

TOPPENISH CITY COUNCIL
Regular Meeting Minutes
November 13, 2012

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

ROLL CALL

Present: Mayor Clara Jiménez and Councilmembers Loren Belton, Zachary Dorr, Derald Ortloff, Randy Taylor, and Blaine Thorington.

Absent: Councilmember Mark Oaks.

Staff Present: City Manager William C. Murphy (CM Murphy), City Attorney Gary Cuillier, Finance Director/City Clerk Linda B. Mead (FD Mead), City Interpreter Jorge Villaseñor, MidValley Television Manager Judy Devall, and Executive Assistant/Deputy City Clerk Heidi Riojas.

Councilmember Taylor moved, seconded by Councilmember Ortloff to excuse Councilmember Mark Oaks from the November 13, 2012 Regular Council Meeting.

PUBLIC COMMENT

Erica Rojas and Sendy Cano, 604 West First Avenue, Toppenish, on behalf of the AmeriCorps program at the Yakima Valley Farm Workers Clinic, requested Council support for a Peace March on January 21, 2013 in honor of Martin Luther King, Jr. The parade route will begin at the Market Place parking lot and end at the Valley View Elementary with a day of events presented by students and staff.

CONSENT AGENDA

Councilmember Thorington moved, seconded by Councilmember Dorr to approve Consent Agenda items a through e:

- a. Approve Minutes of the October 22, 2012 Regular Council Meeting.
- b. Approve Minutes of the November 5, 2012 Study Session.
- c. Approve Pay Estimate #1 for the Pioneer Park Pathway to Granite Construction Company for \$110,560.09 with retainage held in the amount of \$5,818.95.
- d. Approve Payroll Checks Number 31893 through 31919 in the total amount of \$219,982.55 dated October 31, 2012.
- e. Approve Claims Checks Number 76078 through 76194 in the total amount of \$309,246.11 dated November 13, 2012.

Motion carried unanimously.

PUBLIC HEARING

Public Hearing Regarding 2013 Preliminary Budget.

At 7:07 p.m., Mayor Jiménez opened the public hearing to receive comments regarding the proposed 2013 Preliminary Budget.

Finance Director/City Clerk Mead (FD Mead) reported that she had one minor change for the Finance Department budget to increase the professional services to \$4,500 to cover additional contracted finance services for Toni Nelson. In addition, FD Mead stated there is a possible change for the tourism budget depending on the decision of Council later in the meeting. FD Mead reported that the City received notice that there may be an increase in the rates for Labor and Industries, which would result in a Budget Amendment in January 2013.

City Manager Murphy (CM Murphy) reported that the public hearing was published in the newspaper and that the City interpreter was present at the meeting, as it is legally required. CM Murphy credited FD Mead for her diligent efforts in preparing the 2013 Preliminary Budget.

There being no comments from the public, Mayor Jiménez closed the public hearing at 7:10 p.m.

OLD BUSINESS

Release Retainage to Stephens and Sons Construction, Inc. for Repairs to Toppenish Library Building in the Amount of \$2,095.35.

CM Murphy reported that the City has received all required waivers from Employment Security, Labor and Industries, Department of Revenue and that no liens have been filed within the 60-day period. It is recommended that the retainage amount of \$2,095.35 be released to Stephens and Sons Construction, Inc.

Councilmember Belton moved, seconded by Councilmember Taylor to approve Release of Retainage to Stephens and Sons Construction, Inc. for Repairs to Toppenish Library Building in the Amount of \$2,095.35. All Waivers have been received for Employment Security, Labor & Industries, and Department of Revenue. No Liens have been filed within the 60-day period. Motion carried unanimously.

NEW BUSINESS

Resolution 2012-21:

A Resolution of the City Council of the City of Toppenish, Washington, Adopting Indigent Defense Standards, Directing Staff to Begin a Process to Evaluate Case Counts, Review Standards, and Potential Additions to or Clarifications Thereof; Incorporation of the Standards Into Public Defense Contract, and Providing for a Continuing Process to Review and Update These Standards.

CM Murphy reported that the proposed Resolution is for the City to be in compliance by adopting the new Washington Supreme Court standards for indigent defense and to implement limitations on the number of cases for each attorney.

Councilmember Thorington moved, seconded by Councilmember Ortloff to adopt Resolution 2012-21, A Resolution of the City Council of the City of Toppenish, Washington, Adopting Indigent Defense Standards, Directing Staff to Begin a Process to Evaluate Case Counts, Review Standards, and Potential Additions to or Clarifications Thereof; Incorporation of the Standards

Into Public Defense Contract, and Providing for a Continuing Process to Review and Update These Standards. Motion carried unanimously.

Resolution 2012-22:

Resolution Authorizing Contract with Mike's Roofing, Inc. for the City Hall and Safe Haven Roof Replacement Projects.

CM Murphy reported that the City previously published Request for Proposals for the projects and the City's Engineer recommends accepting the contract with Mike's Roofing, Inc., the lowest responsible bidder.

Councilmember Belton moved, seconded by Councilmember Ortloff to adopt Resolution 2012-22, A Resolution Authorizing Contract with Mike's Roofing, Inc. for the City Hall and Safe Haven Roof Replacement Projects. Motion carried unanimously.

Resolution 2012-23:

Resolution Designating Official Newspaper.

CM Murphy reported that in September 2012 Council adopted a Resolution to designate the Yakima Herald-Republic as the official newspaper when the Review-Independent stopped publication. The City has received notice that the Review-Independent will resume publication November 15, 2012, and every Thursday thereafter.

Councilmember Belton moved, seconded by Councilmember Ortloff to adopt Resolution 2012-23, A Resolution Designating Official Newspaper. Motion carried unanimously.

Decide and Take Action to Allocate the 2013 Tourism Development Funds after Reviewing and Discussing Recommendations from the Tourism Fund Advisory Committee and the Lodging Tax Advisory Committee.

Mayor Jiménez reported that the Tourism Fund Advisory Committee (TFAC) members met on September 26, 2012 and recommended funding \$75,000 and that the Lodging Tax Advisory Committee (LTAC) members met on October 3, 2012 and recommended funding 10% less than the amount recommended by the TFAC members, for a total amount of \$67,500. Mayor Jiménez stated the reason the LTAC members recommended a reduction in funding was a way to preserve the diminishing ending fund balance of the tourism fund as a way to preserve the funding program for the future. FD Mead reported that establishing an adequate ending/beginning fund balances for the tourism fund is encouraged so that funds are available at the beginning of the year. The fund balances enable the City to cover reimbursements submitted by the organizations during the first part of the year.

Councilmember Thorington moved, seconded by Councilmember Belton to adopt the Lodging Tax Advisory Committee members recommendation for allocation of the 2013 Tourism Development Funds of \$67,500 with \$5,400 to the Yakima Valley Rail and Steam Museum Association, \$2,700 to the Toppenish Western Art Association, \$47,250 to the Toppenish Chamber of Commerce, \$9,720 to the Yakima Valley Visitors and Convention Bureau, and \$2,430 to the Central Washington Junior Livestock Show. Motion carried. Councilmember Dorr recused himself from the vote.

Set Agenda for the December 3, 2012 Study Session.

CM Murphy reported he was in the process of scheduling the legislative delegation of Senator Honeyford, Representative Chandler, and Representative Taylor to attend the December 3, 2012 Study Session and will report back on his progress at the November 26, 2012 meeting.

COUNCIL MEETING REPORTS/COMMUNITY ANNOUNCEMENTS

Mayor Jiménez reported that she attended the following meetings and events: 1) the 4-H Luncheon on October 27, 2012; 2) the Ranch Party on November 1, 2012 and presented the 2012 Employee of Year Award to Heidi Riojas; 3) the Volunteer Firefighter Board Meeting with Councilmember Belton on November 7, 2012; and 4) the Audit Exit Conference with Councilmember Belton on November 7, 2012 where the Auditor presented the City with an excellent report.

Councilmember Dorr reported that he and Councilmember Thorington attended the Ranch Party on November 1, 2012.

Councilmember Belton reported that he attended the Executive Board meeting for the Office of Emergency Management on October 29, 2012 and reminded Council of the tabletop exercise scheduled for November 15, 2012 in Union Gap.

CITY MANAGER REPORTS

CM Murphy reported that over the weekend the skate park and numerous buildings at Pioneer Park were tagged with graffiti. It is unfortunate that City staff spent extra time prior to the Veteran's Day holiday weekend to paint out graffiti in Pioneer Park. CM Murphy encouraged Council to report to him if they discover graffiti on City buildings.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 7:37 p.m.

CLARA R. JIMÉNEZ, MAYOR

HEIDI RIOJAS, EXECUTIVE ASSISTANT/DEPUTY CITY CLERK