washington, Relating to Cable Franchises; Authorizing and Ratifying an Extension of Charter's Cable Franchise Granted Pursuant to Ordinance No. 98-10; Providing for Severability; and Establishing an Effective Date.

City Manager Murphy (CM Murphy) reported that almost 15 years ago the City entered into its present cable franchise with the predecessor of Charter which will expire September 20, 2013. The proposed Ordinance is to extend the existing cable franchise until December 31, 2013 to maintain the same cable services while the City negotiates the terms of a new cable franchise with Charter.

Councilmember Belton moved, seconded by Councilmember Oaks to adopt Ordinance 2013-11, an Ordinance of the City of Toppenish, Washington, Relating to Cable Franchises; Authorizing and Ratifying an Extension of Charter's Cable Franchise Granted Pursuant to Ordinance No. 98-10; Providing for Severability; and Establishing an Effective Date. Motion carried unanimously.

Ordinance 2013-12:

Ordinance Changing the Roles of the City Council, the Lodging Tax Advisory Committee and the Tourism Fund Advisory Committee Regarding the Uses of Lodging Tax Revenues and Changing the Membership of the Tourism Fund Advisory Committee by Amending Sections 2.30.140, 2.30.150 and 2.30.160 of the Toppenish Municipal Code.

CM Murphy reported that the proposed Ordinance is to bring the Toppenish Municipal Code in compliance with a new law that changes the role of the Lodging Tax Advisory Committee (LTAC). In addition, the proposed Ordinance is to reduce the membership of the Tourism Fund Advisory Committee (TFAC) from eleven members to nine members by removing the Rattlesnake Hills Tourist Trail member, a defunct organization, and one Community at Large member that has not participated with the committee. CM Murphy stated that the TFAC members will make funding recommendations to the LTAC members for consideration. The City Council will receive a list of applicants and the recommended funding levels from the LTAC members to consider for allocating tourism funds for the next calendar year. CM Murphy stated that the City Council may only award the recipients on the list and in the amounts recommended by the LTAC members. The City Council does not have to fund the full list as recommended by the LTAC members and can decide to award all, some, or none on the list.

Councilmember Thorington moved, seconded by Councilmember Taylor to adopt Ordinance 2013-12, an Ordinance Changing the Roles of the City Council, the Lodging Tax Advisory Committee and the Tourism Fund Advisory Committee Regarding the Uses of Lodging Tax Revenues and Changing the Membership of the Tourism Fund Advisory Committee by Amending Sections 2.30.140, 2.30.150 and 2.30.160 of the Toppenish Municipal Code. Motion carried unanimously.

Resolution 2013-19:

Resolution Approving Proposal and Contract with Gray & Osborne, Inc., for Professional Engineering Services.

CM Murphy reported that the City is in the process of obtaining its NPDES permit for the operation of the Waste Water Treatment Plant. Gray & Osborne, Inc. is the engineering firm which managed the construction of the plant. CM Murphy further reported that the City will be required to meet phosphorous limits that will require assistance from the engineering firm.

Councilmember Dorr moved, seconded by Councilmember Oaks to adopt Resolution 2013-19, a Resolution Approving Proposal and Contract with Gray & Osborne, Inc., for Professional Engineering Services. Motion carried unanimously.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Councilmember Belton reported that he attended the Yakima Valley Conference of Governments Executive Board meeting, the Toppenish Western Art Show, and the Yakima Valley Emergency Management Service Executive Board meeting.

Councilmember Oaks announced that a concert is scheduled for the upcoming weekend at the Toppenish Rodeo Grounds.

Mayor Jiménez reported that she attended the Toppenish Western Art Show, was a speaker for Immigration Reform at Heritage University, stopped by the Rail and Steam Show, and shared the positive comments she received from a former resident of Toppenish on the condition of the parks and the community.

Councilmember Dorr announced that the Toppenish Chamber of Commerce will be sponsoring the Sweetest Teen pageant and the Miss Toppenish pageant on September 7, 2013 at the Toppenish High School.

CITY MANAGER REPORTS

CM Murphy reported that he and staff are working on the 2014 Budget. The week of September 9, 2013 through September 12, 2013, CM Murphy will have intensive budget meetings with staff.

CM Murphy stated that the next quarterly Public Safety Meeting is scheduled for September 16, 2013. Police Chief Diaz has inquired if the Public Safety Committee would be interested in having a demonstration of the new shooting simulator they purchased with grant funds received from Legends Casino. CM Murphy reported that the demonstration will have to be scheduled because staff is scheduled to receive training to operate the device the first week in October.

Councilmember Oaks moved, seconded by Councilmember Taylor to reset the Public Safety Committee meeting from September 16, 2013 to October 21, 2013. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:23 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK